



# Cornwall Council Climate Change DPD

## Renewable energy stakeholder feedback

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# Contents

Executive summary .....	4
Section A: Introduction .....	6
1. Context and purpose of the DPD .....	6
2. Stakeholder engagement process.....	7
3. Current policy context in Cornwall .....	7
Section B: Stakeholder feedback and Regen recommendations.....	9
4. Barriers to renewable energy development in Cornwall.....	9
5. Putting net zero at the heart of planning policy and practice .....	10
6. Summary of feedback on policy areas .....	13
Section C: Summary of recommendations .....	23
7. Conclusion.....	23
7.1 Regen’s recommendations .....	23
7.2 Next steps .....	25
Appendices.....	26
1. Breakout room facilitation notes .....	26
2. Webinar attendees .....	31
3. Webinar Agenda .....	32
4. Planning policy context.....	33

## Executive summary

In July 2019, Cornwall Council approved the first iteration of a Climate Change Action Plan to help address the climate emergency, the overriding challenge that faces Cornwall and the rest of the world in the years ahead. This included an action to create a Development Plan Document (DPD) on climate change, which will set the framework for dealing with climate change through planning and help Cornwall achieve carbon neutrality.

On behalf of Cornwall Council, Regen carried out stakeholder engagement to gain feedback on and inform the creation of policies to support the deployment of renewable energy. Regen organised an online webinar that brought together key industry experts, community energy representatives and other renewable energy stakeholders.

This report summarises feedback from stakeholders on the key areas for the DPD to address, as well as further positive policy and non-planning actions for Cornwall Council to consider. The headline recommendation is that Cornwall Council needs to put achieving a net zero energy system at the heart of its planning policy and practice. To do this, it should set out a clear net zero energy vision for Cornwall that acts as a framework for all policy and practice to be developed and measured against.

The following recommendations were made:

Policy area	Recommendations
Putting net zero at the heart of planning policy and practice	<ul style="list-style-type: none"> <li>a. Creating, discussing and agreeing a net zero energy vision for Cornwall is an important first step for the DPD.</li> <li>b. The Council should recognise that Cornwall has the renewable energy resources to play its part in the interconnected UK energy system.</li> <li>c. Stakeholder engagement is vital to creating an energy vision that has the social permission of the wider community.</li> <li>d. The net zero energy vision should be at the centre of how decisions are made.</li> <li>e. Progress towards a net zero energy system should be monitored regularly.</li> <li>f. Renewables and storage need to be given more weight in decision-making if the DPD is to deliver a net zero energy system.</li> </ul>
Working with WPD on a local area energy plan	The Council should look to lead a local area energy planning process that involves both the network operators and other key stakeholders, including developers, energy experts and community energy groups.
Allocating areas for renewables	The Council should consider allocating areas for wind and ground-mounted solar projects. An allocation approach to the development of storage, energy from waste and anaerobic digestion development should be explored further with specific technology experts. The Council should use the refresh of the landscape character assessment as an opportunity to reconsider the planning balance between landscape and renewable generation.
Setting a renewable energy target	The Council should carefully analyse what an appropriate renewable energy target might be for the area, to reflect the area's resources,

	landscapes and level of ambition. Progress should be measured annually and the target should be reviewed at least every 5 years.
A local ownership target	The Council should determine the current level of locally owned generation in Cornwall and set an appropriate target based on what has been achieved and what is possible for (either wholly or partially) locally owned renewable energy by 2030. Progress should be measured annually against this with a clear definition of what 'local ownership' means.
A local ownership requirement	From 2025, the Council should require all new energy generation projects of 5MW or above to have at least 5% local ownership. Rather than limiting this to renewable generation projects, the policy should cover all generation projects, ensuring that new fossil fuel generation also has to meet this test.
A local storage policy	The Council should develop a local policy with supporting guidance on storage technologies.
Restricting high carbon development	Rather than setting policy that explicitly restricts new high carbon generation, a central thread of the climate change DPD should be that all development proposals need to show that they are compatible with the net zero objective.  Climate change should have commensurate weighting to heritage and landscape in planning decisions. Development that is not low carbon should not receive planning permission where the associated emissions cannot be materially and demonstrably offset by a specific and directly related set of activities.
Biodiversity net gain	As part of its biodiversity net gain policy for major development, the Council should explicitly include renewable projects in the scope of the policy. When developing specific guidance for renewables other than solar, the Council should consult with biodiversity experts and with the renewables industry on any proposals.
Repowering policy and guidance	The Council should develop a policy and produce guidance on repowering onshore wind projects as this would be useful to clarify the planning process. Consideration should be given to how ground-mounted solar repowers might be treated in the future. Existing sites with good wind resource should be safeguarded against encroaching activity that would sterilise the potential for repowering, expanding on the current policy 15 in the Local Plan.
Offshore and marine renewables	The Council should explore the inclusion of explicit planning support for marine and offshore technologies in the DPD. The DPD should also give consideration to supporting the onshore development related to marine and other offshore developments.

## Section A: Introduction



Photo credit: WREN, South West Water

### 1. Context and purpose of the DPD

In July 2019, Cornwall Council (the Council) approved the first iteration of a Climate Change Action Plan to help address the climate emergency. Included in that action plan was an action to create a Development Plan Document (DPD) on climate change.

The DPD will be the first of its kind for Cornwall and will have a positive focus, identifying ways that the Council can best utilise national and local policy to achieve its aim of carbon neutrality in Cornwall by 2030. The Climate Change DPD will set the framework for dealing with climate change as the overriding challenge facing Cornwall in the years ahead. It will sit underneath the Local Plan and form the strategic framework for planning decisions as a key document for assessing planning applications. Renewable energy generation is one of seven topics to be covered by the climate change DPD, and ideas for what might be covered were set out by the Council in a [Topic Paper on Renewable Energy](#).

In April 2020, the Council commissioned renewable energy experts Regen to undertake stakeholder engagement. The purpose was to understand what stakeholders think about the proposals in the Topic Paper and whether anything further could be included to promote renewable energy generation through the planning system in Cornwall (prior to the production of the first draft policies consultation version of the DPD).

## 2. Stakeholder engagement process

On behalf of the Council, Regen ran an interactive webinar to gather the views of relevant stakeholders in the renewable energy industry on what the Climate Change DPD should consider in relation to addressing the need for renewable energy. A list of stakeholders was developed by the Council and Regen through existing contacts, data on generation sites in Cornwall and recommendations from other industry experts. These included commercial developers, community energy practitioners, system operators, consultants and other technical experts in the sector.

On the day, 40 people joined the webinar; a full list of attendees and the organisations they were representing can be found in the Appendix, as well as the agenda. Regen would like to thank Dan Nicholls for providing additional facilitation support to the webinar.

Presentations and panel sessions in the first part of the webinar were used to inform attendees of the objectives of the DPD and to contextualise discussion on some of the issues facing renewable energy development in Cornwall. Participants had the chance to ask questions to the selected renewable energy experts and raise specific topics, such as network issues with Western Power Distribution (WPD).

The breakout sessions then provided the opportunity for more detailed discussions, in smaller groups, on issues that the DPD should consider. Facilitators collected feedback on key themes that emerged in the breakout sessions to help inform the DPD. These breakout sessions included; what are the barriers to developing new renewable energy schemes in Cornwall, what solutions there could be through the planning system and what should be considered to promote renewable energy.

## 3. Current policy context in Cornwall

Details of the national planning policy context, as set by the National Planning Policy Framework (NPPF), are set out in Appendix 4.

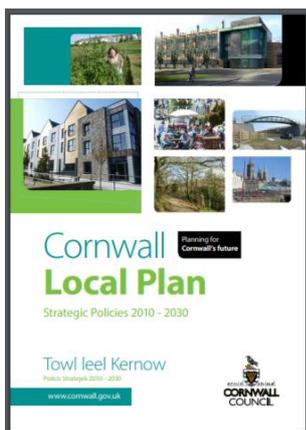


Figure 1: Cornwall local plan, 2016

Cornwall's current local policy on renewable and low carbon energy is set out in policies 14 and 15 of the [Cornwall Local Plan Strategic Policies 2010 -2030](#).

Policy 15 safeguards existing renewable generation projects from new developments that might impact negatively on their performance.

Policy 14 is overall a supportive policy for renewable and low carbon development. However, it does not allocate areas for wind or other renewables, requiring wind sites to be in areas allocated in Neighbourhood Plans. It also restricts development in Areas of Outstanding Natural Beauty (AONBs) to exceptional circumstances or very small projects.

Of note, policy 14 gives support to projects led by, or meeting, the needs of the community. The definition of this is set out in the accompanying [Cornwall Renewable Energy Planning Advice](#), which is informal planning guidance that was adopted by the Council in 2016. This advice sets out clear technology by technology guidance for developers and planners on what is expected from projects but does not currently cover electricity storage technologies.

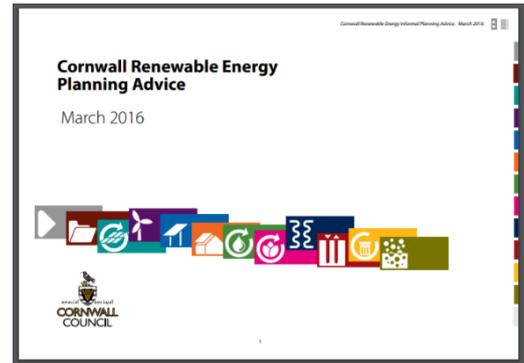


Figure 2: Cornwall renewable energy planning advice, 2016

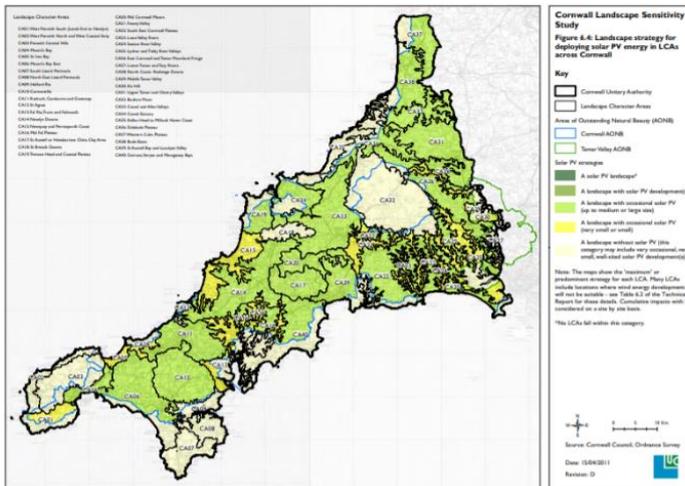


Figure 3: Cornwall landscape sensitivity study

[Landscape sensitivity and strategy matrices for each Landscape Character Area](#)

were developed for onshore wind and ground-mounted solar in 2013. The mapped outputs are included as Annex 1 to the Cornwall Renewable Energy Planning Advice. This assessment is due to be updated in 2020 to help guide any allocation of areas suitable for wind power.

**Stakeholder views on current policy**

In general, stakeholders at the workshop were positive about their experience to date of the planning system in Cornwall. There were 18 respondents to a poll during the webinar, with an average rating of 3.4 out of 5.

In Regen’s experience, Cornwall is recognised by planners from other local authorities in the South West and further afield as having had some of the most supportive renewable energy policy in England.



Figure 4: Stakeholder views of current planning policy in Cornwall



## 5. Putting net zero at the heart of planning policy and practice

Stakeholders were overwhelmingly supportive of the need for a Climate Change DPD for Cornwall. Current planning policy, whilst largely supportive of renewable energy, does not create the conditions for sufficient action to achieve net zero. In particular, the current Local Plan does not allocate areas for wind projects, leaving this to Neighbourhood Plans, meaning that there is effectively a barrier to new wind project development across most of Cornwall.

Across England, current approaches to planning for renewables tend to start from a constrained perspective of what can be done within current limitations, rather than what must be done if net zero is to be achieved. Stakeholders urged the Council to start with what is needed, setting out a vision for the future of energy in Cornwall and then writing the planning policy and taking other enabling actions to make it happen. This net zero vision for Cornwall needs to be developed by taking a whole energy system approach that factors in renewable generation, heat decarbonisation, energy efficiency, new developments, transport and energy storage. Stakeholders highlighted that this vision should set out the potential economic, social, and environmental benefits to Cornwall of achieving net zero and how these local benefits could be maximised. All applications for development, whether an energy development or not, should be required to demonstrate how they are contributing to the net zero vision. Stakeholders agreed that there needs to be a rigorous assessment system in place to measure the progress of the DPD against the net zero target.

## Regen’s recommendations on putting net zero at the heart of planning policy and practice

- a. **Creating, discussing and agreeing a net zero energy vision for Cornwall is an important first step for the DPD.**

A net zero energy vision should be established as a framework to guide all other potential planning actions. This vision could be based on evidence from a range of existing studies including the Distribution Future Energy Scenarios that Regen produces for WPD and work by Buro Happold on Zero Carbon Cornwall.

- b. **The Council should recognise that Cornwall has the renewable energy resources to play its part in the interconnected UK energy system.**

Net zero does not mean that Cornwall needs to create an “energy island” where 100% of Cornwall’s energy demand is met from Cornish sources 100% of the time; instead, the vision needs to consider how Cornwall, as part of an integrated UK energy system, can optimise the use of its available renewable energy resources, maximising local benefits.

There is a risk that starting from the perspective of what space there is available for renewables once all constrained areas have been removed could result in an approach that limits the generation potential of the area considerably. To avoid a narrow perspective, the Council should re-consider what the constraints should be and whether a broader, more open perspective can be taken. Given that Cornwall is a largely rural area the available resources for energy generation should outweigh the area’s equivalent consumption, resulting in Cornwall being capable of being a net exporter of low carbon energy. For example, in 2018, the equivalent of between 30 to 40% of annual electricity demand in Cornwall was met by local renewable generation.

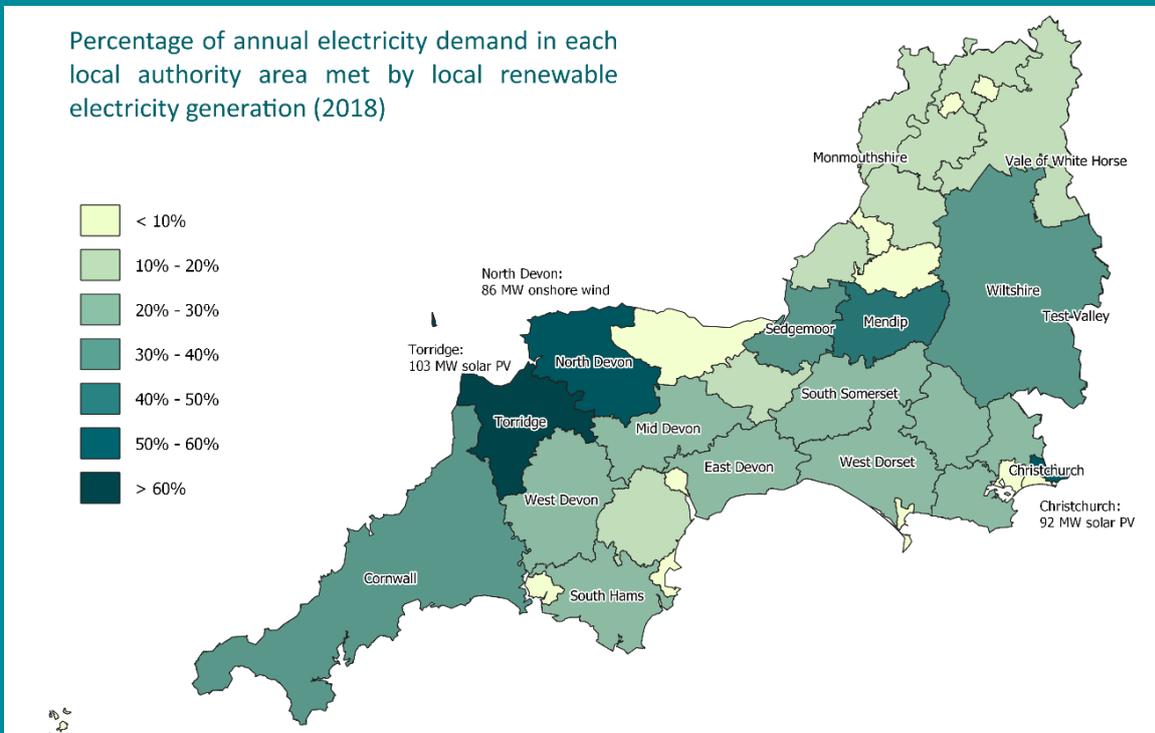


Figure 6: Percentage of annual electricity demand met by local renewable electricity generation in South West local authorities (2018) Source: BEIS DUKES data

**c. Stakeholder engagement is vital to creating an energy vision that has the social permission of the wider community.**

Broad, two-way stakeholder engagement should be undertaken to ensure the constraints applied and the resulting vision are supported by Cornish communities which is vital to gaining social permission for renewable and low carbon energy development. As suggested by stakeholders, an assessment of the economic, social and environmental benefits of achieving net zero, and particularly the role of renewables in this, should be developed and communicated to local people through the engagement process. The impacts of renewables should be discussed with the wider community in an open way.

**d. The net zero energy vision should be at the centre of how decisions are made.**

The vision should be used to create a decision tree or flow chart of principles that development managers and other decision makers including members and parish councillors can use to underpin every planning decision, regardless of whether or not it is for an energy project. This decision tree should be published and set out the requirements that applicants are expected to meet and how they should demonstrate the carbon impacts of their development.

However, decision makers and development managers across the UK often struggle to assess the evidence provided by applicants on the carbon impacts of developments. A national expert planning body to support development managers and Councillors to make robust decisions and review evidence supplied by applicants would be useful and is something that the Council could consider lobbying government for. In the interim, the Council could employ an energy expert to advise the planning team or commission a consultant to assess this evidence.

**e. Progress towards a net zero energy system should be monitored regularly.**

Progress against achieving a net zero energy system should be measured annually to check that policy, decisions and applications that are made are going in the right direction and at the right pace. Key indicators to monitor could be:

- Clean electricity: the amount of local generation as a percentage of local consumption, as well as the National Grid carbon factor data.
- Energy efficiency and heat decarbonization: measures and technologies installed as a proportion of the number of homes and businesses.
- Transport: numbers of electric vehicles, low carbon public transport availability and usage, reduction in private vehicle mileage and increases in active travel.

If insufficient progress is made, then the Council should re-evaluate the balance of planning decisions in favour of renewable generation projects, potentially adding further weight to decarbonisation benefits weighed against negative impacts.

**f. Renewables and storage need to be given more weight in decision making if the DPD is to deliver a net zero energy system.**

The vision should be used to inform positive policy in the DPD that gives the carbon benefits of renewable and storage projects additional weight. Policies in the DPD should be very clear that there is a strong presumption in favour of new renewable generation and storage projects.

## 6. Summary of feedback on policy areas

Stakeholders discussed seven potential policy areas for the DPD to cover in the breakout rooms. At the close of the webinar, they were asked to rate the relative importance of the seven areas discussed and these results are shown in Figure 7. In the following sections, these are discussed in the order that they were rated.

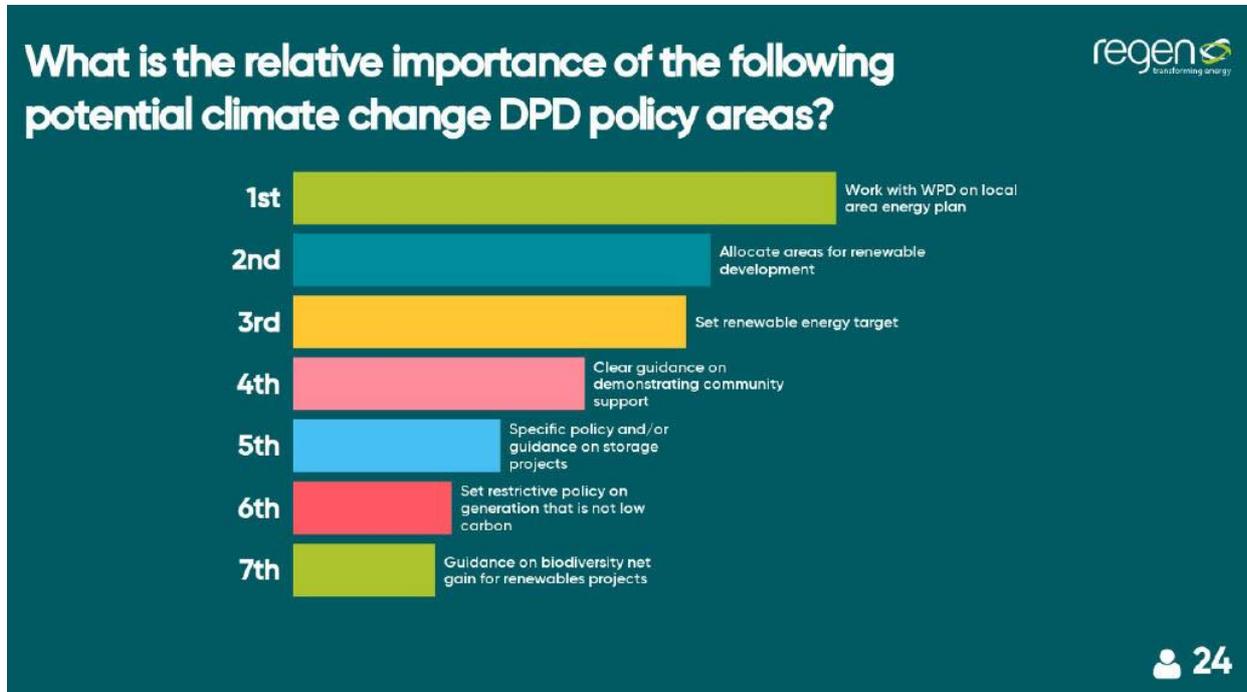


Figure 7: Stakeholders' views on the relative importance of seven key areas for the DPD to address

### 6.1 Work with WPD on a local area energy plan

Stakeholders identified network issues as the key barrier to further deployment of renewable energy in Cornwall. In particular, a grid environment needs to be created that enables smaller-scale projects that can be better accommodated in Cornwall's landscape. Currently, solar and wind projects that are 20 to 50 MWs in scale can be viable in the right location, but these are often not suitable in Cornwall's landscape. However, very high typical connection costs at 11 kV and 33 kV mean that smaller, 5 MW-scale sites are not viable. Stakeholders felt that overall, billions of pounds of investment in the network in Cornwall is needed to overcome current issues.

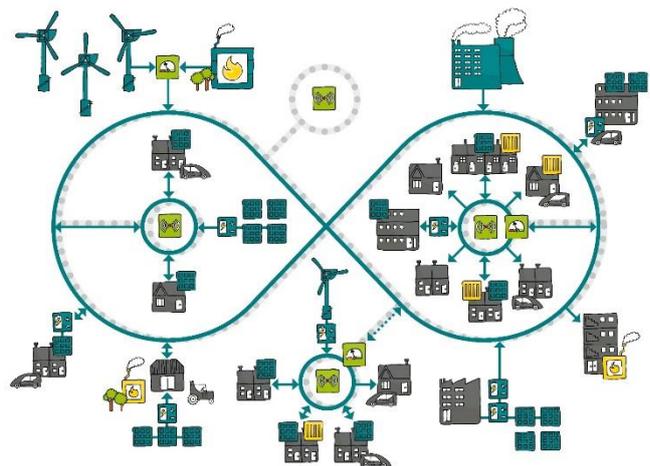


Figure 8: Illustration of an integrated local energy system

Developing a local area energy plan that brings together spatial planning for renewables and network planning processes is a first step towards trying to overcome network issues. Some of the benefits of local area energy plans identified by stakeholders include:

- Creating certainty for the investment required to upgrade the network and, in turn, for energy infrastructure developers.
- Reducing the overall requirement for network upgrades by promoting co-location of generation, storage and consumption and identifying strategic energy solutions for larger development sites.
- Helping to increase transparency on differences in network connection costs.

In addition, a local area energy plan and the Climate Change DPD should consider the needs of the network in relation to new generation projects. In many areas of Cornwall, there are already high levels of solar PV capacity on the network, resulting in excess generation in the middle of the day. The Climate Change DPD should therefore explore developing an evidence-based policy that favours new wind generation over new solar PV generation, where appropriate to the location, to ease some of the grid capacity issues.

#### **Regen's recommendation**

Regen fully supports the stakeholders' views on this policy area; working in partnership with WPD is vital to achieving the area's net zero ambitions. The Council should lead a local area energy planning process that involves both the network operators and other key stakeholders, including developers, energy experts and community energy groups. This process should be open and discursive and allow the Council to gain an understanding of how the available renewable energy resources in Cornwall interact with the electricity and gas networks. Rather than being an adopted plan, the local area energy plan should form a shared basis for the area's local planning policy and the DNO's network planning.

There is a risk that a very detailed assessment results in a lengthy process without much additional benefit. Therefore, the assessment should focus on key areas identifying, for example, where there is current network capacity and where there are prime spots for network reinforcement, or flexibility, that would release new capacity. The Distribution Future Energy Scenarios that Regen has produced and is updating for WPD, and the resulting network investment strategy created by WPD, should provide a good starting point for understanding the resources available and the network constraints.

One aim of this approach should be to facilitate a focused discussion with WPD on potential network investment as well as to consider how network issues impact the potential allocation of areas for renewables through the Climate Change DPD (see below). However, the decarbonisation of heat and transport should also be considered through the process and include the impacts on the electricity and gas networks to create a single whole energy system plan for net zero in Cornwall.

The creation of a local area energy plan is inherently linked to the overarching recommendation of this report to create a net zero vision for Cornwall. The local area energy plan is effectively the underlying evidence base for the net zero vision.

## 6.2 Allocate areas for renewable development

### Allocating areas for renewable development

Stakeholders broadly supported the development of a policy that allocates areas for renewable development and pointed to the need for areas for wind, to support the further development of onshore wind in the area, in accordance with the NPPF. However, all large-scale renewables would benefit (solar, storage, Energy from Waste and large-scale anaerobic digestion). One stakeholder observed that both housing and infrastructure are planned for with allocated areas and questioned why renewables were not treated in the same way. A strategic approach is needed that considers renewables alongside the networks, new housing, industrial development and infrastructure.

However, stakeholders cautioned against the risks of getting the assessment criteria wrong and ending up with areas that were not suitable or that overly restricted the available opportunities. Stakeholders felt that expert industry views should be sought in setting spatial criteria and development should not be precluded outside of these areas. Stakeholders felt that to maximise the opportunities for renewables the areas allocated should be as broad as possible.

Stakeholders felt that the allocations should be created through the process of creating a net zero energy vision, and in particular through close working with WPD on a local area energy plan. If areas for Cornwall are allocated solely on the basis of those that currently have available network connections then the extent of those areas would be very limited. However, if grid constraints were not considered in setting areas, then the resulting areas would likely be largely undevelopable. Considering network constraints and how these might be overcome through a collaborative approach with WPD is vital in allocating the right areas for renewable development.

### Landscape assessment

In addition, there was a general view that landscape protection is given too much weight in decision making in Cornwall compared to the need for more renewable generation. The landscape assessment for wind and solar should be reviewed and used as part of the basis for allocating areas. Public consultation should be undertaken to review how criteria should be updated to accommodate appropriate renewable development in the landscape, whilst meeting the area's climate emergency objectives. This public consultation needs to be communicated in a way that avoids creating public backlash, by building on climate emergency messaging to say this is what is needed to deliver net zero. The aim should be to have a wide-ranging conversation on land use and the value of landscapes.

Some stakeholders suggested the focus of the landscape character assessment should be on sensitivity, with the guidance designed to show how renewables can be incorporated into the landscape, rather than focusing on where they should not go. Others felt that the assessment should embargo certain areas from any development, thus opening up landscapes outside of these specific 'embargo' zones for development which can accommodate the DPD.

### Creating a Local Development Order (LDO)

Some stakeholders felt that an LDO that identified areas where planning barriers were reduced would be a positive step. Others felt that an overly prescriptive LDO could restrict development, given the difficulty in predicting need and addressing site specifics, such as landownership issues.

**Regen's recommendation**

The Council should consider allocating areas for wind and ground-mounted solar projects and explore further with specific technology experts whether to take an allocation approach to the development of storage, energy from waste and anaerobic digestion development. For wind, allocating areas is essential to enabling further development in the current national policy context. Ground-mounted solar PV development would also benefit from the allocation of areas, provided this does not preclude development outside of these areas.

The aim of area allocation should be to support delivery of Cornwall's net zero ambitions whilst taking into account landscape and other concerns. Rather than looking to preclude locations from development, area allocations should be used to identify the most suitable sites and to safeguard these from other forms of development as well as to attract developers to these areas. Working with WPD to assess network issues, and with the industry on how they assess potential sites, is essential to allocating areas in developable locations. Public consultation is vital to building social permission for renewables but needs to be handled carefully to avoid misinterpretation.

### 6.3 Setting a target for renewable energy

Overall stakeholders were supportive of embedding a renewable energy target in the Climate Change DPD. They felt that the targets should be based on what needs to happen to address the climate emergency, rather than based on resource assessment which can be overly restrictive and cautioned against targets that can later be used to limit deployment. For example, if a target is set and then a large floating wind farm connects into Cornwall, this could mean those who are against onshore development argue that additional capacity is not required as the target has been met.

**Regen's recommendation**

The Council should carefully analyse what an appropriate renewable energy target might be for the area which reflects the area's resources, landscapes and level of ambition. The date for the target should be near to mid-term and tie in with other commitments, in this case the 2030 carbon neutral ambition.

Setting a formal renewable energy target into planning policy can be beneficial. Inspectors and planning officers can point to the need to meet targets to give weight to the environmental benefits of new generation applications. As stakeholders suggested, setting the appropriate level of target needs to be carefully considered and frequently reviewed over time. Recent trends have been for areas to set targets for local generation in relation to local consumption, rather than capacity. This is beneficial in that it incentivises demand reduction and energy efficiency alongside new generation projects, and, because it allows a whole systems perspective which takes into account heat, electricity and transport.

However, care should be taken to avoid suggesting the area needs to be self-sufficient for energy or an "energy island". The UK is an integrated energy system where energy can and should flow between areas. As a result, any target should be expressed as renewable generation equivalent to a percentage of local consumption. This allows for an area exporting, importing and self-consuming local generation in different proportions through a 24 hour period and/or through the year.

For Cornwall it is likely that given its largely rural nature, opportunities for renewable generation will exceed equivalent local demand, meaning that there is the potential for the area to be a net

exporter of energy. Any target should be set based on the analysis underpinning the policy areas discussed above; a net zero energy vision, a local area energy plan and the allocation of areas for renewable developments. These will all contribute to establishing a suitable renewable energy target.

Progress against the target should be reviewed regularly, on an annual basis at least. Regular reviews of the target should be undertaken, approximately every five years, to ensure it remains in line with Cornwall's level of ambition.

## 6.4 Demonstrating community support

Many stakeholders on the webinar brought ideas of ways to garner community support for renewable energy projects. Feedback suggested that the original 'FiT boom' of renewable energy development did not benefit local communities and the Cornish economy enough and that this should be addressed during the next wave of deployments necessary to reach net zero. During the panel session, Jake Burnyeat of Communities for Renewables stated that around £1 billion per year leaves Cornwall's economy from energy spend, and the next wave of renewable energy development presents an opportunity to turn this around.

An example of an existing local ownership target can be found in Wales. Wales has a target that one gigawatt of renewable energy capacity in Wales should be locally owned by 2030 and all new energy projects should have at least an element of local ownership from 2020<sup>1</sup>. The Resilient Energy example, a partnership between landowners and the community to deliver investable community scale projects, was also cited as a model to follow to ensure community benefit from projects<sup>2</sup>.

### **A local ownership target for Cornwall**

The idea of setting a local ownership target was well received by stakeholders, with a general consensus that this is a good thing for the Council to include in the DPD, so long as it is clearly defined. If implemented properly, a local ownership target can help ensure that local economic benefits are retained and projects encounter less local opposition by including the local community in the development stage.

### **A local ownership requirement for all new generation projects in Cornwall**

Stakeholders also generally supported the idea of requiring all projects to include some form of local ownership. Many stakeholders who had been involved in the commercial development of renewable energy schemes believed that all developers would be able to incorporate the local community into projects in some way, and that it would not discourage developers from setting up projects in Cornwall. A set requirement would also encourage developers to explore partnerships with communities, helping community benefit vehicles such as community energy organisations to upskill and professionalise.

However, some stakeholders suggested caution around a requirement for local ownership, suggesting that a requirement for community part-ownership for all projects may prove too restrictive. Certain stakeholders believed that the Council should focus on supporting business

<sup>1</sup> Welsh Government, [Policy Statement: local ownership of energy generation in Wales](#), 2020

<sup>2</sup> [The Resilient Energy Model](#)

structures, such as that proposed by [Communities for Renewables](#), rather than an explicit requirement for local ownership.

#### **Clarification on community backing for projects**

Stakeholders commented on the need for the Council to be clear on what it means for a project to have ‘community backing’, for example, how many objectors counts as wholesale ‘community objection’? On the question of the Council writing its own guidelines on demonstrating the NPPF’s requirement for wind projects, that “the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing”, it was acknowledged by stakeholders that it is a difficult area for planning, but the Council should provide direct guidance. National Planning Practice Guidance adds the clarification that: “whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority.”

Stakeholders felt that policy support was better than silence. If the Council applies weight in decisions towards renewables, linked to the overriding objective of achieving net zero, then the Council should be able to accept some planning impacts, where these do not outweigh the carbon saving benefit (as part of a planning judgement, which can be deemed to satisfy the NPPF test).

#### **Regen’s recommendation**

The Council should determine the current level of locally owned generation in Cornwall and set an appropriate target based on what has been achieved and what is possible for (either wholly or partially) locally owned renewable energy by 2030. Progress should be measured annually against this with a clear definition of what ‘local ownership’ means.

From 2025, the Council should require all new energy generation projects of 5 MW or above to include at least 5% local ownership. Rather than limiting this to renewable generation projects, the policy should cover all generation projects, ensuring that new fossil generation also has to meet this test. This will ensure a level playing field for all projects, albeit that fossil generation may find it harder to attract local ownership. Guidance on community ownership should be included in the DPD, building on the current guidance included in the [Cornwall Renewable Energy Planning Advice](#).

## 6.5 Specific policy and guidance on storage



Credit: Zenobe Energy

A limited number of stakeholders at the webinar had experience in developing storage projects. These stakeholders reported few planning related barriers to developing storage in Cornwall with grid issues and establishing a business case cited as the main hurdles to storage development. However, overall there was support for further policy and planning guidance for storage projects in line with the other technologies. In particular, stakeholders felt that a statement of support for the role of storage projects as part of a decarbonised whole energy system would be beneficial.

Guidance should recognise the different types of storage technologies and the roles that different projects can play, including in front of the meter, behind the meter and cross-vector storage. One stakeholder cautioned against the Council “picking winners” through very specific policy, as storage development locations and technologies are determined by changing market forces. In particular, this stakeholder felt that co-location with renewables should not be encouraged above other sites, as this type of development is dependent on the right business case. Others felt that co-location should be encouraged due to the minimal additional impact on the landscape. These stakeholders highlighted that there should be explicit support for projects where co-located storage might play a role in unlocking strategic renewable energy generation sites, or where storage is needed to help manage the distribution network.

The issue of having a mechanism to favour technologies that give maximum carbon saving is addressed in Section 6.6.

### **Additional information on storage from Regen’s experience**

Further information on planning for storage is contained in the storage chapter of Regen’s partnership project report for the Royal Town Planning Institute, [Planning for a smart energy future](#), and makes the following recommendations to local planning authorities:

- Working with the local DNO, National Grid and the storage industry to identify potential areas for allocation of energy storage uses, and consider safeguarding or allocating such sites through the local plan process,
- Providing clarity on the treatment of storage by developing local plan policies and supporting guidance for energy storage,
- Training members and officers on the likely issues in determining planning applications for energy storage.

There are, as yet, few local plans with a specific policy on storage. The City of York's draft policy is quoted in our report to the Royal Town Planning Institute as a positive example.

The Energy Institute has produced [planning guidance for battery storage projects](#), working with the battery storage industry, which could be used as a basis for Cornish guidance. In addition, BEIS is due to work with the Ministry of Housing, Communities and Local Government (MHCLG) to develop national guidance for storage projects, although this action seems to have been stalled by the current COVID-19 crisis.

#### Regen's recommendation

The Council should develop a local policy with supporting guidance on storage technologies. It makes sense to develop associated guidance in line with that given for other technologies in the Cornwall renewable energy planning advice (which will need to be updated to reflect the policy recommendations in this report). However, the Council should be aware that national guidance may be produced in the near future by BEIS and MHCLG.

In East Devon, a 2017 planning decision notice from a planning committee refused a project on the basis that it was "not considered to be a renewable or low carbon energy project therefore representing inappropriate development in the countryside...<sup>3</sup>". A positive policy on storage as part of a net zero energy system would be beneficial to tackling this type of argument.

Regen manages the national Electricity Storage Network and this could offer a route to test local guidance further.

## 6.6 Consider carbon impacts of all new developments

Stakeholders felt that rather than setting policy that explicitly restricts new high carbon generation, the policy framework should require all proposed developments to demonstrate how they help to meet the area's net zero ambition. For example, stakeholders supported a policy that requires all new residential or commercial developments to include on or near site renewable generation to meet the equivalent of the development's annual energy needs. There was a discussion in a breakout room around whether a development which cannot be supplied by onsite or near-site renewables should be refused. A thorough and objective assessment would likely yield one of two reasons for this scenario; (i) the development economics do not stack up, or (ii) grid capacity reduces the potential for generation in or around the site. Both scenarios mean that the development is

<sup>3</sup> East Devon District Council (2017) Land To The South Of Pound Road (North Of Woodcote National Grid Sub Station): Refusal of Planning Permission. East Devon  
<https://planningapps.eastdevon.gov.uk/Planning/StreamDocPage/obj.pdf?DocNo=2853863&PageNo=1&content=obj.pdf>

necessarily contributing to the cost and challenge of tackling climate change, demonstrably making the situation worse.

#### Regen's recommendation

Rather than setting policy that explicitly restricts new high carbon generation, a central thread of the climate change DPD should be that all development proposals need to show that they are compatible with the net zero objective. In cases where it is difficult to fully assess the long term implications on carbon, an independent, net zero expert organisation should be sought by the Council to consult as part of the planning process and assess applications to determine whether they contribute to net zero or make the target harder to reach. This may be especially useful in the specific case of gas peaking plants and their impact on the grid.

Climate change should have commensurate weighting to heritage and landscape in planning decisions. Developments that are not low carbon should not receive planning permission where the associated emissions cannot be materially and demonstrably offset by a specific and directly related set of activities.

### 6.7 Policy on biodiversity net gain

Stakeholder feedback was limited on a biodiversity net gain policy. Comments where they were made, were positive, but set out that the policy should apply to all developments and not just renewables. Stakeholders felt that biodiversity enhancements were fairly straightforward for renewables projects, especially compared to housing developments, for example. The Building Research Establishment (BRE) guidance on biodiversity for solar developments was supported as a useful guide that the Council could adopt. However, any policy should apply to all technology and the Council might need to consider guidance for other technology types.

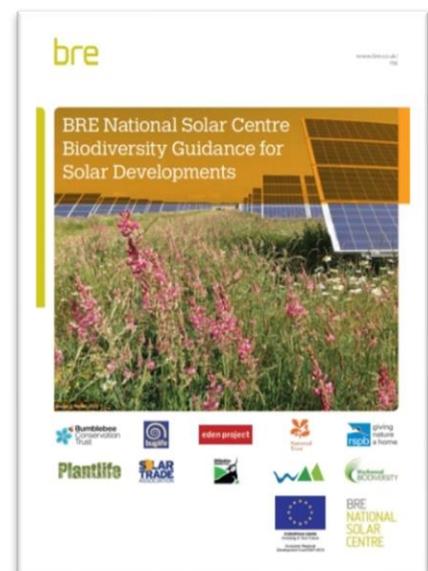


Figure 9: BRE's guidance for biodiversity on solar projects

#### Regen's recommendation

As part of its biodiversity net gain policy for major development, the Council should explicitly include renewable projects in the scope of the policy. When developing specific guidance for renewables other than solar, the Council should consult with biodiversity experts and with the renewables industry on any proposals.

### 6.8 Further positive policy

#### Repowers

In general, stakeholders responded positively to guidance on repowering wind turbines being included in the DPD, especially at sites with particularly good resource. Repowers present

opportunities to increase the output of existing sites, often using taller turbines which decreases the number required. However, it was noted that whilst in the context of the NPPF, repowers represent ‘low-hanging fruit’, and they should not be exclusively pursued instead of new wind developments.

One stakeholder highlighted a particular issue around how planners interpret whether a project can be classified as a repower. The stakeholder mentioned that sometimes, repowers involve new turbines that are outside the “red line” of what is deemed to be the existing site, and that planners therefore may see the project as a new project in planning terms, rather than a repower (and therefore not covered by the repowers exception in the NPPF). The DPD should look to clarify the definition of what a ‘site’ means in this context.

#### Regen’s recommendation

The Council should develop a policy and produce guidance on repowering onshore wind projects, as this would be useful in clarifying the planning process. Consideration should be given to how ground-mounted solar repowers might be treated in the future as some of the first solar sites will be considering whether to repower, extend their lives or decommission towards the very end of the local plan period.

In addition, existing sites with good wind resource should be safeguarded against encroaching activity that would sterilise the potential for repowering, expanding on the current policy 15 in the Local Plan.

#### Marine/offshore renewables policy

An expression of support in the DPD would help marine applications. This is particularly important if Cornwall Council considers marine and offshore renewables to be part of the net zero solution.

#### Regen’s recommendation

The Council should explore the inclusion of explicit planning support for marine and offshore technologies in the DPD. The DPD should also give consideration to the onshore development related to marine/offshore developments.

For example, North Norfolk District Council created the Egmore Local Development Order in 2014 covering onshore investments related to offshore wind developments off the North Norfolk coast<sup>4</sup>.

## 6.9 Non-planning actions on renewable energy for the Council to consider

There are a range of potential non-planning actions that stakeholders identified as supporting renewable energy development in Cornwall during the webinar. These included:

- Finance and resource support for the community energy sector across Cornwall, e.g. resourcing a peer network for Cornish community energy groups or offering independent expert support to groups.

<sup>4</sup> North Norfolk District Council (2014) *Egmore Local Development Order* [https://www.north-norfolk.gov.uk/media/2797/egmore\\_ldo\\_final\\_document.pdf](https://www.north-norfolk.gov.uk/media/2797/egmore_ldo_final_document.pdf)

- Using the Council’s energy spend to offer long-term revenue certainty for community and locally owned renewable generation projects, e.g. setting up public sector power purchase agreement and/or contracts for difference, with the Council and other public sector bodies procuring energy from local or community owned generation.
- Using the Council’s communication routes to inform the public about energy issues and to create the social permission required for further renewable energy development.
- Further exploring innovative approaches to a smart energy system, such as the current work on Energy Innovation Zones and the Cornwall Local Energy Market.
- Exploring collaborative approaches to network investment with WPD, e.g. the potential for public sector investment in strategic network upgrades.

## Section C: Summary of recommendations

### 7. Conclusion

#### 7.1 Regen’s recommendations

This report summarises the feedback received from stakeholders on potential policies that the climate change DPD could include to support the development of renewable energy in Cornwall. Stakeholders attended the webinar from a range of organisations working in the renewable energy sector, including community energy practitioners, commercial developers, utilities and sector experts. There was a remarkable and notable degree of consensus in the breakout groups, with widespread agreement that each of the proposed policy areas had some merit in being included in the climate change DPD. Regen’s facilitators reported that stakeholders offered informed, holistic and positive views on what planning policy could achieve to support renewable deployment in Cornwall.

In particular, stakeholders said that there was a need to look beyond individual policy measures to create a coherent DPD that plans proactively for a net zero energy system in Cornwall and a net zero energy vision for Cornwall should be created. This vision should act as the framework against which all planning policy and decisions should be developed and measured to see if it contributes to achieving a net zero future. This net zero vision should be created with the active participation of a range of stakeholders, notably working closely with WPD to discuss potential solutions to network constraints.

Based on the feedback from stakeholders, Regen made the following policy recommendations. These are listed in the order of importance according to feedback from stakeholders.

Policy area	Recommendations
Putting net zero at the heart of planning policy and practice	<ul style="list-style-type: none"> <li>• Creating, discussing and agreeing a net zero energy vision for Cornwall is an important first step for the DPD.</li> <li>• The Council should recognise that Cornwall has the renewable energy resources to play its part in the interconnected UK energy system.</li> <li>• Stakeholder engagement is vital to creating an energy vision that has the social permission of the wider community.</li> <li>• The net zero energy vision should be at the centre of how decisions are made.</li> <li>• Progress towards a net zero energy system should be monitored regularly.</li> </ul>

	<ul style="list-style-type: none"> <li>Renewables and storage to have more weight in decision-making for the DPD to deliver a net zero energy system.</li> </ul>
Working with WPD on a local area energy plan	The Council should look to lead a local area energy planning process that involves both the network operators and other key stakeholders, including developers, energy experts and community energy groups.
Allocating areas for renewables	The Council should consider allocating areas for wind and ground-mounted solar projects. An allocation approach to the development of storage, energy from waste and anaerobic digestion development should be explored further with specific technology experts. The Council should use the refresh of the landscape character assessment as an opportunity to reconsider the planning balance between landscape and renewable generation.
Setting a renewable energy target	The Council should carefully analyse what an appropriate renewable energy target might be for the area, to reflect the area's resources, landscapes and level of ambition. Progress should be measured annually and the target should be reviewed at least every 5 years.
A local ownership target	The Council should determine the current level of locally owned generation in Cornwall and set an appropriate target based on what has been achieved and what is possible for (either wholly or partially) locally owned renewable energy by 2030. Progress should be measured annually against this with a clear definition of what 'local ownership' means.
A local ownership requirement	From 2025, the Council should require all new energy generation projects of 5MW or above to have at least 5% local ownership. Rather than limiting this to renewable generation projects, the policy should cover all generation projects, ensuring that new fossil fuel generation also has to meet this test.
A local storage policy	The Council should develop a local policy with supporting guidance on storage technologies.
Restricting high carbon development	Rather than setting policy that explicitly restricts new high carbon generation, a central thread of the climate change DPD should be that all development proposals need to show that they are compatible with the net zero objective. Climate change should have commensurate weighting to heritage and landscape in planning decisions. Development that is not low carbon should not receive planning permission where the associated emissions cannot be materially and demonstrably offset by a specific and directly related set of activities.
Biodiversity net gain	As part of its biodiversity net gain policy for major development, the Council should explicitly include renewable projects in the scope of the policy. When developing specific guidance for renewables other than solar, the Council should consult with biodiversity experts and with the renewables industry on any proposals.
Repowering policy and guidance	The Council should develop a policy and produce guidance on repowering onshore wind projects as this would be useful to clarify the planning process. Consideration should be given to how ground-mounted solar repowers might be treated in the future. Existing sites with good wind resource should be safeguarded against encroaching activity that would sterilise the potential for repowering, expanding on the current policy 15 in the Local Plan.

## 7.2 Next steps

Stakeholder feedback and recommendations in this report will feed in to the DPD's scoping consultation. Suggestions will be considered and will inform the policies that will be consulted on later in the year, around August 2020. Regen will host a second webinar to gain stakeholder feedback on policies in the DPD, as part of the second round of consultation. A final report will then be produced for the Council, with key stakeholder views and recommendations to inform the final version of the DPD.

## Appendices

### 1. Breakout room facilitation notes

#### Allocation of sites/areas

- Strong support if done well
- Needs to be a strategic approach that is lined up with the grid, new housing, integrated plans and industrial areas
- If not, then the DNOs cannot get reinforcement sorted so best to all work together up front
- Grid is priority, so must find way of working with the DNO – if this is LAP then great
- Housing and infrastructure are allocated by areas – so why not renewables?
- Need to be set based on expert guidance – to avoid getting it wrong
- Needs to be detailed, granular analysis
- Effectively turns Council into developer – like it is with housing sites
- Consider cross-vector solutions?
- Need policy to say that wind is preferable to solar from a grid constraint perspective (it provides energy when it is needed, whereas there is an over-abundance of solar generation) – policy should give a strong steer on wind over solar
- Needs to be communicated in a way which marginalises objections – builds on climate emergency messaging to say this is what we need to deliver net zero.
- Chicken and egg about network vs areas – if you consider network constraints in setting areas, then areas will be limited. But if you don't consider network, you could end up with areas in unsuitable locations. In reality, what is needed is a dialogue with WPD about how to overcome constraints in suitable locations
- Landscape is key in Cornwall– ensuring that renewables can be deployed at a scale that fits into the landscape. Character assessment could be basis for allocating areas.
- Yes, essential, but don't preclude developments in other areas.
- Grid is overriding factor and allocations should be used to (i) ensure generation can happen in locations where there is export capacity and (ii) support investment ahead of need initiatives but increasing certainty around the delivery of renewables.
- Wind allocations are necessary to ensure compliance with the NPPF, but all large-scale renewables would benefit (solar, storage, Energy From Waste and large-scale anaerobic digestion).
- Renewables and storage need to be given more weight in decision-making if the DPD is to delivery net-zero. Policies in the DPD should be very clear about this.
- Local development order
  - Pro – the Council's support and resource (to develop an LDO vs developer-led applications) would help may help and the individual consenting process should become more certain with an LDO in place.
  - Cons – an overly prescriptive LDO could restrict development, given the difficulty in predicting need and addressing site specifics, such as landownership issues.
- To be considered when updating the current landscape assessment for renewables: Make it less prescriptive to ensure that the NPPF requirements for wind, in particular, are not impossible to meet. The LCA needs to be designed to ensure the objectives of the DPD can be met.

- Suggest a focus on sensitivity, rather than capacity with the guidance designed to show how renewables can be incorporated into the landscape, rather than focusing on where they should not go.
- Have a wide-ranging conversation on land use and the value of landscapes
- Welsh approach could be good to replicate – identify ideal sites
- Should be multi tech, don't preclude sites
- Criteria should be set by grid and resource
- When updating the current landscape assessment for renewables, Council should consider embargos areas rather than inclusion areas, needs to be tech specific

### **Demonstrating community support**

- Would not want to inhibit development from outside the region coming in but would want lots of tangible community benefits
- Should look at the South Lakeland plan as they discussed this in their adopted plan
- Don't let community requirement be a reason to stall, don't hang everything on community - not all communities understand the risks of climate issues
- Council hasn't supported community energy development in same way as Plymouth has with Plymouth Energy Community (PEC) for example – they should do this (non-planning action).
- Welsh example of requiring local ownership within commercial projects – this works – all commercial developers can incorporate community in some way
- FIT boom led to high deployment but no benefits from local projects
- Local ownership target helpful to encourage commercial sector to develop partnerships with community.
- A community project does not mean that there are no objections – there will always be objections
- Refer to Resilient Energy case on community benefit.
- Council writing write its own guidelines for demonstrating that “the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.”
  - Quite a difficult area for planning, but policy support is better than silence, however difficult it is to base a marginal decision on the benefit to the local community.
  - Need more clarity, how many objectors, agreement for partial community ownership
- Council to set its own local ownership target?
  - No, it should focus on supporting business structures, such as that proposed by CfR.
  - No bad thing. Used to be local ownership model. DPD needs to map out and be specific – defined
- Require local ownership for all projects?
  - No, it should set a high standard of expectation / support for community ownership via the policy, but focus on supporting business structures, such as that proposed by CfR.
  - Most RE schemes should have community involvement
- Solar been a lot easier to get through planning process. Wind always been more of a bug bear – objection locally, WMS didn't help nor did the Council's accompanying text

### Policy on biodiversity net gain

- Fairly straightforward – biodiversity net gain is easy for renewables and no problem with being included for this reason.
- Housing developers etc. would find more of a challenge
- Adopt BRE guidelines
- Should be applied to all tech
- Council should adopt BRE guidance if it helps deliver the objectives of the DPD and the Council's wider climate emergency objectives.
- All development should deliver biodiversity enhancements, wherever it is possible to do so.
- Should be guidance for offsetting here it does not hinder the objectives of the DPD.

### Policy on storage

- Council should not pick winners and cannot encourage colocation as business case just might not stack up
- Should have policies and guidance in line with other techs
- Sophie mentioned that for Centrica as a storage developer, planning wasn't an issue – key issue was import grid rather than export grid or planning.
- Clarity on the role that storage plays in decarbonising the energy system might help control the debate that will inevitably happen for the very largest storage projects.
- Statement on the principle of support is necessary, given the role that storage plays in helping to decarbonise the electricity system (whole energy system).
- Policy should encourage co-location with generation and recognise the minimal additional impact on landscape, etc.
- Positive sighting guidance might be helpful too (not helpful to repeat generic development guidance), but this should be based on an understanding of the role the technology plays in front of the meter, behind the meter and cross vector.
- Where mechanisms are identified where storage might play a role in unlocking strategic renewable energy generation sites, or where storage is needed to help manage the distribution grid, give explicit support.
- Need some clarity on different technologies e.g. pump vs battery, need licencing. Integrated with renewables, presumption in favour

### Analyse grid issues and work with the DNO

- The council should do a holistic local area energy plan with WPD at heart of it
- A grid environment needs to be created that enables smaller scale projects that can be accommodated in Cornwall's landscape – currently 20-50 MW can be viable scale, but often not suitable in Cornwall's landscape. But very high costs at 11 kV and 33 kV mean that 5 MW sites are not viable.
- Ultimately billions of pounds of investment is needed in the grid.
- Pretty much no capacity in Cornwall – so Council needs to work with WPD to work out where should be reinforced – if there is just no capacity, then key is finding those areas that are lowest cost to reinforce and suitable.
- This came out as top requirement – it doesn't need to be incredibly expensive. An overall assessment of spatial planning with networks, taking into account constraints. Opening the discussion with WPD around investment. Consider heat too. Detail could be limited to key points – e.g. identify where there is current capacity, identify prime spots for network

reinforcement that would release new capacity in suitable locations, identify heat network locations.

- Council develop a LAEP?
  - Yes, generation, load and grid need to be inherently linked in the DPD.
  - Don't have too many plans
- Safeguard sites (from sterilisation) where opportunities for strategy generation and storage are identified. This should also include sites where grid capacity is a challenge, but technology and innovation might enable the capacity to be unlocked.
- The DPD should be used to support investment ahead of need on grid.
- Want to look at enhanced time scale for grid reinforcement
- Other planning decisions which could facilitate renewables in areas with grid capacity – EIZs don't make more complicated. All of Cornwall should be innovation zone, flexibility.

### Further positive policy

- Setting a target?
  - Target – need to set a target based on what has to happen and work back from that – rather than based on resource assessment or constrained areas.
  - WPD's assessment looks too low (but don't forget some generation will be National Grid-connected also).
  - Don't use target as a way to limit – e.g. 2 GW of floating wind connects and so target is met
  - DPD needs to enable targets to be reached. Need to meet our own footprint and map out generation capacity. Targets good
- Repowers
  - Yes, promote as much as possible, particularly where the sites are used more efficiently.
  - Repower of Goonhilly and St Brioc showed the challenges of repowers. Increasing size of turbines.
- Other barriers:
  - Innovation
    - Ofgem rules as a barrier to innovation
    - Energy Innovation Zones in Cornwall could be a solution
  - Economic certainty – Solar and wind viable without subsidy prior to COVID-19 – the issue is getting certainty of income, e.g. through PPA, private wires
- On/near-site generation to be required for all new developments?
  - Yes, this should be sized and designed to meet the needs of the development (100%? or ok to fall back on the grid to seasonal variation/peaks?) and have the aim of minimising the impact on the high voltage network (i.e. not make the challenge of balancing the distribution network harder/more expensive).
  - Development which cannot be supplied by onsite or near-site renewables should be refused. A thorough and objective assessment would likely yield one of two reasons for this scenario (i) the development economics don't stack up, or (ii) grid capacity reduces the potential for generation in or around the site. Both scenarios mean that the development is necessarily contributing to the cost and challenge of tackling climate change – demonstrably making the situation worse.

- Restrictive policy for non-low carbon developments?
  - Yes, but broaden out to ensure that development that is not low carbon does not receive planning permission (critical principle), where the associated emissions cannot be materially and demonstrably offset by a specific and directly-related set of activities.
- Marine/offshore renewables policy?
  - An expression of support in the DPD would help marine applications. This is particularly important if Cornwall Council considers marine and offshore renewables to be part of the net zero solution.
- How to assess applications of the future?
  - It will be difficult to use net zero as a policy driver if the development control officers are unable to fully assess the carbon impact of proposals. The Council should establish an independent expert consultee that can assess applications to determine whether they contribute to net zero, or make the target harder to reach.
- Climate should have commensurate weighting to heritage and landscape

## 2. Webinar attendees

Ben Simpson	Cornwall Council
Bethan Winter	Wales & West Utilities
Charmian Larke	Atlantic Energy
Chris Coonick	Innovate UK
Dan Nicholls	Centrica
Daniel Letch	Pure Energy Professionals Limited
David Parish	Planet A Solutions CIC
Ellie Inglis-Woolcock	Cornwall Council
Gareth Davies	Cornwall Council
Gary Bell	Imerys
Gary Staddon	Imerys
Gemma Hankins	Cornwall Council
Hazel Williams	Regen
Jake Burnyeat	Communities for Renewables
James Davison	Pure Energy Professionals Limited
Jaquie Stenson	Cornwall Council
Johnny Gowdy	Regen
Jon Nesbitt	Western Power Distribution
Kerry Hayes	Regen
Ky Hoare	Regen
Marc Staddon	Community Energy Plus
Mark Smith	ZLC Energy
Millie Pardoe	Pivot Power
Neil Butler	Cornwall Council
Neil Harris	nth Power
Neil Layhurst	Cornwall Council
Nikki Pillinger	Avalon Community Energy
Paul Evans	Wardell Armstrong
Paul Jewell	Western Power Distribution
Peter Connor	University of Exeter
Peter Ellis	Freelance
Peter Larawood	Imerys
Richard Marsden	Laurence Associates
Robert Lacey	Cornwall Council
Simon Allen	Wardell Armstrong
Sonya Bedford	Stephens Scown
Sophie Orme	Centrica
Tony Faragher	Wadebridge Renewable Energy Network (WREN)
Victor Ortiz	SIEMENS
Walter Wonnacott	WMW Consultants Ltd

### 3. Webinar Agenda

10.00 **Welcome and introduction**

Ky Hoare – Regen

10.10 **Electricity networks facilitating net zero**

Paul Jewell, head of DSO – Western Power Distribution

10.20 **Overcoming barriers to community and commercial renewable energy projects**

Jake Burnyeat – Communities for Renewables, Nikki Pillinger

10.35 **Q & A Session on barriers**

10.45 **Participant feedback – barriers to deployment**

11.05 **What should the role of planning be in addressing the climate emergency?**

Hazel Williams – Regen

11.30 **Breakout sessions – what should the role of planning be in addressing the climate emergency?**

Facilitators: Ky Hoare, Hazel Williams, Kerry Hayes – Regen, Dan Nicholls – Centrica

12.20 **Workshop feedback and closing remarks**

Ky Hoare – Regen

12.30 **Close**

## 4. Planning policy context

### National policy and legal context requires local plans to plan for net zero by 2050 at the latest

Cornwall Council's Climate Emergency declaration commits the area to achieving net zero by 2030. However, it is worth noting that there is a national policy and legal requirement for local plans to result in decarbonisation at least in line with the UK government's 2050 net zero commitment:

- The 2019 [National Planning Policy Framework](#) sets the context for local authorities to write Local Plans. It states that plans should "take a proactive approach to mitigating and adapting to climate change.... in line with the objectives and provisions of the Climate Change Act 2008".
- The legal context for local plans is set out in section 19 of the 2004 Planning and Compulsory Purchase Act, as amended by Section 182 of the Planning Act 2008. It states that 'development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

Taken together, this duty and the policy requirement in the NPPF mean that local planning authorities should be able to demonstrate that their local plan's policies as a whole achieve decarbonisation at least in line with the national level of ambition – that is achieving net zero by 2050. Lawyers from Client Earth wrote to 100 local authorities in September 2019 that are developing a new local plan warning them that they will violate their legal obligations and risk legal challenge if they do not introduce proper climate change plans.

### NPPF policy on energy

The NPPF, supported by Planning Practice Guidance, states that Local Planning Authorities should have a positive strategy to help increase the use and supply of low carbon energy. It says that local planning policies should be designed to maximise deployment, while ensuring that adverse impacts are addressed satisfactorily. It suggests identifying suitable areas for renewable and low carbon energy and highlights the responsibility of all communities to contribute to energy generation. Finally, it contains support for community-led initiatives for renewable and low carbon energy.

### National policy on onshore wind

In addition, the 2015 Written Ministerial Statement on onshore wind was incorporated into the 2019 update of the NPPF. It says that:

"When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan;
- and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

\*Except for applications for the repowering of existing wind turbines."

This national policy position, together with a lack of subsidy support, has effectively stalled the deployment of onshore wind. However, recent permissions in Norfolk for two single turbines by the

Planning Inspectorate, and the government's announcement of a new Pot 1 Contracts for Difference auction for onshore wind and solar in 2021, may signal a shift towards a more favourable national policy context.



Figure 10: Regen graphic showing new wind farms deployed in England each year since the WMS came into effect