

# How to Bring About a Step Change in the Delivery of Small Wind Through the UK Planning System

A presentation by  
Pegasus Planning Group

- Paul Burrell
- Andrew Cook

# Presentation

1. Removing some schemes from planning altogether – i.e. emerging permitted development (pd) rights
2. Minimising validation requirements for planning applications - i.e. proportionality
3. Minimising need for EIA
4. Industry providing good informative material

# 1. Permitted Development Rights

- England – consultation on new pd rights, end of 2009
- Relies upon Microgeneration Certification Scheme (MCS) to provide safeguards where p/p not required.
- Different standards proposed for:-
  - building mounted / freestanding turbines
  - domestic / non-domestic land use
- Height limits, noise limits (45 dB), Conservation Areas/Listed Buildings
- Not pd in aviation safeguarded areas
- One turbine per property

# Permitted Development Rights

- Scotland – consultation until 30<sup>th</sup> April
  - Similar distinctions between building mounted and freestanding turbines
  - Similar criteria re noise, size, only one turbine per dwelling and reliance upon MCS system
- Wales – similar consultation to England
- Northern Ireland – consultation pending

## 2. Proportionality and Streamlining Planning Principles

- Inconsistencies in applying validation requirements;
- Requests for onerous environmental reports, too costly, prevent schemes from proceeding further;
- Quality of decision making process variable;
- Appeal costs prohibitive for micro and small wind schemes.

# 3. Minimising Need for EIA

- Small Wind considerations are different to Large Wind.
- Guidelines for Large Wind are often mistakenly extended to Small Wind applications.
- Little specific guidance is available for Small Wind proposals.
- New Small Wind Good Practice Planning guidance to be published by Renewable UK.

# Environmental Impact Assessment

- The majority of micro and small wind applications will not be EIA development.
- Not requiring an EIA does not preclude the determining authority from requesting supporting environmental reports.
- Small Wind development will require an EIA if the development is considered **likely to have significant effects on the environment** by virtue of factors such as its nature, size or location.

# Circular 02/99 – Environmental Impact Assessment

## Screening Thresholds:

Annex A provides further guidance for applying the EIA Regulations:

*“A.15 The likelihood of significant effects will generally depend upon the scale of the development, and its visual impact, as well as potential noise impacts. EIA is more likely to be required for commercial developments of five or more turbines, or more than 5MW of new generating capacity” ... i.e. of a commercial scale*

# Environmental Impact Assessment Regulations

## Screening Thresholds:

### Initial considerations:

- the development involves the installation of more than 2 turbines; or
- the hub height of any turbine or height of any other structure exceeds 15 metres

### If relevant, then:

- whether the development is taking place in a **sensitive area**; and has **significant effects**.

# Potential Environmental Issues

- Landscape and Visual Issues
- Shadow Flicker
- Noise
- Ecology
- Aviation
- Electronic Communications
- Transport
- Archaeology and Heritage

# Proportionate Response

- In considering the environmental effects posed by small wind turbine proposals, a **proportionate response** is required.
- Any Screening decision should be given very careful consideration to ensure that the request is **proportional** to the potential environmental effects and scale of development.
- Requiring an EIA to accompany a small wind proposal likely to result in a project not being financially viable.

# 4. Industry Input

- The Small Wind Industry can help in producing information about each turbine's specification:
  - Noise profile data;
  - Scaled planning application Drawings;
  - Foundation design;
  - Materials specification;
  - Construction and fabrication process.

# 5. Summary and Conclusions

- PD rights will remove a tranche of schemes from planning, subject to criteria;
- When planning applications are needed, LPAs must be proportionate and realistic over the scale and potential impact of the proposals;
- The industry can help by providing good quality information to support the application submission and determination.