



44 Grand Parade, Brighton BN2 9QA
Phone – 01273 878770
Email – admin@environmental-protection.org.uk

Susan Tipping
Communities and Local Government
Planning Resources and Environment Policy
Zone 1/B1
Eland House
Bressenden Place
LONDON
SW1E 5DU

1st June 2010

Emailed to - CCPPSConsultation@communities.gsi.gov.uk

Dear Susan

Consultation on a Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate

We are writing in response to the above consultation. Environmental Protection UK has considered the consultation document and welcomes the opportunity to comment on the proposals.

1. About Environmental Protection UK

Environmental Protection UK brings together organisations from across the public, private and voluntary sectors to promote a balanced and innovative approach to understanding and solving environmental problems, through policy development and education. We are a registered charity with 110 years experience of environmental campaigning, public information provision, producing educational resources and policy formulation.

2. Summary of Our Views

Environmental Protection UK strongly supports the Government's aim to move the UK to a low carbon economy, and the binding targets set under the Climate Change Act. As such we support the proposals to merge the PPS1 supplement with PPS22, and applaud the recognition of the roles of both the planning system and local authorities in bringing about the necessary changes.

We note that there has been a change of Government during the period of the consultation. Much is made in the consultation document of local implementation of regional renewable energy targets, however the new Government has made commitments to scaling back regional planning, and we suspect that the final version of the new PPS will therefore reflect this new policy direction. If this is the case then it is a direction we support – a ‘bottom up’ approach of local authorities developing their own targets for renewable energy deployment, with appropriate national guidance, is far more likely to result in policy that is accepted at a local level than ‘top down’ targets driven from above. Local feelings and issues need to be listened to and addressed, rather than dismissed as NIMBYism and overridden from above.

Much of the draft PPS covers the provision of decentralised energy, or combined heat and power. Whilst decentralised energy is often a desirable approach, it runs counter to the policy of separating ‘source and receptor’ (the source of a pollutant and the people it can harm) that has been used for many years to reduce the impact of electricity generation via combustion – i.e. placing power stations in remote areas away from towns and cities. It is vital that we do not forget the lessons of the past and create environmental problems as we seek to solve other ones. A great deal of care is needed when establishing a planning framework for decentralised energy.

The PPS makes no judgements about what technologies are most suitable to deliver emission cuts, however we feel that it should spell out that local authorities can make judgements on technologies, within reason. A technology neutral approach on carbon emissions alone does not consider the full range of impacts. Biomass for example is not suited to an urban environment, as it is far more polluting locally than heat provided by gas or electricity and needs frequent servicing by vehicles to deliver fuel and remove ash. By contrast, it is highly suited to the rural environment where there are few air pollution concerns, and road congestion is not an issue. Small wind turbines are also unlikely to be suited to urban environments, due to inadequate wind speeds and likely local noise and flicker impacts. Promotion of particular technologies can also help address other environmental issues, for example the wider adoption of electric vehicles would help address air quality and environmental noise objectives as well as reducing carbon emissions.

3. Detailed Comments

We have detailed our comments on particular areas of the draft PPS below. Please note that we have not answered all of the consultation questions but have instead restricted comments to our areas of expertise, although we have considered the PPS in view of the broad aims of the document and Government policy on climate change.

LCF1.3 and 1.4

It is important that any assessment of renewable and decentralised energy also considers the environmental quality of the local area, and the potential for energy supply to benefit or harm this. Examples include air quality impacts – as the UK Renewable Energy Strategy concludes, biomass plant normally has higher emissions of air pollutants than gas or electric heating, and lower emissions than solid fuel heating. Consequently potential harmful impacts are mitigated if biomass deployment is directed to rural or suburban areas. It is essential for these issues to be considered at a planning policy level to ensure that developers have a clear picture of local policy – the alternative

can be dealing with negative impacts at a regulatory level, which is time consuming for local authorities and frustrating for developers.

These issues should be covered in forthcoming practice guidance, however we would suggest that a policy 'hook' is placed in section LCF1.4 to read:

- 'The assessment should focus on opportunities at a scale which could supply more than an individual building and include up-to-date mapping of heat demand and possible sources of supply. *The assessment should also seek to maximise opportunities to benefit local environmental quality through the provision of decentralised energy*'

Much is made in the draft PPS of the importance of decentralised energy. Whilst we agree with the broad thrust of this it is important that the direction for energy efficiency and grid electricity is taken into account. The heat load for new developments should be very small, as new buildings are very energy efficient. Grid electricity is also now on a path of decarbonisation; consequently heat supplied by fossil fuelled combined heat and power systems may ultimately be higher carbon than homes using traditional centralised heat and electricity provision. Particularly in the case of urban developments of flats with low heat loads then, 'traditional' heat and power provision may ultimately lead to lower overall carbon emissions.

LCF2

Whilst we support the policies laid out in this section we note that a change of Government has taken place since the publication of the consultation draft document, and that the new Government is seeking to devolve powers from a regional to a local level. In this case we would support a bottom up approach for local authorities to develop their own targets for renewable energy, using a robust evidence based approach supported by national guidance. This approach enables the community to be involved in planning for renewable energy deployment, and enables the geographical targeting of some renewable technologies to minimise (or entirely negate) any negative impacts on the local environment.

LCF4

We understand the background to the development of this section, with concerns that local planning decisions are hampering the roll out of renewable energy technologies, particularly technologies that can be locally controversial such as wind. However, the language used in this section is very strong, and does not really consider that local opposition may actually be based in fact. The term 'unreasonably' in point i) is vague and open to interpretation - this needs to be clarified in the final PPS and accompanying guidance.

Point ii a) states that local planning policy should 'not preclude the development of specific technologies other than in the most exceptional circumstances'. This is a short sighted approach that weighs up technologies by the narrow metric of carbon savings, whilst in reality the environmental impacts of technologies vary considerably. In particular technologies that may be suitable for rural areas – wind, biomass, etc – may be unsuitable for urban areas due to impacts on areas such as noise and air quality. Local authorities need to be free to make their own robust, evidence based judgements on where technologies should be deployed – dictating that all technologies should be

judged as equal will only increase tension between national policy and local sentiment. We suggest that section LCF4 ii a) be changed to read:

- 'provide appropriate safeguards, so that any adverse impacts are addressed satisfactorily, *but do not preclude the development of specific technologies unless a robust, evidence based assessment demonstrates that a particular technology is unsuitable*'

Point ii b) states that local planning authorities should expect the scale and impact of developments in nationally recognised designations to be compatible with the purpose of the designation. We have grave concerns about this provision as it could be interpreted to mean that regulators should expect such developments to be suitable on these sites. The scale and impact of development on such sites may well be compatible provided the impacts are carefully considered, controlled and mitigated, however to assume that all impacts can be managed is nonsensical. We recommend that this section should be reworded as follows:

- Not expect the scale and impact of developments in nationally recognised designations to be incompatible with the purpose of the designation, but instead consider such applications and their ability to mitigate adverse impacts comprehensively and on a case by case basis

LCF6.1

LCF6.1 iv) acknowledges the need to consider whether development would result in the loss of a significant carbon sink, we support this. Accompanying guidance needs to explore this issue further and provide clarity.

Many proposed onshore wind farm sites within England and Wales are proposed on areas of peat. Peat is a sensitive habitat; it is the largest terrestrial carbon store in the UK and is important for many species of flora and fauna. Soil disturbance is likely to lead to changes in the local hydrological regime, which can irreversibly affect peat's ability to absorb and store carbon, and can also affect biodiversity. As the UK's largest carbon reserve, peatlands store an estimated 3 billion tonnes of carbon, this is compared to 150 million tonnes in UK woodland. It has the potential to sequester an additional 400,000 tonnes annually in pristine condition however much peatland is degraded and is no longer peat forming. This ancient resource is extremely complex - the construction, operation and de-commissioning of wind farms can cause severe and irreversible damage to its integrity and its ability to absorb and retain carbon. The combination of national and international conservation designation for some of our peatland and existing guidance for site selection inadvertently pushes development onto unprotected areas. Importantly for this NPS, on degraded bog it may be possible to marry the windfarm developments with measures to improve its condition. We also recommend that a paragraph is added to note that the construction, operation and decommissioning of wind farms can significantly affect the integrity of peat, along with a requirement for the applicant to demonstrate that the proposed development will be carried out in such a way as to preserve and improve the condition of the peat. A recent report¹ considers these impacts in detail and provides useful assessment criteria and guidance, it may be helpful to link to this from the forthcoming practice guidance.

¹ <http://naturalengland.etraderstores.com/NaturalEnglandShop/NECR032>.

LCF7.5

We understand the sentiment of this paragraph – bio-fuels brought in from outside of the local area can often be more sustainable and have a lower carbon ‘balance’ than those produced locally. However, this should not preclude a local planning authority from being able to stipulate fuel sustainability and quality criteria as part of planning conditions. Fuel quality in particular can have an enormous impact on the efficiency and emissions of combustion plant, and it is desirable for the local authority to stipulate quality standards to ensure benefits are maximised, and potential negative impacts minimised.

LCF 10 and 11

LCF 10 introduces some extremely valuable conditions for supporting charging infrastructure for electric vehicles. With average daily commutes (and other trips) well within the range of even current electric vehicles, provision of charging points at people’s homes is far more important than providing them at workplaces and retail developments. If people have nowhere to charge a car at home then they simply will not be able to use an electric vehicle. Installing charging infrastructure in residential developments with parking places, or at the very least installing cabling, is therefore crucial if we are to see a large shift to electric vehicles.

However, LCF11 introduces a host of ‘get out clauses’ for electric vehicle charging provision, and also for decentralised energy. We would suggest that the language in LCF11.1 should be in effect reversed, to suggest that requirements should be acceptable unless a local authority or developer can prove that they are not.

LCF 14

Section LCF 14 covers the process for specific planning applications for renewable and low carbon generation. Paragraph LCF 14.1 is vague, and ultimately its message that local authorities should ensure that development management is conducted in accordance with the content of the PPS really should go without saying. As such we recommend that section LCF 14.1 be removed, as its tone could be construed as quite patronising towards local authorities.

LCF 14.2 i) mentions the need to minimise noise impacts, and suggests that the approach to assessment and policies set out in the draft National Policy Statement for Renewable Energy Infrastructure be used. This is inappropriate in the first instance as the NPS covers major infrastructure, not micro generation likely to be applicable in urban areas. Further, we have raised that fact that the ETSU-R-97, as used in the draft NPS, is now 13 years old and no longer fit for purpose. The ETSU document itself states that it should be reviewed in two years’ time and wind turbine technology has developed significantly since it was written. We therefore once again take this opportunity to urge the Government to review ETSU-R-97. Also, we refer to our response to the CLG consultation on permitted development for small scale renewables, etc, where we state the case for a planning process to ensure that small wind turbines and air source heat pumps are sited to fulfill maximum generation potential while avoiding local noise, vibration and flicker problems.

Biomass is not specifically mentioned in this section, however in our view it should be. Air quality in many of our towns and cities presents a major threat to public health, and

Parliament's Environmental Audit Committee recently concluded that over 35,000 UK premature deaths annually could be attributed to poor air quality². Biomass boilers are inherently 'dirtier' from an air quality perspective than natural gas or electric heating, and therefore send air quality in the 'wrong' direction if they are installed in urban areas. Planning policy presents the best opportunity to geographically target biomass deployment to maximise the benefits and minimise the air quality impacts; such an approach was suggested in the UK Renewable Energy Strategy and a letter sent by then Defra Minister Lord Hunt to all local authority Chief Executives in 2009 (attached to this response). The new PPS provides a golden opportunity to bring this advice into official planning policy, as such we recommend that a paragraph should be inserted into LCF 14.2 to read:

- *'give significant weight to air quality impacts where a biomass installation will fall within an Air Quality Management Area, or where it could potentially affect air quality within one'*

Please note that Environmental Protection UK and LACORS last year produced guidance for local authorities on the assessment of the air quality impacts of biomass³. This guidance has been well received and widely used by both local authorities and the biomass industry, and may be useful in the preparation of the practice guidance to accompany the PPS.

4. Contact Us

If you require any further information on the views expressed in this response please contact:

Ed Dearnley 01273 878771
ed.dearnley@environmental-protection.org.uk

Address

Environmental Protection UK
44 Grand Parade
Brighton
BN2 9QA

² www.parliament.uk/business/committees/committees-archive/environmental-audit-committee/inqairquality/

³ www.environmental-protection.org.uk/biomass/