

CONSULTATION RESPONSE

# Proposed reforms to planning policy for onshore wind: Regen's response

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For the Department for Levelling Up, Housing and Communities on the Levelling Up and Regeneration Bill: Reforms to national planning policy – regarding Chapter 8: Onshore Wind



FEBRUARY 2023

# About Regen

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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.

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# Recommendations

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The consultation [summary](#) indicates the government has a renewed ambition to champion onshore wind.

It acknowledges the very high level of public support for onshore wind and its significance as a cheap source of power in a time of rising energy bills and net zero commitments reaffirmed in [the British Energy Security Strategy](#) in 2022.

However, the proposed changes to the policy framework do not, in Regen's judgement, reflect the level of ambition implied by the government's messaging. The proposed changes to existing planning rules do not go far enough to resolve the significant planning barriers facing local authorities, developers, and community organisations in approving and developing new onshore wind projects – the proposed changes will not lead to the deployment of new onshore wind projects in England.

**Regen's overarching recommendation is that government should remove footnote 54 entirely.**

We are urging government to remove the additional hurdles to onshore wind planning in England by removing footnote 54 (now footnote 63). This will give local authorities, communities, developers, and investors the confidence to pursue new schemes. The continued inclusion of special requirements for onshore wind projects in the proposed reforms means that onshore wind projects are still subject to stricter rules than any other type of project requiring planning permission, such as offshore wind, solar, or even fossil fuel generators such as diesel or gas.

Beyond the narrow limits of this consultation, to achieve the UK's net zero aims, a positive planning environment is needed for wind in England– as demonstrated in Scotland and to an extent in Wales. This positive approach should include changes to the NPPF and wider policy such as:

- Assuming a presumption in favour of approval for wind turbines where local authorities haven't included specific policies in their local plan
- Setting ambitious targets for onshore wind development in England
- Including positive wording about onshore wind and England's commitment to it in the NPPF
- Requiring local authorities to provide a positive strategy for the development of renewables. The current wording at paragraph 155 (now 157) is "should provide a positive strategy", which allows those that are unwilling or under resourced to ignore this clause.

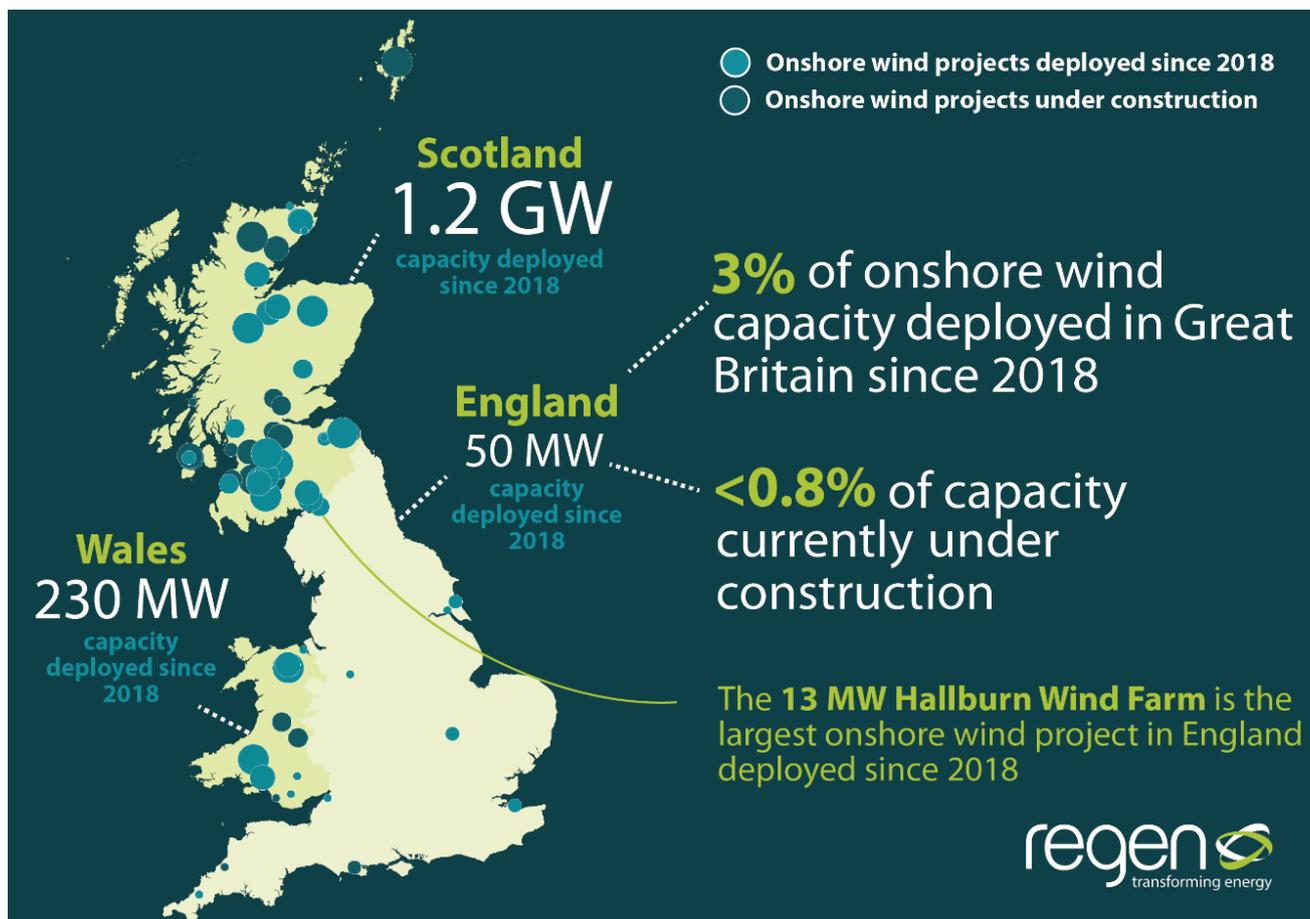
# Context

Onshore wind has a critical role to play in achieving net zero, as well as being capable of providing a host of local socio-economic benefits.

However, the pipeline of approved onshore projects ready for development in England is near empty following years of tight restrictions, and site development is a lengthy process, taking several years. While development has continued in Scotland and Wales, deployment of onshore wind in England has stalled since 2015 due to changes in the planning environment.

Figure 1 - **Very few onshore wind projects have been deployed in England since 2018**

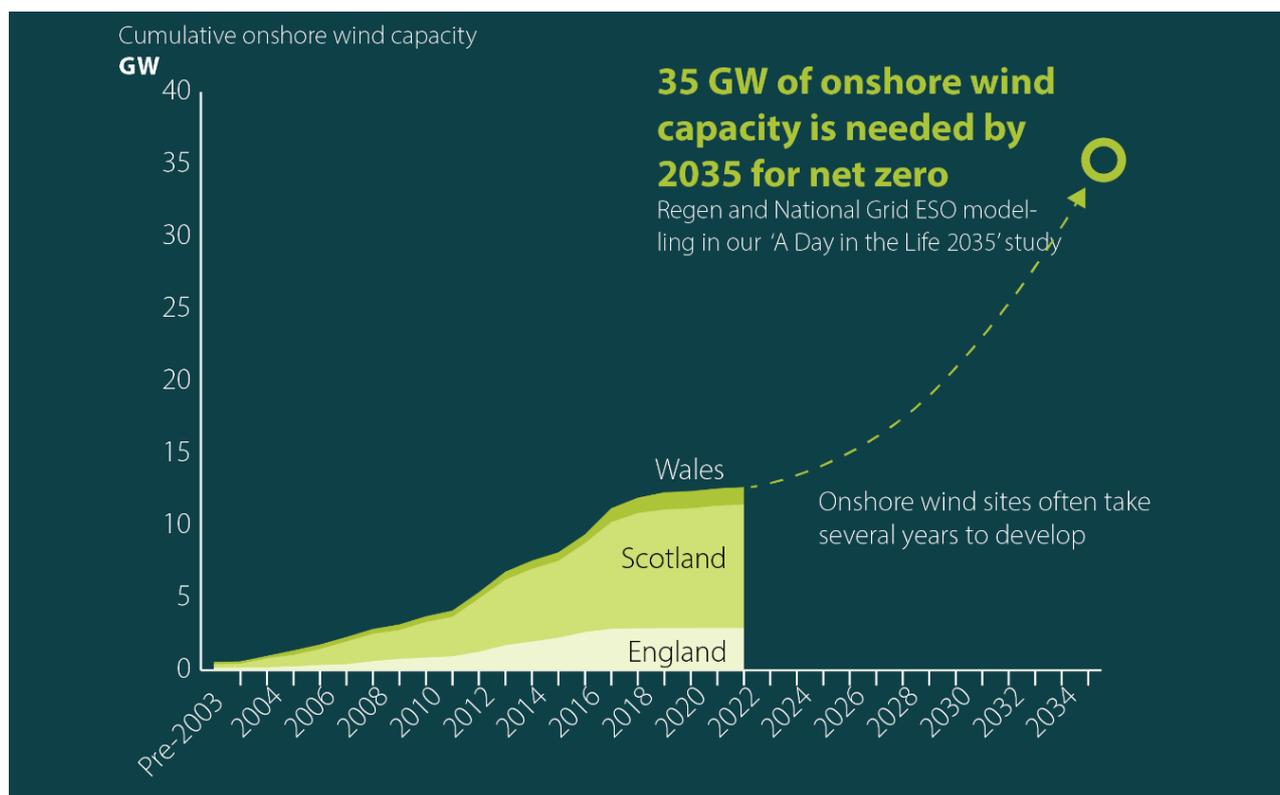
Source: Renewable Energy Planning Database, BEIS, Oct 2022



Regen's analysis for our '[A Day in the Life](#)' project with National Grid ESO estimates that 35 GW of onshore wind is needed in Great Britain by 2035 to achieve a decarbonised power system. To achieve this, we need a positive planning environment for onshore wind across all three nations.

Figure 2 - **Great Britain cannot reach net zero by 2035 without development of onshore wind in England**

Source: Renewable Energy Planning Database, BEIS, Oct 2022



If we want to see the benefits to our energy bills through supporting the cheapest form of renewable generation, the government will need to address the existing restrictions in a way that gives developers, communities, and local authorities confidence to bring forward new projects.

**The consultation further commits government to consulting 'in the coming months on the development of local partnerships with supportive communities who wish to host onshore wind in exchange for community benefits such as discounted energy bills.'**

We welcome government's commitment to ensuring host communities can participate in and benefit from onshore wind energy. We know there is overwhelming public support for renewables and onshore wind, and Regen has long been a strong advocate for local ownership models and shared benefit schemes.

Our view is that local ownership, community benefits and engagement are vital to the success of onshore wind development. We do not support focusing the community benefits discussion solely on discounted energy bills, but believe a wider discussion on how communities can engage and benefit through a range of routes, including ownership, is needed.

# Responses to consultation questions

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## **Q.41: Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?**

It is important to repower England's aging wind turbines with more efficient and more powerful turbines capable of producing more energy. The additional wording on repowers in paragraph 155 is therefore not unhelpful. However, repowers alone won't get us to net zero due to the significant surge in onshore wind generation capacity that is needed to meet legally binding net zero targets.

The addition to Paragraph 155 suggests that local authorities "should" include a positive stance on repowering in their local plans. The wording "should" rather than "must" makes this optional for local authorities, meaning that some may not opt to include consideration of repowers in their local policy. It is important for the NPPF and supporting guidance to be clear that, in areas that have not developed this positive strategy, repowering projects will not be prevented from going ahead. Additional wording to clarify this point is needed.

The wording at Paragraph 155 refers to repowering and maintenance, whereas at paragraph 158 the additional wording refers to repowering and life-extension. Meanwhile, footnote 54 (now 63) only refers to repowering. Maintenance is not usually considered through the planning system. Additional clarity and guidance is needed for local authorities to understand the difference between repowering and life-extension applications and how to deal appropriately with the different types of applications.

## **Q.42: Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?**

This change introduces a "presumption in favour" of approving repower and life-extension applications. The second sentence on considering impacts from the baseline means that local authorities don't have to consider the impacts against the site as it was before any wind turbines were installed.

Re-powering will make an important contribution to increasing onshore wind capacity and it is important that it is supported and encouraged. However, care needs to be taken to ensure that re-power planning applications are given the same attention as new applications and are not perceived to be subject to lower standards than new proposals.

That is not to say that we support the higher bar set for new wind applications, simply that there is a risk that government should be aware of in making a distinction between the planning process for repowers and new applications.

We support these two additions to paragraphs 155 and 158 as broadly positive changes to facilitate repowers, whilst urging government to consider how creating a two-tier approach for repowers and new applications could negatively impact on both types of applications. Removing footnote 54 (now footnote 63) is the solution to resolve this disparity of approach.

**Q.43: Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework?**

No.

Regen sees that the wording changes to footnote 54 (now footnote 63) will not have a practical effect on the deployment of onshore wind in England. The footnote continues to retain the unnecessary additional planning tests for onshore wind over and above any other type of generation technology, including fossil fuel generators, by highlighting impacts and community support in relation to onshore wind in particular.

Regen is therefore strongly advising that this footnote should be deleted entirely.

Our recent event for communities and local authorities on the current consultation asked participants via mentimeter whether onshore wind should be treated the same as other generation types through the planning process (see results below). The graph shows that respondents were heavily in favour of levelling the playing field.

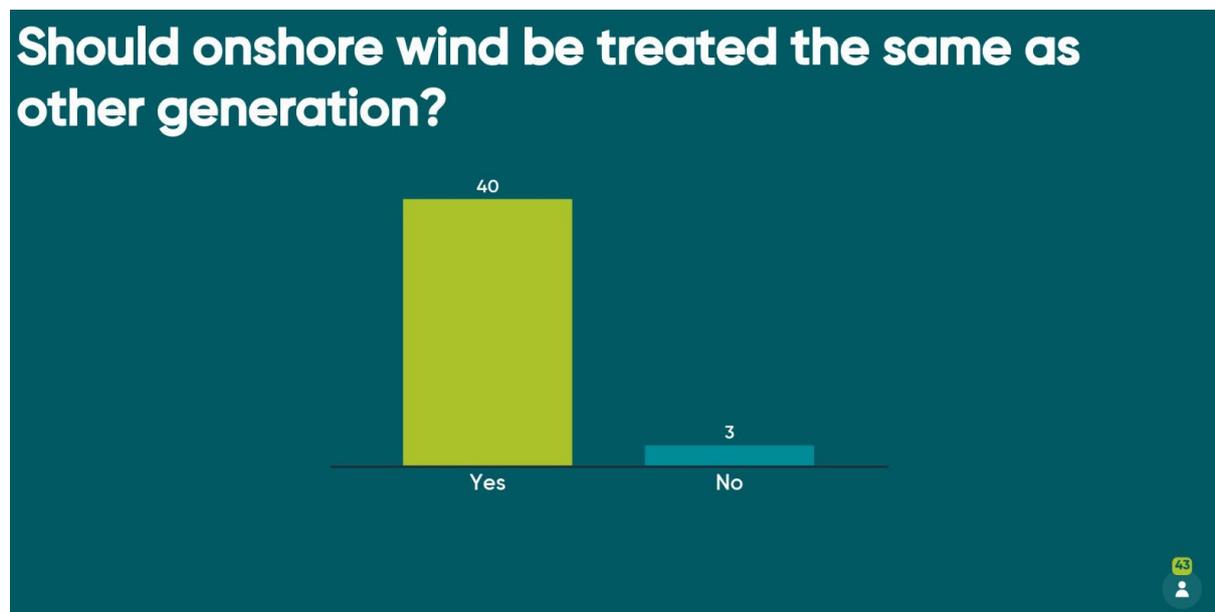


Figure 3 - **Mentimeter poll from Regen’s onshore wind consultation briefing session (accessed [here](#))**

**Allocating areas for wind**

Whilst these proposals appear to offer more flexibility in how local authorities allocate areas for wind by allowing the use of SPDs, fundamentally the issue is that there remains a requirement for local authorities to allocate sites in a formal document before wind applications could be approved.

According to [research from Dr Rebecca Windemer](#), only 11% of local authority development plans have allocated areas as suitable for wind. The research also identified only 15 local authorities that had provided support for neighbourhood planning groups to write an onshore wind policy and 8 that had provided support with mapping or evidence gathering. With the key reason for a lack of support being neighbourhood planning groups choosing not to consider onshore wind.

There are several issues with requiring local authorities to allocate areas for wind:

- Allocating sites requires local authority resources either to develop evidence in house or to commission studies – in austerity this resource is constrained.
- Allocating sites on a map can be a political and contentious process that may raise anti-wind opposition on an authority wide scale – as North Devon and Torrington District Councils experienced when producing policy options in 2015.
- Allocating specific sites or areas can be an issue because they may not correspond with areas that developers are able to build or in particular with areas where they can obtain a cost-effective connection to the network. Local authorities don't have the best view of where is suitable and need close engagement with developers to better understand their area's potential.
- The consultation sets out wider reforms to the planning process not specifically related to wind. This new process includes that from 2024 local authorities will no longer be able to prepare new SPDs, with these being replaced with new Supplementary Plans. It is questionable therefore whether local authorities will invest the required time and resource in an SPD that will, in a relatively short time, be redundant. Similarly, this raises questions about what the process for allocating areas will be once Supplementary Plans are introduced. Supplementary Plans are due to be independently examined so the speed and flexibility of being able to allocate areas through SPDs will again be lost.

**Regen's view is that there shouldn't be a requirement for wind sites to be within allocated areas of any type. This is an unnecessary restriction that requires over-stretched local authorities to have undertaken an additional process that doesn't add value to the site finding or planning process. We recommend deleting this test and the entire footnote.**

**Instead, local authorities should be required to set out criteria-based policies that positively support the development of onshore wind in their area. This approach allows developers to put forward projects in technically appropriate locations which can then be assessed for environmental, amenity and socio-economic impacts. In the absence of local policy, there should be a presumption in favour of approval.**

### **Community support**

Footnote 54 (now footnote 63) also shows a proposed change in wording from the existing requirement to ensure planning impacts are 'fully addressed' to being 'satisfactorily addressed' and that a project "has community support", rather than that the proposal has the community's backing. Again, Regen does not support the use of an additional planning test for onshore wind. Key issues include:

- Government has committed to issuing guidance "to explain how it can be demonstrated that the planning impacts identified by the affected local community have been satisfactorily addressed and the proposal has community support" as an update to the Planning Practice Guidance. Without having sight of this proposed guidance, it is difficult

to form a definitive view of whether these realistically lower the bar at all on the current planning tests for onshore wind.

- Moreover, industry, planning experts and lawyers warn of the challenge in defining these subjective terms clearly enough to build sufficient confidence from the sector and local authorities. It raises the questions of: Who is the community and what does community support mean? The definitions of these terms will need to be established through planning courts – a lengthy process that is risky for those proposing schemes. Without certainty about the meaning of these terms in practice, the wind industry, investors, or communities are unlikely to risk development cash on new schemes that may be unjustly refused.
- Requiring the demonstration of community support is potentially divisive – creating defined “for” and “against” camps rather than seeking to positively engage the community in the process of shaping the application.
- Whilst we may see some forward-thinking communities testing out this wording by applying for new projects, this will not be enough to build scale in onshore wind deployment throughout England at the pace required to reach net zero by 2035.

**Regen’s view is that there is no need for an additional community support test for onshore wind. Other energy projects, including fossil fuelled projects, are not required to demonstrate support.**

**Instead, the focus of government efforts should be on ensuring that community engagement is carried out well for every application, applying existing BEIS guidance.**

#### **Do you have any views on specific wording for new footnote 62?**

While including footnote 62 seems to indicate support for communities and local authorities to take positive action on wind, in practice it is not useful.

Local Development Orders (LDOs) tend to focus on allocating sites for new commercial developments, such as enterprise parks. Although difficult to assess the actual number, it is Regen’s understanding that very few Neighbourhood Development Orders (NDOs) or Community Right to Build Orders (CRtBOs) have been developed to date in England for any type of development. A small number of communities in England have attempted to include wind turbines in Neighbourhood Plans – with varying levels of success through the process.

Discussions that Regen has had with wind developers and planning lawyers have strongly indicated that these routes are highly unlikely to present either more viable or more timely options for obtaining planning permission for wind turbines. Each of these routes would still (rightly) require extensive dialogue with the local communities, support from the local authority and environmental assessments.

We recommend deleting this footnote as it is creating unnecessary confusion about suitable routes to grant permission for onshore wind.



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