

Response to Scottish Government's Call for Ideas on the fourth National Planning Framework (NPF4)

30 April 2020

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.

Despite the current restrictions under the COVID-19 outbreak, the energy sector stands ready and willing to maintain engagement with Scottish Government to help drive progress on Scotland's fourth National Planning Framework (NPF4). We welcomed the letter issued by the Chief Planner on planning procedures and COVID-19 on 3 April 2020,¹ and appreciate the provisions set out within the Coronavirus (Scotland) Bill² which provided reassurance and a clear message to developers. Most notably through the extension to consents vulnerable to expiring within six months of 1 April, Scottish Government has demonstrated that it is aware of, and willing to accommodate, some of the unavoidable delays developers are trying to minimise during this unprecedented situation. Energy infrastructure developers remain committed to their contribution toward an NPF which enables Scotland to meet its 2045 Net Zero target.

Executive Summary

- In the context of the Climate Emergency, the 2045 Net Zero target in Scotland and in line with the recommendation of the Committee on Climate Change (CCC)³ to increase the supply of low-carbon power fourfold by 2050, it is critical that NPF4 clearly sets out clear, proactive, policies to support an agreed pathway and specifies how the Planning System can deliver on these objectives. This is particularly important given the 10-year life span of the NPF and the lead time for major infrastructure projects.
- Energy UK is supportive of any proposals which provide a clear and consistent approach to planning across Scotland, reduce bureaucracy and deliver a greater emphasis on the certainty of outcomes and delivery of development.
- A clear, positive vision for the planning framework in Scotland would be welcomed across the energy industry to ensure that climate change mitigation is prioritised, and significant volumes of new low carbon energy infrastructure are delivered in a timely manner to meet Net Zero by 2045.
- The new NPF should include a 'presumption in favour' of repowering and life extension (using larger and more efficient turbines) for onshore wind, and planning policy should clearly support proposals

¹ <https://www.gov.scot/publications/planning-procedures-and-covid-19/>

² [https://www.parliament.scot/S5_Bills/Coronavirus%20\(Scotland\)%20Bill/SPBill66S052020.pdf](https://www.parliament.scot/S5_Bills/Coronavirus%20(Scotland)%20Bill/SPBill66S052020.pdf)

³ <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-The-UKs-contribution-to-stopping-global-warming.pdf>

for long-term use of windfarm sites, as well as the co-location of compatible technologies such as storage and solar.

- We would recommend that consideration is given to introducing a presumption in favour of granting planning consent in perpetuity (subject to the usual conditions dealing with decommissioning and restoration at the end of the life of the windfarm) and continue the support and expansion of low-carbon technologies such as pumped storage hydro to decarbonise our electricity generation, responding to the increased need for flexibility and storage.
- Similarly, the required grid upgrades and technologies that can provide Grid Forming Capability to facilitate additional renewable generation and meet demand should be supported in separate policy guidance; there are planned investments to deliver these upgrades in recent regulatory programme (RIIO-T2).
- Landscape Capacity Studies are often used as definitive tools rather than informative guidance; therefore, we would welcome a move to Landscape Sensitivity Studies and clarification that these are advisory documents and should not replace detailed, site-specific assessment.
- The complex definition and status of 'Wild Land' needs to be addressed as well as the treatment of buffers or separation distances around these areas. We would support a less restrictive and more positive approach to these designations in an updated Spatial Framework for Onshore Wind to be contained in NPF4.
- Even prior to the COVID-19 outbreak, NPF4 was still over a year away from implementation. Given that the disruption caused by COVID-19 will likely push this date back even further, and the climate emergency demands that we take urgent action now, we would welcome a bridging measure being put in place to ensure the Climate Emergency and Net Zero targets are taken into account in planning decisions. We would support consideration of any options that would achieve this such as a Ministerial Statement or Chief Planner's Letter stating that the Climate Emergency and Net Zero ambition should be a material consideration and afforded significant weight in planning decisions. We consider that this could provide a much-needed steer for the way in which planners and reporters should be treating applications in that period.

Please find our response to the relevant consultation questions below.

Response to consultation questions

Question 1. What development will we need to address climate change?

Considering the Climate Emergency and Net Zero target in Scotland for 2045, it is critical that NPF4 clearly sets out how the Planning System can deliver on these objectives and provides clear, proactive, policies to support this trajectory. This is particularly important given the 10-year life span of the NPF and the lead time for major infrastructure projects. A clear, positive vision for the planning framework in Scotland would be welcomed across the energy industry to ensure that climate change mitigation is prioritised and significant weight in the planning balance is given to proposals that contribute to Scotland's targets.

In order to facilitate the timely delivery of substantial volumes of new low carbon energy infrastructure to meet Net Zero, Energy UK considers that the NPF4 should include a 'presumption in favour' of renewable energy projects, as well as their repowering and life extension (e.g. using larger and more efficient turbines), outside National Parks and National Scenic Areas. Planning policy should clearly support proposals for long-term use of windfarm sites, as well as the co-location of compatible technologies such as energy storage and solar.

Although Scotland's commitment to becoming a net-zero society by 2045 also includes a new target to reduce greenhouse gas emissions by 75% by 2030, energy targets beyond 2030 should be embedded in NPF4, given the lead time for major infrastructure projects. Furthermore, the targets themselves should not be seen as a cap – if interim targets are met, this should not be a reason to refuse subsequent applications.

The review of the Climate Change Plan (laid before parliament in April 2020), the 2020 Energy Statement and NPF4 will all be opportunities where Government can display leadership in how the environment, climate, energy and planning portfolios can all work towards the same (net zero) goal by

supporting technologies such as pumped storage and on- and offshore wind, noting the potential of projects to expand. The transitional nature of the pathway to net zero means that we will also require other technologies (such as gas, nuclear, solar, battery storage, hydro, biomass and as yet undiscovered technologies) to bridge the gap.

NPF3 included 'Carbon Capture and Storage Network and Thermal Generation' as a National Development. Given the increased decarbonisation ambition in Scotland and the CCC's assertion that CCS is a necessity, not an option⁴, such infrastructure (including networks for the transport and storage of CO₂) should be prioritised and maintained as a National Development in NPF4. Thermal generation plant, where that development includes a carbon capture plant, should maintain their National Development status. This should be extended to thermal generation plant which include technology capable of firing with hydrogen, instead of natural gas. Such developments, with options for both CCS and hydrogen, will be crucial to maintaining a secure energy system in a net-zero Scotland, as well as facilitating broader industrial decarbonisation through investment in shared infrastructure.

Focus should be as much on decarbonising the energy system as a whole, and therefore technologies such as pumped storage hydro will be a critically important ingredient to decarbonising our electricity generation and responding to the increased need for flexibility and storage. One of our members is committed to exploring opportunities for expanding pumped storage capacity, to ensure hydro schemes are operating in most optimal way, and hopes for continued Scottish Government support. The Scottish Government had already declared its support for expansion of pumped storage hydro provision in NPF3, so it is hoped that this will be reflected in the next iteration of the NPF.

Question 2. How can planning best support our quality of life, health and wellbeing in the future?

The creation of a clear policy framework that facilitates the drive towards net zero has multiple potential benefits including improvements to quality of life, health and wellbeing. The role of clean, low-carbon, renewable energy in decarbonising society through the replacement of fossil fuels should be clearly stated, in particular the reduction in greenhouse gases resulting in significant improvements to environmental quality and subsequent health benefits.

Furthermore, recognition of the linkages between clean forms of energy generation and the health benefits of cleaner air should be explicitly stated in NPF4 as this will provide strong justification and support for further deployment of new and repowered renewable developments.

Question 3. What does planning need to do to enable development and investment in our economy so that it benefits everyone?

A 2019 report by Vivid Economics⁵ highlighted that deploying 35 GW of onshore wind by 2035 could support around 2,300 direct jobs in Scotland, with areas of relatively high unemployment in Scotland most likely to benefit from these future onshore wind-supported jobs. In terms of broader benefits, the report puts the GVA uplift in Scotland brought by onshore wind at £50m per year by 2035, thereby representing a sizeable boost to regional productivity and helping the region narrow the gap with the national average.

Through NPF4 there is an opportunity to create a positive development context for renewables which will in turn increase investment in renewable technologies and development on the ground. By creating certainty in the planning system, developers would be able to develop sites free from planning and consenting risks, thus speeding up deployment and meeting net-zero targets earlier.

In order to develop the most cost-effective projects which can bid into the forthcoming Contracts for Difference (CfD) auctions, developers will need to utilise the most up to date and efficient technology, including the use of larger turbines and colocation of compatible technologies such as battery storage and solar.

⁴ <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-The-UKs-contribution-to-stopping-global-warming.pdf>

⁵ https://www.vivideconomics.com/wp-content/uploads/2019/08/Quantifying_the_Benefits_of-report.pdf

To facilitate this, project consents will need to allow for the use of modern turbines with taller towers, larger rotors and increased blade tip heights. Turbine suppliers have already moved to keep pace with the European markets and developers in Scotland will need to consider this when considering technology availability.

NPF4 should recognise that community benefit is a voluntary contribution from developers. Energy UK's members promote and follow industry best practice in engaging with local communities from the very first stages of an onshore wind farm development. This engagement includes three related but distinct initiatives: -

- Informal and formal pre-application consultation carried out as standard with the local community
- Provision of community benefits to the local community around the wind farm.
- Offering the opportunity to share in the ownership of the wind farm to members of the local community (Shared Community Ownership (SCO)).

We would like to highlight that, as onshore wind continues to reduce costs to very competitive levels, with some projects now proceeding on a merchant build basis rather than a CfD, there will be an increasing focus on the type, cost and effectiveness of community benefit measures. Flexibility in the selection of measures will be important.

The Scottish Government has produced separate guidance documents on community benefit and SCO, setting out best practice for each, and we consider that these should continue to be the starting point for the flexible, site-specific package of proposals prepared for a new onshore wind development, on a case by case basis. This guidance should be kept under review in light of developments in the onshore wind sector.

Question 4. What policies are needed to improve, protect and strengthen the special character of our places?

We acknowledge the need to protect Scotland's best landscapes, and consider that these are adequately protected through the National Parks and National Scenic Areas designations. Given the complex and diverse nature of the areas deemed Wild Land, in addition to concerns surrounding gaps and errors within the methodology and assumptions used in their creation, we have continuing concerns regarding the inclusion of Wild Land within Group 2 of the SPP/NPF4. The treatment of buffers or separation distances around these areas is also a concern because there is no formal designation for Wild Land.

Areas that are suggested as Wild Land have been attributed this status on a subjective basis following a desktop exercise. We feel this desktop exercise does not accurately reflect the actual landscape and how it is used, in the past and present. Nor does this approach allow analysis of specific areas covered under Wild Land that could actually be suited to development.

In terms of consenting in Wild Land, Group 2 suggests that projects may be acceptable, however decisions to date do not reflect this. Given concerns regarding the methodology and assumptions underpinning the identification of 'Wild Land' areas, we would suggest that the status of Wild Land be reconsidered in light of the climate emergency and consider sufficient existing designations to effectively encourage the appropriate locations for onshore wind developments. Additional restrictions are therefore not required in the forthcoming NPF4 and any opportunities to remove unnecessary restrictions should be investigated in light of the climate emergency.

Regarding buffer zones, these carry significant vagueness that should be excluded and avoided as much as possible due to the resulting impact being much greater than perhaps intended or expected. A subjective buffer zone can be too excessive when it is the National Park that is designated, not the view from it. If an area has been designated, then its perimeter should mark the limit of the designation and the associated rules. Therefore, Energy UK recommends buffer zones should be abandoned and the end of an area designation should mark the boundary, in order to prevent developments being turned down on the basis of a view from the National Park.

The role of Landscape Capacity/Sensitivity Studies in the decision-making process also needs to be clarified by decision makers. We support the view that Landscape Capacity Studies should be replaced by Landscape Sensitivity Studies (a view shared by Scottish National Heritage) and would welcome clarification of the role of LSS/LCS going forward to ensure that they are used as indicative strategic studies providing high level advice of sensitivity but do not replace site-specific Landscape Visual Assessments.

We consider that Group 2 should contain wording to reflect a more positive approach rather than the current restrictive tone i.e. “[Further consideration will be required] to demonstrate that any significant effects on the qualities of these areas can be substantially overcome” to be replaced by “will be appropriate where appropriate design and agreed mitigation results in no unacceptable adverse effects on relevant designations”.

We would also support applying ‘presumption in favour’ and ‘acceptance of significant landscape change’ to Group 3 areas, and extending it to Group 2 areas where the significant effects on the qualities of the areas have been “substantially overcome” by siting, design or other mitigation (the Group 2 test in Scottish Planning Policy (SPP)).

Question 5. What infrastructure do we need to build to realise our long-term aspirations?

Large scale renewable developments should be recognised as essential infrastructure as they will be providing Scotland’s electricity for the foreseeable future. As such they must be afforded significant status within NPF4 and be free from any excessive planning constraints.

Use of the most efficient technologies

The use of larger and more efficient turbine technologies at new and repowered sites will be essential to maintaining levels of decarbonised generation capacity, helping the UK meet its carbon budgets and ensuring that the UK’s level of renewable capacity does not regress. Policy and guidance should therefore afford limited weight to scale disparities between existing and proposed turbines.

In a climate emergency where we need a fourfold increase in generation capacity, policy needs to be as ambitious and flexible as possible. The NPF4 should therefore seek to support the installation of larger and more efficient turbines, as well as other technologies, and provide the flexibility to accommodate the speed of technological change. Linked to this, the night-time Landscape Visual Impact Assessments (LVIA) risk posed by visible aviation lighting above 150 metres requires a very high bar to be set in planning policy for refusing on these grounds.

Repowering and life extensions

Repowering and life extensions are key to maintaining the current level of onshore wind energy deployment which is, in turn, vital to maintaining continued, cost-effective progress towards decarbonisation, and securing the wider industrial benefits delivered by the sector.

In this respect, Planning Authorities (PAs) have a key role in Scotland’s commitment to achieve Net Zero by 2045. Through Local Development Plans (LDPs) and via development management, PAs should seek to actively support and help to drive the delivery of renewable and low-carbon energy generation and supporting grid infrastructure.

Planning policy should clearly support proposals for long-term use of windfarm sites, as well as the co-location of compatible technologies such as energy storage and solar. Specifically, LDP policies should acknowledge when a site has already been assessed as being suitable for an onshore windfarm and is therefore a material consideration in the determination of repowering applications.

We would therefore recommend that NPF4 includes a presumption in favour of repowering and life extension. Whilst we recognise that appropriate consideration of any proposal is required, we would argue that a presumption in favour still gives the PA the opportunity to fully assess a development to determine if the overall impacts are acceptable.

Consents in perpetuity

We welcome confirmation within the SPP (2014) that areas identified for windfarm development should be considered suitable in perpetuity and that this is a material consideration in planning. We would ask that this clarity is retained within future iterations of the NPF.

We would also recommend that the new NPF clearly support proposals for long-term use of windfarm sites as sites for renewable energy development to encompass onshore wind as well as the co-location of compatible technologies such as storage and solar.

We would recommend that consideration is given to introducing a presumption in favour of granting planning consent in perpetuity (subject to the usual conditions dealing with decommissioning and restoration at the end of the life of the windfarm). This would ensure onshore wind is treated in the same manner as most other types of development which are not restricted by time-limited consents.

Increased need for Storage and Flexibility

There is the need to continue the support and expansion of low-carbon technologies to decarbonise our electricity generation and respond to the increased need for flexibility and energy storage as a result. For this reason, we would encourage a policy framework that continues to support pumped storage hydro given the role this technology fulfils in supporting the increased deployment of renewables and the services it can provide to the national grid, in addition to battery storage and other emerging technologies.

Required Grid upgrades

Given the importance of making timely progress towards meeting the Net Zero target, and the lead time for major transmission (132kV to 400kV) electrical infrastructure projects, we recommend the Scottish Government's approach to highlighting the importance of strategic grid infrastructure within NPF3 is continued with NPF4.

A spatial approach to guide onshore renewables development in Scotland, as promoted in national planning policy in Wales, through identifying 'Priority Areas'⁶ for onshore renewables would favour forward planning for the required grid upgrades and speedier delivery. Such an approach will further support the case for necessary strategic grid infrastructure into areas of the network which will require additional capacity to support the Scottish Government's renewables targets. Such schemes would also contribute to positive effects for biodiversity sought in NPF4.

A separate grid upgrade policy should include reference to distribution voltages (below 132kV) that will need to be reconfigured to support the transition to ultra-low emission vehicles in Scotland. These networks will see a significant change in design and will need to be enhanced in the roll out of visible electric vehicle (EV) charging infrastructure. Engagement work is already underway to agree the required level of investment with electricity regulator, Ofgem.

Furthermore, given the requirement for new and additional infrastructure to assist with stability within the National Transmission System in Scotland as recognised by the recent Stability Pathfinder Project, we would support the requirement for NPF4 to recognise the need for Grid Forming Capability technologies, that provide key Grid services (inertia, voltage control, system stability, etc) in Scotland.

Hydrogen networks, Heat networks and EV Charging Infrastructure

Hydrogen networks, heat networks and electric vehicles (EVs) will become more prevalent as the UK transitions to a net-zero economy by 2050. Large infrastructure will be required to support this and NPF4 will need to account of the increase in space required and appropriate locations. For example, it can take 30 mins to 2 hours to recharge an EV compared to 5-7mins to refuel with petrol or diesel. As a result, service stations will need more space to accommodate vehicles for longer periods, and also to allow occupants to leave vehicles.

UK Government is expected to bring forward the ban on sales of petrol and diesel cars at least to 2035 from 2040, bringing it closer to Scottish Government's goal to remove the need to buy fossil-fuelled cars

⁶ Similar to those proposed for the National Development Framework in Wales

and vans by 2032. Energy UK fully supports this move; a change which will make EV charging infrastructure development a higher priority in order to meet consumer demand in a short timescale of 15 years. The Scottish Government's goal to make the A9 an electric highway is an admirable target which Energy UK supports. Therefore, the NPF4 must be supportive of the construction of EV charging infrastructure, such as kerb-side charging points, high capacity chargepoints and the associated substation/storage requirements. There is a particular challenge for the installation of ultra-rapid chargepoints with regards to the grid connection, for instance with regards to wayleaves, the connection process and land leases. These issues do not necessarily fall within the scope of NPF4 however will need to be tackled to support the rollout of EV charging infrastructure.

Energy UK suggests that there should be a presumption in favour of heat network projects because of their role in the transition to net zero by 2050. We appreciate that heat network construction will cause a significant amount of disruption, so the NPF4 should favour the approval of such heat network schemes as part of the UK's decarbonisation.

Both "green" hydrogen (produced by electrolysis using low carbon electricity, such as renewable and nuclear power) and "blue" hydrogen (produced by methane reforming combined with CCS) are viable future options to meet low carbon hydrogen demand. Both blue and green hydrogen should be pursued in parallel, together with other decarbonisation options, to maintain optionality and competition across technologies. Viability of large-scale reformers with high carbon capture rates needs to be established early on and therefore further support and development of CCUS trials are needed, together with demonstrations to confirm the scalability of green hydrogen.

Finally, there are also other challenges that will need to be addressed to enable large-scale deployment of hydrogen. Decisions on the scale of hydrogen network infrastructure should consider economic and technical questions around national versus regional networks, as well as the best approaches for hydrogen storage where there is limited knowledge globally at the moment.

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