

# Climate Emergency Development Plan Document Scoping

Renewable Energy and Sustainable Energy and Construction Policies and the  
Landscape Sensitivity evidence

## Statement of Consultation Responses

### Appendix 1

#### URN 011

SUBMISSION TO THE CLIMATE CHANGE DEVELOPMENT PLAN

Dear Sir or Madame,

I make the following submission to the Climate Change Development Plan as an individual councillor. In the Council web page it opens with 'Replacing fossil Fuels with sustainable alternatives and improving the energy efficiency of building are vital in reducing emissions and harmful greenhouse gases. It will help Cornwall to become carbon neutral" A honest statement but this has an impact on the every day lives of many of the hardworking Cornish families. To explain this I submit the following documents to the call for evidence as it is important that we look deeper into the impacts of what is proposed and the impacts on the residents of Cornwall. My feeling is that we need to make the negative impact on people into a positive impact for the residents especially the low income families that have suffered most during the Coronavirus pandemic.

#### URN019

Climate Emergency Development Plan Document Proposed Renewable Energy & Sustainable Construction Policies and Evidence

Thank you for consulting Historic England on the latest work on the Climate Emergency Development Plan Document (DPD) Proposed Renewable Energy & Sustainable Construction policies and evidence.

As the Government's adviser for the historic environment, Historic England is keen to ensure that the conservation of the historic environment is fully taken into account at all stages and levels of the development planning process. We have provided extensive advice in earlier consultation responses to the emerging Climate Emergency DPD (see letters dated 26 May 2020 and 25 September 2020). We will not repeat this again except to reiterate that we support Cornwall Council's efforts to become carbon neutral by 2030. Historic England considers that energy efficiency, sustainable technology and reducing carbon emissions are compatible with the conservation of our heritage.

We would also draw your attention a new Historic England Advice Note for commercial renewable energy that is due to be published very soon. This will contain advice on preparing policies and maps that identify suitable areas for development amongst other matters. We will send you a copy of the new HEAN as soon as it is published.

Draft Renewables and Sustainable Energy and Construction Policies

Historic England is disappointed that our previous comments on policies Policy RE1, RE2 and SEC1 do not appear to have been addressed in this consultation version. While we support the intention to identify areas suitable for wind energy and non-renewable energy proposals on the Policies Map, we still consider that site selection needs to be informed by more historic environment evidence. There may also be a need for site-specific policy and criteria relating to limit development and for avoiding, minimising,

mitigating and enhancing specific heritage assets and wider, historic landscapes, townscapes and seascapes. This is discussed in further detail below and we have provided detailed comments on the policies in Appendix 1 of this letter.

Review of the Cornish Renewable Energy Landscape Sensitivity Assessment – Draft Report (December 2020) and Constraints and Opportunities Mapping for Large Scale Renewable Energy in Cornwall (2020) Historic England has considered the Review of the Cornish Renewable Energy Landscape Sensitivity Assessment – Draft Report (December 2020) and the Constraints and Opportunities Mapping for Large Scale Renewable Energy in Cornwall (2020).

While we commend the use of such thorough assessments to inform the site selections for renewable energy (wind and solar) in the DPD, we have looked at how the potential impacts on Cornwall’s historic environment and distinctive landscape have been approached in both reports.

In relation to the Review of the Cornish Renewable Energy Landscape Sensitivity Assessment – Draft Report (December 2020), we welcome the inclusion of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) (a designated heritage asset) in the Review of the Cornish Renewable Energy Landscape Sensitivity Assessment – Draft Report (December 2020). We also note that the methodology for this study and the detailed assessments in the Renewable Landscape Units include consideration of some other designated heritage assets and settings, although these have not been mapped. We also support the exclusion of some character areas (3.4 and 3.5), which are some of Cornwall’s most sensitive from an historic environment perspective.

In respect of the Constraints and Opportunities Mapping for Large Scale Renewable Energy in Cornwall (2020), we welcome the inclusion of listed buildings, registered parks and gardens and scheduled monuments as constraints used to exclude development. We also note that a further update to this report is to follow based on the results of the above study.

However, the potential impacts on the historic environment have not been systematically considered but split across two reports and only in partial form. We have several related concerns that we would like to draw to your attention:

- ☐ Neither report considers the potential impacts on all designated heritage assets, e.g. registered battlefields have not been addressed;
- ☐ The potential impacts on the significance of heritage assets have not been considered;
- ☐ With the exception of listed buildings for which a 400m buffer has been used in Constraints and Opportunities Mapping for Large Scale Renewable Energy in Cornwall (2020), neither report has considered the potential impacts on the settings of heritage assets. Although we do not advocate for the use of buffer zones or set distances alone in our site selection methodology (see HEAN 3: Site Allocations (2015)), they can be a useful starting point in identifying heritage assets and locations in need of careful consideration. We consider that there should be some form of distance-based exclusion in relation to the settings of all designated heritage assets;
- ☐ In relation to the Review of the Cornish Renewable Energy Landscape Sensitivity Assessment – Draft Report (December 2020), it might be appropriate to also include seascape character areas (Seascape Character Assessment for the South West Inshore and Offshore Marine Plan Areas (2018)) given the extent of Cornwall’s Coastline.

#### Need for Heritage Impact Assessment

Taking this into account, we do not consider the above evidence contains sufficient information about the potential impacts on the significance of heritage assets and their settings to enable areas suitable for wind energy and solar energy development to be identified on the Policies Map in the DPD and justified. We remain of the view that heritage impact assessment is required inform the selection of appropriate sites; their extent for mapping on the Policies Map; the need for site-specific allocation policy in relation to the type, quantity, size/scale, positioning and design of renewable energy development; and the requirement for any special criteria for avoiding, minimising, mitigating and enhancing specific heritage assets and wider, historic landscapes, townscapes and seascapes.

We consider that this further work is necessary as part of gathering an up-to-date and proportionate evidence base for this DPD (as per NPPF paragraph 31) and as part of setting out the DPD’s positive strategy for the conservation and enjoyment of the historic environment as an irreplaceable resource that contributes to local character and distinctiveness (as per NPPF paragraphs 184 and 185).

## Appendix 1: Historic England Comments on Draft Renewables and Sustainable Energy and Construction Policies

Page	Policy	Support/object/comment	Comments	Suggested Change
1	Policy RE1 - Renewable and Low Carbon Energy	Support subject to amendment  Support subject to amendment	<p>Historic England welcomes the intent of Policy RE1 and we support criterion 1.c).</p> <p>However, criterion c would benefit from a minor wording change to specifically reference the World Heritage Site and wider townscapes, landscapes and seascapes.</p> <p>We note that Policy RE1 has been broadened to include specific criteria for specific generation types and further note criterion 5.a in relation to deep geothermal and mine water energy development. In our view, an amended version of this criterion should be included for all energy types (1/2, 3, 4, 6 and 7) as all have the potential to impact upon the historic environment.</p> <p>Supporting text can be used to set out how this is to be achieved, e.g. Statements of Heritage Significance and Heritage Impact Assessments (where relevant) provided with applications with links to appropriate advice and guidance; impacts on archaeology, including those from changes to hydrology on any buried archaeological and palaeoecological resource, including in adjacent wetland areas, floodplains and peatland.</p>	<p>1.c. It will not result in significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including cumulative landscape and visual impacts, <del>and</del> the special qualities of all nationally important landscapes, <u>and the significance of heritage assets including their settings, including the outstanding universal value of Cornwall and West Devon Mining Landscape World Heritage Site and the character of wider historic townscapes, landscapes and seascapes</u>, which must be conserved or enhanced; and</p> <p><del>a. Heritage or historic landscape issues are adequately addressed</del><u>the Outstanding Universal Value of the Cornwall and West Devon Mining Landscape World Heritage Site, the significance of heritage assets and their settings, and the character of historic townscapes, landscapes and seascapes are conserved and, where appropriate, enhanced;</u></p>

		Comment	<p>We note that areas suitable for wind energy are to be identified on Policies Map and we support this intent.</p> <p>We have commented on the Renewable Energy Landscape Study and the Constraints and Opportunities Assessment for Large Scale Renewables in Cornwall in the attached letter. However, we consider further evidence is required in relation to the impacts on the historic environment including proportionate heritage impact assessment (HIA) to inform site selection. We cannot comment further on this Policy until we have seen these results, the identified sites on the Policies Map and any proposed site-specific policy and criteria that may be necessary to limit development and avoid, minimise, mitigate and enhance specific heritage assets and wider, historic landscapes, townscapes and seascapes.</p>	N/A
2-3	Policy RE2 - Safeguarding strategic renewable energy sites	Comment	<p>We note from Policy RE2 that suitable areas for non-renewable energy proposals are to be identified on the Policies Map and we support this intent.</p> <p>We have commented on the Renewable Energy Landscape Study and the Constraints and Opportunities Assessment for Large Scale Renewables in Cornwall in the attached letter. However, we consider further evidence is required in relation to the impacts on the historic environment including proportionate heritage impact assessment (HIA) to inform site selection. We cannot comment further on this Policy until we have</p>	N/A

			seen these results, the identified sites on the Policies Map and any proposed site-specific policy and criteria that may be necessary to limit development and avoid, minimise, mitigate and enhance specific heritage assets and wider, historic landscapes, townscapes and seascapes.	
4-6	Policy SEC1 – Sustainable Energy and Construction	Support  Support subject to amendment	<p>Historic England strongly supports part 4 of Policy SEC1 and its positive approach to encouraging the retention and sensitive reuse of historic buildings, including designated and non-designated heritage assets, and securing sustainable futures for them through proposals that conserve, and where appropriate, enhance or better reveal their significance.</p> <p>We would like to see supporting text used to emphasise the positive contribution that the historic environment can make to reducing carbon emissions and meeting targets.</p> <p>We support the intent of part 5 of this Policy to conserve the significance of listed buildings. However, we consider this should be re-worded to consider impacts on all types of designated and non-designated heritage asset, (not just listed buildings) and their settings, as well as the wider townscapes, landscapes and seascapes.</p>	N/A  <u>5. ...Where fixed to a listed building, proposals must ensure that technology will not cause significant harm to the appearance and special historic character of the building; require minimal intervention with the fabric of the building; and shall be easily-reversible. Proposals affecting heritage assets, including their settings, shall seek avoid and minimise negative impacts on their significance and conserve the character of historic townscapes, landscapes and seascape</u> <u>7. ...iv &amp; vi. ....in the Cornwall Design Guide and Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document and conservation area character</u>

		Support subject to amendment	<p>We also support part 7 of this Policy where it seeks to maintain and enhance local character and distinctiveness, the use of local materials and construction techniques as described in the Cornwall Design Guide.</p> <p>However, the Policy could also signpost the Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document (2017) and conservation area character appraisals and management plans (where relevant) as other useful references.</p>	<u>appraisals and management plans (where appropriate).</u> <u>7.iv and vi. ....in the Cornwall Design Guide, Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document (2017) and conservation area character appraisals and management plans (where relevant).</u>
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**URN 032**

**032**

Here is the response from Lanner Parish Council to the consultation on the Climate Emergency DPD Renewable Energy & Sustainable Energy and Construction Policies.

Our starting point is that to ensure Cornwall reaches its carbon neutral target of 2030, the county’s current consumption of some 1 million tonnes of oil a year needs to be replaced by renewable energy. That is the over-riding priority.

Policy RE1 – Renewable and Low Carbon Energy.

We take the view that all options for renewable energy need to be kept in mind. They may be ruled out in coming to any particular decision, but not out of hand. It is understandable that wind and solar power will be the most attractive options but not exclusively so. There is mention of water power and geothermal but consideration should also be given to air and ground source heat pumps, hydrogen fuel, anaerobic digestion and even nuclear power depending on the speed by which we need to act and capital resources available.

We are obviously concerned with the possible impact of DPD policies on those within the Lanner NDP. In this regard, the Lanner NDP specifically excludes support for wind power. This is primarily due to the topography within the parish and the inevitable adverse impact of almost any potential proposal. A significant shift in policy from Cornwall Council could require a re-consultation within the community and referendum. That said, other sources of renewable energy do not provide general policy problems and, for example, the deployment of solar panels on all roofs is actively encouraged.

The proposed policies say that proposals are to “balance the wider” environmental, social and economic

benefits of renewable energy and heat generation, and distribution. We think that the word “wider” needs further explanation. Since the proposed policy already requires a proposal to contribute to zero carbon, could “wider” considerations be employed to subjugate local benefits to national or even global interests which could be impossible to measure or challenge? In addition, there needs to be some clarity as to how benefits are balanced or weighed against each other or against losses.

The requirement for some degree of community ownership, dependant on the scale of generation is welcome. There is certainly merit in supporting and encouraging communal generation schemes for new housing (and commercial) estates and in existing neighbourhoods. Clarity would be welcome on the support to be given for personal or small scale generation projects.

For wind power, there appears to be an acceptance that existing turbines can be increased in size when it is time to renew them. Whilst locally we anticipate that any renewed (or new) turbines would exceed Band C in size (because of the importance of the local landscape features), nonetheless it is considered important that each application be considered on its merits with no automatic assumption for an increase in size. It is accepted that there is value in guidelines as to size in different landscapes being available but these should not be prescriptive or of right.

We are supportive of restrictions which avoid solar power being sited on the best and most versatile agricultural land (Grades 1, 2, and 3a). Siting is always preferred on previously developed land.

Geothermal and deep mine water deserve investigation and development but are still unproven technologies, particularly in large scale production. There are, as in most things, potential environmental disadvantages and there is a risk of overstating their potential at this stage.

#### **Policy SEC1 – Sustainable Energy and Construction**

We have serious concerns at the health risks associated with increasing the insulation value of buildings to the point that adequate ventilation is removed to allow condensation and mould to create respiratory illnesses.

It is proposed that new homes on large developments are 19% more energy efficient than Building Regulation requirements. Has there been research into the increase in house prices/rentals from doing this measured against standard energy savings? It is important that local people are not further disadvantaged in the housing market than they are already. Is it sought to apply this measure to affordable homes and will the proposal make them less “affordable”?

All new homes should have solar or connection to a renewable scheme, reducing carbon by a further 20%. This sits well with the Lanner NDP and we would support it.

It is a pity that having taken pains to minimise any loss in natural carbon storage within the development process, householders are then free to patio over, deck or extend in their gardens without penalty.

Water.

We have no problem with 110 litres/person/day as an advisory measure but this should not be mandatory. The average use per household is 140 litres/person/day. As working from home becomes more significant in the economy, use over the average is bound to increase.

Water reuse and rainwater harvesting is a very good practice and there seems little or no reason why its application should be applied only to very large housing estates or commercial property.

Chair. Lanner Parish Council.

#### **URN 036 & 039**

We would welcome more support to geothermal energy development.

We welcome support to offshore renewable energy schemes, which should include development of tidal energy.

#### **URN 040**

2. Do you have specific comments to make about the content or intentions of policy RE1?

Yes, I think priority for renewables needs to be given to areas that are off mains gas as they rely on extremely expensive electricity or fossil fuels for heat. To see, for example, the whole of Penwith being written off for renewable development is beyond disappointing! Local to St Just we have the best performing wind turbine of it's size in Europe! There is no point trying to maintain a 'pretty or historic' landscape if civilisation has broken down.

I also think that industrial estates should be encouraged more to invest in roof top solar and that all solar farms should have to plant mixed herbal leys, to boost biodiversity and these should be maintained with sheep. Currently they are a disgrace!  
Please contact me about this.

5. Do you have any further comments on identifying sites for wind energy?

Local Climate action groups should be consulted and as stated previously, areas off mains gas should be given priority. More and better connection with the residents of Cornwall required.

### **URN 053**

We welcome 1c which makes provision that schemes must not negatively impact on the local environment, and the additional 10% biodiversity net gain requirement (1d) where land is not retained for agriculture. We would like 1c to include ‘no loss or damage of irreplaceable habitats’ (which cannot be mitigated for, in line with Natural England Standing Advice), as suggested below.

It will not result in significant adverse impacts on the local environment, that cannot be satisfactorily mitigated, including cumulative landscape and visual impacts, and the special qualities of all nationally important landscapes, heritage assets including their setting which must be conserved or enhanced. It will not result in loss or damage of irreplaceable habitats;

We welcome that sensitive ecological sites are listed as constraints. We assume that ‘woodland’ covers ancient woodland and priority habitats including wood pasture and orchards.

We urge that schemes must not impact not only on these recognised ecological sites, but also the wider ecological network (Nature Recovery Network) and the integrity of ecosystems.

We welcome policies 2b iii and iv which set out strong and innovative requirements around natural carbon storage, and effectively require a net gain in natural carbon. We welcome the linkage to the Nature Recovery Network. We welcome working with Cornwall Council on sound approaches to the measurement and application of this policy.

We welcome policy 7iii, which will include sustainably sourced timber. We urge all timber in construction is FSC or equivalent to ensure it is sustainably sourced and supports well managed woodlands.

### **URN 067**

2. Do you have specific comments to make about the content or intentions of policy RE1?

It is felt that the policy could do with a more precise definition on what exactly is covered by renewable and low carbon energy & the evidence presented here.

Wind and solar power will be the most attractive options but not exclusively so. There is mention of water-power and geothermal but consideration should also be given to air and ground source heat pumps, hydrogen fuel, anaerobic digestion, waste to energy sites and even nuclear power depending on the speed by which we need to act and capital resources available. It is not clear how most of these methods are dealt with in the planning DPD.

Cornwall has several estuaries where it could take advantage of tidal power and at the same time possibly mitigate the chance of tidal flooding. For instance, Truro’s Boscawan Park area and Hayle estuary. These renewable energy options should be considered.

3. Do you have specific comments to make about the content or intentions of policy RE2?

It is understood that the Policy Map only refers to Solar and photovoltaic energy production opportunities. If this is the case, then this needs to be made clear so that other energy generation methods are assessed appropriately.

If any suitable site for Geo-thermal (eg St Day) have been identified – can the information be added please.

The proposed policies say that proposals are to “balance the wider” environmental, social and economic benefits of renewable energy and heat generation, and distribution. We think that the word “wider” needs further explanation. Since the proposed policy already requires a proposal to contribute to zero carbon, could “wider” considerations be employed to subjugate local benefits to national or even global

interests which could be impossible to measure or challenge? In addition, there needs to be some clarity as to how benefits are balanced or weighed against each other or against losses.

3. If you answered yes let us know here what other measures should be used?

Point to note: It is not clear where to find this table. Page 8 of the Constraints and opportunities document has been reviewed.

Point to note: The title of this document is mis-leading. As it only applies to onshore wind & solar PV – not all large scale renewables ie Hydro and deep geothermal and mine workings, it is felt the document should be titled to reflect this.

5. Do you have any further comments on identifying sites for wind energy?

RLU07 – pages 36-41 of Renewable Landscape study report for Redruth Camborne and Gwennap. These comments relate to Redruth Parish only.

In the document titled 'report' there are 2 tables of spatial constraints for on-shore wind and photovoltaics, that it would be useful to relate to the mapping study to give the complete picture of constraints. (Table 2.1 and Table 3.1)

After attending the on-line meeting on 14th January it is my understanding that NDP's will be expected to allocate sites for type A & B wind turbines. I don't consider Redruth NDP to have either the funding or the expertise to do this. Windturbine development of all types needs to be brought forward in compliance with this DPD and centrally managed.

2. Is there anything we have missed or that should be added?

How will developers know where opportunities for Heat or Hydro exist?

There may be another issues to consider as our summers get hotter and that is the provision of shading. Yes, improving insulation will help but glazed areas will have to be shaded. The penalty for not providing shading will be the increased up-take of air conditioning, with its associated increase in energy. There are few Mediterranean counties that don't have shutters over windows.

6. If you answered yes above, tell us what you think these should be:

We have to consider affordability and deliverability in what is proposed.

We have concerns at the health risks associated with increasing the insulation value of buildings to the point that adequate ventilation is removed to allow condensation and mould to create respiratory illnesses. Perhaps new builds should be fitted with Mechanical Ventilation with Heat Recovery units?

It is proposed that new homes on large developments are 19% more energy efficient than Building Regulation requirements. Has there been research into the increase in house prices/rentals from doing this measured against standard energy savings? It is important that local people are not further disadvantaged in the housing market than they are already. Is it sought to apply this measure to affordable homes and will the proposal make them less "affordable"?

Some consideration should be given to how we protect gardens as green spaces in all households and prevent them being turned into hard surfaced areas. Perhaps a % of existing garden spaces needs to be retained as green space? – this would need to be via a planning consent.

9. Support for development actual Community Energy Projects. The mechanism for delivering this is far from clear and if achieved seems critical to achieving much of the plan.

The requirement for some degree of community ownership, dependant on the scale of generation is welcome. There is certainly merit in supporting and encouraging communal generation schemes for new housing (and commercial) estates and in existing neighbourhoods. Clarity would be welcome on the support to be given for personal or small-scale generation projects.

10. Water - We suggest 110 litres/person/day should be an advisory measure but this should not be mandatory. The average use per household is 140 litres/person/day. As working from home becomes more significant in the economy, use over the average is bound to increase.

Water reuse and rainwater harvesting is a very good practice and there seems little or no reason why its application should be applied only to very large housing estates or commercial property.

### URN 083

The policy (RE1) is very passive, and shows worrying lack of urgency or ambition against the background of a declared emergency. If a governmental policy used wording around "social and economic benefits" for rolling out Covid-19 vaccination, there would be outcry – an emergency demands emergency action.

Consequently, an environmental emergency policy needs to generate the same demand for action, ambition and stretch targets.

There is a heavy emphasis on stewardship of the environment with little recognition that as a community, we will have some difficult and challenging debates to be had. It is right that the environment is appropriately considered, but it must be recognised that zero impact equates to zero achievement. It also misses the point about a net zero carbon environment, in that it is much more than just servicing 100% of the electricity demand. There needs to be recognition that, with the switch to non fossil fuel transport and a move away from fossil fuel domestic heating, the demand for electrical energy will grow. There needs to be some forward evaluation as to the scale; currently there is no target as to the capacity required in 2030. The ambition for 100% of Cornwall's electricity does not address what that demand is projected to be in 2030, and whether we should be a net exporter of energy going forward. Treating Cornwall as an island in energy terms is counter productive, as there will inevitably be energy exchange up- and down- country to cope with peaks and troughs in demand and capacity.

With its focus on large scale PV and wind, the policy also fails to address the resilience required, which is best served by a mixture of diversification and storage. As a very small community energy BenCom located within RLU21 and 22, SHARE has recognised since its incorporation in 2015 that even in an inland rural community, we need to recognise and respond to five different energy sources: the major two of solar and wind need to be complemented by diversity into anaerobic, hydro and biomass. Indeed, Cornwall Council has recently substantially funded SHARE to pursue a hydro study whereas its own policy dismisses this entire resource in a single sentence. Even our initial installation as a PV pilot has been reinvigorated with storage, to reflect the dynamic nature of demand. SHARE also has aspirations to grow into a "smallholding scale" provider of biomass, bringing coppicing into the 21st century. SHARE believes that ambition aligns well with the ambition of a "Forest for Cornwall", combining both energy production and carbon capture. There is not a single mention of carbon capture anywhere in the plan. It is welcome that weight will be given to community led schemes having the necessary support and managerial infrastructure. The policy (and the plan) doesn't mention in what way that weight might apply. If this is to be via planning support or financial support, the policy should make this clear. If the latter, the Council needs to consider the appropriate way to make this happen.

5. The maps represent a good starting point for guidance, but may be considered by some as a convenient means of automatically rejecting every application.

2. Policy SEC1 This section seems confused, in that it is more about building regulations than energy. If the building regulations are not sufficiently ambitious, they should be changed rather than a superset of requirements placed on top.

There is an advocacy for "energy networks" without any definition of what is intended. By some definitions, simply having a WPD connection would satisfy the requirement, but this can't be the ambition. There needs to be clarity on whether this refers to district heating, communal generation or some other technology. As the transport structure moves away from fossil fuels, there should also be a mandate for electric vehicle connectivity, not just for charging but also as a source of stored energy. (i.e. vehicle to building, not just building to vehicle). Key to this is an acceleration of the smart grid: so far there is no drive beyond provision of smart meters as a monitor, with little opportunity for smart consumption (e.g. off peak supply to low duty cycle high load appliances or vehicle charging). An example of good practice in new build includes local energy management networks, providing a distributed control infrastructure as distinct to having a local energy supply network. That way, the demand can be smoothed.

Support should be given to a change in emphasis when constructing: at present the focus tends towards the purchase price of a dwelling or building, with less emphasis on through life costs. Perhaps weight should be given to supporting the sustainability aspect rather than the installation aspect, thus favouring opportunities for saleable heat or exportable energy.

3. We have been developing options for further improving energy efficiency in new buildings. We are proposing to replace part 2 (i) of the current proposed policy objective of securing a percentage increase

over current building regulations (this is itself subject to possible change by Government) with a set limit for energy use per square metre which we think would be clearer to understand and easier to demonstrate. Do you agree with this approach?

4. If the building regulations are not sufficiently ambitious, they should be nationally changed rather than a superset of requirements placed on top. This would allow for best practice to be easily shared across the UK on the basis that a house design that meets the requirement in one location should meet the requirement in another. In order to meet the new housing stock need, (especially for affordable housing), the centralised manufacture of pre constructed segments allows better economies of scale, better quality construction and faster erection than traditional building methods. Energy efficiency can be designed and built in at that stage. Failing to have common regulation would make such a construction method impractical.

6. We need to be more ambitious and be realistic on what environmental compromises will be necessary.

9. Energy poverty needs to be addressed as the number one priority. No one should be unable to heat or light their home in the 21st century. Nature and environment improvements are nice but far less important; it should be a given that energy poverty should be addressed in the same manner as economic deprivation. Providing some basic level of heating to eligible families at high energy consumers' expense could be easily within the capabilities of a properly managed smart grid.

10. Offsetting carbon feels like ducking a problem rather than addressing it. Taken to the logical extreme, huge offset levies would seem to be the answer to non renewable generation, energy waste and profligacy. This is clearly nonsense. The sooner society gets away from the idea of buying its way out of a problem to actually addressing the problem, the better. A concern is that offsetting will be used as a licence to legitimise the failure to meet energy targets. The aviation industry is a perfect example of this, so it should be expected that the Council will avoid taking that path.

#### URN 095

2. Do you have specific comments to make about the content or intentions of policy RE1?

The policies are very good but you have left out a very important issue, which is the development of a policy of local energy islands. Please see my detailed comments in question 10, and the report attached. In general your policies are not sufficiently robust to cover a sudden cessation of normal activities, such as a collapse in the banking system or any other sudden and unexpected collapse as the climate emergency develops. A safe "Plan B" needs to be in place so that the people of Cornwall can continue a moderately acceptable life-style WHATEVER HAPPENS. To support this idea, you need to give thought to how we shall deal with our renewable energy systems if the National Grid fails; if there is economic disruption; if there is more illness and unemployment. Your plan shows a wonderful renewable energy resource being developed in Cornwall. How can the people of Cornwall in future have the best benefits from this resource if a catastrophe occurs? How can we make use of the energy in a just way for the good of all?

Policies to encourage the manufacture of wind turbines and PV in Cornwall need to be considered. In the event that sea transport dwindles once fossil fuels are no longer used, so that importing equipment is no longer possible, it is important to consider the whole energy policy in the light of what can be produced locally.

3. Do you have specific comments to make about the content or intentions of policy RE2?

The phrase, "Not introduce adverse impacts within close proximity" is too vague. Any installation should not be allowed to introduce adverse impacts further afield, e.g. a tall chimney to take pollutants further away should not be acceptable.

Policy 2 needs to mention that:

Nuclear power stations will not be permitted.

Air pollution will not be permitted.

Damage to eco-systems will not be permitted.

5. Final power of decision should be with a local community, especially the visual impact. If a person has a choice of having secure, low-cost electricity supplies from their local turbine that "spoils the view", or unreliable supplies, high-cost electricity from further afield, then local people need to have the right to choose.

“Your own pigs don’t smell.”

In my opinion, the visual impact of wind turbines, and what tourists think of them, is of VERY low importance compared with securing a low carbon future. The impact of human constructions on wild-life and the ecological system is of great importance, but not the impact on people’s sensibilities.

2. Is there anything we have missed or that should be added?

Item 4

Ordinary existing buildings are the most important when it comes to energy efficiency and reduction in carbon. Most buildings are not new-build or historic. There needs to be a robust plan and investment policy for bringing the large numbers of existing (non-historic) buildings up to a high level. Policies such as allowing external cladding on stone buildings need to be considered.

Consider air-tightness of buildings. Leaks and draughts can waste huge amounts of heat in well-insulated buildings.

Consider damp and mould in well-insulated buildings, which can threaten health.

Consider cold loft spaces, after a building has been well insulated. A cold loft space can be subject to condensation and damp, rotting the timbers and reducing the life of the building.

Item 5

The health of the planet and of future generations is of far greater importance than the look of historic buildings. Please change the policy to say that low carbon proposals must take priority but that efforts to “not cause significant appearance and special historic character of the building; require minimal intervention with the fabric of the building; and shall be easily reversible” will be made as far as possible.

6. Set very high standards for Cornwall as proposed, without asking for Government permission. If the Government takes Cornwall to court for breaking national laws, then fight for our right to do our best locally for the climate. We shall surely win!

9. Apprenticeships for young people in renewable energy and energy conservation skills

Help for intentional communities such as cohousing communities which are working towards One Planet living Islanded distribution system instead of using the National Grid

The best way of distributing electricity from many small renewable energy collectors is to set up energy islands. Many decades ago, the national distribution system started like this, with cities having their own islanded systems, which were then gradually linked together. Now we have a “National Grid” infrastructure which is designed for distributing electricity from a few large power stations and does not suit the energy systems of the future.

We are at a similar point to the Victorians: they had an extensive rail infrastructure, then cars were developed. It was no good moaning about the fact that these new-fangled things did not run on rails. They had to accept that a road infrastructure would have to be built.

An islanded system consists of independent islands of distribution that can each function as a stand-alone system. Each island can then be linked to other islands or to the National Grid through a switching system.

An electricity island receives electricity from many local generation systems, small and large, such as wind turbines or PV panels. It delivers electricity to the local users, from domestic to industrial. It incorporates storage systems such as batteries or larger systems such as a pumped storage system. (A pumped storage system uses surplus energy to pump water to high storage lake, and the water is allowed to run down over hydro generators when more energy is called for.)

An island could be set up using existing distribution cables and introducing the necessary switch-gear. But there are other actions needed, such as a change in the laws that govern the National Grid and the switch-gear.

Benefits of an energy island system

Cornwall could lead the way.

Cornwall is at the end of the National Grid power-line, so if the Grid starts to have energy shortfall, brown-outs, power cuts, people in Cornwall will start to have periods with no power available. It might be worse for us than people in cities or nearer the centre of the grid. A new renewable energy infrastructure will achieve local security of supply, and a feeling of safety and security.

Energy islands will help overcome fuel poverty locally. After the initial capital expenditure, local energy can be very cheap, helping the poor. Within an energy island, electricity can be collected and distributed

locally at low cost.

Surplus can be shared between Cornish energy islands at low cost, but sold from Cornwall to the rest of the country for a profit. The surplus energy from the Cornwall energy islands will be fed into the national grid and will be part of the national supply to cities and industry. Cornwall can sell surplus energy to other parts of the country by linking to the grid, earning money to support our local economy.

Local enthusiasm and initiative will set up the systems gradually, once the laws have been changed and each parish or local area has the right to build their local distribution island. The money needed will come from local people and imaginative financial systems, for example involving ESCOs (Energy Supply Companies).

An old study (2012) of the possibilities for the parish of St Gennys is attached. It was found that the parish used 40 GWh which therefore cost £4 million per year for 1,000 people, (about £4,000 each for all their electricity, heat and transport costs). The capital required to set up a total renewable energy future for St Gennys could cost perhaps be £12 million. (Large wind turbine £2m; biomass plant £1m; biogas plant £1m; small systems £4m; infrastructure £4m.) So the simple pay-back time would be about 3 years. After that, the people in the parish would be nearly £4 million a year better off, every year, because their energy costs would be close to £0!

### URN 109

Do you have specific comments to make about the content or intentions of policy RE1?

RE 1 1.c. requires that renewable development will not result in significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including cumulative landscape and visual impacts, and the special qualities of all nationally important landscapes, heritage assets including their setting which must be conserved or enhanced. This is an unacceptably high bar and any substantial renewable installations (especially “big wind”) will give rise to some significant effects which cannot be mitigated and these need to be balanced against the driver and determination to meet carbon targets.

RE 1 1. f. bullet point 1 – Community schemes should be encouraged, however given their often more modest scale due to financing must not be allowed to deflect from the development of larger schemes which would provide a wider benefit of getting closer to the targets.

RE 1 2.1 Suggests Wind energy development proposals will be permitted where they are located in a ‘suitable area’ identified on the Policies Map or are for the repowering of an existing wind turbine/farm. There are no “suitable areas” currently identified on the Policies Maps. The policy will provide support for the repowering of all existing wind turbines and windfarms and whilst this is in some cases possibly desirable, the policy opportunity identified to repower the existing proliferation of smaller turbines will do little to provide additional renewable capacity whilst perpetuating their sometimes damaging effects on the varied landscapes of Cornwall.

RE 1 2.2 The wording “Demonstrate that, following consultation, the planning impacts identified by the affected local community have been fully addressed by the proposal” and requirements of this policy are too similar to the WMS of 2015 which effectively stopped the development of onshore wind and will again preclude the ability to deliver the renewable aspirations which are the clear driver for this policy

RE 1 2.3 The use of building mounted solar should be prioritised as the area of available barn roofs (and other large buildings) are a much under utilised resource that could provide appreciable capacity with relatively limited effects.

RE 1 7 The wording “Infrastructure to support offshore renewable energy Associated land-based infrastructure to support offshore renewable energy schemes will be supported.” needs to be qualified to require that this support will only be where landscape sensitivities or other policy requirements do not preclude this.

Policy RE 1 should require any new or repowered renewable energy installations to deliver the maximum available energy output (within the confines of the consented envelope or within the maximum achievable output on that site) and not be allowed to be “downrated” to save cost for the developer or to take advantage of any preferential support mechanisms which are capacity limited.

Broad Areas Suitable for wind energy Mapping

3. The AONB, Heritage Coast and WHS areas appear NOT to have been excluded simply on the grounds of the % of Cornwall they occupy and no rationale is provided. These are designations of national and international importance respectively and they should have been excluded (or a defensible rationale for their inclusion provided.)

5. There has been no assessment of the effects of the current renewable energy deployment in terms of the effects of different types of installations for the amount of energy generated. A critical factor to understand in identifying future “suitable sites” would be to understand how much energy is generated per installation compared to the effects on the landscape (and others). In other words going forward, would a policy of a smaller number of windfarms of larger turbines provide more installed capacity for a level of landscape impact compared to a more dispersed strategy of more smaller turbines dispersed more widely across Cornwall. The current pattern of development embraces both approaches and leads to the very extensive effects of wind energy within Cornwall. To be able to guide a strategic policy which sought the maximum installed capacity (in line with the CC aspiration) for the most limited effects an assessment of the current situation in this regard should have been carried out to allow the identification of “suitable sites” and development typologies.

The adopted approach to identification of landscape sensitivity will inevitably lead to a finding that landscapes are (generally) less sensitive to smaller turbines. This unfortunately has been allowed to be confused in some cases with guidance which suggests that future opportunities include the replacement of the smaller turbines (already causing the proliferation of landscape effects) with larger turbines which will further exacerbate these effects – effectively perpetuating (and worsening) the pattern of proliferation across the Cornish landscape with its inevitable additional effects.

Policy should provide a clear simple strategy based on good evidence and a vision for how development would best be arranged (to maximise capacity whilst minimising effects) and this is not achieved in this case.

I would suggest that whilst much of the process provided at Table 3.4 of the RELS as part of the identification of landscape sensitivity to wind energy development is based on accepted practice, however the placement of AONBs within the Perceptual and Scenic quality criteria as only being Moderate or Moderate-High substantially under represents their (national) importance given that AONBs “enjoy the highest level of protection, equal to that of National Parks” – (NPPF)

The proposals for repowering of a number of windfarms and the extension of some others appears somewhat simplistic as they are in all likelihood constrained at the current size, and the implication that these may be “low hanging fruit” mitigating the need for other development may be misguided.

2. Is there anything we have missed or that should be added?

Replacement dwellings are often promoted on the basis that these will provide a low (or even a Carbon Zero) energy dwelling. This may be the case in terms of the operation of the new dwelling. In order for policy support to derive from this the calculation should include a whole life calculation including the carbon cost of demolition and construction of the new dwelling such that the replacement dwelling would have to be carbon beneficial over its lifetime, rather than just from the point of completion. There is little purpose in a carbon neutral dwelling that has already produced huge amounts of carbon in its construction.

10. In principle the Cornwall AONB Unit strongly support the appropriate and contextually responsive development of renewable capacity in Cornwall subject to respecting the sensitivities and capacity of the Cornish landscape and especially those parts of it which are nationally recognised for their importance for landscape, heritage and ecology. These three facets are irreplaceable and provide much of the draw for the vital tourist industry in the county and should be assured the local protection afforded by national policy.

#### **URN 111**

Agree with all the policies

1. Whilst good on paper, there needs to be adequate enforcement of the policy so it is not merely a ‘box-ticking’ exercise to ensure the environment is protected. We have to be brave and bold and lead the way in ensuring zero carbon, however much it costs, the cost of not doing so will be far worse.

**URN 114**

We can all appreciate the need to focus on the environment and reduce our carbon emissions. However wind turbines are not a panacea and are known to contain dangerous chemicals that take years to break down. If despite this knowledge, Cornwall is going to permit more wind turbines, the turbines should be sited in areas where wind farms already exist. This would avoid further blight to Cornwall, which is heavily reliant on tourism, and also lead to economies of scale in terms of servicing wind turbines.

If farms are going to be encouraged to add wind turbines, the wind turbines should be of an appropriate size - that is, the farm should be able to use all of the power generated by the wind turbine, as opposed to producing extra power to be sold. This would result in smaller scale wind turbines being used on individual farms, leading to less visual damage and less of a negative impact on the landscape, heritage assets and local fauna.

In your assessment of each individual landscape area, when reviewing LAs 23, 24 and 25, I was surprised that there was no mention of Padderbury Top, a small defended settlement near Menheniot. Historic England has classified Padderbury Top as being rare and has indicated that it is concerned about the impact on this scheduled monument of wind turbine and solar farm development in the surrounding area. In fact, Historic England considers renewable developments in this area to have been very damaging to this monument.

Beacon Hill in Quethiock is the highest point in the parish and was used to warn of the Spanish Armada's approach. The land has been farmed at least since mediaeval times, and there are barrows in evidence in the area around Beacon Hill. It would be very damaging to the area's historical assets, including those that are under-ground, to site a wind turbine on Beacon Hill, as nearly happened several years ago.

Cornwall's landscape and heritage assets have been badly damaged by inappropriately sited wind turbines. Hopefully Cornwall Council will prevent further damage to this important and historic area.

**URN 115**

I am a Quaker and I follow these advices:

Try to live simply. A simple lifestyle freely chosen is a source of strength. Do not be persuaded into buying what you do not need or cannot afford. Do you keep yourself informed about the effects your style of living is having on the global economy and environment?

We do not own the world, and its riches are not ours to dispose of at will. Show a loving consideration for all creatures, and seek to maintain the beauty and variety of the world. Work to ensure that our increasing power over nature is used responsibly, with reverence for life. Rejoice in the splendour of God's continuing creation.

2. Climate justice and equality are very important to me. Please ensure that Cornwall Council polices include looking after poor and disadvantaged people as we move towards 100% renewable energy.

6. Less use of concrete which emits high CO2 emissions

**URN 122**

This letter has been approved by the committee (technically the board) of the Society.

As you will appreciate, most, if not all of the land mass the concern of this society is part of the Cornish Areas of Outstanding Natural Beauty ('AONB'), land affecting the AONB or Heritage Coasts (together 'the AONB Land').

It does appear that this DPD is being driven by a council-perceived need for a 'climate emergency' policy as opposed to a 'climate change' policy, and that as a consequence, the County must be 'carbon neutral' by 2030. We would remind the Council of its comments in its April 2020 Scoping Report document, paragraph 1.0.2. "To achieve our ambitions by 2030 will be extremely challenging and may well prove impossible", and paragraph 4.1.2. that government policy is " ... to ensure that the net UK carbon account for the year 2050 is at least 80 per cent lower than the 1990 baseline."

The current draft of the proposed DPD appears to be written on the basis that carbon neutral by 2030 is a fundamental UK requirement which must be met at all costs, which is a totally incorrect basis. We are concerned that the apparent rush to become carbon neutral by 2030 will prejudice both the economy of Cornwall and its physical environment. Damage to any of the AONB Land reduces the attractiveness of Cornwall as a holiday destination and hence, given the importance of the tourist industry, the Cornish economy.

It is our firm opinion that this proposed DPD must differentiate in principle between the AONB Land and other land in the County. Consequently, we are fundamentally opposed to this DPD as currently drafted and oppose any proposal to develop wind turbines on the AONB Land.

The NPPF of February 2019 states (paragraph 172) "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues." This policy and requirement is repeated in Cornwall's Local Plan, Policy 23 paragraph 2a, which covers not only the AONB but also the AONB Land. It is almost, if not completely, impossible to conceive of any wind turbine development, however small, which could comply with the foregoing.

All of the published sensitivity maps must exclude the AONB Land from their consideration as a matter of principle and policy.

For the same above reasons, the re-powering of existing turbine sites, where there is an extant planning permission, should only be granted in exceptional circumstances and then only for a similar size of turbine. In this connection, we are disappointed that the Cold Northcott re-powering has been allowed. We accept however that there could be areas where solar power farms would not be unacceptable, given proper screening, but any planning applications should be dealt with on an individual basis.

Our comments on the proposed policies RE 1 and RE2 are as follows:

#### RE 1 - Renewable and Low Carbon Energy

As we have stated previously, this policy can only refer to land which is not the AONB Land and that should be stated explicitly. As currently drafted, paragraphs 1e (which is very hard to read and questionably does not make sense), 2a and 2b do not conform to AONB requirements.

Regarding paragraph 1, any new transmission networks, both within the AONB Land and without should be put underground.

It is not stated clearly that all of paragraphs 2 to 7 are subservient to paragraph 1.

#### RE2 - Safeguarding strategic renewable energy sites

As with RE 1, the Policy Map referred to in this policy should exclude all of the AONB Land so that no planning permission should be granted on that land.

As a Society, policies on sustainable energy and construction are not within our remit. Consequently, we do not comment on draft policy SECI.

Thank you for the online meeting which you held on Thursday 14 January, which we found interesting and helpful. Arising from that meeting, we have the following questions and comments which will need to be answered.

What is meant by 'carbon neutral' needs to be clearly defined, Cornwall, as a small English county with no mainstream generating capacity, imports over its boundary much electricity, which may or may not be carbon neutral generated. How is it intended to measure that the County's consumption is carbon neutral?

Will Cornwall Council over-ride local NDPs if they do not show any land suitable for wind turbines and do not state positively that there is no land suitable for wind turbines?

With all the new energy saving requirements that Cornwall Council are campaigning for, for the construction of new houses, how does the council expect to build affordable housing at a cheaper cost than at present?

With regard to the position of Western Power and its ability to transmit electricity 'up-country', we are fundamentally against the erection of any further above ground power lines and towers. If any new power lines were to be needed, they must be put underground.

We are not aware that the maps indicating '... each Landscape Character Area's sensitivity to onshore wind installations.' have been published. We are particularly interested in those covering the old North Cornwall District Council's area. We do not expect to see any land within or affecting the AONB to be

designated for wind turbines. In addition, the planning basis for these maps needs to be clearly stated : what planning policies have and have not been taken into account in their preparation  
I should emphasise that all the comments in our letter of 22 September 2020 still stand.

#### URN 125

Do you have specific comments to make about the content or intentions of policy RE1?

Location: Exemption to AGLV restrictions on siting of pv arrays should be given to well-sited community owned projects. Solar arrays are a probably a relatively temporary imposition on the landscape which can be removed with straightforward site restoration. They should be tolerated in the context of the ongoing climate emergency.

1. Does Policy SEC1 pick up the right issues for sustainable energy and Construction?

Yes •

2. Is there anything we have missed or that should be added?

A much greater emphasis on embodied energy.

6. Embodied energy calculations for all commercial/for profit schemes.

Passivhaus or similar standards .

#### URN 130

While I think it is a good idea to update Cornwall Council' s properties, why are you allowing new builds with poor standards of energy efficiency and reduction in carbon emissions, and not fining those developers who fall short.

Climate justice and equality are very important to me. Please ensure that Cornwall Council polices include looking after poor and disadvantaged people as we move towards 100% renewable energy.

Please keep me posted.many thanks

#### URN 132

Try to live simply. A simple lifestyle freely chosen is a source of strength. Do not be persuaded into buying what you do not need or cannot afford. Do you keep yourself informed about the effects your style of living is having on the global economy and environment?

We do not own the world, and its riches are not ours to dispose of at will. Show a loving consideration for all creatures, and seek to maintain the beauty and variety of the world. Work to ensure that our increasing power over nature is used responsibly, with reverence for life. Rejoice in the splendour of God's continuing creation.

Climate justice and equality of access to resources are very important to me.

Please ensure that Cornwall Council polices include looking after those who are vulnerable and already disadvantaged in our society. They must not be left behind as we move towards 100% renewable energy. I am concerned that the clauses in RE1 can allow stalling in the transition to renewable energy.

#### URN 168

2. Do you have specific comments to make about the content or intentions of policy RE1?

Natural heritage? including cumulative landscape, biodiversity and visual impacts,

1d) The idea of 10% net gain for biodiversity is welcome, but would there be a size threshold? For small renewable schemes could this be a disincentive for bringing a scheme forward?

1f) Should it be made clear that the site will not be classed as 'brownfield' or 'previously developed' when it is decommissioned?

4) Have you considered the need for hydro schemes to be compatible with beaver reintroduction? It seems likely we will have more catchments occupied by beavers in future and they will build dams on smaller watercourses and burrows in the banks of main rivers.

5a)Add in biodiversity please, we are presuming 'heritage' here means built heritage?

7) Why no criteria with 7? Should it be 'Presumption in favour'? The wording suggests you can get permission regardless of anything else.

. Do you have specific comments to make about the content or intentions of policy RE2?

By 'non-renewable energy proposals' do you mean energy proposals that are non-renewable or any other built development? We think you mean the later but it may be worth spelling it out.

If you answered yes no? Let us know here what other measures should be used?

We would like assurance that implications for biodiversity have been adequately covered. It appears that the Constraints and Opportunities Mapping for Large Scale Renewables document does not use locally held habitat data that Cornwall Council has access to. We would like the report to be reviewed thoroughly by an experienced Ecologist with local knowledge and experience of impacts of renewables on biodiversity. For wind turbines the coastal strip and estuaries are a concern due to impact on seabirds and water birds, as are wetlands, but we are not clear if the OS 'marshland' layer used in the assessment is adequate for this. Known starling roosts and greater horseshoe bat migration routes may well be covered by the other constraints but it would be prudent to check. For solar, County Wildlife Sites should also be used as a constraint, ideally semi-natural habitats and BAP habitats would be used too. National designations and local nature reserves are not enough on their own- for example West Penwith heaths are still classed as CWSs, they are not yet SSSI. This area is excluded for other reasons but it demonstrates the point.

5. We are in principle in favour of renewable energy generation, but each scheme needs to be considered on its own merits- please can this be stressed in the documents? There could be local biodiversity issues in a scheme that looks perfectly fine from the constraints map.

Has the size and grouping of turbines been influenced by potential biodiversity impacts at all? We would like to know that the proposals are informed by the latest research and evidence. For example, are fewer, larger turbines preferable to an array of more but smaller turbines due to the blades being higher from the ground and traveling at a slower speed? We haven't been able to go into this level of detail for this consultation unfortunately.

2. Small scale wind turbines can be damaging to birds and bats- solar is definitely preferable. Can it be added in that small scale turbines will need a bird and bat assessment please?

Some bat and bird species are very reliant on buildings. Retrofitting older buildings with energy efficiency measures may deny access to roosting bats and birds. Timing of the work in the year is important to avoid wildlife crimes being committed and negatively impacting species populations. Mitigation can be included, for example sparrow nesting boxes installed, if nesting cavities are to be lost.

New energy efficient buildings often have limited opportunities for bats and birds but provision can easily be designed in (as detailed in the Biodiversity Good Practice Guide).

Please can these points be mentioned in the Climate Change policies to make sure that energy efficiency measures do not have an adverse impact on biodiversity?

9. N.B. You mention projects that will 'reduce carbon emissions' but not all your suggestions do that- some are about carbon storage and sequestration of existing emitted carbon. Do you mean reduce carbon emissions only or do you also mean sequester and store carbon?

8) Cutting energy use should be the biggest priority overall hence our first choice. Renewable generation is next most important if we are to reduce emissions. Instead of 'nature improvements' can we talk about 'natural solutions to climate change'? Some nature improvements (whilst great for wildlife) will have minimal impact on carbon storage and sequestration. We didn't choose between Forest for Cornwall and 'Other' because in some instances tree planting is not the right thing to do or there could be an opportunity for peatland restoration, enhanced soil management or beaver reintroduction that would have significant carbon drawdown potential but is 'trumped' by Forest for Cornwall. Local/community nature improvements are of course something we would support in general BUT are they likely to have a positive carbon impact? Also, will local tree planting schemes be well enough informed to make sure already valuable habitats are not lost? Local/community tree planting schemes need to be guided by Ecological expertise so that well-meaning schemes that result in a net loss of biodiversity are not implemented.

You could consider a hierarchy of three: energy efficiency first, renewable energy generation second and appropriate natural climate solutions third.

10. It is exciting to see this policy area develop and we would like to thank everyone involved in bringing it closer to fruition.

**URN 174**

Policy RE2 - Safeguarding strategic renewable energy sites 'Planning permission for non-renewable energy proposals within areas identified on the Policy Map as being potentially suitable for renewable energy will only be granted where it can be demonstrated that the proposal would:'

Imerys Minerals Limited seeks clarification to what this Policy actually refers to, for example if this includes all non-renewable energy proposals such as minerals development proposals, then minerals themselves are protected through National and Local Planning Policy and this should be referred to and included within this Policy.

It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

Safeguarding of mineral resources, minerals transport, processing and supply infrastructure is, therefore, essential to help ensure that resources and infrastructure are not unnecessarily sterilised or constrained, and are available for use now and, importantly, for future generations.

The National Planning Policy Framework (NPPF) sets out the requirements for the safeguarding of mineral resources and infrastructure. These require that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development as well as the safeguarding of existing, planned and potential sites for the bulk transport, handling and processing of minerals (please note that China Clay resources and infrastructure within the St Austell China Clay Area benefit from national and international importance).

Also of relevance to safeguarding of minerals infrastructure is paragraph 182 of the NPPF that introduces the 'agent of change principle' and requires that: Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The Cornwall Local Plan Strategic Policies contains two specific minerals policies. Policy 18 sets out the strategic principles for safeguarding mineral resources and infrastructure. The Cornwall Minerals Safeguarding Development Plan develops detailed policy and identifies sites for safeguarding minerals, mineral resources and associated facilities for transport, storage, handling and processing for onward transport by rail or sea.

Therefore, prior to the next stage of the consultation process being reached it must be fully considered if this Climate Emergency Development Plan Document would result in restrictive rights on the ability to work, transport, process or supply these nationally and internationally important minerals in the future.

**URN 189**

As drafted, Policy RE1 does not provide reference to ensure that proposals for renewable and low-carbon energy and distribution networks will not have any unacceptable adverse impacts on the amenity of sensitive neighbouring or nearby land uses, such as tourism and/or tourist accommodation sites. Given the value of tourism to the local economy in Cornwall, such a reference needs to be included in Policy RE1. This would provide consistency with national planning policy.

The National Planning Policy Framework (NPPF) states "Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (paragraph 127) and in planning policies and decision making, local authorities should "a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life" (paragraph 180).

Draft Policy RE1 (Part 1(c)) states proposals for renewable and low carbon energy-generating and

distribution networks will be supported in the context of sustainable development and climate change where:

“c. It will not result in significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including cumulative landscape and visual impacts, and the special qualities of all nationally important landscapes, heritage assets including their setting which must be conserved or enhanced;”  
The emerging policy does not recognise the potential for direct and indirect impacts upon neighbouring amenity from such development.

Based upon the representations above the following addition to draft Policy RE1 should be included in the emerging policy after Part 1(c):

“It will not result in unacceptable adverse impacts upon the amenity of neighbouring land uses, particularly sensitive uses such as residential and tourist accommodation, that cannot be satisfactorily mitigated;” (proposed

Policy RE1 (Part 1 (e and f))

Draft Policy RE1 (Part 1 (e and f)) states proposals for renewable and low carbon energy-generating and distribution networks will be supported in the context of sustainable development and climate change where:

“e. It provides for a community benefit in terms of profit sharing or proportion of community ownership and delivers local social and community benefits;

f. There are appropriate plans and a mechanism in place for the removal of the technology on cessation of generation, and restoration of the site to an acceptable alternative use;

Significant weight will be given to community led energy schemes where evidence of community support can be demonstrated as well as administrative and financial structures are in place to deliver/manage the project and any income from it.

Commercial led energy schemes with a capacity over 5mw shall provide an option to communities to own at least 5% of the scheme.”

As drafted, Policy RE1 (Part 1 (e and f)) is more onerous and restrictive than national policy. The NPPF states “Local planning authorities should support community-led initiatives for renewable and low carbon energy...”

(paragraph 152). There is no requirement in the adopted local plan for renewable energy development to provide a community benefit or community ownership. Policy 14 of the Local Plan states “support will be given to renewable and low carbon energy generation developments that are: led by, or meet the needs of local communities”. Policy 14 does not require renewable energy or low carbon development proposals to provide a community benefit and or community ownership. There is no justification for deviating from national policy nor the examined local policy. There is no evidence provided to suggest that such requirements have been tested for viability or that this approach is welcomed industry and businesses which may wish to bring forward such development.

It is important to note that there are no concerns with the principle of supporting community ownership, but the policy should be unambiguous in providing support for all renewable and low carbon energy development no matter the delivery mechanism.

On this basis, Bourne Leisure proposes the following amendments to draft Policy RE1 (Part 1 (e and f)):

“e. It provides for a community benefit in terms of profit sharing or proportion of community ownership and delivers local social and community benefits;

f. There are appropriate plans and a mechanism in place for the removal of the technology on cessation of generation, and restoration of the site to an acceptable alternative use;

Significant weight will be given to community led energy schemes where evidence of community support can be demonstrated as well as administrative and financial structures are in place to deliver/manage the project and any income from it.

Commercial led energy schemes with a capacity over 5mw shall provide an option to communities to own at least 5% of the scheme.” (proposed amendments with strikethrough)

The proposed amendments will ensure that draft Policy RE1 (Part 1 (e and f)) is consistent with adopted national and local planning policy. The support for community ownership proposals could be included as a separate part within emerging Policy RE1 rather than a requirement for any renewable and low carbon development.

As drafted, Policy RE1 (Part 3) sets a precedence for locating solar energy development proposals on previously developed land. It is recognised that the NPPF promotes the effective use of land and states that planning policies should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (paragraph 118 (c)). Whilst the use of brownfield land is to be welcomed, such sites are often

in/adjacent to urban areas and, therefore, there may be several other forms of development which will make better use of such a location. These locations tend to be “sustainable” in several respects and an inactive land use such as solar panels could be located more remotely.

The suggestion that solar installations will be supported where they are focussed on previously developed land is ambiguous given the subsequent reference to agricultural land and nevertheless is likely to be unhelpful to the Council as it seeks to encourage renewable energy proposals to contribute to meeting its carbon reduction goals. On this basis, Bourne Leisure proposes the following amendments to draft Policy RE1 (Part 3):

“Solar energy development proposals, including both building mounted and standalone ground mounted installations and extensions or repowering of solar installations will be supported where they are focussed on previously developed land and are located away from best and most versatile land.”  
(proposed amendments underlined and with strikethrough)

The proposed amendments will bring draft Policy RE1 (Part 3) in accordance with the adopted Cornwall Local Plan and the NPPF which states “to help increase the use and supply of renewable and low carbon energy and heat, plans should: provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)” (paragraph 151).

2. Is there anything we have missed or that should be added?

Policy SEC1 (2a New Development – Non-Residential)

Bourne Leisure fully recognises the purpose and intentions of draft Policy SEC1. It is important that the emerging requirements of draft Policy SEC1 do not negatively impact upon non-residential sectors across Cornwall. It is evident from the introductory text in the Policy SEC1 box on page 3 that concerns have been raised about this from business. Given the value of tourism to the Cornish economy, it is necessary to ensure that emerging policies are viable. For companies that operate across England and the UK, as Bourne Leisure does, there is a need for consistent standards and development requirements otherwise costs will spiral from ad hoc approaches. Such a position would have a negative impact on the investment decisions of the Company at particular locations.

As currently drafted, Policy SEC1 (2a New Development – Non-Residential) requires “non-residential development of 1,000 m<sup>2</sup> or more to demonstrate how they achieve BREEAM ‘Excellent’”. Whilst BREEAM Excellent has been suggested by the Council’s consultants, it is important that the Local Planning Authority continues to listen to views from across non-residential sectors in its responses and for the viability of such requirements to be tested before being introduced. The policy as drafted is not sufficiently flexible to recognise that such development may not be capable of meeting this standard. The Council should also recognise that BREEAM is only one means of demonstrating a development’s performance against sustainability criteria.

On this basis, draft Policy SEC1 (2a) should be amended as follows:

“Where possible, development proposals for non-residential development of 1,000m<sup>2</sup> or more should demonstrate how they achieve BREEAM ‘Excellent’ or similar criteria.” (additions with underline)

As drafted, Policy SEC1 fails to recognise that the emerging policy requirements attached to the various elements of sustainable energy and construction (e.g. energy networks, domestic and non-domestic renewables, water and materials and waste) are not always relevant to all sectors of development. Thus, Policy SEC1 needs to provide greater flexibility so that all sectors of development are permitted the opportunity to flourish sustainably in Cornwall, including the tourism and tourist accommodation sector. Bourne Leisure therefore proposes the following amendment to Policy SEC1:

“Development proposals will be required to demonstrate, where possible, how they have implemented the principles and requirements set out in the policy below.

...” (proposed amendment underlined)

The proposed amendment will provide sufficient flexibility, whilst positively seeking opportunities to meet the sustainable development needs of Cornwall.

## URN 212

### o 1 Summary

The Climate Emergency DPD needs to enable the Council to meet its aim of carbon neutrality by 2030.

There are several issues involved developing a robust and sound DPD which can meet the aims of the Council to reach carbon neutral. The comments in this consultation response aim to help the Council to develop a successful DPD.

Legal requirements to plan to reach carbon neutral

The legal requirement on planning authorities is to develop plans which follow existing primary legislation and government legal commitments to reach at least 100% reduction in carbon emissions by 2050. These plans must therefore develop policies which enable the local area to reach carbon neutrality at the latest by 2050.

In addition Cornwall Council aims to reach carbon neutral status by 2030 and this then has to be the aim and structure of the Climate Emergency DPD: providing the Vision at the heart of the DPD.

Development of a sound DPD

The soundness test can then be met by the production of a suitable body of evidence for the policies which flow from the Vision/objectives of the Council.

There are two main areas of development for such a sound Climate Emergency DPD for Cornwall and the evidence required follows from these areas.

- Development of the case for carbon neutrality and the practical consequences of this
- Developing policies to meet the zero carbon aim
- Ensuring that these proposed policies will pass the soundness test in the Public Examination process
- Positively prepared to meet the area's needs
- Justified by proportionate evidence
- Effective – deliverable over the plan period
- Consistent with national policy

From this flows the requirement to have a robust and well evidenced process to justify how the DPD aims to meet the Council's target of carbon neutrality by 2030. Survey research by the RTPi indicates that a key element of showing soundness for proposed policies lies in developing the sustainability assessment for the approach taken.

The important issues are to show evidence for each of the positives in clear number and scale form for the three objectives of sustainability ie economic, environmental and social. There are many aspects to moving to 100% local renewable energy which contribute positively to such an analysis.

The other main soundness test part of the development of the carbon neutral DPD approach is the development of weighting criteria. High weight is given to policies which have significant detail in their evidence and importance shown. Therefore climate action policies need high levels of detail for actions, targets and monitoring.

Practical needs for 100% renewable energy supply: Energy Plan development The practical meaning of this for Cornwall is that all energy in Cornwall needs to be 100%renewable energy supply by 2030. This allows for land use carbon emissions to be covered by soil and biomass increases vs existing emissions.

The consequence is that an energy plan must be developed in order to determine what policies are needed to meet the requirements of the plan. The energy plan should be:-

- o based on a plan which works back from the net zero carbon endpoint and sets out the scale and speed of change required;
- o shaped by and have the consensus of Cornwall's communities, and have their interests at its heart;
- o led by collaborations of local organisations including community energy enterprises, local Zero-Carbon and Climate Action community and local Transition groups.

- o based on a plan which works back from the net zero carbon endpoint and sets out the scale and speed of change required;
- o shaped by and have the consensus of Cornwall's communities, and have their interests at its heart;
- o led by collaborations of local organisations including community energy enterprises, local Zero-Carbon and Climate Action community and local Transition groups.
- o 777 MW of PV arrays installed or 3,100 acres and
- o 1,620 MW of wind turbines comprising 540 turbines if 3MW turbines are employed, which need be no taller than the present largest turbines already in use locally. For context there are about 450 turbines already in place in Cornwall.

The 2030 Cornwall planning targets are therefore centred around these figures. This is however only a simple example developed for the purpose of assessing the scale of the new installations required. To make a robust case for this or any other level of new renewable installations the detailed Energy Plan process noted above needs to be followed.

Sustainability assessment to build robust evidence base

After the results of the Energy Plan process and parameters are clear, it is necessary to carry out the detailed sustainability assessment to develop the necessary evidence and weight to be given to the developing policies. This should include the scale and type of developments envisaged and details of their benefits. This stage must include wide financial and economic assessments to show how major benefits can flow to Cornwall by following such a pathway. The social and environmental benefits to Cornwall and communities are also large and mainly quantifiable.

The sustainability assessment should also work towards the development of the policy targets and details of the required monitoring programme to measure progress in implementing the DPD policies toward zero carbon.

New parameters needed for landscape assessment in the climate emergency The next step in the policy development for zero carbon energy is to recognise that the present approach to renewable energy developments is too constrained by landscape assessment perceptions which are no longer appropriate in the context of the climate emergency. The old approach to landscape assessment will prevent the Council from reaching its aims regarding carbon neutrality, and hence the landscape needs to be reassessed in the present climate emergency context.

Whilst this recognition could theoretically set the Council on a path apparently in conflict with NPPF policies, this can be avoided by a robust community based process. The main constraint at present is likely to be the perception of landscape and visual impacts of new renewable energy installations. This is therefore the main issue to tackle through the development of a strong evidence base for any changes proposed from the previous norms.

Proposal for Cornwall wide community and Citizens' Assembly process

It is proposed that the community should be involved in series of wide ranging discussions, possibly via a local Citizens' Assembly to develop more local understanding of climate change action requirements. Once the issues were explained and detailed discussions held on the issues involved in balancing energy needs, the landscape, local environment, quality of life and communities cohesion and development in Cornwall, a useful and valuable process would follow.

This process could be local around Cornwall or could be one larger series of events/involvement, hopefully including young people who will be most affected.

Such a process would provide strong evidence for a change in approaches to landscape assessment, with significant community involvement. It would also show which landscapes local people think should remain untouched by developments and which can change to meet local energy and climate action needs.

Develop new policies on renewable energy development

This process would use the results of community resilience discussions to widen the landscape capacity parameters to achieve the necessary renewable energy installation levels.

The new landscape assessment parameters are to be used to develop appropriate mapping for wind and large scale solar. This is then tested against defined needs from the Energy Plan. The results are then used to rework the parameters to for appropriate scales for farm, business and community scale potential sites.

This process has to include how to develop achievable community discussion process for new installations.

This is a detailed process and it will take more effort from the Council to achieve a successful DPD to meet the defined aims. The Council should however be reassured that many people, businesses and community groups in Cornwall are dedicated to helping us move to carbon neutral, and are keen to help the Council achieve this on behalf of us all.

The DPD needs to enable the Council to meet its aim of carbon neutrality by 2030.

At present it is designed to defeat this aim, as already noted by many consultees.

These consultation comments aim to help the Council design the DPD to enable the Council to reach carbon neutrality.

## 2.1 Outline of actions needed for carbon neutrality in the DPD

The Council has a commitment to carbon neutrality by 2030, shown in the Climate Emergency Declaration of January 2019. However the December 2020 draft of the Climate Emergency DPD still does not appear to be working towards policies to enable this task to be completed, even with its clear statement:-

3.1.2 The Climate Emergency DPD is a key action of Cornwall's Climate Change Action Plan, which sets out a programme of actions required to respond to the Climate Emergency and to create a carbon neutral Cornwall in 2030, a full 20 years before the UK commitment.

This aim is supported and encouraged, and it is vital to ensure that the policies which flow from this statement are supportive of the aim and not determining its failure. However, these draft policies do not even meet the legal obligation on the Council that their development plans and policies should be so as to secure the government UK target of zero carbon by 2050.

- o For details see consultation responses to the September 2020 Pre-Submission version, the Regen report on that consultation, details are given later in this document and see also the Centre for Sustainable Energy Scoping response from earlier in 2020.

- o Key issue is recognition by consultees that the policies will frustrate the aims

- o See also the attached letter at Appendix 5, a copy of the letter sent by Client Earth, environmental lawyers, regarding the legal duty of plan makers on climate change actions.

- o For details see consultation responses to the September 2020 Pre-Submission version, the Regen report on that consultation, details are given later in this document and see also the Centre for Sustainable Energy Scoping response from earlier in 2020.

- o Key issue is recognition by consultees that the policies will frustrate the aims

- o See also the attached letter at Appendix 5, a copy of the letter sent by Client Earth, environmental lawyers, regarding the legal duty of plan makers on climate change actions.

- o Set a local carbon target framework

- o Demonstrate proposed planning policies consistent with this.

- o Monitor performance on at least an annual basis using relevant indicators

- o based on a plan which works back from the net zero carbon endpoint and sets out the scale and speed of change required;

- o shaped by and have the consensus of Cornwall's communities, and have their interests at its heart;

- o led by collaborations of local organisations including community energy enterprises, local Zero-Carbon and Climate Action community and local Transition groups.

## 2.2 Requirement to follow primary legislation regarding policies

The higher legal path in this case is developing the Climate Emergency DPD according to the relevant UK national legislation and international treaties on climate change. This is the pathway which needs to be argued and prepared in the DPD documentation, and the legal framework has primacy over guidance documents.

The government has increased the strength of the Climate Change Act, and has ratified the Paris Agreement. Both of these require the UK to reach carbon neutrality by 2050. Whilst the present NPPF does not as yet explicitly require planning authorities to prepare plans to reach carbon neutrality, it is clear from the commitment to COP26 for example alongside the 2019 strengthening

of the Climate Change Act target that carbon neutrality is a government legal requirement for 2050. This duty is implicit in the NPPF as noted later.

#### URN 266

2. The connectivity between the sub-clauses in RE1 are in some cases incorrect and/or confusing, careful attention needs to be paid in this regard to grammar and the use of punctuation as the implications of getting these wrong are potentially significant. For example:

- The relationship between clause 1 sub-clauses ‘a’ and ‘b’ is incompatible and does not make sense in that ‘a’ says “they contribute to meeting Cornwall’s target of 100% renewable electricity supply by 2030; and” and ‘b’; says “they balance the wider environmental, social and economic benefits of renewable energy and heat generation, and distribution;”. In this regard, renewable “heat generation, and distribution” will not necessarily contribute to “meeting Cornwall’s target of 100% renewable electricity supply by 2030”. Depending on the renewable heat technology proposed for deployment in a proposal, it might have no impact at all on contributing to “meeting Cornwall’s target of 100% renewable electricity supply by 2030”, therefore to encourage development proposals for renewable heat provision sub-clauses ‘a’ and ‘b’ cannot relate to one another through an “;and” requirement.

- Clause 2 (which is about wind energy), sub-clause ‘2’, ends with “; and”, which makes no sense as the next item in clause 3 is about solar energy development proposals.

My specific comments on the contents of individual clauses and sub-clauses are:

Clause 1, sub-clause ‘f’, define what is meant by “acceptable alternative use”, this is particularly important with regard to the prior sub-clause ‘d’ if the site was proposed and accepted on the basis of “provides for 10% biodiversity net gain”.

Clause 3, define “best and most versatile land”, for example is this referring to a particular agricultural grade, established ecosystems, or what?

Clause 5, sub-clause ‘b’ on “Water quality” is odd, some text appears to be missing.

Clause 7 needs additional text to require such infrastructure proposals to balance wider environmental, social and economic benefits; to not result in significant adverse impacts to the environment that cannot be satisfactorily mitigated; to demonstrate that following consultation the planning impacts identified by the affected local community have been fully addressed by the proposal; and to present plans and have a mechanism in place for the removal of the infrastructure at the end of its life and restoration of the site to an acceptable alternative use (which will need defining, re my comment above on clause 3).

There is no clause regarding development proposals for anaerobic digestion (AD) plants, either for the provision of electricity, biogas (including upgraded to biomethane) or liquified biomethane, particularly small-scale off-grid facilities that could be proposed for community energy developments, farms or other rural businesses processing organic waste. Such a clause should be added.

2. At clause 7 of Policy SEC1 there no mention that development proposals should adopt a circular economy approach to materials utilisation (circular economy principles is a policy climate change principle listed elsewhere in the draft Climate Emergency DPD). Specifically, this could be embedded in the opening sentence of clause 7, for example by stating “All development proposals should adopt the principles of a circular economy to materials utilisation, and minimise the use of materials and creation of waste through:”

6. No specific recommendations for further, more ambitious measures to help us get to net zero faster, but in general I support adopting them even if there is risk of going beyond your comfort zone in policy terms.

**URN 285**

2. Is there anything we have missed or that should be added?

A Zero Carbon New Buildings Standard

6. A return to the Code for Sustainable Homes as it is ready to go.

**URN 297**

Natural England welcomes development of the Climate Change DPD and the Council's commitment to ensure climate change is addressed in planning policy. Innovation on measures to combat and adapt to climate is an ever evolving and fast-moving field. We therefore commend the Council's positive approach to address this complex issue. Our comments on the revised policies and evidence reports put forward in the consultation documents are set out below. We hope you find these useful in progressing the plan to the next stage.

Renewable Energy policies

RE1 (1c) – protected landscapes. The NPPF states that protected landscapes should be conserved and enhanced. As worded/punctuated this clause suggests that the need to conserve and enhance just applies to heritage assets. We advise that this clause is re-phrased to state that landscape and scenic beauty in nationally protected landscapes is conserved and enhanced. As a more general point the Council should also consider whether it is necessary to repeat general policy principles set out in the overarching Cornwall Local Plan/NPPF on an ad hoc basis as this could lead to confusion.

RE1 (1d) – biodiversity. It is unclear why this clause of the policy requires the continuation of agricultural activity or the provision of 10% biodiversity net gain. The two don't need to be mutually exclusive.

RE1 (1f) - Site restoration. We advise that restoration of the site to an acceptable alternative use requires clarification. Does the wording mean an alternative to the original use or an alternative to the energy use?

RE1 (2a) – sites for wind energy. This policy refers to suitable areas for wind energy. We assume that these will be published for consultation in a future iteration of the document.

Page 1 of 5

We note that a Renewable Energy Landscape Sensitivity Assessment has been undertaken and that the findings will inform the Draft Constraints and Opportunities Assessment for Large Scale Renewables in Cornwall, in its role in identifying suitable areas for wind energy and solar energy developments. Detailed comments on the content of these two assessment reports are provided below.

Natural England notes that land-based infrastructure for offshore wind developments are supported by the policy but the Council might like to consider how they intend to manage the landscape impacts of offshore wind developments. It should also be noted that onshore renewables developments also have infrastructure demands (cabling and grid connections etc) and the impacts of these will need to be considered as well as those of offshore wind developments.

RE1 (2b) – affected local community. The policy should make it clear that the requirement to address the concerns of locally affected communities is in addition to meeting the requirements of all relevant planning considerations and Local Plan policies.

For instance, an assessment of the impact on protected landscapes will need to be undertaken and we advise that proposals likely to have an impact on protected landscapes should be supported by a landscape and visual impact assessment (LVIA). This advice is based on the assumption that the DPD will not be allocating specific sites for wind energy generation, but will instead be identifying suitable areas. If the DPD does allocate specific sites then the assessment of impact on protected landscapes will need to be undertaken at the Plan-level for the site options, and any plan-level mitigation required to address potential impacts on the landscape should be reflected in the Sustainability Appraisal and set out in allocation specific Plan policy.

In addition, development proposals, or for site appraisals if the DPD allocates sites, will need to be accompanied by an ecological impact assessment, and will need to be accompanied by the following information in order to ensure opportunities for biodiversity net gain are secured:

- Does the site present significant risks to biodiversity? If so, have alternative sites with lesser impacts been explored?
- What site specific recommendations can help deliver biodiversity net gain, for example what further

survey work may be required at the planning application stage?

- Whether the site can accommodate on-site biodiversity net gain provision or whether there is a need for off-site contributions? What types of habitat creation or enhancement are most appropriate?

RE1 (5) – geothermal and mine water energy development. Clauses 5b and 5c are incomplete sentences. This clause refers to addressing ‘historic landscape’ issues but does not specifically refer to protected landscape issues. If the policy is reliant on Local Plan policies to address certain planning issues then this needs to be made clear.

Natural England welcomes the Council’s aspiration to develop ambitious standards, and acknowledges the caveat that the policy may be subject to change in light of future Government decisions.

Natural England welcomes the idea of developers being required to demonstrate the difference between the carbon storage capacities of their site before and after development. Has there been any consideration of which tool will be acceptable, previously the Plan text stated that calculations should be based on examples provided in Natural England’s ‘Carbon storage by habitat’ report. An updated version of the report is expected in the Spring.

Whilst the report wasn’t intended for use as a Carbon Storage calculator, it does provide valuable data to support the evidence base being prepared by the Council. Natural England agrees that there may be a relationship between the processes for calculating carbon storage and calculating biodiversity net gain. In this respect, it might be worth following the progress of the development of the biodiversity net gain tool (Defra Biodiversity Metric) and the environmental net gain tool (Eco-Metric).

The Plan (or an associated SPD if appropriate) will need to be clear about the standard of calculation that will be acceptable to support an application, how the offset mechanism will be implemented, what the relationship with the Local Nature Recovery Strategy is, and what the mechanism will be for contributing to schemes within the LNRS, or carbon reduction technology within Cornwall, and how double-counting will be avoided.

Will sequestration opportunities be identified in the Climate Emergency DPD or will the DPD sign-post to opportunities identified in the LNRS? Will habitats offering the best biodiversity and carbon sequestration be the top priorities? Will habitats identified for safeguarding through the DPD be

- Does there need to be any restrictions on the type of development that will be acceptable or particular parts of the site that should not be developed?

RE1 (3) – solar energy development. This policy is quite restrictive, are there any circumstances where a solar development would be acceptable on a greenfield site or on best and most versatile agricultural land? Natural England notes that the general criteria have been removed from the policy, as previously advised, but suggests that the policy includes sign-posting back to the relevant Local Plan policies for clarity.

RE1 (4) – hydroelectricity development. The inclusion of this clause within the policy is welcomed.

However, as stated previously, the policy should make it clear that these particular impacts have been identified as being specific to hydroelectricity development but that all relevant planning considerations and Local Plan policies still apply. The term ‘water regime’ requires further clarification, does this refer to the water environment and/or hydrological processes or something else?

RE1 (5) – geothermal and mine water energy development. Clauses 5b and 5c are incomplete sentences. This clause refers to addressing ‘historic landscape’ issues but does not specifically refer to protected landscape issues. If the policy is reliant on Local Plan policies to address certain planning issues then this needs to be made clear.

#### Renewable Energy Landscape Study

Natural England welcomes the review of the landscape sensitivity evidence and the fact that the previous Landscape Sensitivity/Capacity work adopted by the Council in 2016 forms the basis for the Study.

Natural England also welcomes the fact that the Sensitivity Assessment methodology is informed by Natural England’s ‘An approach to landscape sensitivity assessment – to inform spatial planning and land management’ (June 2019) guidance.

The review of current operational wind and solar PV developments is a useful addition to the report, I would advise that a summary section would be beneficial, inserted after the photos and before the Conclusions on page 17. The summary or summary table could capture the effects, more generally, that are discussed for each example in the green boxes above, and provide a description of the key attributes

of the two different types of development and how they are likely to affect the key characteristics and values of the landscape.

Natural England notes that the criteria used for assessing the landscape and visual characteristics most likely to be affected by wind and solar developments, has been updated since the original assessment. There is a slight concern about the removal of the 'distinctive landscape features' criteria. I note that this may be linked to the comment in paragraph 3.24 of the report which suggests that the criteria have been developed to avoid giving the impression that all distinctive landscape features are equally sensitive or 'can automatically be associated with certain sensitivities'. How will each distinctive landscape feature be taken in to consideration/incorporated into the criteria in the assessment, to ensure they are still given appropriate weight and not overlooked? It may be that they have been considered individually within the assessment profile for each RLU but explanatory commentary in the main body of the report would be useful.

Paragraph 3.4 of the report states that six character areas will be scoped out of the sensitivity assessment because they were identified in the UoE study as being unsuitable "from a technical perspective". This paragraph should also note that for solar developments an additional character area has been scoped out, RLU14/CA18.

The comment made above about the scoping out of character areas may, however, be a moot point. From my understanding of the UoE study these six/seven areas were identified as having high sensitivity to wind and/or solar energy development, but this is on the basis of the data from the 2011 Assessment of the Landscape Sensitivity to on-shore wind energy & large-scale PV development in Cornwall, which this LUC report is the update to. Therefore, shouldn't these areas be subject to the most recent sensitivity assessment methodology also, the results of which should then inform the UoE study, rather than the other way around? The UoE report does not exclude these areas, as a whole, for any other physical constraint reasons although, of course, there may be areas within these character areas with physical constraints.

The following inconsistencies are noted on the Spatial Framework map (page 24) and the Opportunity Maps for Wind and Solar (pages 39 – 46):

- RLU 08 / CA12 and RLU 01 / CA05 are shaded grey on Figs 4.1, 4.2, 4.3, and 4.4, is this correct? They weren't identified in Fig 2.8 of the UoE report as having high sensitivity to wind developments or in Fig 3.4 as having high sensitivity to large-scale solar developments, nor were they listed as being scoped out in paragraph 3.4;

- CA04 (and part of CA01) have been scoped out of the Landscape Sensitivity Assessment on the basis of the UoE report but Fig 2.8 and Fig 3.4 of the UoE do not identify this area as having high sensitivity to wind or solar developments.

Natural England is broadly supportive of the methodology used in the report, in that first the naturally available resource for wind and then solar is identified, followed by identifying any physical constraints, and excluding areas of land that are further than 2km from a grid connection and landscapes that have been identified as being highly sensitive to wind or solar developments. The outcome of this process is to be able to identify what unexploited wind and solar resource remains.

## 2.2 Technically accessible resource (wind)

Natural England agrees with the reasoning for identifying areas where average wind speed at 45m is at least 5m/s, as suggested in the guidance. This results in no areas in Cornwall being excluded, and gives developers some flexibility then to determine for themselves whether a site is constrained by wind speed for their project.

The technically accessible resource was calculated on the basis of one size of turbine (2.5MW with 100m diameter rotors). Were any other turbine sizes considered, and if so did they result in different installed capacity densities? Is this size representative of the turbines that have been granted approval in Cornwall? Would it be better to present the technically accessible resource as a capacity range rather than total capacity based on one type of turbine?

## 2.3 Physically constrained resource (wind) and 3.3 Physically constrained resource (solar)

Natural England is supportive of protected sites (NNRs, RAMSAR, SSSI, SAC and SPA) being identified as a physical constraint, and their exclusion from mapping that identifies the potential wind and solar resource in Cornwall.

Natural England advises that for some Protected Sites there may be a likelihood of impacts on the Site

from wind and solar schemes that are outside of the boundary of the Protected Site but are within an Impact Risk Zone, as identified on MAGIC. These zones need to be taken in to consideration when identifying areas as suitable for wind or solar development.

In addition, it would be advisable, when calculating the remaining unexploited wind and solar resource, and when identifying suitable areas for wind and solar energy on the Policy map, to take in to consideration other constraints that will reduce the potential area available for electricity generation. For example, land allocated for homes and employment uses in the Local Plan that have not yet been built, priority habitats that are functionally-linked to Protected Sites, Flood Zones, land in other uses (such as quarries, mines, and landfill), and land to be safeguarded for nature recovery in the forthcoming Cornwall LNRS.

## 5. Conclusions

Natural England agree that the report will need to be revised in light of findings from the recently updated Landscape Sensitivity Assessment.

### **URN 300**

Climate Emergency Development Plan Document: Proposed Renewable Energy & Sustainable Construction policies and evidence.

Thank you for your consultation and the opportunity to provide comments regarding the draft Renewable Energy and Sustainable Energy and Construction policies as part of the Climate Emergency Development Plan Document (DPD).

As outlined in our response to the public consultation on the DPD in September 2020, we welcome your authority's aspirations relating to climate change and its impacts. We also recognise the progress made over the last 18 months in drafting the DPD and the policies within, so that planning decisions fully consider and respond to the matter of climate change.

From the perspective of our own business objectives, namely the EA2025 strategy, and consistent with the government's 25 Year Environment Plan (25YEP), we recognise the importance of focussing our work around the climate emergency in an effort to achieve the national climate change mitigation goals set.

#### Policies

We have reviewed the document on your authority's website which includes policies RE1 - Renewable and Low Carbon Energy, RE2 - Safeguarding Strategic Renewable Energy Sites and SEC1 - Sustainable Energy and Construction and provide the following comments.

#### RE1 - Renewable and Low Carbon Energy

We are supportive of specific policies for renewable and low carbon energy and are happy to see that your authority recognises the important of supporting and promoting such development where suitable. We are supportive of policy RE1:1(a) which indicates the goal for 100% renewable electricity supply across Cornwall by 2030.

With relation to RE1:1(d), your authority may consider whether there is scope for the policy to "allow for the continuation of the site for some form of agricultural activity proportionate to the scale of the proposal 'and' provides for 10% biodiversity net gain" (as opposed the 'or' providing net gain). This more ambitious approach would be in line with the 25YEP's goal to embed net gain principles for development in planning policy.

Policy RE1:2(2) (Wind Energy\*) identifies that wind energy developments will be supported where the planning impacts are fully addressed. It would be valuable to outline, in supporting text, some of the considerations for developers, including the groundwater implications of turbine developments to avoid unintended adverse impact to the groundwater environment. This would be especially significant in areas of contaminated land or contaminating previous uses.

\*We recognise the potential future changes to the National Planning Policy Framework (NPPF) and the classification of wind turbines as ‘essential infrastructure’ which your authority may need to consider while progressing these draft policies.

Whilst we generally support policy RE1:3 (Solar Energy), and recognise the importance of steering development away from versatile land, it may be prudent to also encourage a sequential approach to the siting of any ground mounted Solar PV development in the context of flood risk. In other words, seek to steer new development away from flood zones 2 and 3 (medium and high flood risk) in the first instance, taking into account current and future impacts of climate change.

With regards to policy RE1:4 (Hydroelectricity Development), we would recommend that further detail is provided as part of the supporting text for this policy regarding the meaning of ‘water regime’ and an indication of the assessment required to define ‘adverse impacts’ in this context. From our interpretation, ‘water regime’ may include matters such as water quality, geomorphology, and fish habitat.

Similarly, under the term ‘nature conservation’ it would be prudent to identify what this entails – water based habitat, ecology, water quality, fluvial geomorphology etc. Again, it may be beneficial to identify the extent to which assessment is required and, importantly, how impact to watercourses and river banks may be compensated for in addition to the provision of Net Gain. Hydroelectricity development will also be subject to permitting requirements which may affect any planning application submitted.

In principle, we support Policy RE1:5(b) (Deep Geothermal and Mine Water Energy), however the policy states that “proposals will be supported... where b) water quality”. It would be useful to understand whether additional wording is planned for this policy, such as ‘water quality impacts are assessed and adequately mitigated’. There are various types of design and operation style for deep geothermal and mine water energy developments (e.g. the depth of the boreholes, open or closed loop), and adequate assessment will be required regarding the impact to the local groundwater environment. Similarly, associated abstraction and discharge permits may also be required from the Environment Agency.

#### SEC1 – Sustainable Energy and Construction

Policy SEC1:2b (iv) (New Development – Residential) considers how financial contributions may enable the offsetting of carbon through the Nature Recovery Network or through suitable technological projects within Cornwall. Your authority may consider it beneficial to hold a database of suitable projects to which developers may contribute as applications progress.

Policy SEC1:3 (Energy Networks) recognises an important element of the wide spread transition to renewable and low carbon energy use in seeking to provide, or provide connection to, decentralised energy sources for large scale developments.

We raise the fact that, whilst these may be considered as essential infrastructure, careful design should be used so that development in areas at flood risk is avoided in the first instance (i.e. a sequential approach is taken).

Where locating development in the flood zone cannot be avoided, any application shall need to demonstrate that the development can remain operational in times of flood consistent with Table 3 (Flood risk vulnerability and flood zone ‘compatibility’) of the Planning Practice Guidance. In cases where siting is proposed within flood zone 3b (functional floodplain), the proposal must satisfy the requirements of the Exception Test. In turn, consideration should be given to whether the development is feasible and viable when taking into account the requirements to satisfy the Exception Test.

We welcome the considerations taken within policy SEC1:7 (Materials and Waste) and the recognition of reuse of non-contaminated soils and hardcore on sites. In addition to this, the policy could encourage the

proper classification of waste to ensure the appropriate use or disposal. We suggest that there should be an ambition to deter and tackle waste crime, including fly-tipping and illegal waste activities- in this context, arising from development. We would also encourage the provision and implementation of Construction Environment Management Plans (CEMP) on large scale development which outline the measures taken to prevent pollution from the developments, especially to nearby water environments.

The policy SEC1:7, or its supporting text could also reference the endeavour towards a 'Circular Economy' in the context of waste, in which resources are kept for as long as possible, the maximum value is extracted from them whilst in use and then products and materials are recovered and regenerated at the end of each service life. Elements of a Circular Economy approach have been adopted by the Resources and Waste Strategy. The strategy sets out how we will preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy in England. For further information, please follow this link: <https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>.

Please contact us again if you require any further advice.

### **URN 329**

I refer to the above the content of which is noted and upon which South West Water has no specific comment.

### **URN 337**

The Leith Planning Group have been instructed by EPC-UK to review and make representations on the Climate Emergency Development Plan Document (DPD) Consultation on Proposed Renewable Energy and Sustainable Construction Policy and Evidence document. It is noted that the consultation period closes on 5th February 2021.

EPC-UK are a leading commercial explosive, drilling and blasting company with sites from the Shetland Islands through to Cornwall. Representations are being made on the consultation document, as EPC-UK operate a site known as Longstones for the storage of hazardous materials within the area under the plans effect.

We currently monitor planning applications within a given radius of a number of EPC-UK sites, including Longstones, such that we can establish whether there would be any detrimental impact on the existing factories/depots. We evaluate each application to ensure that the proposed development would not adversely impact our client's site commercially or pose a risk to safety due to the operations which take place at the sites. In addition, we monitor the progress of all local, district and marine plans that may affect our client's site and make representations as necessary.

Comments

The following comments are headed by the relevant document:

Proposed Policies Renewable and Low Carbon Energy (nd)

Policy RE1 – Renewable and low carbon energy

Policy RE2 – Safeguarding strategic renewable energy sites

2

Our clients fully agree with the Council's objective for supporting proposals for renewable and low carbon energy-generating and distributing networks within suitable and sustainable locations, including the safeguarding of suitable locations. However, we would ask that part c. is amended to read instead that proposals:

"will not result in significant adverse impacts on the local environment, including existing businesses, that cannot be satisfactorily mitigated..."

This is to ensure that existing businesses are protected from development that may negatively impact their operations. This is particularly important as we note from the Constraints and Opportunities mapping for large-scale renewable energy in Cornwall (2020) document, that our client's site is located within an area identified for solar development. As such, we ask that the Council ensure existing businesses are protected from development that may constrain their operations or future expansion. Given the nature of our clients'

business, the need to protect it from inappropriate encroachment is also of importance to community safety. It may therefore be of benefit for us to arrange a telephone conference call to discuss our client's site and a suitable distance in which renewable development could be supported, including advice on the use of materials etc, and I have included my contact details at the head of this letter should this be deemed to be of assistance.

Constraints and Opportunities mapping for large-scale renewable energy in Cornwall (2020)

The Constraints and Opportunities mapping for large-scale renewable energy in Cornwall (2020) document has identified an area where our client's site lies as suitable for wind farm development. We would strongly oppose any development within close proximity to our client's site that may negatively impact their existing operations or future expansion, or which may conflict with community safety. As such, we ask that the Council remain mindful of existing enterprises when allocating sites and would welcome a discussion with the Council in this regard. It should however be noted that we are supportive of the broad allocation for wind farm development, as demonstrated on the extract below, it may simply be a need for us to obtain assurances on the scale and nature of development being envisaged, in order to avoid the need for us to object to the consultation draft report, and any future planning applications on the site.

3

Review of the Cornish Renewable Energy Landscape Sensitivity Assessment Draft Report (2020)  
RLU 13: St Austell or Hensbarrow China Clay Area

Our client's site is located within the area reference RLU 13. RLU 13 contains existing wind farms and they have been identified as having the future potential to replace the existing Band B and C turbines with larger turbines or extensions to the existing. We are broadly supportive of the extension or improvement of the existing wind farms within this location, but again ask the Council to pay careful consideration to the impact on existing businesses if new wind farms are proposed within this area. Once again an initial discussion between ourselves, our clients and the Council may allow us to address any potential conflicts at an early stage.

#### **URN 350**

Dear Team You seem hell bent on spoiling Cornwall's Countryside in the name of climate change which will happen whatever man does you make no provision for other means of providing fuel and energy it is obvious that somebody is going to make vast amounts of money out of this so called emergency why don't you take a deep breath and THINK before you take anymore of Cornwall's land and ruin it I for one do not like living in Cornwall anymore and there are lots more like me. A very concerned member of the public

#### **URN 360**

1. Will this be an update to the Local Plan where only sites which have been identified will be used for Turbine or Solar installations ?

2. It would appear that the plan is mainly to upgrade or renew already existing sites to accommodate larger turbines or more solar panels, is this correct?

3. Education to all communities and groups should also be a priority on the ways that be used to help reduce our need on energy.

4. Do we need street lights on all-night? are there other means to cut down on our requirements?

5. Do we need to create more "dark night areas" to prevent light pollution?

6. It would appear that younger generation, in general, have a need for power to operate many items they use, but there seems a lack of education towards them on the cost of their actions.

Regarding the assessment as to suitability for wind turbines.

7. I see many categories are assessed but I can't see any reference as to the impact these may have on local residents or property values. There are many reports available that show noise and flicker do have a major impact on households near wind turbines. They can also, in some cases, be responsible for

creating Epileptic fits.

There is growing evidence that, in certain cases, there may be a health hazard in installing wind turbines close to residential properties. There is a case to answer that this health hazard should be properly investigated before granting permission for wind turbines.

Can these issues be addressed before any planning is agreed?

8. There has been a case in Cornwall of a confidential agreement being reached to allow a person to move out of a property because of turbine noise, and be compensated. No details are available, so please investigate all issues properly.

There is also evidence of properties being devalued if close to turbine sites.

A leading Estate agent informed me that properties could lose up to 20% off of their value as a result of wind turbines.

9. Should a suitable inquiry be made to confirm or not the possibility of this being the case?

I note that the photos that are submitted to support these features are always to the advantage of the applicant. Many local people will see developments from a different view and I hope that they are fully consulted before these projects get Planning permission.

10. All such submitted evidence should be neutral to any application.

With all wind farm developments we must remember that the construction and delivery of such turbines, normally from abroad, creates more CO<sub>2</sub> than is saved by the installation of them in their 25 year life. Unless their performance has improved recently, they were on record of being only 23.9% efficient in 2012.

11. If the above findings are correct, how do you intend to justify the moving and installation of these turbines?

#### Solar Panel installation

With regard to Solar developments a promoting factor with these are the suggestions that sheep can graze underneath the panels. On my travel around Cornwall I have only seen one example of this taking place so it is misleading to suggest this. Solar panels may contribute to your hopeful achievements but again are being installed on good quality farm land that could produce food for our rising population.

12. Should all top grade food producing farm land not be used to produce much needed food thus preventing all transport harm to the environment in having food delivered from abroad?

13. Why is it that with new houses it is not stipulated that Solar panels be installed on the roof?

Should it not be a requirement that all new houses, where possible have Solar panels fitted to roofs.

I realise that with the new estate near Newquay this may not have been possible as the landowner made this a condition of build, but there are many other sites. This again would contribute to the target you wish to achieve

14. Whilst it is admirable to achieve the results you want by this means can I make a suggestion please. Take into account I am not a qualified engineer but could this idea be developed to help you achieve your goal.

15. We live in a county that has many water features including tidal and reservoir. We also have a younger generation attending colleges and universities. Would it not be possible to challenge these two groups of young students, to work with Cornwall Council, with a project that allows the younger generations to visualise a means of producing electricity by means of water.

Many water sources run into the sea, couldn't a water wheel system be installed that, by this means, a supply is produced. (See attached picture)

Would it be possible that the generator, at the head of a turbine, be supported near a water source, and by an engineering means, attach a water wheel to turn it and thereby replace the turbine blades. This wheel would be on a flexible arm to allow for fluctuations in the water levels. They would need to be sited by a continuous water source and would run 24 hours whereas a turbine only turns with the wind. The same would apply, as with turbines, that they could be turned off when not needed. All turbines have a braking system installed to prevent them over running which could also work with the flow and speed of the water.

If this method was used it would save all CO<sub>2</sub> created by the transport and manufacture of wind turbines as using the suggested method the structure could be created locally. This has other benefits as it helps local businesses and local employment.

## ADVANTAGES OF HYDROPOWER:

Hydropower is fuelled by water, so it's a clean fuel source, meaning it won't pollute the air like power plants that burn fossil fuels, such as coal or natural gas.

- Hydroelectric power is a domestic source of energy, allowing each state to produce their own energy without being reliant on international fuel sources.
- The energy generated through hydropower relies on the water cycle, which is driven by the sun, making it a renewable power source, making it a more reliable and affordable source than fossil fuels that are rapidly being depleted.
- Impoundment hydropower creates reservoirs that offer a variety of recreational opportunities, notably fishing, swimming, and boating. Most water power installations are required to provide some public access to the reservoir to allow the public to take advantage of these opportunities.
- Some hydropower facilities can quickly go from zero power to maximum output. Because hydropower plants can generate power to the grid immediately, they provide essential back-up power during major electricity outages or disruptions.
- In addition to a sustainable fuel source, hydropower efforts produce a number of benefits, such as flood control, irrigation, and water supply.

If this means could be used a series of water wheels could be turned by the same stretch of water.

This would also protect our visual skyline from being blotted by numerous eye catching, turning, turbines which form a moving horizon.

In the past water wheels have been used to create industrial power and some sights, although run down, still exist.

The natural tidal movement of the sea, cannot this be harnessed to produce power as this continues to move both out and in. If a means of wheels or buoys were used this could again be productive.

Surely with the support of Cornwall Council the initiative could be encouraged by the education teams to produce something. Plus there must be a government scheme where a grant could be acquired to support the educational interest.

This summarises my comments to Cornwall Council Renewable Energy Plan.