



RTPI

mediation of space · making of place

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Energy Review Team
Department of Trade and Industry
1 Victoria Street
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13 April 2006

Dear Sir/Madam

RTPI SUPPLEMENTARY RESPONSE TO THE ENERGY REVIEW

The Royal Town Planning Institute (RTPI) is a membership organisation representing over 19,000 town planners. The RTPI exists to advance the science and art of town planning for the benefit of the public. The RTPI forms and joins strategic partnerships with like minded institutions to enable effective communications to government.

In respect of the Energy Review, the RTPI has actively contributed to and supports a consultation response by the Construction Industry Council (CIC), which will be provided to the review under separate cover. The RTPI endorses the 'Energy Hierarchy' approach set out in that response as providing a sound underpinning for the prioritisation of energy research, development and investment. It endorses the CIC approach to place energy conservation and demand management measures at a higher level in the hierarchy than the development of new means of winning and distributing energy. That being said, the CIC response is a multi-sector one which, of necessity, has not been able to fully respond to the detail of the relationship between energy investments and the spatial planning systems of England, Wales, Scotland and Northern Ireland.

The consultation paper 'Our Energy Challenge' identifies a number of instances in which the UK planning systems (or components of them) are seen by some as giving rise to delay and or additional development cost for energy investment¹. The RTPI accepts that there are instances of past practice in which such assertions held true. However, it does not accept that planning systems should be seen as inevitably leading to such outcomes. Indeed, the RTPI wishes to take the opportunity to promote the view that, whatever portfolio of energy investments may be prioritised by governments, a properly designed planning system will provide a key tool to be used in engaging communities, setting spatial direction and ensuring that adverse effects are controlled. The effective use of planning tools in the energy field offers the opportunity to ensure that the best balance of well located and sustainable investments eventuates, in a manner that leads to clear net community benefit.

¹ See pages 47, 66 and 69 of the consultation paper, where instances of project delay or cost attributed to the planning system are discussed.

This submission should be read as an addendum to the CIC submission, providing the particular advice of the RTPI on the role of spatial planning systems in decision making about the siting and development of new energy infrastructure. It addresses:

- the relationship between energy investment programmes and planning policy;
- the balance to be struck between national, regional and local priorities in decision making (including means of considering and responding to local community concerns);
- the need to ensure that the potentially adverse local amenity effects of energy investments are identified and offset or mitigated to the best reasonable extent;
- the need for efficiency in decision making, including the need to ensure appropriate thresholds for planning control; and
- the potential to encourage and support innovative and place-specific investment in harnessing energy resources through regional, sub-regional and local planning processes.

Balancing priorities in planning policy

The UK's planning systems are systems in which policy is used to establish strong direction at national, regional and local tiers. Policy is generally brought to bear on individual development decisions in a hierarchy, in which relevant local or regional policy will apply, unless over-ridden by higher tier regional or national expressions of policy.

If the government is minded to adopt the energy policy hierarchy advocated by the CIC submission, then the RTPI takes the view that this should be articulated at the highest level, in national planning policy, to ensure that it becomes known to, and implemented by, all stakeholders in the planning system.

It must be observed that the energy sector overall has not been well served by expressions of national priorities in planning policy. We have passed through a period of history in which we have been utilising the fruits of energy planning and investment undertaken by previous generations and the benefits to be obtained from an energy planning framework have not been well articulated. It follows that for some time there has not been and currently there is no clear national statement of the key spatial or locational issues bearing on energy decision making.

Turning to national priorities, it must be observed that there are jurisdictional policies that do have a bearing on energy topics, for example, Planning Policy Statement 22: Renewable Energy for England or Technical Advice Note 8 on the same subject matter in Wales. However, as the titles of these examples suggest, whilst some energy topics are treated well, there is no policy that ranges across the whole subject matter of energy. Nor is there any policy that attempts to provide a sense of the weight or priority to be accorded in the planning systems to matters such as:

- the provision of energy needs overall;
- security of energy supply;
- diversification of energy generation, both by technology type and spatially; and
- the locational and local drivers for and effects of particular generation technologies as against the achievement of other policy objectives.

To provide a spatial example: we have a national electricity grid. Capacity in this and its location will remain key factors in decisions about the siting of major new generating capacity. Spatial policy can make this clear. Similarly, many energy resources are found 'where they lie'. Economically viable wind, hydro, gas or coal reserves are natural environment values whose location is a given, thus driving locational decisions about exploitation. This too requires to be responded to in spatial policy.

It is in this context that the RTPI acknowledges that individual energy project decision making within the planning system sometimes becomes more complicated than it need be. However, the RTPI strongly advocates that, with effectively articulated national planning priorities for energy investment and clearly expressed national and regional spatial guidance for major infrastructure projects, project decision making through the planning system has the potential to become significantly more targeted, timely and efficient. This theme is expressed in the RTPI's response to the current Barker 2 review, but is clearly relevant to the approach that is to be taken to future energy development approval processes.

At the same time, there is an urgent need to support changing energy markets and technologies through regional and local plan-making processes and through the management of individual development proposals. Planning frameworks assist investors in new technologies by providing clear direction as to the nature of innovation that is supported and the likely spatial considerations that will lead to an investment location being supported. They can also assist in providing means whereby third party impacts are diagnosed and mitigated.

Possible examples of the role to be played by planning frameworks lie in the development of combined heat and power technologies (eg. linking processing of agricultural waste or biomass to local users) or the models being forged by private/public partnerships such as the Severn Wye Energy Agency (SWEA) in partnership with the Forest of Dean District Council, Gloucestershire County Council and Lydney Town Council (see <http://www.managenergy.net/products/R1061.htm>). Plan policies can identify and safeguard high quality wind resource areas, or provide design guidance to maximise the uptake and effectiveness of on-building energy conservation and micro-generating technologies, such as passive solar design, photo voltaics and small scale wind turbines. Plan policies can also identify and safeguard alignments for major electricity or gas grid installations and the locations for large scale new generating or refining plant.

Local Development Frameworks and Plans, locally tailored Supplementary Planning Documents, Local Area Action Plans and Development Briefs all have a potentially exciting role to play in supporting increasingly decentralized, deregulated and responsive energy markets that are likely to enhance diversity of supply, energy security and medium to long term sustainability.

Community engagement and the threshold for planning control

A further comment that the RTPI wishes to make in regard to the efficiency of the planning system relates to the balance between community engagement and the threshold for planning control.

The RTPI suggests that future energy investment will be likely to be of two broad scales.

- Firstly, there will be broadly local scale or 'micro-generation' proposals, where a large number of producers will deliver energy solely for their requirements or into local distribution systems. Grid connected household scale wind, solar and hydrogen fuel cells provide examples of these technologies, as do small scale local bio-fuels production plants.
- Secondly however, there are still likely to be a considerable number of more centralised 'utility scale', multi megawatt electricity generation and transmission proposals. The RTPI expresses no view as to merits between technologies, but in terms of the options canvassed in the review paper, these might include large onshore and offshore wind farms, new gas generation plant, 'clean coal' or nuclear power stations.

The RTPI considers that the planning system needs to continue to discriminate in the rigour of its investigations between small scale, lower impact and relatively less controversial investments, which may need little or even no public scrutiny to underpin a decision, and more major or impactful proposals that will warrant greater levels of public scrutiny.

What does this mean in practice? At the lower end of the scale, the RTPI considers that it is necessary to continuously examine emerging micro-generation and related technologies, with a view to ensuring that that these are designed in a way that enables them to be installed in most foreseeable locations as permitted development or subject to consultation with local planning authorities. Planning permission should only be required in circumstances where the proposed installation could harm another acknowledged interest of importance (for example, the setting of a listed historic building or a site with natural environment significance). Community consultation on the installation of such systems should take place at a generic level, around the decision of where the permitted development threshold should be set. The RTPI has worked with ODPM to advocate reductions to planning regulatory requirements affecting otherwise desirable micro-generation and this direction of planning system operational research and development should continue to be pursued.

At the higher end of the scale, substantial free-standing energy proposals should in the RTPI's view continue to require planning permission. This is because the spatial location, development and use of such projects will unavoidably have some undesirable social, economic and environmental effects. An application for planning permission is the best means of facilitating an open and transparent evaluation of these and designing and

securing mitigation. As it again made clear in its response to the Barker 2 review, the RTPI takes the view that it is necessary to provide such evaluation, to the extent that if it did not already exist, the market would have to invent it. The RTPI considers that any significant reduction in the capacity of communities to engage in decision making over major proposals that can significantly affect their lives, livelihoods and environment, would be likely to lead to forms of political and legal engagement or indeed forms of direct action that would cause substantially greater diseconomies than those suggested to arise from the planning system.

Having stated this, the RTPI must make clear its view that major infrastructure projects as a whole have not been well managed in UK planning systems in the past. The approach recently developed for England in The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005 represent a step towards a specially attuned planning process for such projects. However, care will be required to ensure that (particularly) public inquiries into major energy projects are not distracted from their key tasks. They should be focussed on evaluating the appropriateness of the location for the proposed facility in spatial terms, on identifying the social, economic and environmental effects of the proposal and on the effectiveness of mitigation measures. They should not become wide ranging examinations of the appropriateness of meeting a certain quantum of energy demand, of the balance between demand and supply measures or the choice of technology, particularly where such issues are clearly addressed in government policy. It follows that there is room for a clear expression of planning guidance to shape public expectations about the proper role of planning inquiries for energy projects and, as already proposed above, there is also room for a very clear expression of national policy priorities and spatial guidance for energy investment.

Conclusion

In conclusion, the RTPI welcomes the opportunity to respond to the Energy Review. It supports the government's endeavour to identify the need for and directions of change in energy supply and demand. It considers that the relationship between human societies and questions of energy supply and demand will become one of the most significant determinants of their social, economic and environmental success in the coming century.

The RTPI considers that, having deliberated on the best balance of energy sources and technologies, government should then articulate its reasoning, priorities and key spatial directions in national planning policy.

Ongoing continuous improvement of planning systems should then ensure that low impact and small scale energy technologies are not subjected to undue regulation through the planning system. Larger scale projects with the potential for more substantial orders of impact should remain subject to planning control, within the directions of a more clearly articulated national planning policy.

This response raises no issues of a confidential nature and may be referred to and cited in public.

I trust that the above is clear. Should you have any questions that you wish to explore, please contact me on 020 7929 9478 or by email to rynd.smith@rtpi.org.uk .

Yours faithfully,



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