Energy UK Response to the Scottish Government’s Places, People and Planning Position Statement

11th August 2017

About Energy UK

Energy UK is the trade association for the GB energy industry with a membership of over 90 suppliers, generators, and stakeholders with a business interest in the production and supply of electricity and gas for domestic and business consumers. Our membership encompasses the truly diverse nature of the UK’s energy industry – from established FTSE 100 companies right through to new, growing suppliers and generators, which now make up over half of our membership.

Our members turn renewable energy sources as well as nuclear, gas and coal into electricity for over 26 million homes and every business in Britain. Over 619,000 people in every corner of the country rely on the sector for their jobs with many of our members providing lifelong employment as well as quality apprenticeships and training for those starting their careers. The energy industry adds £83bn to the British economy, equivalent to 5% of GDP, and pays over £6bn in tax annually to HMT.

We welcome the publication of the People, Places and Planning Position Statement and the further clarity it provides on the Scottish Government’s proposal to reform the planning system. It is appreciated that there is no need to restate views already expressed in response to the original Places, People and Planning report.

Supporting Investment in Scotland’s Energy Sector

Energy UK welcomes the opportunity to respond to the Scottish Government’s Places, People and Planning Position Statement. In her May speech at the All Energy Conference, Scotland’s First Minister Nicola Sturgeon referred to Scotland emerging as a world leader in renewable energy development and low carbon technologies and articulated the economic importance of the low carbon and renewable sector which contributes almost 60,000 jobs in Scotland with a turnover of £10.5billion. This prioritisation of continued investment in renewable energy is reflected further within the policies and consultations issued by the Scottish Government such as the Energy Strategy and Climate Change Plan.

Whilst we agree that the provision of additional housing stock is an infrastructure priority, it is important that Scotland’s planning policy is equally aligned to support the delivery of other important policy objectives. Given the Scottish Government’s ambitious plans for tackling climate change and facilitating Scotland’s transition to a low carbon economy, we would ask that Scottish Government clearly articulate how the proposed reform to the Scottish Planning System, will support the objectives of the finalised Climate Change Plan, Energy Strategy and Onshore Wind Policy Statement, due to be published in the coming months.

Energy UK has responded in detail to the consultations which the Scottish Government has issued over the past year. We would encourage greater consideration of submissions to the recent Onshore Wind Policy Statement (which closed in May, 2017); our response to which can be found here. The draft Onshore Wind Policy Statement recognises the key role of the Planning System in facilitating cost reduction for the onshore wind sector however; it is not clear how the Planning Position paper supports this objective. Indeed the Planning Position paper confirms that the Scottish Government are considering options for infrastructure levy but it provides no detail on whether this would apply to infrastructure projects. Despite our reservations on such a Levy, we look forward to seeing the forthcoming report which will outline the various options and would ask that stakeholders should have
the opportunity to comment on the scope and details of the Levy through a public consultation process. Given the complexities and issues arising from such a proposal, we think it is premature to be enacted into legislative provisions for this in time for any Planning Bill to be taken forward later this year.

Improving the Planning Process

Energy UK and our members welcome the Scottish Government's intention to provide greater clarity on how a ten year Local Development Plan timescale could operate, including through provisions for plans to be amended or updates between full review cycles. For sectors where technology is rapidly evolving, the proposed 10 year timescale could lead to plans being outdated. We therefore look forward to greater clarity on provisions for updating or reviewing Plans within the proposed 10 year review cycle to ensure the planning framework is able to adapt to these changes.

Energy UK and our members support the Scottish Government’s commitment to bring about change that will improve the performance of the planning system by focusing on outcomes and the level of engagement. We believe that there is a collective need for fresh thinking and a willingness to work collaboratively and we welcome efforts to improve public engagement in the planning system. However, this should be balanced against national priorities and we welcome the reiteration within the Position Statement that the National Planning Framework (NPF) and Scottish Planning Policy (SPP) will be given a greater role in the delivery of sustainable development. These documents will help set out the national policy priorities including support for onshore wind, enabling local plans to cascade from national planning policy and deliver Scotland’s priorities.

Our membership remains concerned that the spatial planning approach and constraint mapping could restrict the development of onshore wind. In our view, such an approach does not consider ‘grey areas’ such as wild land and peatland mapping. Perceived environmental impact can, in many cases, be mitigated through project design or can be better managed through EIA and development management processes.

We support the principle that a developer is entitled to an independent review of a local planning authority’s decision to refuse planning permission and acknowledge that there may be scope to widen the use of local review.

Strong Leadership and Smarter Resourcing

We support the commitment to explore mandatory training for elected members who are serving on a planning committee or Local Review Body, potentially supported with testing. We also welcome recognition within the Position Statement that there would be merit in reviewing the effectiveness of local review bodies to explore lessons learned, share issues and solutions, and identify scope for future improvement.

It is disappointing that Scottish Government are to proceed with plans to remove the ability for a second planning application to be made at no cost, following initial refusal. Our members have previously asked that this provision remain, particularly in cases where the reasons for refusal are relatively technical. Removal of this ability would encourage a greater number of appeals and would discourage developers from addressing reasons for refusal in amended applications.

We note that the Scottish Government’s consideration of options for a national delivery group to support improved co-ordination of development and infrastructure issue and would suggest that this group should work closely with the UK National Infrastructure Commission (NIC) to ensure that infrastructure priorities are aligned across the UK to support energy development.

Comments on the Strategic Environmental Assessment (SEA)

With regards to the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report the fourth paragraph of the section entitled ‘What is the current state of the environment?’ and Paragraph 3.2.4 in the main body of the report, should be amended to include the following: “Scotland has many natural resources and material assets, not least its high quality agricultural land, and extensive areas of forestry and woodland and its propensity to
allow those resources to be utilised to deliver renewable energy. Scotland’s transport infrastructure is also a key asset in connecting our urban and more remote rural areas, and supporting future growth.  

The predicted environmental effects set out in the Environmental Report have potential for both positive and negative effects. Any changes must be carefully designed to achieve a more efficient system that delivers better outcomes.

Welcome the reference to improving opportunities for developing low carbon infrastructure in table 3.1 within the Environmental Report.

For more detail about the questions posed within the consultation document please refer to the responses submitted by our members. Should you have any questions regarding this consultation response then please do not hesitate to get in touch via the details below.

I can confirm that this response may be published on the Scottish Government’s website.

Yours sincerely,

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