

Planning Factsheet – National Policy on Renewable and Low Carbon Energy

Owl Ln, Dewsbury, WF12 7RQ

National Planning Policy Framework 2024

Paragraph 7 is clear in stating:

“The purpose of the planning system is to contribute to the achievement of sustainable development”.

Paragraph 8 states:

“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.

Paragraph 9 is clear in its expectations that:

“These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in **guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.**

The NPPF employs a presumption in favour of sustainable development. Development which complies with the development plan is sustainable by default. EV vehicles require access to well-located public charging infrastructure in all areas, inside and outside of settlement boundaries. This development satisfies an operational need for EV vehicles to recharge when navigating in, out and through the district and therein supports other societal priorities including economic development, tourism and transport decarbonisation.

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Section 9 of the NPPF is entitled “*Promoting Sustainable Transport*”.

The NPPF glossary defines sustainable transport as “*Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, **ultra low and zero emission vehicles***”.

The NPPF glossary defines low carbon technologies as “*Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels)*”.

Public EV charging infrastructure is required to support the transition to a low-carbon economy and a decarbonised transport system.

Paragraph 109 acknowledges that “*opportunities to maximise sustainable transport solutions will vary between urban and **rural areas**, and this should be taken into account in both plan-making and decision-making*”.

Paragraph 87 builds on paragraph 109 and states “*Planning policies and **decisions should recognise and address the specific locational requirements of different sectors**. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and **in suitably accessible locations***”.

EV charging infrastructure is required in all areas; town, country, urban etc. but crucially where the appropriate grid infrastructure and capacity is at hand (as it is in this case) and that is the locational requirement to which the NPPF refers.

Paragraph 85 Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. **Significant weight** should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Paragraph 109 states:

- a) making transport considerations an important part of early engagement with local communities;*
- b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- c) understanding and addressing the potential impacts of development on transport networks;*
- d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and*

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f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.”

Paragraph 110 states: “The planning system should actively manage patterns of growth in support of these objectives [para 108]. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and **offering a genuine choice of transport modes**¹. **This can help to reduce congestion and emissions, and improve air quality and public health.** However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.

Paragraph 161 states “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and **support renewable and low carbon energy and associated infrastructure**”.

This planning application includes both EV charging infrastructure and renewable energy utilisation and storage; it is inherently low carbon development.

Paragraph 168 is very clear on how the Council should be approaching what is inherently a sustainable development from any angle:

“168. When determining planning applications for **all forms of renewable and low carbon energy developments and their associated infrastructure**, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give **significant weight** to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;
- b) **recognise that small-scale** and community-led **projects provide a valuable contribution** to cutting greenhouse gas emissions”.

Whilst we consider that any minimal impacts from this sustainable development are or can be made acceptable. This is a low carbon development, and the decision makers’ focus and effort should be on working with the applicant at the earliest possible stage to reduce any impacts to acceptable levels so that it can go ahead.

Paragraphs 196 to 201 are clear on the need to reduce emissions and pollutants, for human health and environmental gain.

¹ NPPF defines sustainable transport modes as including ultra low and zero emissions vehicles.

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National Policy Statement for Energy EN-1 Jan 2024

Paragraph 5 of the NPPF outlines that National Policy Statements form part of the overall framework of national planning policy, and may be a material consideration in determining planning applications. It is important to consider their context and material when assessing the proposed planning application.

NPS EN1 paragraphs 4.2.4 and 4.2.5 have introduced a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Low carbon infrastructure for the purposes of this policy means for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “*low carbon*”.

The provisions of the NPS are a material consideration in s78 TCPA planning applications and weigh heavily in favour of new renewable and low carbon development.

NPS EN1 sets Criteria for Good Design for Energy Infrastructure, which must be read alongside NPPF policy on design (Para 135) and local plan policies guiding place, character and appearance (our emphasis):

“4.7 Criteria for good design for Energy Infrastructure

*4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is **sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.***

*4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic **as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.***

4.7.3 Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material”.