



# Onshore wind: Back to the Future?

25th July 2024

Andrew Fraser-Urquhart KC

[afu@ftbchambers.co.uk](mailto:afu@ftbchambers.co.uk)

Claire Nevin

[Claire.Nevin@ftbchambers.co.uk](mailto:Claire.Nevin@ftbchambers.co.uk)



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## We will cover ....

- Policy context (AFU KC)
- Current Policy (CN)
- The planning balance (AFU KC)
- Community Benefits Protocols (CN)
- Final Thoughts (AFU KC)



## Context – current renewable status

- Wind energy already very significant part of UK energy mix – Q2 2020 44.6% of electricity generation
- 29.2% of renewable capacity is onshore, 23.0% is offshore
- Progress from early 2010s – UK Renewable Roadmap (July 2011) foresaw “around 29GW in operation” by 2020; actual figure Q2 2020 48.5GW
- Offshore increasing quickly -21% increase from Q2 2019

## Policy regime (England) – Onshore wind

- Overall framework - Climate Change Act 2008
- Still extant BEIS paper 22/1/13- “Onshore Wind: part of the UK’s energy mix” – wind “a key component”
- Planning – above 50MW – NSIP regime
- NPPF and NPPG for smaller schemes

## The local opinion clause NPPG fn 49 and NPPG

- Had chilling effect after 2015 - WMS “final say”
- In an area identified as suitable for wind energy in dev 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”* (NB NPPG adds “therefore”
- NPPG – whether has backing is matter for LPA decision

## A total roadblock?

- Local Plan policy – matter for normal local plan process
- Local approval - Matter for LPA planning judgement
- NPPG – planning effects fully addressed “**therefore** the proposal has their backing”
- Primacy of development plan – this is material consideration only



## A chilling effect

- Only 11% of all LPAs in England have areas identified as suitable for wind energy in their adopted local plans.
- Between January 2016 and December 2021, 11 planning applications for new onshore wind turbines were approved.
- Only 2 turbines since 2020
- In 2022-23, whilst war-torn Ukraine built 118 wind turbines, England built precisely none.

## “Any of you boys seen a windfarm round here?”

- Effective disappearance of onshore wind from policy documents
- White Paper 2020 – “Saudi Arabia of wind” – but all offshore
- “Powering Up Britain” – March 2023 refs planning reform but nothing more
- WMS 5th September 2023 and the promulgation of a new NPPF effects little change in reality



## ”A wind of change”

- Policy Statement on Onshore Wind – 8th July 2024
- Commitment to double onshore wind by 2030
- Removal of FN 57 and 58 – onshore wind on same footing as other energy projects
- Suggestion that larger projects could come within NSIP regime with new NPS
- Effective immediately



## NPPF – (para 163)

- No need for applicants to demonstrate the overall need for renewable or low carbon energy. Even small-scale projects provide a valuable contribution to significantly cutting GHG emissions.
- LPAs should approve the application if its impacts are (or can be made) acceptable.
- Re. applications for the repowering and life-extension of existing renewable sites, LPAs should give significant weight to the benefits of using an established site and approve if impacts are or can be made acceptable.

## NPPF – NPS as material considerations (para 5)

- NPPF does not contain specific policies for NSIPs which are determined under the Planning Act 2008 and relevant NPS for major infrastructure.
- NPS form part of overall framework of national planning policy.
- NPS may be a material consideration when making decisions on planning applications.



## NPPG

- Still contains local opinion clause (awaiting revision)
- Sets out range of effects to consider with detailed guidance on how to be assessed
- Notes mandatory pre-application consultation requirements



## The balance - Need

- No specific targets –cf with Renewable Roadmap
- Large increases already seen -vs- still unsatisfied demand
- NPPF - no need to demonstrate need
- NPSs “may be” material consideration – urgent need and substantial weight is basis for Sec of State decision (EN1 para 3.2.6 and 3.2.7)
- But weight – implicitly acknowledged by NPPG with ref to “considering the energy contribution”

## The balance – Adverse impacts

- Need only be “*acceptable*” or made so;
- NPPG provides some guidance: Paras 15-23
- Landscape and visual – “*significant or defining*”; “*a feature in particular views (or sequences in views)*”
- LCA assessments, visual impact – co-valence
- Cumulative impacts



## The balance – adverse effects

- Fall-over distance,
- Power lines, air safety and radar
- Highways and shadow flicker
- Ecology – esp impact on birds
- Noise – ETSU-R-97 – dated and issues with intermittent thumping



## The balance – adverse effects

- Heritage – importance of setting (see *Barnwell Manor*)





## Adverse impacts – environmental assessment

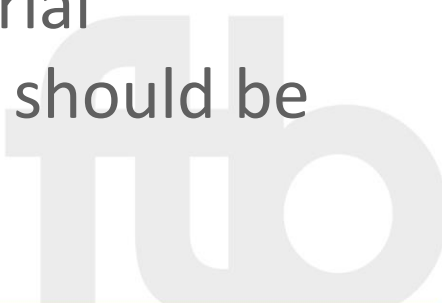
- Wide range of effects – some of which are unique to windfarms
- LPA resources as skill set neglected
- Basis of assessment – need for full assessment of scheme and avoidance of salami-slicing esp wrt grid connection
- Exploratory assessment of wind resource separate from exploitation phase: *Europa Oil and Gas*

## Community Benefits Protocol

- New Government Policy Statement on Onshore Wind recognises that local communities will play an essential part in delivering onshore wind and commitment to facilitating participation in decision making.
- States that communities should benefit from hosting local renewable energy infrastructure.
- Commitment to updating the Community Benefits Protocol for Onshore Wind in England.



## The current Community Benefits Protocol

- Current Good Practice Guidance for England was last updated in December 2021.
  - Heavy focus on early and effective community engagement in the decision making process. Sets out good practice for delivering community benefits.
  - NB community benefit packages not material considerations in determining whether PP should be granted.
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## The current Community Benefits Protocol ctd.

- LPAs can only take account of contributions that are necessary to make the development acceptable in planning terms.
- However, a separate and secondary process of engagement on community benefits is likely to come more to the fore.
- Community Benefit Funds
- Local energy discount schemes/shared ownership



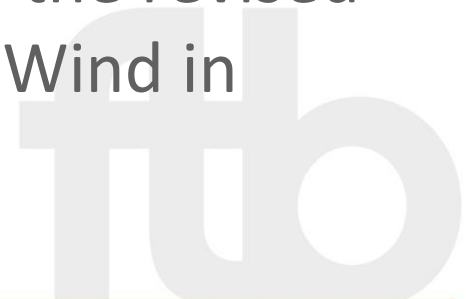
## The current Community Benefits Protocol ctd.

- The Current protocol recognises that it is more common for windfarms to be developed and owned by commercial organisations in the UK but that there are opportunities for community or shared ownership.
- Three main models:
  - Joint Ventures
  - Shared Revenue
  - Split Ownership



## Future direction of travel for community benefits?

- The Labour Manifesto – commitment to deploying local energy production to benefit communities. GBE will partner with energy companies, LPAs and co-operatives to install renewables projects. Communities will be invited to come forward with projects.
- Scottish model as potential inspiration for the revised Community Benefits Protocol for Onshore Wind in England.



## Scottish model as inspiration?

- Onshore Wind Sector Deal published September 2023 adopts Community Wealth Building approach to economic development.
- Commits to the principles of a just transition to a net zero economy ensuring communities feel the benefits of the energy transition.
- Policy statement sets out the benefits *expected* for local communities.

## Scottish model as inspiration?

- Encouragement of community shared ownership models and commitment by the end of 2024 to create a national register of community benefit and community shared ownership that will be updated on an annual basis.
- Community benefits toolkit on Local Energy Scotland website and update relevant case studies on an ongoing basis



## Onshore wind: policy statement 2022 (Dec 2022)

- Encourages developers to offer shared ownership opportunities to communities as standard on all new renewable energy projects.
- Community and Renewable Energy Scheme (CARES) delivered by Local Energy Scotland on behalf of Scottish Government provides funding and support to help communities identify their needs and provides advice and support for setting up community funds.

## Onshore wind: policy statement 2022 (Dec 2022)

- Encourages innovative approaches to ensure local communities directly benefit from the affordable electricity produced on their doorstep e.g. local community tariffs/discounts.
- Target of 2GW of community and locally owned energy by 2030.





## Scale of the progress on community ownership

- Latest Community and locally owned energy in Scotland report from the Energy Saving Trust shows that, as of December 2022, 45% progress made towards the 2030 target of 2GW of community and locally owned energy by 2030.



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## Community ownership models also a hot topic in Ireland

- UCC study from 2022 found that over 2/3 of respondents to a national survey said they would consider investing in a local wind farm if given the opportunity.
- In Ireland, wholly community-owned projects cited as the only real option
- References Scottish private developer/community shared ownership model as a more viable approach.

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## Community ownership models also a hot topic in Ireland

- Sustainable Energy Authority of Ireland (SEAI) developed a Community Energy Resource Toolkit for onshore wind energy projects.
- Similar to Scottish CARES.





## Going forward

- Pipeline of applications?
- Grid connection issues
- Need to gear up for assessments
- Updated policy documents
- Extension of NSIP regime





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**Andrew Fraser-Urquhart KC**

[afu@ftbchambers.co.uk](mailto:afu@ftbchambers.co.uk)

**Claire Nevin**

**Claire.Nevin@ftbchambers.co.uk**



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