

REP ID 6160

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HEARING SESSION 15: RENEWABLE ENERGY

STATEMENT

3. In respect of renewable energy policies and proposals, has the Plan been prepared in accordance with the necessary procedural requirements?

a) Has the Plan been prepared in accordance with the Delivery Agreement, including the Community Involvement Scheme?

Please refer to my representation to FFC 79.

b) Has the Plan been subject to a robust Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulations Assessment/Appropriate Assessment?

The Plan has not been subject to a robust SA and SEA, therefore cannot be considered sound.

1 SEA Alternatives and Objectives

The SEA Directive requires that a plan should consider alternatives but PCC have failed to do this for the RE1 Policy. SA, Appx 2 2015 shows that only alternatives for a growth strategy were considered. The renewable energy policy covers land use that has not been linked in with the growth strategy. The policy for a major, long term change in land use has never been subjected to consideration of alternatives, or even discussion as to why Solar farms are considered the preferred option for renewable electricity.

The assessment of some of the SEA “tests” appears completely superficial:

SEA Objective 6. To prevent or minimise exposure to potential sources of nuisance and risk to human health.

“This policy provision will further mitigate against potential sources of nuisance and risk to human health that could arise for renewable and low carbon energy development.”

This statement completely glosses over the devastating impacts of amplitude modulation or infrasound from wind turbines and ETSU R97’s failure to protect the public. There are Powys residents already suffering from these nuisances. Because of the Powys topography noise travels over large distances and each new wind development increases the noise risk to health.

SEA Objective 7. To protect soils that are classified as being important for carbon storage and agriculture.

“Overall, there is an uncertain impact on this objective.”

I am at a loss to know why the objective is graded uncertain when it is certain that developing “poor” land, (or any countryside), is a less favourable option than BIR or brownfield, particularly if climate change adaptation is factored in.

By locating Solar LSAs on “poor land” PCC have effectively turned fragile soils into construction sites, with all the loss of stored carbon and added flood risk from altered hydrology. Furthermore, even poor land is important to hill farming in Powys. Furthermore, considering this version of the SEA is written post Brexit there seems little understanding that agriculture is likely to undergo major restructuring in the lifetime of this LDP and therefore all rural land should be considered important for agriculture. The “uncertain” rating shows a lack of understanding of agriculture and the value of all ecosystems.

SEA Objective 10. To protect and improve air quality in Powys and in particular the Newtown Air Quality Management Area.

At HS11 PCC stated that the AQMA had been lifted.

2 Monitoring

Legislation requires that a plan’s significant effects should be monitored. The tests for monitoring Policy RE1, or even whether PCC intend to monitor RE, are not in the SEA or the LDP.

c) Has the Plan been informed by a robust consideration of reasonable alternatives?

No, I refer you to my comments for 3.b above, and my representation to FFC79 which discusses alternatives.

In my representation to FFC 79 I mostly took the line that renewable energy is just one strategy to reduce GHG emissions, and that it is reasonable to consider other options that would help achieve the UK targets, particularly as Powys already has many hundreds of RE projects, however if considering only WG policy on renewable energy PCC have still failed to consider alternative scenarios.

4. Does the Policy RE1 provide an appropriate policy framework for realising the area’s potential for renewable energy generation?

a) Is the policy consistent with the requirements of other legislation and national planning policy?

Policy RE1 is not consistent with other legislation or PPW.

1. Lack of consistency with Ceredigion LDP.

Policy RE1 is inconsistent with Ceredigion LDP.

Ceredigion and Powys abut along the Cambrian Mountains. Revised Policy RE 1 permits medium wind development in “appropriate places” outside of SSAs. Solar LSAs are also allocated within the Cambrians.

The REA wind maps show much of the Cambrian Mountains as constrained but there are areas that are not and it is noted that SSA B and SSA D are also within the Cambrians. The Inspector’s permission (2016) for Bryn Blaen wind farm shows that NATs was not considered a constraint.

Despite SSA D also falling within Ceredigion that council has included it within a Special Landscape Area and states within their RE Policy, *“7.192 SSA D falls within a Special Landscape Area (SLA) (Policy DM 18) and Policy DM21 sets out the landscape considerations that will need to be addressed as part of any proposal in relation to SSA D.”*

and

“7.196 The Cambrian Mountains are an important natural resource not only in a local sense but in a strategic sense as part of a larger ecosystem. The LPA is keen to ensure that negative impacts on the area are limited as far as possible within the opportunities remaining to it to do so, left by national policy.”

If PCC is to be consistent with Ceredigion policy, (and properly discharge its duty under the Environment Act 2016), it should have similar safeguarding to that of Ceredigion specifically for the Cambrians, particularly as medium projects will be determined as DNS.

2. Lack of consistency with TAN 8.

In PPW9 WG maintain their commitment to TAN 8.

TAN 8 at 2.13 discusses landscape protection and cumulative development then states *“the Assembly Government would support local planning authorities in introducing local policies in their development plans that restrict almost all wind energy developments, larger than 5MW, to within SSAs and urban/industrial brownfield sites.”*

and

TAN 8, Appx D, 8.4, *“In the rest of Wales outside the SSAs, the implicit objective is to maintain the landscape character i.e. no significant change in landscape character from wind turbine development.”*

When TAN 8 was published in 2005 commercial wind turbines were approx. 70m high, now commercial wind turbines are generally 120m minimum. It is blindingly obvious that this increase in size plus the greater land take for ancillary development will have a more significant effect on landscape character, and result in greater cumulative visibility. LANDMAP acknowledges that landscape character and visual amenity are inextricably entwined, viz the visual and sensory layer which considers views “in” as well as “out” of landscape areas. Powys topography means views of 20km+ are commonplace from uplands. In 2017 from many of the upland areas in the county one can see at least one windfarm. Added to this it is also almost impossible to travel 10km without seeing at least one of the single wind turbines that are spread county wide. Clarity of light means these structures are

not just hazy verticals, for example, to the east of Knighton one can see the 29m diameter blades turning on a 45m single turbine at 11km distance, though since March one's eye is drawn by the 100m diameter blades of close by Garreg Lwyd Wind Farm.

Having rejected policy offered by TAN 8, 2.13, (no explanation offered), Policy RE1 purports to protect Powys' environmental qualities by permitting industrial creep in "appropriate places" outside of SSAs, contrary to TAN 8, Appx D, 8.4.

b) Has the policy been informed by robust and credible evidence, particularly in relation to the defined local search areas (wind and solar) and the renewable electricity contribution (Table RE1)?

My statement for this question should be read alongside ED 034 [Redacted.Rep 6235 13 FFC79 U7 Supporting Doc 6](#) and EB17, [Renewable & Low Carbon Energy Assessment – Critique 2012](#).

1. Policy RE1 has NOT been informed by robust evidence.

REA 2017 is a box ticking exercise that cannot underpin a sound RE policy; figures, particularly in Section 3, are inaccurate, thus Policy RE1 tables are invalid. The Renewable Energy Topic Paper is not updated. These factors undermine the Position Statement.

A document using data is only as robust as the accuracy of the input. The REA is relying on various databases for statistics and primary evidence via PCC. I have researched several databases, including those used in the REA and none of them carry the same data, even within the same timeframe. Quite clearly no one has any idea of the true extent of the installed RE capacity within the LPA, particularly PCC, however this does not exonerate the poor figures within the LDP documents. Unreliable databases have been compounded by carelessness, for example,

- Page 17, Table 2, the totals row should be in GW **NOT** MW, see The Welsh Government Energy Policy Statement March 2010, Appendix 1 (p19). (An error carried forward from the REA 2012).
- Page 21, 3.4.2. *"The total existing renewable **installed** capacity in the Powys LPA area in 2016 was calculated as 336.7 MW of electrical power, and 74.5 MW of thermal energy."* **THIS IS INCORRECT. Figures are based on operating/consented (see 3.4.1). This is an error carried forward to the Position Statement tables.**
- Page 25, Table 7, the bottom row figure should read MWh **NOT** GWh
- Page 32, Table 12 figures are for the whole of Powys not just the LPA.
- Page 47, Inconsistency between text and Fig 6.

REA 3.3. reads *"the existing capacity (correct at 31/03/2017) of LZC technologies in the PCC LPA area has been established."* and at 3.4.1. *"Stand-alone' LZC energy installations in 2017. The current total capacity (including operational, under construction or consented, correct at the time of writing)"*

It is totally misleading to state the figures as at 31.3.2017 are correct.

2. Analysis of REA figures

2.1 Windfarms

Below is a table showing the accurate figures for windfarms as at 31.3.2017. This table corresponds to the wind farms shown on REA maps W2.1 and W2.2

Operating 31.3.17	MW	Consented 31.3.17	MW	In Planning 31.3.17	MW
1992 Llandinam	31	2015 Llandinam repow	102	2009 Bryngydfa	36
1994 Bryn Titli	9.9	2016 Carno 3	39	2010 Esgair Cwmowen	47.5
1996 Carno A/B	33.6	2016 Bryn Blaen	15	2010 Hirddywel	27
2002 Cemmaes	15.3			2014 Hendy	17.5
2006 Mynydd Clogau	15			App Neuadd Goch	27
2009 Carno 2	15.6			App Carnedd Wen	150
2016 Tirgwynt	24.6			App Llanbryn-mair	90
2017 Garreg Lwyd	30.6				
Total operating	175.6	Total consented	156	Total in planning	395

All figures taken from the windfarm websites, except Bryngydfa and Neuadd Goch.

The above table shows + 18.41MW operating /consented compared to REA 3.4.1 “wind energy (including the SSAs) accounts for 312.7MW...” but **- 51 MW** compared to 3.4.1 “planning applications have been submitted or are being considered at appeal for a further 446MWe from wind”

2.2. Omitted RE Capacity

What is obvious from Tables 5 and 6 is that the REA **omits** a whole section of FIT renewable energy projects that are commercial. The Toolkit 2015, page 131, discusses **SMALL SCALE** and BIR, it is therefore hard to understand why this sector of RE projects is omitted.

Aware of the high number of farm RE projects I researched www.variablepitch.co.uk using area postcodes for Powys. This website tracks commissioned installations. The search showed:

41 single wind turbines with a combined capacity of 4.69MW. (I set a capacity of above 80kW, there are many more wind turbines of lower capacity).

19 solar arrays with a combined capacity of 3.24MW. (I set a capacity of above 50kW, there are many projects below this).

5 farm AD plants with a combined capacity of 1.33MW

1 fuelled at Tesco Welshpool 0.29MW

MINIMUM OMITTED INSTALLED SMALL SCALE 9.55MWe

2.3. Other problems with baseline figures include:

- REA 6.4 on food waste uses surmised figures from out of date statistics. PCC must know the current tonnage of their waste streams.
- Table 12 includes MSW food waste but page 36 states “PCC confirm that a supplier is appointed to which **all** domestic food waste is exported for processing via anaerobic digestion facilities that operate outside of the LPA area”
- I refer you to EB17 Renewable & Low Carbon Energy Assessment – Critique 2012 which explains why REA assumptions about AD are incorrect. None of the criticisms have been addressed.
- Should the Potters Yard CHP be classed as EfW not biomass? The permission is for “erection of an energy generating plant using recycled wood (CHP)...” An S73 has been granted to allow it to also use RDF. Both fuels are waste stream derivatives not conventional biomass. **Potters Yard CHP, planning documents 11 -13MW, REA: 8.2MW, therefore 2.8MW omitted**

2.4. Thermal energy

Thermal energy capacity versus consumption is misleading.

Thermal consumption figures in the REA and Position Statement Table 3 are using mains gas. 67% of Powys residences have no access to mains gas, (www.nongasmap.org.uk), therefore these residences, plus businesses, mostly in rural locations, must source energy by means other than mains gas, nevertheless, Powys is already well ahead of the UK average for thermal generation and close to the UK target of 12% by 2020¹. These facts should be acknowledged.

The REA shows that thermal energy has a wide gap between consumption and capacity, and I have no evidence to disagree BUT taking into account the overall lack of mains gas and that as at 31.3.2017 Powys produces 86.94%² of the predicted 2026 electric consumption of 497GWh the surplus of electricity production versus target should be offset against thermal consumption because in the real world gas and electricity have interchangeable uses.

¹ Page 53 ,11.1 ,146 MWht as % of 1326 MWht, page 19, Table 4

² Operating windfarms plus “on farm” wind and solar x capacity factor

c) Does the policy provide a clear and consistent framework for assessing development proposals?

I believe that neither the content or wording of Policy RE1 is fit for purpose.

1. Policy Content

Policy RE1 as in the Position Statement continues to be reactive, not proactive and is concerned only with “contribution” not realism. Assumptions within the REA are transposed into policy but this is a LOCAL development plan and WG aspirations may not be sustainably suitable for Powys’ (or Wales’) other resilience needs and duties.

As the county is already over producing commercial renewable electricity versus targets it would seem sensible that the priority should be placed elsewhere. Reading even the unreliable REA it stands out that continued BIR thermal and energy efficiency is how Powys can progress RE “targets”. Furthermore, energy generation close to its consumption is most sustainable and consistent with PCC’s duties in the Environment Act 2016.

Policy RE1 could be based on a hierarchy where BIR or urban LZC projects have priority over commercial projects that use greenfield sites. BIR projects could actually help to relieve fuel poverty, a need flagged up in the SWOT analysis, whereas commercial projects do not. PCC could also have revisited wording in the pre-deposit draft RE policy, in particular, that new projects, “*i. Serve and are in reasonable proportion to the energy needs of the planning unit / holding on which it is sited; or ii. Support a community-led energy project or district-level scheme*”.

Policy RE1 needs to be consistent with the aspiration, “*thriving communities in the green heart of Wales*”.

2. Policy Wording

The proposed policy wording as in the Position Statement is unsound:

- Wording has RE development in “**appropriate places**”. As the public do not yet know whether the Inspector will carry forward changes discussed in APs it is impossible to judge whether this is sound.
- Development will need to be “**in the national interest for meeting energy contributions.**” This is an entirely nebulous term and as it relates to electricity generation it is questionable whether it would not be better omitted altogether or at least qualified by requiring the developer to justify need for the technology/ electricity over other technology/energy. This wording must be clear as RE over 10MW will be determined as DNS.

7. Any other matters

1. Monitoring

It is clear from the REA that PCC do not have a clue about the quantity or type of installed/in planning RE projects in the LPA. This does not inspire any confidence in PCC’s ability to properly assess any of the RE parameters it chooses to monitor. **Without a proper baseline and good GIS mapping the monitoring will be ineffective.**

2 SPG

Admission in the LDP that previously PCC have undertaken work that led to an IDPG which was never adopted plus a council in short supply of funds does not suggest that the proposed RE SPG will materialise.

