

# **REPORT UNDER THE PROVISIONS OF ARTICLE 6(2) OF EC DIRECTIVE 2001/77/EC (ON THE PROMOTION OF ELECTRICITY PRODUCED FROM RENEWABLE ENERGY SOURCES IN THE INTERNAL ELECTRICITY MARKET)**

1 Article 6(1) of the Directive requires the evaluation of the existing legislative and regulatory framework with regard to authorisation procedures for renewables generating stations. A large amount of renewables planning is devolved to the Administrations in Scotland, Wales and Northern Ireland, with only Section 36 consents (under the Electricity Act 1989) for England and Wales reserved for Whitehall. This makes an overall review for the whole of the UK inappropriate. This report draws on a number of individual reviews and this report covers their consideration of:

- reducing the regulatory and non-regulatory barriers to increase electricity production from renewable energy sources;
- streamlining and expediting procedures at the appropriate administrative level; and
- ensuring that the rules are objective, transparent and non-discriminatory, and take fully into account the particularities of the various renewable energy source technologies.

This report also gives our evaluation of where further action, if any, is needed.

## **Co-ordination between the different administrative bodies as regards deadlines, reception and treatment of applications for authorisations**

### Applications of 50MW or less

2. Applications of 50MW or less are handled by the local planning authority who will seek the views of the public and statutory bodies on an application before reaching a decision on whether to grant planning permission for a project.

### Applications for above 50MW

3. The Section 36 authorisation procedure for above 50MW is a well-integrated process in that it firmly brings in the views of local Government and the local planning authority. With their knowledge of

the local terrain and local planning policies, and their experience in representing the local community, it is important that the views of these local bodies are taken into account. Thus if a local planning authority objects, a public inquiry has to be held into the proposal. Otherwise calling a public inquiry into a proposal is at the discretion of Ministers in the Department of Trade and Industry, or in Scotland, Ministers in the devolved administration. Proposals are simultaneously presented to the competent authority, the Department of Trade and Industry or Scottish Executive, and also put to the local planning authority for a view. At the same time the public are consulted on the proposal and statutory bodies such as English Nature asked for their views.

#### Offshore applications

4. For offshore applications under Section 36, DTI also co-ordinates the handling of applications, bringing together the Section 36, Food and Environment Protection Act and the Coast Protection Act consents. This includes consulting common consultees for all three consents at one time to remove duplication of administration.

5. As can be seen from paragraphs 2-4 above, a number of consultative actions take place in parallel rather than sequentially to ensure good co-ordination between the various interested parties on planning applications.

### **Drawing up possible guidelines for the activities referred to in para 1 of the Directive, and the feasibility of a fast-track planning procedure for producers of electricity from renewables energy sources**

#### Planning Policy Guidance

6. The Government's approach is to improve the planning climate for renewable energy and development generally.

7. The revised planning policy guidance note on renewable energy, PPS 22, will help to ensure that renewable energy projects are dealt with in a fair and consistent method by local planning authorities throughout England.

8. Planning Policy Statement 22 will be a clear and concise statement of Government Planning Policy. It will set out a more positive, criteria based, approach to planning for renewables and will take account of the

Government's wider energy policy objectives. Full public consultation on PPS22 is underway

([www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/page/odpm\\_plan\\_025517.hcsp](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_025517.hcsp)). A separate companion guide containing technical advice on the individual technologies and evidence of good practice will be published with the final version of the planning policy statement in 2004.

9. Proposals for a fundamental reform of the planning system are set out in the Planning Green Paper, and the Deputy Prime Ministers statement of 18 July 2002. They are designed to deliver a faster, fairer, more inclusive planning system, with speedier and more predictable decisions. Thus this package of measures should benefit all forms of development, including renewable energy. A Bill on this which streamlines the various levels of planning is currently before Parliament.

#### A possible 'Call-in' approach?

10. Provision exists within the Town and Country planning legislation for the Deputy Prime Minister to call-in a planning application for his own determination. This power is used sparingly (only 100-200 planning applications are called in each year, out of a total number exceeding 500,000 per year). Cases may be called in where, for example, the planning application is a significant departure from the local development plan, where the application includes major conflicts with national planning policies, and where issues raised are of more than local importance.

11. Although it might be possible to adopt a blanket call-in approach on all renewable energy generation applications, this is unlikely to be a quicker process than getting a decision from the local planning authority, and rather presumes the local planning authority's decision would be a refusal. Most developers would be unlikely to want to start with the presumption that their proposal will be rejected by the planning system. It would also involve the developer incurring the expense of a public inquiry, and would set the unwelcome precedent of all renewable proposals having a public inquiry into them before a decision is made on them.

#### Environmental Impact Assessments

12. Both the Town and Country Planning Act regime and the Section 36 regime provide for EU wide requirements on environmental impact

assessment (97/11/EC amending 85/337/EEC) and for a public inquiry to be called into a particular proposal. Both factors inevitably add to the delivery time for renewable projects but it is not realistic to contemplate disposing with such requirements. To remove the requirement in regard to environmental information would contravene EU law, whilst removing the potential for a public inquiry would contravene perceptions of natural justice and possibly Human Rights legislation as well as taking away a fundamental and long standing pillar of the planning process in the UK.

13. The only streamlining in prospect is therefore very limited and is in the area of tightening up on public inquiry procedures. Some steps have already been taken on this in the Town and Country Planning Act regime covering smaller renewables proposals with new rules being introduced for England in that regime in August 2000. With regard to the medium to large renewables proposals handled under the Section 36 regime, the February 2003 Energy White Paper, "Our energy future – creating a low carbon economy" (Cm 5761) committed the Government to introduce proposals to enable public inquiries under that regime in England and Wales to handle issues concurrently rather than sequentially, as at present, through the use of additional inspectors. It was not anticipated that such an approach would be used for all inquiries since some inquiries could be adequately handled by a single inspector. This, however, would be an option and the White Paper specifically identified larger renewable energy developments as potential candidates for this approach.

14. Given the constraints inherent, and justifiable, in any planning process the Government believes the emphasis should be more on improving the climate against which proposals come forward. Thus it is working on encouraging regional commitment to renewables development: regional assessments of renewable energy sources were undertaken to give a clearer backcloth of potential against which individual projects can be viewed. Revised national planning guidance on renewable energy proposals (PPS 22) will also help in this regard.

## **Offshore**

15. Following the interest in the first round of offshore wind farm leasing, Government has adopted a more strategic approach to creating a planning framework for offshore renewables development. The main elements of this framework were subject to consultation in the early part of 2003. In the light of the consultation, it was decided that:

- legislation was necessary to enhance the existing legal basis for offshore renewables development within territorial waters and to provide new powers in areas beyond the territorial limit;
- any decision to offer offshore areas for renewables development would follow a strategic environmental assessment (SEA) of that area that would evaluate the potential impact of those developments on the marine environment and other users of the sea; and,
- a study of offshore areas would be carried out to identify those with the most potential for renewables development. The results of the study would provide the focus for future SEAs.

16. For the second round of offshore wind farm site leasing (Round 2), which is currently underway, three areas of sea have been identified and an SEA of each of these three areas has been undertaken. The decision about which sites to offer for development will take account of the results of the assessment. In this way, sites of particular sensitivity can be eliminated from the site leasing process, thus avoiding potentially difficult conflicts later.

17. As was the case in Round 1, companies offered site leases in the Round will be required to secure a number of statutory consents before any wind farm can be developed.

18. It is anticipated that other renewables technologies will be considered for future site leasing opportunities as they become commercially deployable.

### **The designation of authorities to act as mediators in disputes between authorities responsible for issuing authorisations and applicants for authorisations**

19. There are a number of avenues open to both authorities and applicants where they are unable to agree a way forward. Prior to decision on an application, the applicant may be able to seek help from Planning Aid. The Government is also looking into extending the use of mediators throughout the planning system in a process of alternative dispute resolution (ADR). Finally, should the applicant decide to appeal either a case of non-determination or refusal, the planning inspectorate will appoint an inspector to hear all sides of the dispute and make a

ruling. These procedures are subject to Rules on tribunals set by the Lord Chancellor.

**Measures to be taken to facilitate access to the grid system of electricity producing from renewable energy sources, including ‘two-way metering’.**

20. The Government has established the Distributed Generation Coordinating Group (DGCG) to address potential barriers to access of small generators, including renewable generators, to the distribution networks. The Group currently has some 30 projects in place to address a range of technical and commercial barriers, including ‘two-way metering’. In addition, the Office of Gas and Electricity Markets (Ofgem) are currently developing incentives for distribution network operators to connect renewable and other small generation to their networks. These incentives will be in place from March 2005.

21. One of the DGCG work streams is considering issues associated with the financial reward for energy exported by small generation technology such as PV. This work is on-going.

22. The Government has also established the Transmission Issues Working Group to consider what developments to the transmission system will be required to meet its renewable targets. The Group reported in June 2003 and Ofgem are currently consulting on how these transmission developments should be funded.

*At Annex A is the detail of the current planning system by country, with some background on the planning system generally and of renewables planning in particular.*

### Planning

Renewable projects are authorised under two different regimes according to size and whether onshore or offshore. Onshore projects at or below 50 MW are granted development permission under the normal planning regime for development, the Town and Country Planning Act 1990.

Under this regime local planning authorities are the competent authority and make the decision. If the decision is refusal the developer can appeal against the decision. In England that appeal would be handled by central Government, the Office of the Deputy Prime Minister. If the development is in Wales or Scotland, the appeal would be handled by the devolved administrations.

Onshore projects over 50 MW are granted development permission under the specialised regime of section 36 of the Electricity Act 1989 operated by central Government (Department of Trade and Industry) if the proposal is in England and Wales, and by the devolved administration if the proposal is in Scotland. Offshore renewable projects, given the Town and Country Planning Act regime does not extend offshore, of more than 1 MW (the expectation is that they are unlikely to be below this size) are handled under the specialised regime of section 36. Thus proposals in the territorial sea adjacent to England and Wales are handled by the Department of Trade and Industry, with proposals in the territorial sea adjacent to Scotland handled by the devolved administration.

The Energy White Paper committed the Government to extend the authorisation procedure to cover beyond the territorial sea, to what is being called the Renewable Energy Zone (REZ).

## **The Planning System in Scotland**

Planning permission is needed for 'development'. In law this includes building and engineering works and changes in the way land and buildings are used. Decisions must be taken in line with the development plan unless 'material considerations' suggest otherwise. This means planning matters relevant to the applications such as national policy, comments by the public, organisations consulted by the council, the design of the proposed development, access and the effect on the environment. Consequently development plan policies may not be followed in every case. Councils try to take decisions within 2 months. The council has three options:

- Grant planning permission without conditions
- Grant permission with conditions
- Refuse permission (with clear reasons).

Planning policy aims to achieve development, which avoids harming the long-term needs of people, the economy or the environment i.e. sustainable development, by influencing new buildings and changes in land use. This means that planning policies will support re-using vacant, derelict and previously developed land.

The development plan is made up of two parts - **the structure plan and the local plan**. Between them they show how much development may take place, where it will take place and where it is unlikely to be allowed. Development plans are the basis for decisions on planning applications. They contain policies for the future development and use of land in an area. Plans can cover a wide range of issues such as housing, transport, employment, shopping, recreation and conserving and protecting the countryside.

The **structure plans** for an area are strategic and take a long-term view of development, considering its general scale and broadly where it should be located. Each council prepares a structure plan either alone or working with neighbouring councils. Following wide consultation with the public and other interested people and organisations, the council submits a structure plan to the Minister for approval.

**Local plans** are often for smaller areas. They set out more detailed policies and proposals and define areas to guide development. Again,

councils must consult widely on the content of a local plan. After considering all views and objections and making suitable changes, councils will adopt the local plan as the basis for their decision making in the area. They cannot do this if the local plan is not in line with the approved structure plan.

## **Renewable Energy Planning in Scotland**

### Development of planning guidelines in Scotland.

Scottish Executive planning policy on renewable energy developments is set out in National Planning Policy Guideline 6 (NPPG6) published in November 2000. The policy guidance is supported by Planning Advice Note 45 (PAN 45) on Renewable Energy Technologies published in January 2002. The current guidance was produced following review and revision of the earlier NPPG and PAN issued in 1994.

NPPG 6 sets out the role that the planning system should play in making positive provision for renewable energy developments by facilitating and guiding renewable energy developments in up-to-date structure and local plans; ensuring that development control decisions are taken efficiently, consistent with national and international climate change policy commitments and obligations; and preventing the unnecessary sterilisation of renewable energy resources; whilst, at the same time, meeting international and national statutory obligations in relation to the natural and cultural heritage and minimising effects on local communities.

These planning guidelines apply equally to applications determined by Planning Authorities under the Town & Country Planning (Scotland) Act 1997 and those determined by the Scottish Ministers under section 36 of the Electricity Act 1989

### General Considerations

Electricity generation proposals over 50MW require section 36 consent of the Electricity Act 1989, the Electricity (Applications for Consent) Regulations 1990 (SI 1990 No 455) and the associated Electricity Works (Environmental Assessment)(Scotland) Regulations 2000 (SSI 2000, No 320). A public inquiry may be called for. These larger plant require more onerous environmental impact assessments (EIA) to be undertaken. All Schedule 1 projects must submit an EIA. Projects categorised as

Schedule 2 only require an EIA if it is expected that there will be 'significant environmental effects'. However, a development will need to be 'screened' by the Authority to establish if it likely to have significant environmental effects. If this proven, an EIA will be required. Wind farms fall within Schedule 2, however if it is

- Located within a 'sensitive' area
- Involves the installation of more than 2 turbines or
- If the hub height/overall height exceeds 15m then an EIA must be considered.

PAN 45 suggests that an EIA is more likely for developments involving 5 or more turbines or more than 5MW of generating capacity.

Developers are encouraged to use the environmental statement to provide all the technical information required for all the various permissions and licences – not only planning approval.

To ensure problems of electromagnetic interference are addressed developers may be required to consult:

- CAA (Civil Aviation Authority)
- RA (Radiocommunications Agency)
- NATS (National Air Traffic Services )
- MOD (Ministry of Defence – Defence Estates)

Pre-application discussions are also advisable with the Scottish Executive Road Network Management and Maintenance Division regarding roads access. This is particularly important for the movement of large components during the construction period. Discussions with Scottish Natural Heritage (SNH) are also recommended regarding ecological protection

Consents for overhead lines must be applied for separately from planning permission (Section 37 of the Electricity Act 1989) but should be applied for simultaneously with the planning or section 36 consent so that both can be considered together.

Offshore wind applications are outwith the jurisdiction of the Planning Act.

### **Applying for Planning permission**

Planning policy in Scotland is based on the principle that renewable energy developments should be accommodated throughout Scotland

where the technology can operate efficiently and environmental impacts can be addressed satisfactorily. The underlying principle is sustainable development and Scottish Ministers wish to see the planning system play its full part by making positive provision for such developments.

NPPG6 recommends that planning policies should guide developers on the broad criteria they need in a proposal, including how impacts can be minimised through careful consideration of scale, location, design and other measures. The local planning authority handles proposals for developments below 50MW.

Consequently **pre-application discussions** with the relevant planning authority are recommended so that applicants are clear about:

- which policy issues affect the proposal.
- ideas/discussion of the best approach to adopt
- all of the information needed for the application
- whether an environmental impact assessment is required and the scope of this
- mitigation measures
- suggested revisions to the proposal
- possible planning conditions.

**There are a number of levels of development control or planning permission that can be granted:**

- **Outline planning permission:** covers the principle of carrying out building or other operations. Granted subject to a condition requiring subsequent approval from the planning authority for one or more reserved matters.
- **Detailed planning permission:** permission which incorporates plans or drawings that are sufficient to describe the development proposed.
- **Reserved matters:** matters that have not been described in detail in the application covering the siting, design or external appearance of any building, means of access to it or the landscaping of the site.
- **Planning agreement:** an agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 that enables planning authorities to restrict or regulate development or the use of land.
- **Enforcement:** action taken by the planning authority to remedy a breach of planning control.

**Reference Documents:**

PAN 45 (revised 2002): Renewable Energy Technologies

NPPG6 (revised 2000): Renewable Energy Developments  
A Guide to the Planning System in Scotland

## **The Planning System in England**

The current planning system in England is plan-led, which means that planning applications should be determined in accordance with the development plan, unless there are 'material considerations' that suggest otherwise. Such considerations could include, new national policy statements that override the policies in the development plan.

The objectives of the plan-led system can be summarised as:

- ensuring rational and consistent decisions;
- achieving greater certainty;
- securing public involvement in shaping local planning policies;
- facilitating quicker planning decisions; and
- reducing the number of misconceived planning applications and appeals.

**Regional Planning Guidance** provides a strategic planning framework in each of the eight English regions and in London, the Mayor prepares a Spatial Development Strategy. **Development plans** are produced by county authorities (structure plans), district councils (local plans) and, in unitary authorities, a **unitary development plan** which combines elements of both. National parks also produce their own plans.

The system by which planning applications are determined is known as development control. Development control authorities are normally the districts and unitary authorities responsible for putting local plans in place. Planning applications are submitted to these authorities and decided either by their elected councillors or by local authority officers accountable to them.

Local authorities have a target that 80% of planning applications should be determined within 8 weeks.

The Office of the Deputy Prime Minister has a key role in planning. His Department sets out the planning policies that essentially drive the whole planning system and these are principally contained in 25 Planning Policy Guidance notes (PPGs) together with a series of Minerals Planning Guidance notes (MPGs). PPGs and MPGs are progressively being reviewed and replaced by more concise statements of national planning policy - Planning Policy Statements (PPSs) and Minerals Policy Statements (MPSs). For renewable energy, national planning policy is set out in PPG22. This is being revised and the government is currently holding a public consultation on the draft revision ([www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/page/odpm\\_plan\\_025517.hcsp](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_025517.hcsp)).

Planning applicants who have had their application refused by a local planning authority or which has not been determined within an 8 week timescale have a right to appeal to the Secretary of State. There were over 15,000 planning appeals in 2001 of which a third were allowed.

Appeals are administered by the Planning Inspectorate which is an executive agency reporting to the Secretary of State. It comprises a body of expert planning inspectors who consider appeals by three methods – written representations (74%), hearings (20%) and public inquiries (6%). The Planning Inspectorate has time targets for handling appeals.

A report by the consultancy Oxera summarises the action taken by the English regions to assess the potential for renewable developments and to identify targets for their deployment. This is available at [www.dti.gov.uk/energy/oxera\\_report.pdf](http://www.dti.gov.uk/energy/oxera_report.pdf).

£2.5m has been made available to help plan and promote all forms of renewable energy in England, Wales and N Ireland via the regional Government Office network. Separate arrangements were made in Scotland.

## **References**

Electricity Act 1989 and Utilities Act 2000: [www.hmso.gov.uk](http://www.hmso.gov.uk) (heading legislation)

PPS 22:

[www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/page/odpm\\_plan\\_025517.hcsp](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_025517.hcsp)

PPG22: renewables annex [www.planning.odpm.gov.uk/policy.htm](http://www.planning.odpm.gov.uk/policy.htm) (currently under review).

PPG 1: General Policies and Principles (Feb 1997) at [www.planning.odpm.gov.uk/policy.htm](http://www.planning.odpm.gov.uk/policy.htm) How Planning Works at [www.planning.odpm.gov.uk/policy.htm](http://www.planning.odpm.gov.uk/policy.htm) UK Planning at [www.planning.odpm.gov.uk/policy.htm](http://www.planning.odpm.gov.uk/policy.htm)

## **Useful Report**

Wind Information Needs for Planners ETSU Report W/14/00564/REP at [www.dti.gov.uk](http://www.dti.gov.uk) Energy Publications

## **Wales**

The land use planning policies of the Welsh Assembly Government are set out in “Planning Policy Wales” (PPW), which was published in March 2002. It is supplemented by a series of Technical Advice Notes (TANs). Procedural advice is given in National Assembly for Wales/ Welsh Office circulars. PPW, TANs and circulars together comprise national planning policy which should be taken into account by local planning authorities in Wales in the preparation of unitary development plans (UDPs). They may be material to decisions on individual planning applications and will be taken into account by the National Assembly for Wales and Planning Inspectors in the determination of called-in planning applications and appeals. Detailed advice on the preparation of UDPs is contained in “Unitary Development Plans, Wales, 2001”.

In the case of renewable energy, PPW states that local planning authorities should facilitate the development of all forms of renewable energy and energy efficiency and conservation measures where they are environmentally and socially acceptable. Local planning authorities should make positive provision for such development and are encouraged to undertake an assessment of the potential of all renewable energy (and energy efficiency and conservation measures) and include detailed policies in their unitary development plans. PPW says that in undertaking such assessments, local planning authorities should:

- take into account the contribution that can be made by the area towards climate change and renewable energy targets; and
- recognise that different approaches will be appropriate for the deployment of the different renewable technologies and energy efficiency and conservation measures.

In terms of wind energy technologies, unitary development plans may, where possible and practicable, indicate broad locations or specific areas where wind energy developments are likely to be permitted. In defining such areas it will be appropriate to balance the scale and contribution of such developments to certain levels of renewable energy against the sensitivity of the receiving environment. Small scale or domestic scale schemes may be appropriate in most locations provided they are sensitively sited and designed. In nationally designated areas large scale deployment of renewable energy may not be appropriate.

Technical Advice Note 8 Renewable Energy (1996), which contains detailed planning and some technical guidance on a variety of renewable energy technologies is currently being revised.

The Welsh Assembly Government have embarked on the process of reviewing the TAN in an inclusive manner, with the help of a Technical Advisory Group (TAG). This process has proved invaluable in teasing out the variety of issues associated with renewable energy as a whole, and in particular, reflecting the distinctive situation in Wales. Various research reports have also been commissioned to inform debate and are being considered as part of the drafting of the new guidance. It is intended that a consultation draft of the revised TAN 8 issue in 2004.

Guidance material at

[www.wales.gov.uk/subiplanning/content/planningpolicy/final/contents-e.htm](http://www.wales.gov.uk/subiplanning/content/planningpolicy/final/contents-e.htm)

[www.wales.gov.UK/subiplanning/content/tans/tan08/tan8introe.htm](http://www.wales.gov.UK/subiplanning/content/tans/tan08/tan8introe.htm)

## **Northern Ireland**

Northern Ireland has traditionally implemented its own energy legislation separately from Great Britain and is in the process of implementing the EC Directive on promoting renewable energy. This section of the Report considers the actions being taken in Northern Ireland to advance the systems for promoting renewable energy in NI in line with the Directive.

### **NI Energy Strategy**

At the more strategic level, NI, through its Department of Enterprise Trade and Investment (DETI), has, during 2003, undertaken an extensive consultation process on the issues to be contained in a new NI Energy Strategy which is due to be published before the end of 2003. In line with the EC Directive and the Energy White Paper, enhancing sustainability will feature heavily in this strategy document which, in particular, will encourage the mainstreaming of renewable sources of energy.

The 3 NI government Departments with specific contributions to the Directive – DETI (policy, authorisation consents), Department of Environment (DoE – Planning, Waste Management, off-shore licensing) and Department of Agriculture and Rural Development (DARD – biomass, rural diversification) have already initiated interdepartmental actions to progress renewable issues and it is intended that a complementary policy will be put in place subsequent to the publication of the Energy Strategy. In addition, DETI is liaising with the energy regulator (Northern Ireland Authority for Energy Regulation) to agree action to implement the Directive and a number of regulatory and market barriers to renewables have been removed. NIE has already appointed a Connection Manager for Renewable Electricity, to fast-stream connection requests and add transparency to the process. Moreover, a new body – Action Renewables – has been established as a joint initiative between DETI and Viridian (the NIE parent company) to provide an increased focus to the promotion of renewable energy and encourage development of small scale, embedded generation projects.

### **The Planning System in NI**

Overall responsibility for planning permissions in Northern Ireland falls to central government – the Department of the Environment. The Department's functions, in relation to planning, are set out in the Planning (Northern Ireland) Order 1991. Most of these functions are

administered by the Planning Service - an Executive Agency within the Department. The planning system exists to regulate the development and the use of land in the public interest. Planning Service is responsible for developing, and implementing, Government planning policies and development plans in Northern Ireland. The Agency carries out a range of activities which promote the Government's key themes of sustainable development and creating a better environment. The aim is to plan and manage development in ways which will contribute to a quality environment and seek to make the economic and social aspirations of present and future generations.

From the planning perspective, the main thrust of the policy for renewable energy is as set out in the Regional Development Strategy for Northern Ireland ( specifically Strategic Planning Guidelines ENV 5 and ENV 6) and PSU 12 of 'A Planning Strategy for Rural NI'.

Planning Service has no jurisdiction at present over off-shore developments. However, it does have planning responsibilities in relation to ancillary on-shore facilities including transmission lines. Off-shore developments are licensed under the Food and Environment Protection Act 1985 by Environment and Heritage Service.

Planning Service has recognised the need to further embrace renewables and has embarked on a major reform programme Modernising Planning Processes. A major element of this programme is aimed at streamlining the development control process. In particular, it seeks to improve the management of the process, reduce regulation, tackle delays in the system, improve consultation arrangements with local Councils and improve handling of difficult or contentious applications and e-planning.

Planning related issues are emerging from the New Energy Strategy. In particular, is the requirement to review the regulatory burden on renewable energy projects. Planning Service, of course, has already been involved in discussions with relevant bodies both public and private on these matters, and is alive to the industry's concerns about the planning process.

Guidance on the requirement for Planning Permission for 'small' projects will be available shortly. There may be a number of valid reasons, not least compliance with Environmental Impact Assessment (EIA) regulations/human rights, and trans-boundary consultation requirements that would make it difficult to effectively fast-track larger scale projects. Planning Service HQ has, however, recently decided to process all major renewable energy proposals within a specialist unit. This is intended to

bring a more strategic and co-ordinated approach to the provision of guidance and the processing of proposals. In this regard, more detailed guidelines for the planning considerations of such larger proposals will also be prepared to assist both the industry and other stakeholders.