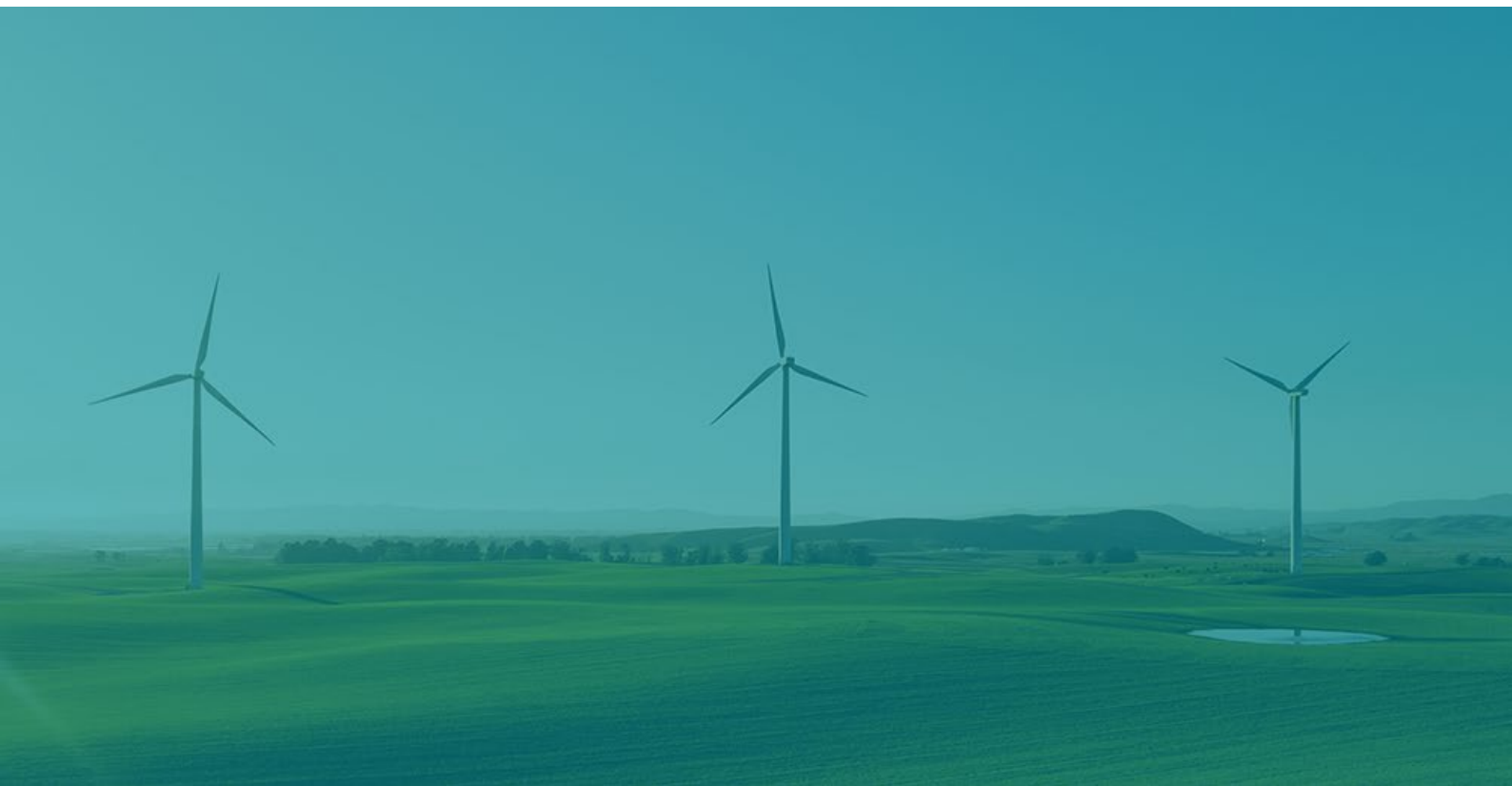


BRIEFING NOTE

Planning reforms for onshore wind

Insights for local authorities and community organisations: how to respond to the current consultation on proposed changes to national planning policy for onshore wind in England



FEBRUARY 2023

Acknowledgements

This note has been sponsored by National Grid.

As part of National Grid Electricity Distribution's programme of support for local and community energy groups in its licence area, it is supporting Regen to provide briefings on key developments that these groups may wish to have a say in. National Grid does not endorse any of the views or policy proposals set out in this briefing.



About National Grid

National Grid is the largest electricity transmission and distribution business in the UK, delivering electricity safely, reliably, and efficiently to the customers and communities they serve, while working towards a cleaner, greener energy future.

About Regen

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.

“Onshore wind has a critical role in accelerating the UK’s path to net zero emissions. Without the current planning barriers, we would already have commissioned more onshore wind turbines, resulting in cheaper power and lower carbon emissions, as well as potential significant economic benefits for local communities.

The current consultation shows a chink of light in shifting government opinion on onshore wind. We need as many people as possible to respond to the consultation to open the door for onshore wind across England.”

Hazel Williams, Associate Director – Regen

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Section 1:

Introduction

1.1 The open consultation

At the close of 2022, the government launched an open [consultation](#) on reforms to national planning policy in the Levelling-Up and Regeneration Bill, led by the Department for Levelling Up, Housing and Communities (DLUHC).

The consultation describes proposed changes to a wide range of policy areas in England within the **National Planning Policy Framework (NPPF)**, with just one section relating to onshore wind generation and energy efficiency.

The proposed changes to the wording of the existing policy in the NPPF document are set out [here](#). Pages 46 and 47 contain the detailed wording changes relating to onshore wind.

The open consultation process is a chance to give feedback before the proposals are enacted into policy. Anyone can submit a response to the proposed policy changes online before **11.45pm on 2 March 2023**.

1.2 The purpose of this briefing note

This briefing note aims to support local authorities and community organisations to submit their own response to the consultation. It outlines what the consultation process involves, the key issues raised that might affect local and community energy organisations, and Regen's views on how to respond to the consultation most effectively.

We see responding to this consultation as a vital process to ensure the government's changes to the planning restrictions on onshore wind are impactful and enable more projects to be developed. We encourage local authorities and communities to respond directly, using the consultation as an opportunity to provide government with examples of how the policy framework has prevented projects from getting approved and the specific barriers created by the wording of the policy framework.

We are also interested in hearing your views and using these as examples to bolster the response that we are writing from Regen's perspective. Please share your views with Hazel Williams at hwilliams@regen.co.uk and Emma Smith at esmith@regen.co.uk

1.3 Regen's view:

Why the proposals do not go far enough

Onshore wind development in England was essentially halted by the [2015 Written Ministerial Statement on onshore wind](#), which introduced new planning requirements for all onshore wind applications. This statement was then modified (making the restrictions even stronger) and incorporated as a footnote into the [National Planning Policy Framework](#) (NPPF).

The NPPF is the framework that sets out the rules for local authorities to use in writing local plans and determining planning applications. Footnote 54 sets out that to be approved, all wind turbine applications (apart from re-powers) must be in "areas identified as suitable" in local development plans and to demonstrate that "planning impacts identified by the affected local community have been fully addressed and the proposal has their backing".

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.

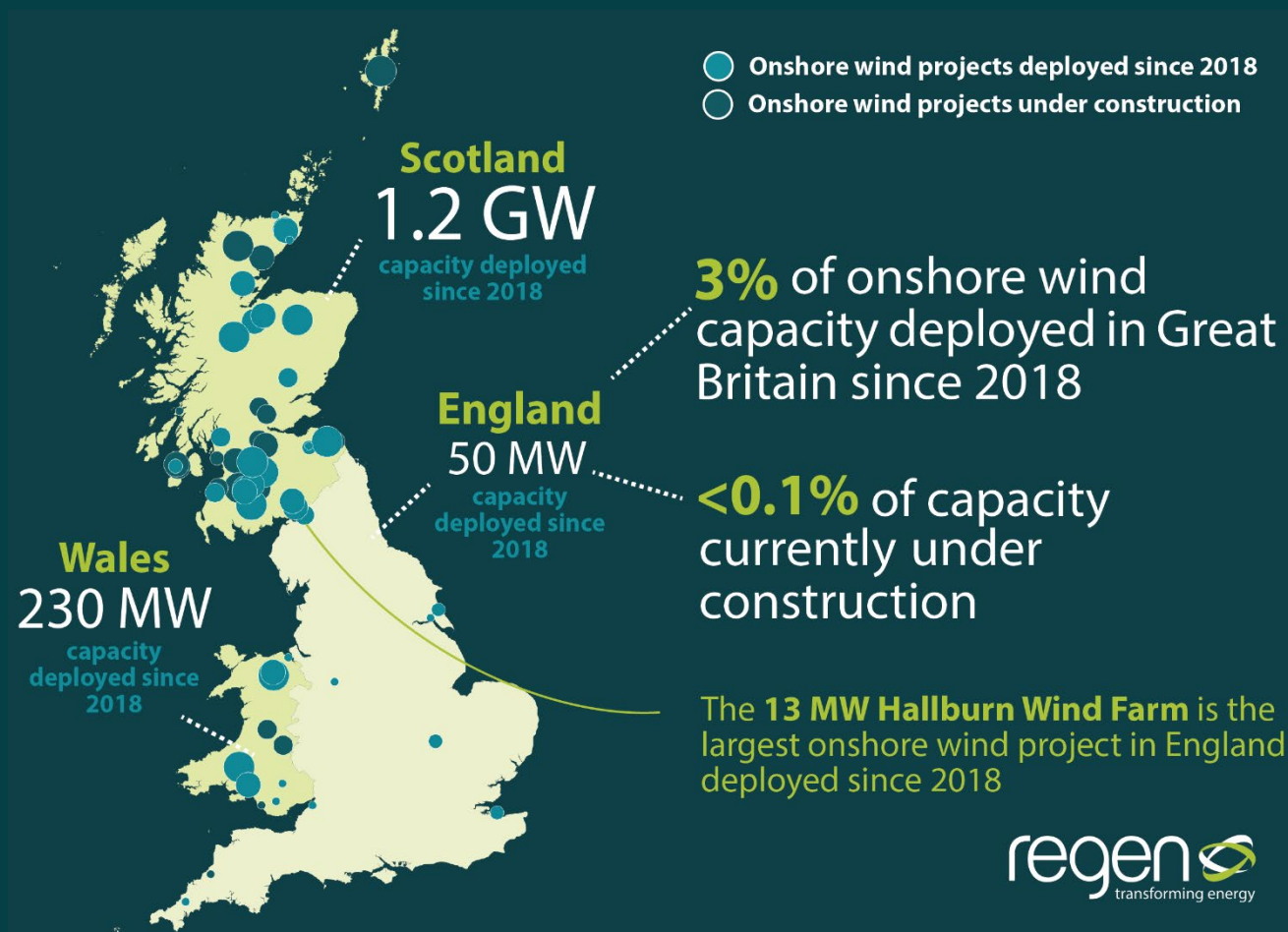
However, the proposed changes to the policy framework do not, in Regen's judgement, reflect the level of ambition implied by the government's messaging. The proposed changes to existing planning rules do not go far enough to resolve the significant planning barriers facing local authorities, developers,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

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 project requiring planning permission, such as offshore wind, solar, or even fossil fuel generators such as diesel or gas.

Figure 1 -

Very few onshore wind projects have been deployed in England since 2018

Source: Renewable Energy Planning Database, BEIS, Oct 2022



The pipeline of approved onshore projects ready for development in England is near empty following years of tight restrictions. Site development is a lengthy process, taking several years.

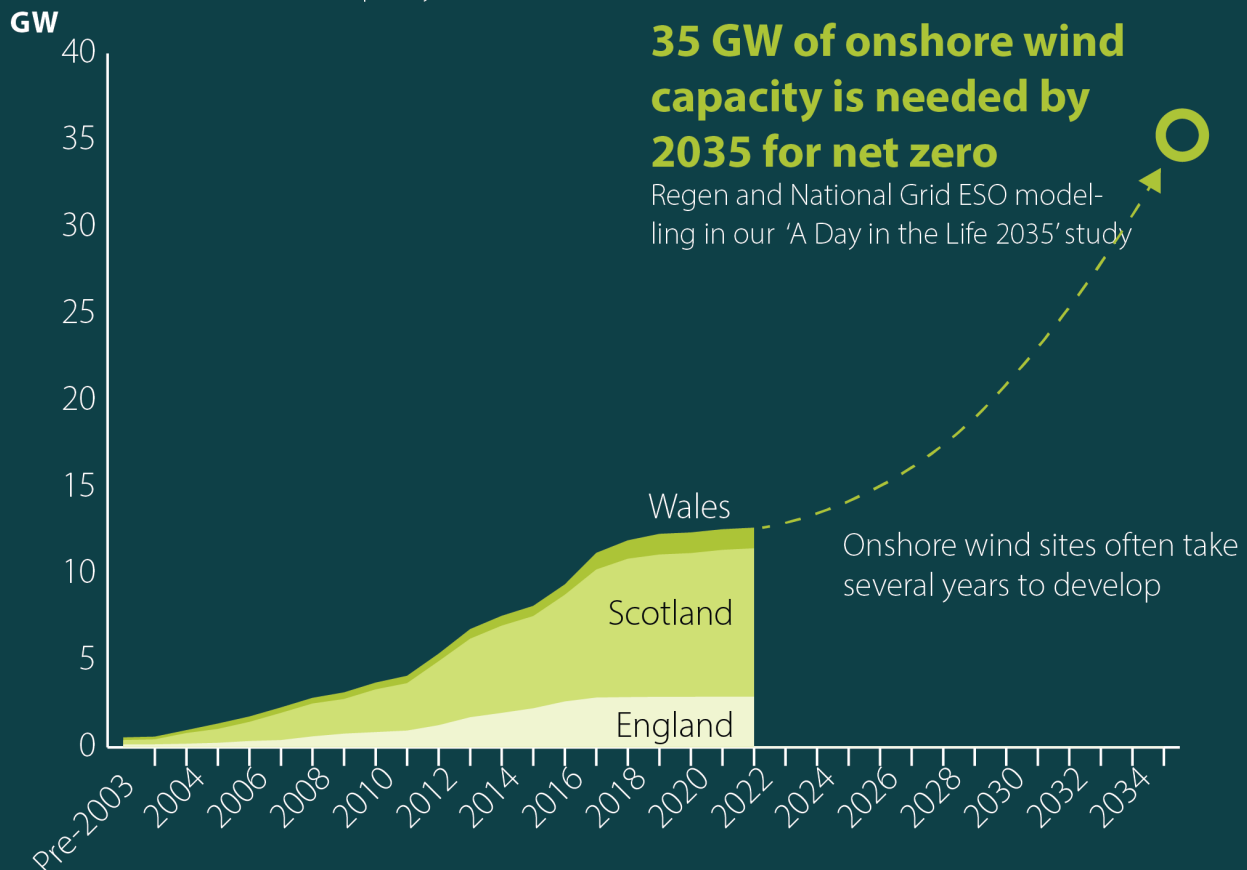
If we want to see the benefits to our energy bills through supporting the cheapest form of renewable generation, the government will need to address the existing restrictions in a way that gives developers, communities, and local authorities confidence to bring forward new projects.

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

Cumulative onshore wind capacity



While development has continued in Scotland and Wales, deployment of onshore wind in England has stalled since 2016 due to changes in the planning environment.

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.

Section 2:

What the consultation means for onshore wind in England

In this section, we outline the main proposals for changes to onshore wind planning rules identified in the consultation; what difference, if any, these proposals will make in practice; and what Regen's view is of how the consultation needs to go further with bolder changes to make a sufficient difference.

2.1 Enabling the 'repowering' of old turbines

Planning permission is typically granted for 25 years for onshore wind sites, with the condition that the site is returned to its previous condition after the expiry of the permission.

Enabling 're-powering' means that instead of restoring the site to its previous condition, old wind turbines are allowed to be replaced at the end of their design life with more efficient and powerful technology.

Wind turbine changes over time

Most modern wind turbines manufactured today are considerably larger than existing models manufactured pre-2015, when maximum turbine sizes were smaller.

According to a [2019 study](#), repowering in Great Britain has on average increased energy output of sites by 155% while the number of turbines has decreased by 39% and turbines have become 90% taller.

2.1.1 What does the consultation say?

The messaging from government about what they're trying to do in the consultation is that the proposed changes will:

'enable the re-powering of renewable and low carbon energy where planning permission is needed... providing that the impacts of any development proposal are or can be made acceptable in planning terms...'¹

¹ Department for Levelling-Up, Housing and Communities - [Levelling Up and Regeneration Bill](#)

The consultation asks two questions on repowering policy change:

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

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

2.1.2 What is the change and what does it mean?

The changes proposed in the consultation to paragraph 155 (now paragraph 157) in the NPPF are marked in red here:

~~155-157.~~ 157. To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, **and their future re-powering and maintenance**, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);

This change to paragraph 155 of the NPPF states that local authorities should have a positive strategy in their local plan that considers repowering. This is an addition and can be interpreted as the framework suggesting 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.

The proposed change to paragraph 158 (now paragraph 160) is an addition to clause c marked in purple:

~~158-160.~~ 160. When determining planning applications⁶² for renewable and low carbon development, local planning authorities should:

- c) approve an application for the repowering and life-extension of existing renewables sites, where its impacts are or can be made acceptable. The impacts of repowered and life-extended sites should be considered for the purposes of this policy from the baseline existing on the site.

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.

2.1.3 Regen's view: Enabling re-powering

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.

Summary of our response:

We support these two additions 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 – see below) is the solution to resolve this disparity of a approach.

It is important to re-power England's aging wind turbines with more efficient and more powerful ones capable of producing more energy. 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.

2.1.4 Useful evidence communities and local authorities could supply in their responses:

- The number of wind farms in your area that might re-power in the short term.
- Your experience (if any) of the planning process for repowers.

2.2 Alternative routes for granting permission

2.2.1 What does the consultation say?

The consultation states that proposed changes will mean:

‘Local authorities have a range of routes to demonstrate their support for certain areas in their boundaries to be suitable for onshore wind, outside the overly rigid requirement for onshore wind sites to be designated in the development plan.’

The consultation asks as the second part of question 43:

Q.43: Do you have any views on specific wording for new footnote 62?

2.2.2 What is the change and what does it mean?

A new footnote, footnote 62, is proposed to be added to the NPPF setting out a range of other planning instruments that could be used to secure planning permission for new wind applications. We explain the other planning instruments mentioned in this footnote in the box on the next page.

⁶² Wind energy development involving one or more turbines can be granted through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders, if it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support.

2.2.3 Regen’s view: Alternative routes to planning permission

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.

So, 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.

Summary of our response: Delete this footnote as it is creating unnecessary confusion about suitable routes to grant permission for onshore wind.

What do these planning instruments mean?

Local Development Orders (LDOs) – these provide the right to develop specific types of projects in defined locations without applying for full planning permission. Where an LDO is in place, it avoids the need for developers to apply for planning permission for the types and/or classes of development specified in the LDO and instead deems planning permission granted.

An LDO is developed by the local planning authority.

Neighbourhood Development Orders (NDOs) – similarly these can grant permitted development rights for specific types of development in a specific neighbourhood area.

An NDO can be developed by parish or town councils or neighbourhood forums.

A **Community Right to Build Order (CRtBO)** is a form of Neighbourhood Development Order which can be created by a local community organisation, and so not restricted to a town or parish council or neighbourhood forum.

It can be used to grant planning permission for small scale development for community benefit on a specific site or sites in a neighbourhood area.

CRtBO can be developed by parish or town councils or neighbourhood forums or community organisations made up of individuals who live or work in the particular area for which the organisation is established.

2.2.4 Useful evidence communities and local authorities could supply in their responses:

- Commentary on the number of LDOs, NDOs and CRtBOs used to date for any type of application in your area.
- Commentary on the difficulty of developing these types of instruments.
- Commentary on the difficulty of including onshore wind within a Neighborhood Plan.

2.3 Allocating areas for wind

2.3.1 What does the consultation say?

The consultation states that proposed changes will mean that:

‘Local authorities have a range of routes to demonstrate their support for certain areas in their boundaries to be suitable for onshore wind, outside the overly rigid requirement for onshore wind sites to be designated in the development plan.’

The consultation asks:

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

2.3.2 What is the change and what does it mean?

The proposed wording change relating to allocating areas in footnote 54 (now footnote 63) in the NPPF is set out here:

⁶³ Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in either the development plan, [or a supplementary planning document identifies an area as suitable for wind energy development \(where the development plan includes policy on supporting renewable energy\)](#); and, following consultation it can be demonstrated that the planning

Currently, wind farms and turbines can only be approved if they are within areas identified as suitable for wind in a local authority’s development plan or within a neighbourhood plan². Local authority development plans are reviewed every five years.

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.

The proposed changes would mean that approved locations for onshore wind farms can now be in a **supplementary planning document (SPD)** rather than a **development plan document (DPD)**, meaning that local authorities could allocate sites outside of the main 5 year development

² Neighbourhood plans can be developed by town and parish councils or 'neighbourhood forums' and must be in general conformity with strategic policies in the development plan for the local area and have regard to national planning policy.

plan process. SPDs can be developed outside of the development plan timelines and are not subject to examination by an inspector. SPDs can therefore be quicker and simpler to prepare than DPDs. Whilst SPDs are not examined by an Inspector, they are still subject to a process of consultation and engagement with relevant parties.

2.3.3 Regen's view: Allocating areas for wind

Whilst these proposals would grant more flexibility in the way onshore wind farms are assessed and approved, it still means that local authorities are relied upon to allocate sites in a formal document before they can approve planning applications.

There are several issues with this:

- 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 Torridge 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. The consultation is proposing that "when the new system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period; until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place." 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. 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.

Summary of our response:

Delete this footnote as creating unnecessary additional planning tests for onshore wind over and above any other type of generation technology, including fossil fuel generators.

2.3.4 Useful evidence communities and local authorities could supply in their responses:

- Local authorities' experience of allocating areas – what have been the issues you faced in doing so or attempting to do so.
- Local authorities' experience of developing SPDs – that these still require significant resource, expertise and evidence.
- Community energy organisations' experience of wanting to develop wind sites but these falling outside of allocations or your authority not having allocated any areas at all.

Case study:

Cornwall Council's Climate Emergency Development Plan

[See document here.](#)

Regen supported Cornwall Council in consulting with the renewables industry on the policies within its Climate Emergency DPD in 2020. Through the workshops in discussions about onshore wind area allocations, 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 out the areas that would be allocated to wind, with development still being made possible outside of these boundaries. They felt that to maximise the opportunities for renewables the areas allocated should be as broad as possible.

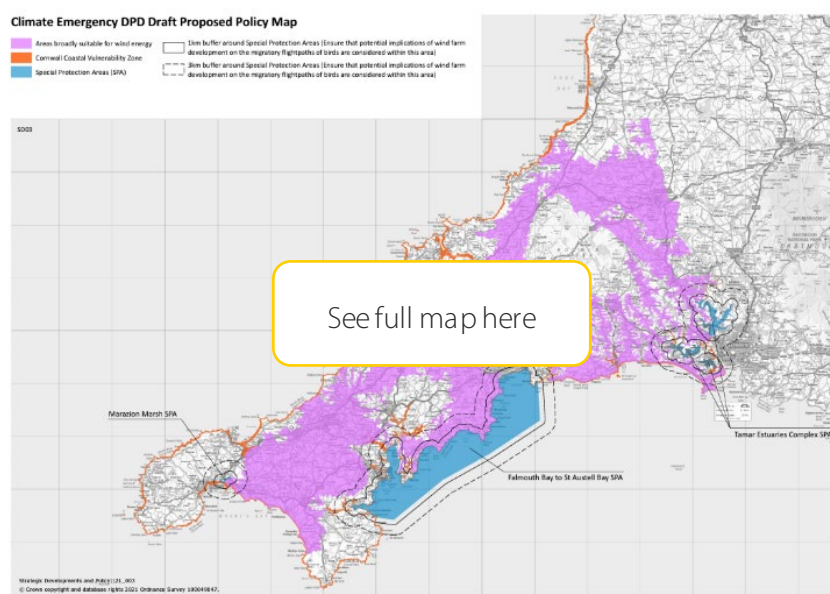
Stakeholders felt that the allocations should be created through the process of creating a net zero energy vision, and through close working with their Distribution Network Operator (DNO) on a local area energy plan. If areas for Cornwall are allocated solely based on those that currently have available 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 the DNO is vital in allocating the right areas for renewable development.

The proposed policy map that Cornwall Council created following stakeholder feedback set out very broad areas, with exclusions around protected landscapes and other environmental restrictions.

Click on the map below to open it in full pdf format.

Figure 3: Climate Emergency DPD Draft Proposed Policy Map

Cornwall Council



2.4 Community support

2.4.1 What does the consultation say?

Planning permission for new wind turbines will be dependent on:

‘...satisfactorily addressing the planning impacts of onshore wind projects as identified by local communities, and on demonstrable local support for the scheme’³

The consultation asks:

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

2.4.2 What is the change and what does it mean?

The proposed wording change to footnote 54 (now footnote 63) in the NPPF is set out here:

⁶³ Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in either the development plan, or a supplementary planning document identifies an area as suitable for wind energy development (where the development plan includes policy on supporting renewable energy); and, following consultation it can be demonstrated that the planning impacts identified by the affected local community have been fully satisfactorily addressed and the proposal has their backing community support.

It shows a proposed change in wording from the existing requirement to having planning impacts ‘fully addressed’ to being ‘satisfactorily addressed’ and that a project “has community support”, rather than that the proposal has the community’s backing.

The premise of this change is that in theory it would be easier for projects to obtain planning permission for projects as ‘satisfactorily’ is more practicable to achieve than ‘fully’ and that community support could be measured in some way – although how is not set out.

2.4.3 Regen’s view: Community support

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.

³ Department for Levelling-Up, Housing and Communities - [Levelling Up and Regeneration Bill](#)

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. 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.

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.

Finally, the planning process for any new development regardless of type considers the benefits, the impacts and views from the community. By highlighting impacts and community support in relation to onshore wind in particular, this has created an additional bar for wind projects to meet compared with any other type of generation technology, including gas-fired power stations and diesel generators.

Summary of our response:

Delete this footnote as creating unnecessary additional planning tests for onshore wind over and above any other type of generation technology, including fossil fuel generators.

2.4.4 Useful evidence communities and local authorities could supply in their responses:

- Local authorities' experience of having to prove that they have 'addressed' local concerns around the impacts of new onshore wind projects.
- Community energy organisations' experience of proving community support for new projects in the planning application process.

A further consultation on 'local partnerships' is yet to be released by government

There will be a further consultation from the government specifically on building 'local partnerships' between developers, local authorities and local communities, to allow for community benefits such as reduced energy bills.

We welcome government's commitment to ensuring host communities can participate in and benefit from onshore wind energy. The current consultation 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.'

Our view is that local ownership, community benefits and engagement are vital to the success of onshore wind development, to ensure communities are not only engaged in the decision-making process but can benefit from wind farms in their local area. 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. 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. We look forward to participating in the consultation and bringing in the voices of our members when the consultation is launched.

Section 3:

Conclusions

Onshore wind has a critical role to play in achieving net zero, as well as being capable of providing a host of local economic benefits. This consultation shines new light on reforming planning for onshore wind. We need to lean in further to push the door open for new onshore wind in England.

We are urging government to remove the additional hurdles to onshore wind planning in England by removing footnote 54. This will give local authorities, communities, developers, and investors the confidence to pursue new schemes.

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 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 should provide a positive strategy, which allows those that are unwilling or under resourced to ignore this clause).

Finally, the coming consultation (expected in the next few weeks) on local partnerships for onshore wind offers a critical opportunity to revive discussions on shared ownership, community benefits and effective engagement – all of which are crucial to creating and maintaining the positive environment for wind that England needs.

We urge as many voices as possible to respond to the current consultation, sharing where possible your experiences of the current planning policy and your aspirations to see onshore wind in your area.

Section 4:

Next steps and how to respond

4.1 Having your say

The consultation sets out proposals for a wide range of policy areas relating to planning in England, but **only three questions relate specifically to onshore wind** (see below).

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

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

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

You can respond directly online via the online consultation portal Citizen Space [here](#), or by emailing a response to PlanningPolicyConsultation@levellingup.gov.uk.

We strongly encourage local authorities and community energy groups to have their say in the consultation by submitting a response.

We see responding to this consultation as a vital process to ensure the government's changes to the planning restrictions on onshore wind are as meaningful as possible after years of stalling.

Local authorities may also be interested in responding to other questions relating to net zero policy more broadly, such as the section on energy efficiency, but this is outside of the scope of this briefing, which focuses on onshore wind.

4.2 Next steps

Regen's response to the consultation will be based on this briefing paper and further discussions. If you have views that Regen could include in our response, please share these with Hazel Williams hwilliams@regen.co.uk and Emma Smith esmith@regen.co.uk. We will share our response online.

To keep up to date with Regen's work on this consultation and other relevant work in the future, sign up to our community energy or local authority newsletters via the [form](#) on our website.



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February 2023