

# Response to follow up consultation on proposals regarding the planning system for electricity storage

10 December 2019

## About Energy UK

Energy UK is the trade association for the energy industry with over 100 members spanning every aspect of the energy sector – from established FTSE 100 companies right through to new, growing suppliers and generators, which now make up over half of our membership.

We represent the diverse nature of the UK's energy industry with our members delivering almost all (90%) of both the UK's power generation and energy supply for over 27 million UK homes as well as businesses.

The energy industry invests over £13.1bn annually, delivers around £85.6bn in economic activity through its supply chain and interaction with other sectors, and supports over 764,000 jobs in every corner of the country.

## Response to consultation questions

### **1. Do you agree that it is appropriate to carve out electricity storage, except pumped hydro from the NSIP regime in England and Wales? If not, please provide justification and evidence to support your answer.**

Energy UK fully supports the proposals to carve out electricity storage projects from the Nationally Significant Infrastructure Project (NSIP) regime in England and Wales.

As set out in our response to the previous consultation (March 2019), whilst we agree that the NSIP regime works well for large-scale, nationally significant infrastructure projects we do not consider that this approach is necessary or proportionate for typical electricity storage projects with a capacity of around 50MW.

By way of background, a 50MW battery-based electricity storage project is equivalent in size and structure to an agricultural shed which would generally be determined locally through the Town and Country Planning Act (TCPA) process. Furthermore, such electricity storage projects with a capacity of up to around 200MW are unlikely to trigger requirements for an Environmental Impact Assessment (EIA) (and where they do, it is possible that many topics could be scoped out of an EIA).

In our view, the additional time, resource and costs of a more onerous, lengthy and more expensive planning process under the NSIP regime is therefore disproportionate to the potential environmental impacts and could deter investment in electricity storage projects and/or result in sub-optimal sizing of projects.

The proposal to carve out electricity storage from the NSIP regime in England and Wales will ensure electricity storage proposals are subject to a proportionate consenting process while enabling timely consent decisions to be reached. This in turn will help promote confidence in the sector, thereby encouraging further investment and deployment.

In terms of the treatment of hydro pumped storage, we appreciate that BEIS's position is informed by some of the existing large-scale projects which may have had a significant environmental and socio-economic impact. However, we note that there are also developments in terms of medium-scale pumped storage, such as those utilising old mines, which may not have such a significant environmental footprint. In addition, there is ongoing innovation in pumped hydro technology, such as using alternative liquids that are denser than water, which will enable the same generating capacity but with a smaller footprint. With some of our members arguing that the planning regime should be a level playing field for all forms of storage and calling for a higher threshold for pumped hydro of 200MW, we would welcome a move to review the NSIP threshold for pumped storage in the future.

We would also support the consideration of situations whereby a high head conventional hydro seeks to replant its turbines to facilitate pumped hydro storage by use of reversible Francis turbines. Under these circumstances, what could be classed as plant modifications would require going through the NSIP process. In fact, conversion to pumped hydro storage from conventional hydro could be relatively insignificant from an environmental impact perspective but would require the benefit of a DCO rather than being considered by the local planning authority.

We therefore believe that there should be some recognition that conversion to pumped hydro storage from conventional hydro, below a certain threshold (e.g. 200MW) or subject to certain requirements, could also be considered through TCPA.

Energy UK also believes that there are scenarios where further guidance is required. For example, in the absence of specific guidance, adding a battery storage to an existing generating site, such as a gas-fired power station, could be dealt with inconsistently throughout the UK. Under the current proposals, local planning authorities would be able to take their own views on whether permitted development, planning permission or a DCO/Section 36C variation should apply, creating significant uncertainty for developers. We would therefore welcome guidance that could make the practical application of this legislation much clearer to developers and planning authorities. It would also be important for guidance to clarify the need for (and a presumption in favour of) this type of technology as part of the UK energy mix.

**2. Do you agree that we should carve out electricity storage, except pumped hydro, from the offshore planning regime (NSIP and s.36 consent)? Please provide evidence to support your answer where appropriate.**

Energy UK support proposals to carve out electricity storage (except pumped hydro) from the NSIP regime.

We would suggest that given the operational requirements to access electricity storage facilities, it is likely that in the short term, electricity storage facilities to support offshore wind infrastructure will be constructed onshore. However, if technology developments allow electricity storage facilities to be constructed offshore, unless considered as associated development under a Development Consent Order (DCO) application, then the marine licencing regime would be an appropriate consenting mechanism for electricity storage projects within the marine environment.

**3. Do you have any comments on the draft legislation or transitional arrangements? Please specify which areas of the legislation you are referring to.**

Although Energy UK has no specific comments on the draft legislation or transitional arrangements, we would like to flag that the practical application of this is complicated and has knock on effects to the raft of related documents. In this respect, we feel it would be valuable to have clear and consistent guidance

and principles for bringing forward over 50MW electricity storage projects through the TCPA process so as to ensure geographical consistency across the various Local Authorities.

For further information, please contact:

**India Redrup**

Policy Manager, Power

Energy UK

26 Finsbury Square

London, EC2A 1DS

Tel: +44 20 7024 7635

[india.redrup@energy-uk.org.uk](mailto:india.redrup@energy-uk.org.uk)