

24 March 2006

Carmel Howard  
Barker Review Team  
4/E1,  
1 Horseguard's Road  
LONDON  
SW1A 2HQ

Dear Carmel Howard

### **Barker Review of Land Use Planning**

Please find below the consultation response in the light of the above review from Gamesa Energy UK (GEUK). GEUK is the UK subsidiary of Gamesa Energía, one of the world's largest renewable energy development businesses. Gamesa Energía, in turn, is a major business unit of Gamesa Group, one of Spain's largest 35 companies.

A significant element of GEUK's remit, as a renewable energy development business, sees GEUK's employees regularly interact with the planning system in order to Screen and Scope Environmental Impact Assessments for renewable energy proposals and particularly through discussions with planning officers and planning committee members.

In order to facilitate the consultation process, GEUK's response addresses some of the 15 questions posed in Annex 1 of the review document that calls for evidence.

- Q. 1 The revised plan-led approach of the English planning system introduced in 2004 is on balance, in the view of GEUK, the correct approach. However, an inevitable disadvantage of this approach is a mismatch in the slow rate that new documents are adopted (exacerbated by a growing trend of protracted consultation) and the far more frequent changes to Government priorities and policy. This disconnect often means that upon adoption RSSs, and particularly LDPs, almost immediately commence the next revision process.

In order to address the mismatch, and ensure that Government priorities and policy are properly reflected in land use planning decisions, GEUK suggests that greater clarity is provided in respect of the weight to be attributed to documents invariably described as "material considerations". Although the materiality of the LDP and RSS should not in any way be eroded, Government policy documents could be prepared in a way that indicates clearly the weight to be attached to these documents in reaching planning decisions. This should apply particularly to Planning Policy Statements, White Papers, Green Papers, relevant public inquiry decisions and other key documents that reflect Government policy. This would help to ensure that changes in central Government policy are reflected in planning decisions more quickly and in a more consistent manner.

- Q. 2 No comment.
- Q. 3 Definitions of Sustainable Development invariably place considerable importance on the "reversibility" of development in order to meet the changing needs of society over time. In order to address this key

principle, while wishing to avoid the need for significant, additional resources to assess applications, it is proposed that as a component of any planning report produced a simple indication of a proposal's reversibility is included. An example follows:

		Anticipated life-time of project			
		≤ 10 years	≤ 30 years	≤ 50 years	essentially permanent
Extent of site able to be returned to current use at end of project's life-time	> 90%	Highly reversible	Highly reversible	Partly reversible	Virtually irreversible
	> 50%	Highly reversible	Partly reversible	Partly reversible	Virtually irreversible
	> 20%	Partly reversible	Partly reversible	Partly reversible	Virtually irreversible
	virtually nothing	Virtually irreversible	Virtually irreversible	Virtually irreversible	Virtually irreversible

Furthermore, in the light of the significance of climate change on society and in Government thinking and policy<sup>1</sup>, it is proposed that any planning report should categorise a proposal's direct effect on climate change as either negative (net increase in greenhouse gas emissions [GHG]), neutral (no significant increase or reduction in GHG) or positive (net reduction in GHG).

Q. 4 No comment.

Q. 5 The planning system has a key role to play in either encouraging or discouraging business and often, therefore, economic development. Although the plan-led approach is deemed a suitable means of providing a fair, just and equitable planning system, the delivery of proposals is still ultimately controlled by planning committees and the elected representatives that make up such committees (notwithstanding the appeal system). In order to provide greater certainty and transparency for business, a strong recommendation is that planning committee members receive training to improve their ability to assess applications and in particular on weighing different and often conflicting issues that arise as a result of a single application.

In GEUK's experience, it is very common for different planning authorities to have widely divergent rules and practices regarding developer communications with planning committee members. Given the central role of planning committees in the planning decision making process, it is essential that they are well informed. GEUK would therefore encourage the development of a "renewable energy protocol" whereby applicants and objectors (if applicable) are able to address planning committee members directly and answer questions (with a Chairperson able to offer any advice on the process). Time limits could apply to help manage the process. Such an approach could be beneficial for other complex planning applications; perhaps all those supported by an EIA would represent a sensible threshold for such a protocol.

<sup>1</sup> "The emission of greenhouse gases is causing global warming at a rate that began as significant, has become alarming and is simply unsustainable in the long term. I do not mean centuries ahead. I mean within the lifetime of my children and possibly within my own lifetime. By unsustainable, I mean a challenge so far-reaching in its impact and irreversible in its destructive power, that it alters radically human existence." Tony Blair, September 14, 2004.

Q. 6 No comment.

Q. 7 The issue of the length of time required to determine a planning application is critical to business decisions and often indirectly affects the magnitude of socio-economic and environmental benefits that may accrue from a proposal. This is no more obviously evidenced than in respect of renewable energy projects. Research by the British Wind Energy Association indicates that in England, between 2002 and 2005, local planning authorities took on average 10 months to determine wind farm applications, some 6 months longer than the statutory period. For a typical, 20MW wind farm this delay (6 months) would result in:

- 20,400 tonnes CO<sub>2</sub> emissions<sup>2</sup>; and therefore
- £420,000 of social costs related to the adverse effects of climate change<sup>3</sup>.

Furthermore, the planning delays are often exacerbated by delays relating to planning obligations (Section 106 agreements) and/or highways agreements (Section 278 agreements) thus increasing further the missed opportunity in respect of tackling climate change. In order to address the current delays experienced, additional resources are urgently required in following key areas:

- the recruitment of additional planning department personnel;
- training of planning committee members (so that, for example, planning decisions are not deferred for spurious reasons); and
- support for planning departments in drafting planning conditions, legal obligations. If this was organised centrally (ODPM?) a "library" of standard conditions and planning obligations could be developed to reduce timescales and increase consistency.

Furthermore, although the current 85% target is useful for encouraging planning departments to deal with the vast majority of applications in a timely fashion, this target actually works against the remaining 15% of applications. When an application has missed its relevant statutory determination target, planning departments, quite logically, divert resources from these applications to new applications in order to ensure they achieve the aforementioned 85% target and receive the associated Planning Delivery Grants.

It is therefore proposed that two further targets are introduced *in addition* to the existing 85% target. These should be introduced at the same time as additional resources are made available and require planning departments to determine 99% of applications within a period equivalent to twice the relevant, statutory determination period and all applications within three times the relevant, statutory determination period (unless otherwise agreed by the applicant). All targets, of course, would be subject to rules governing periods of advertising information relating to planning applications, including supplementary information.

Q. 8-11 No comment.

---

<sup>2</sup> Based on "typical" figures of 30% capacity factor for the wind farm and a CO<sub>2</sub> offset of 860g per kWh ("unit") of generation.

<sup>3</sup> Figure derived from "Estimating the Social Cost of Carbon Emissions", Government Economic Service Working Paper 140, [www.hm-treasury.gov.uk](http://www.hm-treasury.gov.uk).

Q. 12 It is apparent that additional resources are required if planning authorities are to make well-informed and timely decisions. This must focus on additional planning department resources and training for planning committee members. It is essential that the latter are trained to a higher level than at present in order to enhance their skills, particularly in attaching weight to different and conflicting elements of proposals and also in assessing evermore complex applications. In respect of renewable energy proposals, the cost of additional resources are justified on the basis of reduced social costs associated with climate change (see Q. 7, above). More widely, much of the additional resources could be justified on the basis of a more efficient planning system leading to better planning decisions, and thus a reduction in costly, time-consuming and resource-intensive appeals.

Q. 13-15 No comment.

Yours sincerely

**Matt Partridge**  
Director, Gamesa Energy UK