

**Environment and Sustainability Committee**  
**Inquiry into Energy Policy and Planning in Wales**

**Further written response of West Coast Energy Ltd**

1. Introduction

1.1. On 1<sup>st</sup> December 2011, Gerry Jewson, the Chairman of West Coast Energy Limited (WCE), and Stephen Salt, the Planning and Development Director of the Company, gave oral evidence to the Environment and Sustainability Committee's Inquiry into Energy Policy and Planning in Wales.

1.2. During the evidence session, the Chairman of the Committee, Lord Dafydd Elis-Thomas invited Mr Jewson to submit additional evidence to the committee to clarify and expand upon some specific points that had been raised during the evidence session. These related to the following matters:

1.2.1. WCE's experience of developing renewable energy projects in Scotland;

1.2.2. WCE's experience of working with the Countryside Council for Wales;

1.2.3. WCE's experience of working with the Highways Agencies in Wales.

1.3. This further written response is, therefore, submitted to the Committee to set out the views of WCE in connection with the matters referred to above.

2. Lessons to be learnt from Scotland

2.1. Leadership

2.1.1. The Scottish Government has set itself the goal of being the green powerhouse of Europe and this political ambition is one of the principal reasons why companies like WCE chose to invest in renewable energy in Scotland. One of the Scottish Government's six strategic objectives for the economy is for the transition to a low carbon economy<sup>1</sup> and ambitious targets have been set for the equivalent of all of Scotland's electricity needs to be met from renewables by 2020.

2.1.2. The targets in Scotland for electricity generation from renewables is challenging but the Scottish Government has published a routemap for renewable energy in Scotland<sup>2</sup> which sets out actions to the challenges which currently exist to realise this ambition. This routemap is regularly updated to monitor the achievement of the

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<sup>1</sup> Scottish Government (2011) Economic Strategy [www.scotland.gov.uk/Publications/2011/09/13091128/0](http://www.scotland.gov.uk/Publications/2011/09/13091128/0)

<sup>2</sup> Scottish Government (2011) 2020 Routemap for Renewable Energy in Scotland  
[www.scotland.gov.uk/Resource/Doc/917/0118802.pdf](http://www.scotland.gov.uk/Resource/Doc/917/0118802.pdf)

targets and to address issues and barriers which stand in the way of the transition to the low carbon economy.

2.1.3. The raft of policy statements, framework documents, infrastructure plans and strategies are also regularly backed up by strong support for renewables from Scottish Ministers. For example, in a video message to the two day All-Energy Conference in Aberdeen in May 2011, the First Minister, Alex Salmond MSP, outlined the progress that had been made towards the renewable energy targets and the investments made in clean energy developments.<sup>3</sup> More recently the First Ministers New Year message for renewables was very positive for 2012 in terms of generation and investment in Scotland.<sup>4</sup>

2.1.4. The political commitment to the generation of renewable energy in Scotland and particularly wind energy is also clear from the statements made on a regular basis by members of the Scottish Cabinet. For example, Richard Lochhead MSP, Cabinet Secretary for Rural Affairs and the Environment, stated in the Economic Strategy document that 'Scotland's primary new economic opportunity lies in the development of a low carbon economy'<sup>5</sup> and commenting in the same strategy document Mike Russell MSP, Cabinet Secretary for Education and Lifelong Learning, pointed to the need to develop new skills to meet the opportunities emerging from the growing energy sector.<sup>6</sup>

2.1.5. It is of course appreciated that the drive for renewable energy development in Scotland has to be balanced by the protection of local amenity and the local environment and that not all such developments will be locally acceptable. There are also a range of non-planning issues associated with the transition to the low carbon economy which are regularly raised by objectors to renewable energy schemes and wind farms in particular. However, Scotland's Energy Minister, Fergus Ewing MSP, is regularly quoted in the press defending the SNP policy on renewable energy and extolling the environmental, social and economic benefits of wind energy.<sup>7,8</sup>

## 2.2. Reflecting Ambitions in Policy

2.2.1. Planning policy at the national level in Scotland is clear, consistent and reflects the need to increase the deployment of renewable energy schemes to assist economic development and to contribute to Scotland's low carbon ambitions.<sup>9</sup> The Strategic

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<sup>3</sup> <http://www.scotland.gov.uk/News/Releases/2011/05/18093247>

<sup>4</sup> <http://www.scotland.gov.uk/news/releases/2012/01/04105057>

<sup>5</sup> Scottish Government (2011) Economic Strategy, page 51

<sup>6</sup> Scottish Government (2011) Economic Strategy, page 59

<sup>7</sup> <http://www.power-eng.com/news/2011/12/1569439292>

<sup>8</sup> <http://www.cawt.co.uk/index.php?mact=CGBlog,cntnt01,detail,ocentnt01articleid=5>

<sup>9</sup> National Planning Framework 2 (NPF2) 2009 and Scottish Planning Policy (SPP) 2010

National Policy is also regularly updated to meet the new targets and to provide advice and policy to address important land use matters.

- 2.2.2. The support given to renewable energy generation in national planning policy is also backed up by the 2020 Routemap referred to earlier. The Routemap examines the environmental and technical challenges associated with planning for renewables and puts forward plans, programmes and actions in order to assist such deployment.
- 2.2.3. A key theme in the Routemap is community engagement and the involvement of the local community in development proposals. To maximise the benefits for communities from renewables, the Routemap has therefore set a target of 500MW of community owned renewable energy by 2020. During the evidence session, Stephen Salt gave examples of how the company is working in partnership with community groups in Scotland to increase the level of opportunity for the local ownership of energy and we see great opportunities for such investment in Wales if given a supportive policy base. Gerry Jewson also explained to the Committee how the company is working with communities in Scotland on some of its commercial wind farm projects to ensure that the community has a guaranteed share in the net profit from wind energy from a community turbine or from a percentage of the net profits from the overall wind farm. This community partnership model seems to be favoured in Scotland and we certainly see great potential for the development of appropriately sited schemes of this sort in Wales outside the Strategic Search Areas. However, once again, the planning policy framework does need to be clearer and more positive in this respect to enable future investment decisions to be made.
- 2.2.4. At the local level, it is accepted that the delivery of the Scottish Government's low carbon economy represents a major challenge to local planning authorities when faced with formulating local development plans and supplementary planning guidance within prescribed timeframes and with the added requirement to balance the costs and benefits of renewable energy generation within the planning process. It is accepted that there is therefore some disconnect in some local planning authorities between national and local policy and decision making.
- 2.2.5. Accountability and transparency of the planning determination process is, however, being monitored by the Scottish Government and a significant number of Scottish local planning authorities have embraced the benefits of the low carbon economy and are now actively promoting the benefits of renewable energy generation in their areas. Good examples of this are Fife Council which has a strategic objective to become the leading Green Council in Scotland.<sup>10</sup> The Council has an interactive website which focuses on investment in Fife and on the Fife Energy Park and supply chain support etc.<sup>11</sup> The Council has also led the formation of a company called East Coast Renewables which is an alliance of local authorities from Aberdeen to East

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<sup>10</sup> Growing Fife's Future – The Renewable Energy Opportunity, May 2010

<sup>11</sup> <http://www.InvestinFiferenewables.co.uk>

Lothian which are working together to promote the east coast of Scotland as a location for investment by the renewable energy sector. It is this support and drive which has led West Coast Energy to make decisions for significant investment in project development and community renewables in areas like Aberdeenshire, Angus and Fife.

### 2.3. The Role of Scottish Natural Heritage

2.3.1. Scottish Natural Heritage (SNH) has a statutory duty as a Government Agency to care for the natural heritage of Scotland and one of its strategic priorities is to respond to climate change. SNH has a policy commitment to 'strongly support the development of renewable energy' and has developed an interactive website associated with the development of renewable energy<sup>12</sup>. SNH has developed a clear policy statement on renewable energy and the natural heritage<sup>13</sup> and has formulated and approved a Service Level Agreement<sup>14</sup> which sets out the stages at which SNH expect to input into the process of developing and consulting upon renewable energy proposals and the level of advice that it will offer. As a developer in Scotland, West Coast Energy may not always like the advice that SNH provides to local planning authorities or the Scottish Government but at the very least the advice given is general provided within reasonable timescales and the case officer is, on most occasions, available for engagement so as to clarify issues when specific concerns have been raised. This Service Level Agreement runs to 19 pages and should be contrasted with the two sided Statement of Understanding issued by Renewable UK and the Countryside Council for Wales in May 2011.<sup>15</sup> This Statement sets out how Renewable UK member companies and CCW can work in partnership to maximise the timely deployment of low carbon energy production in Wales.

2.3.2. More recently, SNH has developed and published a Service Statement for Planning and Development Proposals.<sup>16</sup> This document sets out a new approach to many development proposals of all types, including renewable energy proposals and concentrates on:

- More selective engagement in planning consultation casework
- Increased emphasis on effective pre-application engagement
- More limited use of objections
- More proportionate requests for further information
- A more enabling solution based approach
- Timescales for responding to the consultation process

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<sup>12</sup> <http://www.snh.gov.uk/Planning-and-development/renewableenergy>

<sup>13</sup> Renewable energy and the natural heritage October 2010 <http://www.snh.gov.uk/docs/c272217.pdf>

<sup>14</sup> Renewable Energy Consultations: A Service Level Statement March 2011

<http://www.snh.gov.uk/docs/A542778.pdf>

<sup>15</sup> <http://www.ccw.gov.uk/ccw-and-renewable-uk-agree.aspx>

<sup>16</sup> <http://www.snh.gov.uk/docs/A498949.pdf>

### 3. Countryside Council for Wales

- 3.1 At the evidence session concerns were raised about the Countryside Council for Wales (CCW) response timescales and the lack of willingness to engage in connection with the Tirgwynt project in Powys.
- 3.2 The proposed Tirgwynt wind farm is situated in Montgomeryshire, Powys between the villages of Carno and Llanfair Caereinion. The Scheme is both within the Strategic Search Area B as defined in TAN 8 and the refinement exercise undertaken by Powys Council which placed the projects firmly within their Carno Wind Farm Zone.
- 3.3 The project is a joint development with 15 local landowners and has significant local support. The scheme has a confirmed and consented grid connection to SP Manweb, and as such can be built independently of any proposed Mid Wales grid reinforcement.
- 3.4 The planning application for Tirgwynt was submitted in September 2007 and was the first large scale wind farm to be received in Powys for determination in the context of the TAN8 SSA policy.
- 3.5 The development proposed the erection of 22 turbines with a potential installed capacity of 44MW. However after prolonged discussions with Council Officers and CCW Officers with respect to perceived landscape and ecological impacts the application was formally revised in April 2010 by the deletion of 10 turbines. The application was then recommended for approval at the County Planning Committee in August 2010 and planning permission is expected to be issued shortly following the signing of a S106 legal agreement.
- 3.6 Whilst it is over 4 years since the application was first submitted to Powys Council the development partnership is pleased with the final outcome and work is now in hand to construct the 12 turbine scheme and to deliver the social, environmental and economic benefits which have long been promised.
- 3.7 However, whilst there has been a willingness to engage and bring the scheme to a conclusion from Powys planners, some statutory consultees and particularly CCW did not in our opinion engage sufficiently in the planning process for Tirgwynt and we believe this caused unnecessary delay to the determination of the planning application. For example CCW took over 4.5 months to formally respond to the consultation from Powys and considerable periods of time then elapsed between the submission of additional information to CCW and the receipt of further responses. It was not until February 2010 that a further formal response from CCW to the Tirgwynt application was received with the final formal response not being received until August 2010. This was nearly 3 years since the submission of the application to Powys Council. Unfortunately since the Committee resolution, our experience of liaison with CCW has also been frustrated by lengthy delays between the provision of information and requests for meetings etc.
- 3.8 It is fully appreciated that CCW has a key role to play in ensuring that the deployment of renewable energy generation in Wales does not impact to an unreasonable extent on important habitats, species and landscapes. However CCW also has an important role to

play in addressing climate change and in helping to meet the Welsh Governments targets for renewable energy. Based upon our experience of working with CCW on the Tirgwynt development, our view is that a more pragmatic and enabling approach is required in order for CCW to meet the challenge set by the Welsh Government to deliver the low carbon economy.

3.9 Since the 1<sup>st</sup> December 2011, representatives of WCE and CCW have been in contact to discuss the concerns raised by WCE at the Evidence Session and a meeting was held at the WCE offices in Mold on 20<sup>th</sup> January 2012. The meeting was very constructive and CCW outlined a number of actions which we both have identified which, if implemented will hopefully assist the working relationship with the renewables industry and the achievement of the Welsh Governments renewable energy targets.

#### 4. Transport Issues

4.1 At the evidence session concerns were raised about the role of the Welsh Assembly Government Transport and Powys Highways during the determination process for the Tirgwynt Wind Farm. West Coast Energy does recognise that the impact of abnormal load and construction traffic on the highway network and users is an important planning consideration and that the concentration of wind farm developer interest in Powys has led to considerable local concern and opposition.

4.2 However in the case of Tirgwynt, the project had and continues to have a secured grid connection using the existing grid infrastructure and very importantly, the traffic generated would not be part of any cumulative impact with other potential wind farms in Powys.

4.3 The Environmental Statement which accompanied the 2007 planning application therefore dealt in a comprehensive manner with the transport issues associated with the proposed development and in our opinion provided sufficient information and mitigation solutions to deal with the identified transport impacts.

4.4 However at the request of both the Welsh Assembly Government Transport and Powys Highways, a detailed Traffic Management Plan was produced and this went through a number of revisions before being accepted by these statutory consultees. An Executive Transport Summary was also produced and the applicant was also involved in trial transport runs and detailed discussions with Transport Authorities outside Wales and with local communities along the proposed transport route.

4.5 We would again emphasize the importance of the consideration of transport issues during the planning determination process. However in our experience, the consideration of this matter by both Welsh Assembly Government Transport and Powys Highways was well in excess of the requirements of other highways agencies particularly given our experiences in Scotland. Over a period of nearly 3 years, a considerable amount of highways information was provided to the Highways Agencies and whilst the outcome was positive in terms of the final consultee responses, it is our view that this project which in the end was only for 12 turbines should not have been subject to such a rigorous inquisition particularly when this development will come forward for construction well in advance of

the perceived cumulative impacts associated with the majority of the other Mid Wales farm developments.

- 4.6 The long delays in responding to submitted information and the shifting requirements of the Agencies only added to the frustrations of the applicant. Given the importance of the need to deliver the renewable energy targets, our view is that in the case of the Tirgwynt project, the Agencies took an over cautionary position and a more enabling approach would have been more appropriate in this specific case.