



Planning Policy Consultation Team

----- By email -----

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1st May 2018

Dear Sir or Madam,

Re National Planning Policy Framework (NPPF) Consultation

I write to respond to the NPPF consultation on behalf of the Centre for Sustainable Energy.

The Centre for Sustainable Energy (CSE) is an independent national charitable company founded in 1979. Our charity's vision is a world where sustainability is second nature, carbon emissions have been cut to safe levels and fuel poverty has been replaced by energy justice. Our mission is to share our knowledge and practical experience to empower people to change the way they think and act about energy.

For clarity we have laid out our comments under your heading and paragraph numbers, and where relevant, have included in table form a comparison between the NPPF as it was worded and as it is proposed to be worded now, followed by our commentary. We have addressed matters related to our expertise and charitable objectives around the sustainable use and generation of energy.

Taken as a whole, we consider that the proposed revisions to the NPPF water down and deprioritise action on climate change. Whilst sustainable development features prominently within the revised text, the cross references between the general theme of sustainable development and the specific threat of climate change have been weakened. The suggested changes threaten to reduce the capacity of the planning system to contribute to the transition to a low carbon economy.

3. Plan Making

Revised NPPF wording	Existing NPPF Wording
<p>16. Plans should:</p> <p>a) be prepared with the objective of contributing to the achievement of sustainable development;</p>	

It would be helpful to include a footnote here to draw an explicit link between sustainable development and climate change e.g: “In line with the objectives and provisions of the Climate Change Act 2008”. This would ensure that the carbon emissions inherent in local plans are in line with the requirements of the Climate Change Act.

Revised NPPF wording	Existing NPPF Wording
<p>Strategic policies</p> <p>20. The strategic policies required for the area of each local planning authority should include those policies, and strategic site allocations, necessary to provide:</p> <p>d) infrastructure for ... the provision of energy (including heat);</p> <p>f) climate change mitigation and adaptation, and conservation and enhancement of the natural, built and historic environment, including landscape and green infrastructure.</p>	

We welcome the identification of climate change mitigation and adaption and energy infrastructure policies as strategic policies. We would encourage the description of energy infrastructure to be extended to also include the provision of renewable and low carbon

energy, so as to remove ambiguity and be consistent with the wording of revised paragraph 150.

6. Building a strong, competitive economy

Revised NPPF wording	Existing NPPF Wording
82. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.	18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

We’re concerned that the significant weight to be placed “on the need to support economic growth and productivity” could be used to justify unsustainable development proposals. The reference to economic growth being low carbon has been deleted with nothing similar put in its place.

9. Promoting sustainable transport

Revised NPPF wording	Existing NPPF Wording
103. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: c) opportunities to promote walking, cycling and public transport use are identified and pursued; e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.	30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
105. Planning policies should: d) provide for high quality walking and	

<p>cycling networks and supporting facilities such as cycle parking – drawing on Local Cycling and Walking Infrastructure Plans;</p> <p>f) recognise the importance of maintaining a national network of general aviation facilities – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy.</p>	
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We support the specific encouragement given to walking, cycling and public transport, to the provision of sustainable transport infrastructure through plan making and also to the potential contribution of transport infrastructure to high quality place making. However the specific objective of cutting greenhouse gases has been dropped and should be reinstated.

Aviation proposals should also take into account the need to safeguard existing and planned onshore wind sites.

12. Achieving well-designed places

Revised NPPF wording	Existing NPPF Wording
<p>130. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they are sensitive to the overall form and layout of their surroundings.</p>	<p>65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.</p>

The support given to designs which promote high levels of sustainability is welcomed; however the changed wording means that such proposals might only be supported where they are of “outstanding” or “innovative” design. We question the need for this qualification, which could downgrade the policy support given to highly sustainable buildings and would suggest that paragraph 130 is revised.

14. Meeting the challenge of climate change, flooding and coastal change

Revised NPPF wording	Existing NPPF Wording
147. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.	93. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

We're concerned that the role of planning in supporting the transition to a low carbon economy has been downgraded. Instead of "playing a key role in helping shape places to secure radical reductions in greenhouse gas emissions" planning is now said to "help to shape places in ways that contribute to radical reductions in greenhouse gas emissions". We support the remainder of this paragraph, in particular the additional text in respect of minimising vulnerability and improving resilience, however the text does not recognise the central role of the planning system in addressing the spatial aspects of climate mitigation and adaptation.

Planning for climate change

Revised NPPF wording	Existing NPPF Wording
148. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures [footnote 39: And within the context provided by the Climate Change Act 2008].	94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, [footnote 16: In line with the objectives and provisions of the Climate Change Act 2008] taking full account of flood risk, coastal change and water supply and demand considerations.

We are concerned about the change in the tone of the revised text. Instead of being required to “adopt proactive strategies”, now local plans should “take a proactive approach to mitigating and adapting to climate change”. “Approach” implies less comprehensive and simpler, less concerted action than “strategies”.

Similarly, the new footnote waters down previous expectation of proactiveness. Previously, the footnote required strategies within plans to be “in line with the objectives and provisions of the Climate Change Act”; this is explicit that strategies should be consistent with the carbon reduction target and budgeting of the Climate Change Act. The new phrasing “within the context provided by the Climate Change Act” is significantly vaguer and less prescriptive, with less clarity as to what action is needed by local planning authorities.

We welcome the greater detail around the potential impacts of climate change and the mention of overheating is welcome, but planning’s role in making liveable places in a changing climate should be made clearer.

Given the increased reliance placed upon neighbourhood plans and the rationalised content of local plans (now just required to include strategic policies), we would recommend that encouragement is also given to neighbourhood plans to address climate change considerations and to plan positively for renewable energy. The neighbourhood planning process is a unique opportunity for normal people to discuss what climate change might mean in their local communities, and how they might add to local authority strategies. Our experience through our programme¹ to support “Low Carbon” Neighbourhood Plans is that neighbourhood plans can help nurture informed consent for a greater rollout of renewable energy.

Revised NPPF wording	Existing NPPF Wording
<p>149. New development should be planned for in ways that:</p> <p style="padding-left: 40px;">b) can help to reduce greenhouse gas emissions through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.</p>	<p>95.To support the move to a low carbon future, local planning authorities should:</p> <ul style="list-style-type: none"> - plan for new development in locations and ways which reduce greenhouse gas emissions - actively support energy efficiency improvements to existing buildings; and - when setting any local requirement for a building’s sustainability, do so in a way consistent with the Government’s zero carbon buildings policy and adopt

¹ Low Carbon Neighbourhood Planning Programme – Centre for Sustainable Energy, supported by Esmee Fairbairn - www.cse.org.uk/neighbourhoodplanning

	nationally described standards.
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The clear instruction in the existing NPPF that “local authorities should plan for new development in locations and ways which reduce greenhouse gases” has been unnecessarily softened to “development should be planned for in ways that can help to reduce greenhouse gas emissions through its location, orientation and design.” The “ways” to reduce greenhouse gas emissions are now limited to “location, orientation and design”, whereas without these parameters the door was open to securing appropriate development mixes, getting the right low and zero carbon energy system in place and requiring new development to connect to these systems. New national policy to replace the withdrawn zero carbon homes regime is urgently needed.

The revised text has lost the explicit support for energy efficiency improvements to existing buildings. Therefore there is no policy to counter potential conflict with local townscape or conservation policies, for example in relation to the installation of external wall insulation. The Carbon Plan states that “By 2050, *all* buildings will need to have an emissions footprint close to zero” (my emphasis) yet few councils have policies in place to encourage appropriate energy efficiency improvements to traditional and historic buildings. Similarly the Clean Growth Strategy aims to upgrade all fuel poor homes to Energy Performance Certificate Band C by 2030, many of which will be historic or traditional buildings. To assist in keeping to a cost effective trajectory of carbon reduction and achieving your targets around fuel poverty, positive and constructive planning policies should be put in place to enable the responsible retrofitting of traditional and historic properties to go ahead.

Revised NPPF wording	Existing NPPF Wording
<p>150. To help increase the use and supply of renewable and low carbon energy and heat, plans should:</p> <ul style="list-style-type: none"> a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure 	<p>97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:</p> <ul style="list-style-type: none"> - have a positive strategy to promote energy from renewable and low carbon sources; - design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;

their development;	<ul style="list-style-type: none"> - consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources [footnote 17 requirement to comply with NPS policy]
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We are concerned that the revised NPPF drops the clear statement that all communities have a responsibility to contribute to low and zero carbon energy generation.

The existing requirement for local planning authorities to “design their policies to maximise renewable and low carbon energy development” becomes a requirement for plans to “maximises the potential for suitable development”. The NPPF already includes sufficient support for authorities to refuse unsuitable developments, so the extra qualification of ‘suitable’ developments seems unnecessarily negative.

Our research² suggests that whilst many local authorities have reactive renewable energy policies, few have the positive strategies to maximise renewable energy development required by the NPPF. With the greater importance of neighbourhood planning, more active encouragement should be given to neighbourhood planning groups to plan positively for renewable energy.

Revised NPPF wording	Existing NPPF Wording
<p>152. In determining planning applications, local planning authorities should expect new development to:</p> <ul style="list-style-type: none"> a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; 	<p>96. In determining planning applications, local planning authorities should expect new development to:</p> <ul style="list-style-type: none"> - comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable;

² Survey of local authority wind policies - Centre for Sustainable Energy - April 2017
www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/planning/survey-of-local-authority-wind-sites.pdf

Widening the requirement to “development plan policies” is welcome but the reference to feasibility and viability is unnecessary, as in the future viability is to be tested at plan stage. It seems unreasonable to single out low and zero carbon energy.

Revised NPPF wording	Existing NPPF Wording
<p>153. When determining planning applications for renewable and low carbon development, local planning authorities should:</p> <p>b) approve the application if its impacts are (or can be made) acceptable. For wind energy developments, this should include consideration of the local community’s views. [footnote 40].</p> <p>Footnote 40 - A proposed wind energy development involving one or more wind turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.</p>	

Wind turbine technology continues to advance and efficiencies can be gained by allowing older wind sites to be re-developed, yet the wording allows no scope for existing wind farms to be re-powered unless local planning authorities or neighbourhood planning groups take specific action to identify them as being “suitable for wind”. This leads to the risk of older turbine designs being used beyond their design life. As currently worded, the policy could also result in older wind farms being removed at the end of their 25-year temporary consents, unless local planning authorities take positive action to confirm the sites as “suitable” in policy.

In our 2017 survey of 92 local planning authorities, we found that only about a quarter of local authorities were planning for onshore wind³. Without specific encouragement from government it therefore seems unrealistic to expect authorities to take positive steps to engage the communities hosting existing wind farms regarding their future. Therefore, there is a risk of the contribution of onshore wind to our energy mix being reduced in absolute terms, against the explicit objectives of the NPPF to support renewable energy.

We would encourage revisions which exclude existing wind sites from the need for such a policy, whilst enabling local planning authorities to consider communities views on proposals to redevelop or extend the life of existing wind sites through the normal development management processes.

The revised NPPF should also further clarify what is meant by the phrase “following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing”. Our survey⁴ found that more than 50 per cent of local planning policy teams said they felt either unsure or not confident about how this requirement was to be met by applicants for onshore wind developments. In addition, a clear majority of 52.5% did not think this requirement was clear enough to allow decisions to be made predictably.

In any event, public consultation and the consideration of public opinion in respect of development proposals is built into the planning system, both in legislation and guidance, and into the development management process itself. The local community’s views should be considered for any and all development proposals, not just wind energy developments, and therefore this text seems unnecessarily negative.

Oil, gas and coal exploration and extraction

Revised NPPF wording	Existing NPPF Wording
<p>204. Minerals planning authorities should:</p> <p>a) recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security</p>	

³ Our survey found that at the time only 28% of the authorities surveyed had or were preparing enabling policies to allow onshore wind developments to be developed, or by extension, retained beyond the expiration of their temporary consents. Survey of local authority wind policies – Centre for Sustainable Energy – April 2017 - www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/planning/survey-of-local-authority-wind-sites.pdf

⁴ Survey of local authority wind policies – Centre for Sustainable Energy – April 2017 - www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/planning/survey-of-local-authority-wind-sites.pdf

<p>of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction;</p>	
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In their 2016 report⁵, the Committee on Climate Change examined the implications of exploitation of onshore fossil fuels for meeting the UK carbon budgets. The committee found that the exploitation of shale gas on a significant scale was not compatible with UK carbon budgets. The committee also commented that the 2050 commitment to reduce emissions by at least 80% will also not be met unless emissions from shale gas production and overall gas consumption is accommodated within UK carbon budgets. Emissions from shale exploitation would also need to be offset by emissions reductions in other areas of the economy to ensure UK carbon budgets are met.

Given this context, has an impact assessment been published which justifies that the proposed expansion of shale gas would meet the CCC's tests, and therefore would be consistent with the Climate Change Act?

The more recent 2017 progress Report to Parliament⁶ from the Committee on Climate Change (CCC) commented that emissions will not continue to fall, and the fourth and fifth carbon budgets will be missed unless new and strengthened policies are brought forwards, including new policies to cut emissions from buildings and to bring forward mature renewables such as onshore wind.

Regarding the potential for onshore gas production to support the transition to a low carbon economy, recent analysis by the Tyndall Centre⁷ suggests that its role will be extremely limited:

“The Paris 2°C and equity commitments, buttressed with the IPCC’s carbon budgets, demand a minimum reduction in EU energy-only carbon emissions of around 95% by 2035 (c.f. 2015). Consequently, within two decades fossil fuel use, including gas, must have all but ceased, with complete decarbonisation following soon after. Prior work has shown that such a programme of mitigation requires significantly more than two thirds of existing reserves to remain in the ground. In this context ... there is categorically no role for bringing additional fossil fuel reserves, including gas, into

⁵ Committee on Climate Change (July 2016) [‘The compatibility of UK onshore petroleum with meeting the UK’s carbon budgets’](#)

⁶ 2017 Report to Parliament – Meeting Carbon Budgets: Closing the policy gap - Committee on Climate Change - www.theccc.org.uk/publication/2017-report-to-parliament-meeting-carbon-budgets-closing-the-policy-gap/

⁷ Tyndall Manchester Climate Change research (2017) Natural gas and climate change - http://www.foeurope.org/sites/default/files/extractive_industries/2017/natural_gas_and_climate_change_anderson_broderick_october2017.pdf

production... Fossil fuels (including natural gas) have no substantial role in an EU 2°C energy system beyond 2035.”

Given this analysis and the advice from the Committee on Climate Change, there can be no case for developing new reserves of fossil fuels and no conceivable benefits which would outweigh the considerable risks that developing new shale gas or oil reserves will tie us into fossil-fuel sources for far longer than our carbon budget would allow.

We note the recent announcement of the possible move to implement a target to reduce emissions to “net zero” by 2050⁸. If confirmed, we welcome and congratulate this commitment; however it underlines the fundamental incompatibility and short-sightedness of policies to increase greater fossil fuel extraction, which will make the achievement of even our existing carbon reduction commitments far less likely.

Many thanks for your time, and please feel free to contact me should you require any further clarification.

Yours sincerely

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⁸ UK set to reconsider emissions targets for 2050 – Financial Times, 17th April 2018

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