

**SEUK and the Planning Advisory Service (PAS)
present:**



**Workshop 1: An Introduction to solar developments
for planners (TCPA and NSIP)**

Thursday 5th September, 9:30-10:30



Today's agenda



Time	Topic
9.30am	Welcome and Introduction - PAS
9.35am	Overview of workshops - SEUK
9.40am	Presentation: The big picture for planners (TCPA & NSIP) - Rich Jones, Quod
10:00am	Q&A
10:25am	Final Remarks - SEUK
10:30am	Session ends

Introduction to the organisations



Planning Advisory Service

PAS supports local planning authorities to provide effective planning services and works with national and local government to help implement changes in the planning system.



Solar Energy UK

Since 1978, Solar Energy UK has worked to promote the benefits of solar energy and to make its adoption easy and profitable for domestic and commercial users. A not-for-profit association, we are funded entirely by our membership, which includes installers, manufacturers, distributors, large-scale developers, investors, and law firms.

Our mission is to empower the UK solar transformation. We are catalysing our members to pave the way for 50GW of solar energy (and 30GW of storage) by 2030 and 70GW of solar energy by 2035. We represent solar heat, solar power and energy storage, with a proven track record of securing breakthroughs for all three.

Outline of the workshop series



- Across September and October, Solar Energy UK in Collaboration with PAS are hosting six online workshop sessions.
- Each session will cover a key issue or topic relevant to local planning authorities and based around SEUK's recently published solar factsheets and position statements for local planning authorities:
 - **5th September, 9:30-10:30**: An Introduction to solar developments for planners, covering both TCPA and NSIP schemes
 - **12th September, 9:30-10:30**: Solar farms and agriculture
 - **19th September, 9:30-10:30**: Solar farms and archaeology
 - **26th September, 9:30-10:30**: Solar farms and biodiversity
 - **3rd October, 9:30-10:30**: Solar farms and site selection
 - **10th October, 9:30-10:30**: Solar farms and batteries and general Q&A session
- Each session will kick off with a brief presentation, followed by an interactive Q&A with representatives from the solar industry and, where possible, wider stakeholders.

Purpose of the workshops



Support local planners and associated professionals in local councils to gain a fuller understanding of solar and storage technologies.



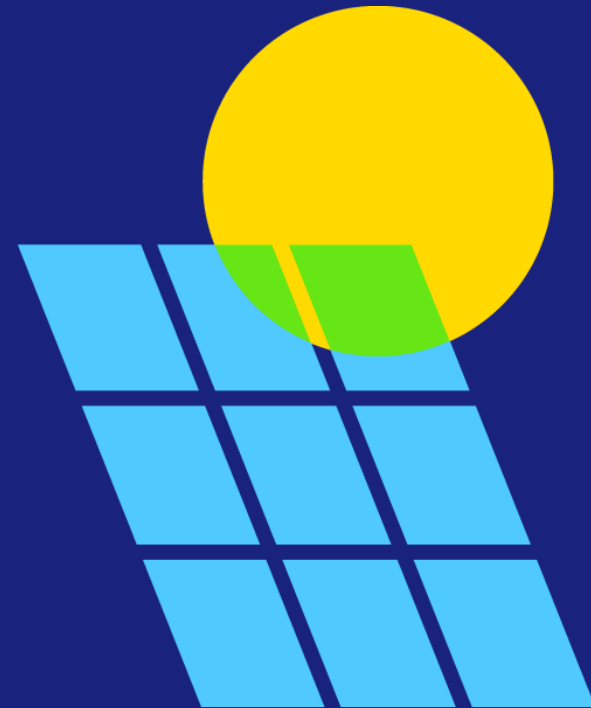
A chance to ask questions and get insights from leading industry experts.



An opportunity for the solar industry to learn from local planning experience.

The big picture for planners (TCPA & NSIP)

Rich Jones, Director, Quod



Introductory slide



- Government has set a legally binding target to reduce the UK's greenhouse gas emissions by 100% by 2050, compared with 1990 levels. This is known as the 'net zero target'.
 - To meet this target, the government has set the aim of “a fully decarbonised, reliable and low-cost power system by 2035”, which would be “composed predominantly of wind and solar”.
 - Government aims to achieve 50 gigawatt (GW) of solar power by 2030 (up from 15.8 GW as of March 2024).
 - To deliver the government's ambition, the equivalent of approximately one large-scale nationally significant solar scheme (c.400MW+) would need to be switched on each and every month between now and 2030.
 - We need to get planning!
-

Planning regimes



- Solar PV generation < 50MW.
 - Town and Country Planning Act, 1990.
 - Planning permission.
 - Decision made by local planning authority.
 - No limit on scale of Battery Energy Storage System (BESS)
- Solar PV generation > 50MW.
 - Planning Act, 2008.
 - Development Consent Order.
 - Decision made by Secretary of State for Energy Security and Net Zero, based on a recommendation from the Planning Inspectorate.
 - BESS is Associated Development (AD) if it meets relevant criteria: directly related; subordinate; proportionate in scale and nature; not only a source of additional revenue.
-

Solar farms (>5MW, <50MW)



Approved/construction/operation

- 1,661 solar farms
- 16% East Midlands and Yorkshire
- 15% South East
- 13% Eastern
- **28% South West**
- 8% Wales
- 7% West Midlands
- 12% Remaining parts of the UK
- ~~Approximately 22.7 GW~~

Pending determination

- 211 live applications
- **21% East Midlands and Yorkshire**
- 19% South East
- 18% Eastern
- 16% South West
- 3% Wales
- 10% West Midlands
- 16% Remaining parts of the UK
- ~~Approximately 6.7 GW~~

Solar farms (>50MW)

- 36 NSIP solar projects currently in the public domain.
- Distribution focuses on East Midlands (particularly Lincolnshire) and Yorkshire and the Humber
- Potential capacity of c.13GW.



Decision taking

<50MW, Planning and Compulsory Purchase Act, 2004 (s.38(6))

- *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the **determination must be made in accordance with the plan unless material considerations indicate otherwise.**”*

>50MW. Planning Act, 2008 (s.104(2))

In deciding the application the Secretary of State must have regard to—

- a) *Any **national policy statement** which has effect in relation to development of the description to which the application relates (a “relevant national policy statement”),*
 - aa) *the appropriate marine policy documents (if any).*
 - b) *any **local impact report** (within the meaning given by section 60(3)) submitted to the Secretary of State before the deadline specified in a notice under section 60(2),*
 - c) ***any matters prescribed** in relation to development of the description to which the application relates, and*
 - d) *any other matters which the **Secretary of State thinks are both important and relevant** to the Secretary of State’s decision.*
-

NPPF, 2023



Green Belt

- *When located in the Green Belt, elements of many renewable energy projects **will comprise inappropriate development**. In such cases developers will need to demonstrate **very special circumstances** if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.*

Site selection

- To help increase the use and supply of renewable and low carbon energy and heat, plans should:
 - a) **provide a positive strategy for energy** from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);
 - b) **consider identifying suitable areas for renewable and low carbon energy** sources, and supporting infrastructure, where this would help secure their development.
-

NPS EN-1: Critical National Priority



- *Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, **in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts (Para 4.2.15).***
 - Starting point is that the **following tests are met (Para 4.2.17):**
 - Green Belt - very special circumstances
 - Site of Special Scientific Interest (SSSI) - benefits (including need) to clearly outweigh the likely impact.
 - Nationally designated landscapes - exceptional circumstances.
 - Heritage assets - substantial harm to or loss of significance should be exceptional or wholly exceptional.
-

NPS EN-3: Site selection and design



- Irradiance and site topography.
- Network connection.
- Proximity of a site to dwellings.
- Agricultural land classification and land type.
- Accessibility.
- Public rights of ways.
- Security and lighting.

(NPS EN-3, Section 2.10)

Main planning considerations



- **Local amenity and local heritage.**
 - **Protected areas**, such as National Parks and National Landscapes.
 - **Glint and glare.**
 - “Best and Most Versatile” (**BMV**) agricultural land.
 - **Cumulative impacts.**
-

Main other considerations



- Community benefits.
 - National Grid, availability of connections.
-

NPPF, 2024 consultation proposals



- Increase solar NSIP threshold from 50MW to 150MW.
 - *"Local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and give significant weight to the proposal's contribution to renewable energy generation and a net zero future". (Para 164(a))*
 - *"Plans should ~~consider identifying~~ identify suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development." (Para 161)*
-

Q&A Panel



Rich Jones
Director at
Quod



Tim Spicer
Director
(Environment) at
DHA Planning



Alex Minhinick
Partner at
Burgess Salmon



Stephen Humphreys
Partner – Planning
and Infrastructure
Consent at Ashfords
LLP

Please submit any questions you have to [slido](#) –



Thanks for joining!

The next session will be on solar and agriculture on 12th September, starting at 9.30am.

