

Regen response to the consultation on the Revised draft National Policy Statements for energy infrastructure

Regen is an independent centre of energy expertise with a mission to accelerate the transition to a zero-carbon energy system. We have nearly 20 years' experience in transforming the energy system for net zero and delivering expert advice and market insight on the systemic challenges of decarbonising power, heat and transport. Regen is also a membership organisation and manages the Electricity Storage Network (ESN) – the voice of the UK storage industry. We have over 150 members who share our mission, including clean energy developers, businesses, local authorities, community energy groups, academic institutions and research organisations across the energy sector.

Overall, Regen is very supportive of the proposals set out in the consultation on revised draft National Policy Statements for energy infrastructure. These policy statements are key to ensuring that renewable energy development can proceed without delay. Below we provide our response to the consultation questions.

1. Do you agree with the glossary definition for CNP?

We are pleased to see the inclusion of the Critical National Priority (CNP) classification for offshore wind development and agree that the definition should encompass both new offshore wind development as well as onshore and offshore network infrastructure and related reinforcements. We recommend that explicit clarification is provided regarding what clarifies as CNP network infrastructure in order to avoid potential delays and confusion.

While we are pleased to see the CNP classification for offshore wind, under no circumstance should this classification be extended in the future to support non-renewable forms of energy development. We anticipate that the glossary definition of CNP including 'net zero benefits' will prevent this.

2. Do you agree with the new guidance added to draft EN-1, draft EN-3 and draft EN-5 on the CNP for offshore wind, supporting onshore and offshore network infrastructure, and related network reinforcements? Specifically, do you agree that this policy will:

- a. support government ambitions to deploy up to 50GW of offshore wind by 2030, including up to 5GW of floating wind?**
- b. support government objectives to streamline the offshore wind consenting process?**

We agree with the new guidance added on the CNP for offshore wind that supports onshore and offshore network infrastructure and related network reinforcements. However, the guidance needs more detail about how the policy presumption for CNP will work in practice, to speed up the process. To prevent potential delays, there is also a need to clarify which network infrastructure is classified as CNP.

We expect that the CNP policy change may help to speed up the offshore wind consenting process and in doing so help to meet the government's offshore wind targets. However, there is a need to ensure that the CNP policy change aligns with other relevant policy

changes including the NSIP reform and Holistic Network Design. Also, as set out in our response¹ to the call for evidence on the introduction of non-price factors into the Contracts for Difference (CfD) scheme, there is a need for CfD reform that can provide CfD and other support in a more strategic way and an overarching net zero and energy security delivery plan.

Additionally, greater clarification is needed regarding how the CNP will interact with Habitats Regulation Assessment (HRA), particularly in terms of impacts on the speed of consent.

3. Do you agree with the new text included in Section 2.8.103 of draft EN-3 relating to the Offshore Wind Environmental Standards?

As the Offshore Wind Environmental Standards (OWES) guidance has not yet been published, it is not possible to have complete agreement with the text in section 3.8.103 of draft EN-3. Depending on what is included in the OWES it may not be possible for projects to comply as soon as the guidance is published; for example, in cases where project decisions have already been made, there may need to be a transitional period. Additionally, when the OWES is published there needs to be clarity regarding which measures are guidance and which are statutory.

4. Do you agree with additions made in relation to strategic compensation and seeking the views of the SNCBs and Defra Secretary of State in Section 2.8.282 of draft EN-3 relating to the Compensatory Measures?

We are in general agreement with the text in section 3.8.282 of draft EN-3. We suggest that there could be additional guidance for how developers should engage with SNCBs and Defra (EN-3: 3.8.932). In line with the CNP objective, there is also a need to ensure that Defra has the capacity available to be able to provide a timely response.

6. Do you agree with new guidance added to Section 2.8 of draft EN-5 on the inclusion of strategic planning as a consideration to support the needs case for electricity network infrastructure?

Yes, we agree with the new guidance on the inclusion of strategic planning as a consideration to support the needs case for electricity infrastructure. We hope that this approach will reduce timelines and streamline the process by enabling a single planning application to cover a set of works to reinforce the network, which may comprise different geographical locations.

¹Regen 2023, see <https://www.regen.co.uk/regen-responds-to-the-governments-call-for-evidence-on-the-introduction-of-non-price-factors-into-the-contracts-for-difference-scheme/>

7. Draft EN-5 includes a strong starting presumption for overhead lines for electricity networks developments outside nationally designated landscapes, which was consulted on in 2021. Do you agree?

Yes, we support the presumption for overhead lines outside nationally designated landscapes due to the lower cost compared to underground.

We also agree that, within nationally designated landscapes, the presumption should be that cables are placed underground, unless the area can be avoided through re-routing overhead lines.

Including this information within the National Policy Statements (NPS) will provide greater clarification for both applicants and decision makers.

8. Do you have any comments on any aspect of the draft energy NPSs or their associated documents not covered by the previous questions?

Yes, we have the following comments and suggestions:

Review periods for NPS (EN-1:1.5.2)

Given the speed of change in the energy sector, we support the commitment to consider a review of the NPS at least every five years.

Offshore wind mitigation (EN-3: 3.8.261)

We are concerned about the suggestion to shut down turbines as a possible future mitigation measure as this could have a significant impact on financial / investment decisions for offshore wind farms.

Solar

We agree with the approach outlined in EN3 3.10.13 – 3.10.19, which recognises that ‘land type should not be a predominating factor in determining the suitability of the site selection’ and that due to the size of solar farms some agricultural land may need to be used.

EN-3: 3.10.45 - we would suggest speaking to solar developers regarding the potential need to raise the threshold capacity for NSIP solar in England (so that it is above 50 MW (AC)).

Effective community engagement

The draft Energy NPS misses the opportunity to comment on the need for effective community engagement on projects of all technologies or scales. As set out in our response to the 2021 NPS consultation, effective engagement is paramount to ensuring that new energy infrastructure maintains the support of the public. The principles of good engagement for onshore wind projects are set out in the 2021 [‘Community Engagement and Benefits from Onshore Wind Developments Good Practice Guidance for England’](#). Similar principles apply to all energy developments and the Energy NPS should set clear

requirements for effective engagement. Without effective engagement there is a risk that projects are not suitably conscious of specific local issues and concerns. This could result in communities moving to block the delivery of the energy infrastructure needed to deliver the UK government’s net zero commitment. Our recommendation is that a requirement for effective community engagement should be woven through the Energy NPS.

NPS for natural gas supply infrastructure and gas and oil pipelines (EN-4)

The proposed policy does not require new gas pipeline projects to demonstrate that they can convert to a zero-carbon compliant alternative in future. Investment in new gas pipeline without a route to decarbonise its use risks creating stranded assets and inefficient investment. It is vital that UK government prioritises and invests in alternatives to continuing to extend the UK’s gas supply and distribution networks, creating a secure, affordable alternative that produces investment, jobs and other positive economic effects. Our recommendation is that gas pipelines without a very clear route to decarbonisation should not be supported through the Energy NPS.

We also recommend that the Energy NPS should require all new gas generation to have a demonstrable route to capturing emissions by 2035. Where sites fail to successfully install CCS in time they should be required to decommission. Given the uncertainties surrounding CCS development, this is likely to limit the number of sites that are consented, forcing an increased focus on developing and deploying dispatchable technologies that are net zero compliant.

Onshore wind

Since 2015, policy has made it almost impossible to get planning permission for new onshore wind farms in England. Between 2016-2022 only 12 planning applications for new onshore wind farms were approved in England, comprising a total of 21 turbines². The proposed amendments suggested in the 2023 National Planning Policy Framework consultation did not go far enough in terms of enabling onshore wind development. A potential way to overcome this is through allocating wind as a Nationally Significant Infrastructure Project and thus including it in the NPS. This would reflect the recommendation set out in the National Infrastructure Commission April 2023 paper: improving nationally significant infrastructure planning³.

² Windemer, R. The impact of the 2015 onshore wind policy change for local authorities in England. Available from <https://uwe-repository.worktribe.com/output/10490736>

³ <https://nic.org.uk/studies-reports/infrastructure-planning-system/delivering-net-zero-climate-resilience-growth/#:~:text=Recommendation%201&text=Government%20should%20amend%20legislation%20to,of%20other%20National%20Policy%20Statements>.