

BABERGH DISTRICT COUNCIL

FROM: Head of Natural and Built Environment

REPORT NUMBER: **J186**

TO: STRATEGY COMMITTEE

DATE OF MEETING: 11 February 2010

CONSULTATION ON THE DRAFT NATIONAL POLICY STATEMENTS FOR ENERGY INFRASTRUCTURE

1. PURPOSE OF REPORT

- 1.1 To agree a response to the Department of Energy and Climate Change in relation to certain key issues contained within the draft Overarching National Policy Statement for Energy (EN-1) and the draft National Policy Statement for Electricity Networks Infrastructure (EN-5).

2. RECOMMENDATIONS

- 2.1 That subject to any amendments which the Committee may wish to make as a result of its consideration of this report, the comments set out below be approved as the District Council's formal response to the Department of Energy and Climate Change.

a) That while nationally designated sites of ecological and landscape value should be afforded protection as outlined in draft National Policy Statement EN-1, greater weight should be given to the protection of locally defined sites as identified in Local Development Documents because of their intrinsic value.

b) That in relation to draft National Policy Statement EN-5 the Infrastructure Planning Commission should be required to consider the need for specific projects and possible alternatives before arriving at any decision. In addition the Infrastructure Planning Commission should be able to be more supportive of undergrounding in situations of critical landscape impact, notwithstanding the cost, and this principle should not just apply to nationally designated landscapes.

- 2.2 The Committee is able to resolve this matter.

3. FINANCIAL IMPLICATIONS

- 3.1 None arising directly from the content of this report.

4. RISK MANAGEMENT

- 4.1 This report is most closely linked with the District Council's Significant Business Risk No.4 (Governance), No.5 (Capacity) and No.10 (Local Response to National Issues). The key risks are set out below:

Risk Description	Likelihood	Seriousness of impact	Mitigation Measures
<ul style="list-style-type: none"> • Ability to provide community leadership during period of significant change. 	Significant	Critical	Engage key Members
<ul style="list-style-type: none"> • Having insufficient capacity and expertise available. 	High	Critical	Ensure resource availability
<ul style="list-style-type: none"> • Not taking the opportunity to inform and influence any subsequent decisions for the benefit of Babergh residents. 	Significant	Critical	Respond to consultation

5. KEY INFORMATION

- 5.1 The Planning Act, 2008, introduced a new regime for the consideration of Nationally Significant Infrastructure Projects (NSIP). It also led to the establishment of a new independent body, the Infrastructure Planning Commission (IPC), that will have full responsibility for the determination of all Development Consent Order (DCO) applications for major projects.
- 5.2 The determination of future applications will be undertaken in line with a raft of National Policy Statements (NPS's) produced by Government. It is anticipated that there will be twelve NPS's in total and in November 2009 Government began consultation on the first seven of these, six of which relate to Energy and the seventh to the development of Ports. The six relating to Energy include:
- An overarching national policy statement for energy (EN-1),
 - A statement for power generation from fossil fuels (EN-2),
 - A statement for power generation from renewable sources (EN-3),
 - A statement for gas supply infrastructure and gas and oil pipelines (EN-4),
 - A statement for electricity networks infrastructure (EN-5), and,
 - A statement for nuclear power generation (EN-6).
- 5.3 In view of the issues facing Babergh this report focuses solely upon specific matters in the Overarching Energy Statement (EN-1) and the Electricity Networks Statement (EN-5). In view of the nature of draft NPS's and the range of questions posed by the Department of Energy and Climate Change it is evident that Babergh has neither the capacity or level of technical expertise required to comment in full on all six energy related documents. Other Councils in Suffolk are, however, formulating their responses to the documents as appropriate, in particular EN-3 and EN-6. It should also be noted that while the consultation has been in progress the draft documents have been subject to parallel scrutiny by Parliamentary Committees. The consultation period on the draft NPS's closes on 22 February 2010.

Draft Overarching National Policy Statement for Energy EN-1

- 5.4 This draft sets out the Government's energy and climate change strategy which in summary is intended to:
- Deliver the UK's obligation to reduce greenhouse gas emissions by 80% by 2050 and work to carbon budgets stemming from the Climate Change Act 2008, within the context of the EU Emissions Trading System,
 - Ensure that investment provides security of energy supply through a diverse and reliable mix of fuels and low carbon technologies – renewable energy, nuclear, and fossil fuel plants fitted with carbon capture storage,
 - Further ensure that investment delivers an electricity grid with greater capacity and the ability to manage larger fluctuations in supply and demand,
 - Support the elimination of fuel poverty, protect the vulnerable through ensuring energy infrastructure is delivered in a cost effective way that keeps energy bills as low as possible, and,
 - Contribute to sustainable development by seeking energy infrastructure development that helps reduce climate change while also minimising negative impacts on the local environment.
- 5.5 Based upon projected energy demand and the need to meet the above objectives, particularly relating to climate change and security of supply, the Government has outlined the need for new energy infrastructure over the next 10 to 15 years.
- 5.6 Demand for electricity generation in 2020 is likely, based upon Government projections, to be at a level similar to now (around 60 GW) with the possibility of increases beyond then due to factors such as greater use of electricity to decarbonise heat and transport. It is also highlighted that a large number of existing power stations (oil, coal, and nuclear) will close and that there is likely to be a switch to low carbon forms of electricity generation based around renewable energy (particularly wind power in the short to medium term) nuclear power, and fossil fuels with carbon capture and storage.
- 5.7 The Government projects that net additional electricity generating infrastructure will also be needed to ensure adequate supplies because of the changes in the nature of generating capacity as we move towards low carbon forms of energy. Specifically the Government suggests:
- Under central assumptions we will need about 43 GW (net) new capacity by 2020, and about 60 GW by 2025 much of which is yet to be consented.
 - Around 30% of electricity generation will be from renewable sources by 2020. This will come primarily in the form of large amounts of on-shore and off-shore wind generation with smaller amounts of bio-energy although more of the latter is possible and desirable.
 - Within the context of the overall strategic framework set by Government in principle new nuclear power should be free to contribute as much as possible towards meeting the need for 25 GW of new non-renewable capacity. The Government expects under this approach a significant proportion of the 25 GW will in practice be filled by nuclear power.
 - New fossil fuel generating capacity will be needed to provide additional and flexible supply.

- A 'smarter' electricity grid will be needed to support a more complex system of electricity supply and demand with generation occurring in a greater diversity of locations along with a need to facilitate demand management in the medium to long term.
- 5.8 The Government also predicts that in the foreseeable future the demand for gas and oil will remain high and therefore new gas and oil infrastructure will be required in the short to medium term.
- 5.9 Given this background the Government's view as expressed in EN-1 is that the IPC should work on the basis that a need for additional energy capacity has been demonstrated. The IPC should not therefore need to look at the relative advantages of one technology over another "given the Government's view that companies should be permitted to determine the individual projects to bring forward within the strategic framework set by Government, taking account of the clear benefits of the diverse energy mix".

What is Babergh's View?

- 5.10 The draft NPS places great emphasis on the need for new electricity generation. As such it could prove difficult for the IPC to conclude that local issues were of sufficient concern to warrant the refusal DCO applications. Greater clarity is therefore required to ensure that local opinions are taken into account by the IPC before they reach a decision on any scheme. As yet guidance to local authorities on the submission of Local Impact Reports has not been produced but these reports are likely to be pivotal in the identification of local issues to the IPC and will have to be prepared within the context of the relevant NPS.
- 5.11 It is evident that EN-1 affords greater protection to nationally designated areas of ecological and landscape value than it does to local designations. On developments in "nationally designated areas", including Areas of Outstanding Natural Beauty, National Parks and The Broads, a strong line is taken, though it is stated that the IPC may exceptionally grant consent in these areas if the development is demonstrated to be in the public interest. In looking at alternatives outside these areas, the cost of and scope for doing so is given as a basis for assessing such possibilities, but not the impact on the landscape outside the designated area. With regard to developments outside the designated areas, the draft NPS refers to the need to pay particular attention to policies based on "landscape character assessments", but states that local landscape designations should not be used in isolation to refuse consent, as this may unduly restrict acceptable development.
- 5.12 The draft NPS therefore underplays the importance of local designations which in relation to the Bramford to Twinstead Project would tend to imply that if two alternative routes were to be considered, one in the Area of Outstanding Natural Beauty and one outside it, little weight would be given to impact on the landscape outside the designated area.
- 5.13 Members are therefore invited to endorse the view that while protection should be afforded to nationally designated areas considerable concern should be expressed that insufficient weight is being afforded to the importance of local ecological and landscape designations as defined in Local Development Documents.

Draft National Policy Statement for Electricity Networks Infrastructure (EN-5)

- 5.14 This draft covers the following types of infrastructure:
- Above ground electricity lines of 132kV and above; and
 - Other infrastructure for electricity networks that is associated with a NSIP.
- 5.15 In its final form EN-5 will be the basis for decisions by the IPC on schemes such as the Bramford to Twinstead Project.
- 5.16 The statement indicates that, where possible, proposals for new generating stations and related infrastructure such as power line reinforcements should be contained in a single application. Alternatively they should be the subject of separate applications submitted in tandem and prepared in an integrated way. The latter appears to be the case with the proposed nuclear development at Sizewell and the Bramford-Twinstead 400kV line reinforcement.
- 5.17 In draft EN-1, the Government sets an objective for the power sector "to ensure that investment delivers an energy grid with greater capacity and the ability to manage larger fluctuations in supply and demand". The Government considers that increasing diversification of generation capacity, and the economic requirement for a flexible and reliable transmission network, is evidence of a national need for network expansion and reinforcement. The statement therefore asserts that the IPC should start its assessment of specific proposals on the basis that need has been established.
- 5.18 Although additional guidance on the assessment of need is given, draft EN-5 suggests that the IPC may conclude that no further evidence is required if the project is supported by connection agreements or contractual arrangements to provide connection; or is based on reasonably anticipated future requirements, e.g. by virtue of increasing generation or increasing load on the network. The IPC is also expected to take into account that National Grid is required to bring forward the most efficient solution in terms of network design.

Design Considerations

- 5.19 The overarching statement acknowledges that there may be opportunities to demonstrate good design in terms of siting relative to existing landscape characteristics, landform and vegetation. The networks statement, however, requires applicants to demonstrate good design in terms of landscape and visual amenity; and the mitigation of noise, vibration, and electric and magnetic fields. Potential landscape and visual impact benefits are identified as arriving from the reconfiguration or rationalisation of an existing network, an issue of particular relevance for the Bramford-Twinstead project.
- 5.20 The draft NPS further advises that applicants and the IPC should adhere to the following principles when considering routes, including:
- minimising total route mileage, although this should not necessarily be the critical factor,

- changes of direction necessitating the use of more substantial angle towers,
- the use of tree and hill backgrounds in preference to skylines, and,
- the avoidance of flat and sparsely planted landscapes.

Undergrounding

- 5.21 Draft EN-5 suggests that the IPC will be expected to balance reductions in intrusion against the higher cost and technical difficulties associated with undergrounding. It will also be required to have regard to the higher costs of maintenance and repair and any future upgrading of an undergrounded line, and potential habitat damage associated with the extensive way leaves required. The statement indicates that the IPC should not refuse consent on the basis that undergrounding is preferable, unless it is satisfied that the benefits outweigh the additional economic, social and environmental costs and any technical difficulties are manageable.

Noise and Electrical and Magnetic Field Generation

- 5.22 The draft statement draws the IPC's attention to specified assessment methods for noise which may be produced by overhead lines and to national guidelines on thresholds for the strength of electrical and magnetic fields which may be generated relative to nearby populations. In the latter case, the IPC must be satisfied that an application complies with these guidelines, or it should refuse permission.

What is Babergh's View?

- 5.23 The suggested approach to need and the consideration of alternatives is not considered to be wholly appropriate, particularly as the statement is generic and criteria-based. The IPC should ideally be required to consider the need for specific projects and possible alternatives (e.g. undersea or undergrounding options for transmission lines) even if there is a general presumption in favour of such investment.
- 5.24 While the pronouncements on design are laudable, the demonstration of good design should be made an absolute requirement in the final statement. In addition greater emphasis should be afforded to the protection of locally designated landscapes as the current emphasis solely on the protection of nationally designated areas may not lead to the most appropriate solutions.
- 5.25 The suggested approach to undergrounding is generally supported, but the statement should allow the IPC to be more supportive of beneath ground solutions in situations of critical landscape impact, notwithstanding the cost. This principle should not necessarily apply only to nationally designated areas of landscape importance.
- 5.26 Given the likely future role of coastal sites in accommodating new nuclear generating capacity and providing onshore connections for new offshore wind capacity, the statement should explore the possible role of undersea additions to the national grid as a means of providing higher transmission capacity.

6. **APPENDICES**

None

7. **BACKGROUND PAPERS**

None

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