

Introduction

1. ScottishPower is a major UK energy company with renewable generation, retail supply and networks businesses; we are a leading developer of wind power in the UK, and part of the Iberdrola Group, the world's leading renewables developer. Iberdrola is a global leader in tackling climate change, with a commitment to reaching carbon neutrality by 2050.
2. We are the UK's first 100% Green vertically integrated energy utility, generating 100% renewable electricity from more than 40 operational windfarm sites with over 2.8 GW installed capacity throughout the UK. Building on our 714 MW East Anglia ONE offshore wind project (which we have recently completed), our renewables business, **ScottishPower Renewables (SPR)** has ambitious offshore wind development plans as well as a substantial development portfolio of onshore wind, solar and battery storage projects in the UK.
3. We have worked within the Development Consent Order (DCO) infrastructure planning regime since its inception and recognise the importance of strong and clear National Policy Statements for enabling efficient, consistent and predictable decision making. We therefore welcome and support the UK Government's commitment to update the suite of Energy National Policy Statements ('the NPSs'). These NPSs set out an important framework, reflecting the Government's policy ambitions and guiding the decision-making process for new energy infrastructure. It is therefore important that they are updated now to take account of the Net Zero target for 2050.
4. Moreover, in this context we would note that fully decarbonising our power system by 2035, is a central aim of the Government's Net Zero Strategy¹ and the NPSs have a significant role to play in helping to meet this ambition. Decisions on new energy infrastructure must be underpinned by robust and up-to-date policies. We therefore welcome the opportunity to respond to this BEIS Select Committee Call for Evidence in addition to the submission of our detailed response to the BEIS Planning for new energy infrastructure: review of energy National Policy Statements consultation.
5. We acknowledge the considerable work undertaken by BEIS leading up to the NPS consultation, and we broadly welcome the draft NPS updates for offshore wind, including floating wind technology. We also welcome the inclusion of solar energy in EN-3. Both hydrogen and energy storage will be of growing importance, particularly for maximising use of renewable energy as part of a strategy of co-location, and we therefore welcome the policy needs case presented in EN-1 for both these technologies even though they are not explicitly consented through the Nationally Significant Infrastructure Project (NSIP) process.
6. Nonetheless, we do consider that there are some aspects of the NPS framework which could be improved to bring the documents in line with both the Energy White Paper and the more recent Net Zero Strategy. We have identified four key areas where the NPS should be strengthened to help facilitate the transition to Net Zero:
 - a) **Achieving the Net Zero target and the government's commitment to fully decarbonise the power system by 2035 should be strongly identified as central objectives throughout the NPSs. The assessment criteria and decision-making**

¹ Net Zero Strategy, October 2021: <https://www.gov.uk/government/publications/net-zero-strategy>

process must give greater weight and priority to the essential role of renewable energy projects in meeting the 2035 ambition and the 2050 legally binding Net Zero target.

- b) We suggest that the need case for onshore wind is retained within the NPS, to reflect the current and growing industry trend towards co-location of renewable technologies. Co-location of solar, onshore wind, green hydrogen and battery storage is now commonplace at new energy parks, to increase security of supply maximise energy production and to minimise intermittency issues. The NPS should reflect industry best practice and allow consenting routes for co-located energy production with onshore wind components, as the current draft NPS does for hydrogen and energy storage.
- c) The section within EN-1 referring to aviation is virtually unchanged from the 2011 NPS. It does not reflect the recent Air Defence and Offshore Wind Windfarm Taskforce's Strategy and Implementation Plan² nor does it present an equitable or current policy position. The energy NPS, and the aviation NPS should both explicitly state that windfarms are now part of the existing built environment and windfarms need only meet aviation conditions for existing radar and surveillance infrastructure. It must be recognised that subsequent surveillance infrastructure procured by the aviation industry should be windfarm tolerant and paid for by aviation users and not electricity consumers.
- d) Meeting the Energy White Paper's 40GW target for offshore wind by 2030 will require flexibility in the grid connection strategies, such as radial connections, where they are still appropriate. We believe the offshore connection language within EN-1, EN-3 and EN-5 should aim to facilitate both timely and efficient connections to the grid and should refrain from presupposing the outcome of the Offshore Transmission Network Review (OTNR).

² Air Defence and Offshore Wind Windfarm Taskforce, September 2021: <https://www.gov.uk/government/publications/air-defence-and-offshore-wind-working-together-towards-net-zero/air-defence-and-offshore-wind-working-together-towards-net-zero>

Call for Evidence

7. It is understood that as part of its call for evidence the BEIS Committee is seeking written evidence regarding specific matters outlined below.
- **The clarity of the NPS in terms of its scope and its applicability to the Energy White Paper**
 - **How effectively the revised NPS reflects Government's policy proposals in the Energy White Paper**
 - **How effectively the revised NPS supports the Government's targets for net zero by 2050**
 - **How effectively the revised NPS takes account of other aspects of the Government's plans for energy generation**
 - **How effectively the proposals in the revised energy NPS supports the communities who will be impacted by the delivery of new energy infrastructure**
 - **How effectively the revised energy NPS takes account of sustainability and environmental considerations**
 - **The effectiveness of the Government's consultation on the proposals contained in the energy NPS**

Taking each point in turn **ScottishPower Renewables (SPR)** would respond as follows:

The clarity of the NPS in terms of its scope and its applicability to the Energy White Paper

8. Published in December 2020, the Energy White Paper³ states in Chapter 2 that the Government will “*accelerate the deployment of clean electricity generation through the 2020s*”, in the context of demand for energy doubling by 2050, which “*would require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target*”. Furthermore, the Net Zero Strategy now sets a clear commitment to achieve full decarbonisation of the power sector by 2035, which will require an even faster transition to clean electricity generation than previously set out.
9. We would suggest that, in the context of the above, the draft NPS is inconsistent with the Energy White Paper as it does not, either in isolation or as part of any wider reference to co-location, sufficiently outline support, or even a national position for onshore wind. Indeed, EN-1 para 1.2.1 states that in England and Wales “*this NPS may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended). Whether, and to what extent, this NPS is a material consideration will be judged on a case by case basis and will depend upon the extent to which the matters are already covered by applicable planning policy*”. The NPS may therefore legitimately act as a guiding principle for Local Planning Authorities and would also, as acknowledged at para 3.3.23 of EN-1, become relevant should proposals be referred to the Secretary of State under Section 35 of the Planning Act 2008.
10. The absence of a national statement of need for onshore wind energy within other national and local policies means that such a statement is required within EN-1 to avoid frustrating the Government's stated objective of securing “*sustained growth*” of onshore wind deployment by

³ Energy White Paper: Powering our net zero future, December 2020: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

2030, which will in turn hamper the role it can play in supporting the deployment of other technologies, such as hydrogen and solar, as part of co-location.

How effectively the revised NPS reflects Government's policy proposals in the Energy White Paper

11. Whilst reiterating the points outlined above we would further argue that, in order to reflect the scale and urgency of renewable energy deployment set out within the Energy White Paper, the NPS must give a clear direction as to the weight which should be given to tackling climate change. We do not consider the suite of draft NPS achieves that. Indeed, national need has been diluted by the identification of technology specific impacts which are presented in the absence of any direction on the weight to be applied to those, or more importantly which issues should prevail. It is also evident that the NPS focusses heavily on the potential for negative impacts whilst remaining silent on the many positive benefits which renewable energy projects provide, not least their contribution towards the Net Zero target.
12. This is most obvious within EN-3 in relation to offshore wind where, despite that technology being the backbone of the Government's Net Zero Strategy (40GW by 2030), relevant impacts are identified but the NPS stops short of saying how they should be balanced against one another or against the need for deployment. Without a clear position on the imperative of tackling climate change and how this should be balanced against different impacts, implementation of the NPS is likely to generate further uncertainty, delay and inconsistency. We therefore recommend that BEIS considers if more direction can be given in relation to the weight to be applied to key impacts and more specifically the achievement of the Net Zero target. The NPPF may be of assistance in this regard as it contains a stronger presumption in favour of renewable energy development, stating that the decision maker should "*approve the application if the impacts are (or can be made) acceptable*".
13. In addition to the matters raised above, obtaining grid connections is often a considerable challenge for new projects. We agree with the fundamental principle that electricity transmission infrastructure benefits from efficient and coordinated connections. However, in practice a more coordinated approach is frequently not feasible due to transmission grid funding constraints, differing priorities amongst developers and network operators and misaligned project timelines.
14. The current wording in the draft EN-1 and EN-5 does not realistically reflect the challenges that exist at present for offshore electricity transmission and should not seek to presuppose the outcome of the Offshore Transmission Network Review (OTNR) process⁴. Such explicit language – with no term of reference as to what is expected under the heading of co-ordination, and in what timeframe – has the potential to inadvertently slow or even prohibit some offshore wind projects from being developed. It is vital that whilst greater coordination may be incentivised, radial connections are not expressly prohibited or discouraged and flexibility in decision-making is allowed for projects.
15. We are supportive of work presently being carried out through the OTNR to examine options for system-level enhancements however, the draft NPS should not seek to pre-empt or pre-judge the outcomes of the ongoing OTNR.

How effectively the revised NPS supports the Government's targets for net zero by 2050

16. The UK is leading the transition to Net Zero, and the decarbonisation of the power system by 2035 will exemplify this leadership position. The Energy White Paper proposed to put "*net*

⁴ Offshore Transmission Network Review (ongoing): <https://www.gov.uk/government/groups/offshore-transmission-network-review>

zero and our effort to fight climate change at its core.” However, this prioritisation is missing from the current draft NPS.

17. The suite of NPSs should acknowledge the single greatest overarching consideration for the consenting of new energy infrastructure is now climate change mitigation, specifically the challenge of achieving net zero emissions by 2050. The need for rapid deployment of renewable energy at scale therefore needs to be prioritised in decision-making. It is also vital for the NPS to confirm substantial weight should be afforded to the role of individual proposals in achieving the Government’s renewable energy and net zero targets. EN-1 should therefore more clearly articulate how the decision-making process will weigh the urgent need for developments which contribute to climate change mitigation against other relevant considerations.
18. The NPSs should consider operational carbon at the consenting stage for new energy projects. As currently drafted, EN-1 states “the Secretary of State does not therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.” We encourage the government to put net zero and climate change at its core, particularly for new energy infrastructure.

How effectively the revised NPS takes account of other aspects of the Government’s plans for energy generation

19. Fully decarbonising the power system by 2035, as the Net Zero Strategy sets out, will require strong and coherent energy and planning policies that support growth of renewable energy at pace. As we have stated above, there are four key areas where further work is needed to allow the NPSs to facilitate the transition to Net Zero:
 - a) strengthening Net Zero consideration in the decision-making process,
 - b) adding policy support and context for onshore wind and co-located projects,
 - c) removing aviation’s primacy over energy projects, and
 - d) ensuring reasonable flexibility of grid connections to promote timeliness and efficiency.

How effectively the proposals in the revised energy NPS supports the communities who will be impacted by the delivery of new energy infrastructure

20. We have worked within the Development Consent Order (DCO) infrastructure planning regime since its inception and recognise the importance of strong National Policy Statements (NPS) for enabling both effective community engagement in the planning process and efficient, consistent and predictable decision making.
21. Our experience developing the operational 714 MW East Anglia ONE offshore wind farm and taking other development proposals through the DCO process demonstrates that positive engagement at the outset to allay and address concerns provides a strong platform for fostering community relations and maximising the local benefits of significant investment. Our flagship East Anglia Hub, comprising three separate windfarms, will build on the success of East Anglia ONE, which sustained almost 3,500 jobs at the peak of construction, delivered 100 long-term skilled jobs, and significantly supported the UK supply chain by delivering more than 50% UK content. Acting together, the revised suite of Energy NPS and relevant Planning Inspectorate Advice Notes should therefore further promote the frontloading of meaningful engagement by all parties, including local communities.
22. We have identified a number of areas where the suite of revised Energy NPS should be clarified, including the need for a pragmatic and phased approach to offshore transmission

co-ordination and for proportionate consideration of landscape and visual impacts, both of which will be of relevance to coastal communities. Overall, we consider the documents provide a suitable range of environmental and amenity protections for communities, with no clear gaps, which can be engaged to consider the acceptability of impacts and, where appropriate, to develop mitigation measures.

23. We therefore suggest the statement at paragraph 1.1.4 of Draft EN-1 concerning the relevance of NPS for Local Planning Authorities should be extended to recognise that, to support efficient and effective planning, the NPS must also underpin the involvement of all Interested Parties, including local communities, throughout the DCO process. Given the statutory requirements listed in paragraph 1.1.2, adherence to the terms of NPS by all parties is essential to ensure proportionality and relevance throughout the DCO process.
24. To ensure all parties closely engage with the energy NPS we suggest EN-1 should include a stronger statement that all parties should primarily respond to the terms and requirements set out in relevant NPS, including the sections covering potential environmental and amenity impacts on communities. Any considerations or impacts not addressed within NPS should only be considered at Examination where appropriate under the statutory tests in paragraph 1.1.2 of EN-1.

How effectively the revised energy NPS takes account of sustainability and environmental considerations

25. We welcome the introduction of the Good Design assessment principle to ensure all energy NSIPs embody high quality design and contribute effectively to sustainable development. We do however seek clarity regarding how the assessment principle will be applied and suggest that clear demonstration of Good Design within proposed NSIPs should be assessed against consistent criteria and afforded substantial weight by the Secretary of State.
26. Given the need for new low carbon energy infrastructure to be deployed at scale and the finite areas where it can be accommodated within the limits of policy compliance and environmental acceptability, the efficient use of land and sea as well as optimising the use of existing or shared infrastructure and implementation of the mitigation hierarchy should all be recognised as important attributes of Good Design.

The effectiveness of the Government's consultation on the proposals contained in the energy NPS

27. Whilst the consultation itself has served as an effective means of outlining the government's position, and allowing industry, and others, to provide comments it is unclear how any discussion will progress beyond that exchange. Greater use of workshops in the process would have served to better connect the comments of interested parties to the prevailing views of ministers and officers responsible. It would have also been of greater benefit for government to set out how the aims of the Energy White Paper were and are being addressed in the proposed content of the NPSs. In addition, it is disappointing that sections of the draft NPS, particularly those sections pertaining to aviation, remain unchanged. Any changes now made to these sections would effectively be brought forward without any means of formal consultation.

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