

CARE Suffolk response to NPS Consultation 2021

1c. Does the draft Overarching Energy NPS (EN-1) provide suitable information to those engaged in the process for development consent (e.g. Secretary of State, the Planning Inspectorate, applicants) for nationally significant energy infrastructure to inform decision making?

Local Impact vs National Benefit

We understand that the decision making process is a delicate balancing act between development benefits and adverse impacts. However, it is well recognised particularly amongst local communities that the placement of these benefits and impacts are highly disproportionate and not balanced at all. NSIP's do provide significant benefits at a national scale. For example East Anglia is forecast to provide between 20-30% of the UK's electricity. A significant national benefit and contribution by the region. But the adverse impacts from the developments associated with this generation will be experienced locally on a district or even parish level, not nationally. In some instances the energy generated isn't even made available to local communities. Further, energy infrastructure has a tendency to develop in clusters, namely around existing substations, further exacerbating the imbalance between where benefits and impacts are experienced. Local impacts should be balanced by local benefits, not national benefits. The current NPS's do not appear to give any indication how the placement of these benefits and impacts are balanced in the decision making process, and we would welcome measures that explain how this imbalance is to be considered.

Cumulative Impact

With energy infrastructure development increasingly clustered in small areas, such as those around substations, the concern of cumulative impact is becoming more apparent and urgent amongst the local communities being "asked" to host it. It is generally recognised that cumulative impact can only take into consideration existing and/or approved developments. And known future applications part way through the planning system may also be considered, though this is less consistent (see more in question 1d). This is fair for traditional piecemeal development. However, it is apparent that this practice is no longer fit for purpose for a different class of development: development that specifically enables further development. Substations on a distribution (local) and transmission (national) level would fall into this category, as connections are built into the design that specifically allow and intend for third party connections to further develop the area. A development that specifically includes provisions for future development warrants different considerations (particularly on cumulative impact) than traditional piecemeal development, and we would welcome recognition and guidance on this in the NPSs.

1d. Does the draft Overarching Energy NPS (EN-1) provide suitable information to those engaged in the process for development consent (e.g. Secretary of State, the Planning Inspectorate, applicants) for nationally significant energy infrastructure to inform examinations?

Cumulative Impact

We understand that whilst there is no single agreed industry standard method for cumulative impact assessment, there is a growing body of knowledge alongside a range of individual guidance, including that of PINS Advice Note 17. Guidance appears consistent with the inclusion of development that is existing and/or approved in the planning system. Guidance on development that is publicly known about, but not yet formally in the planning system or decided on is less clear, and it seems to be a contentious point between decision makers, communities, and developers. We would welcome guidance including all publicly known developments to be included in the

assessment and decision making process in regards to cumulative impact, with weight given according to their position through the planning system.

3. Do you agree with the amendments made to EN-1 Part 5 on the generic impacts of new energy infrastructure?

In general we welcome some of the amendments made to EN-1 Part 5, in particular the requirement to include a development specific GHG assessment as part of all development proposals. We believe this will help address many community concerns, including those not related to carbon emissions, and increase transparency in the developers procurement choices.

However, we have a few concerns in other areas we wish to see addressed.

Civil Defence and Interests

We note that EN-1 Part 5 includes generic impacts regarding civil defence from a military perspective and the need for their protection, however we note there appears to be no reference to the protection of key energy infrastructure in itself from subsidiary development. In 2021 a nearby fire required the temporary partial closure of a 2GW interconnector between the UK and Europe. A loss of 1GW of capacity for several months. Key energy infrastructure for the transmission and distribution of electricity in and around the UK does not appear to be afforded the same level of protection, yet it is equally crucial to the effective operation of our civil and military defence, as well as political and emergency operations and co-ordinations. Bramford Substation for example is a significant piece of UK infrastructure, with up to 20% of the UK's electricity set to be processed through this "hub". Yet the immediate area is due to be developed with subsidiary (and currently unregulated) development, that if an incident were to occur, would constrain the operations and supply at the substation to a national level. Energy generation developments become meaningless when the transmission infrastructure is not working. We would welcome inclusion on how this concern should be addressed by the applicant when the development is in proximity to an existing (or proposed) piece of key energy infrastructure.

4. Do you have any other comments on the amendments to EN-1?

Flood Risk

In general we are not positioned on the assessment and determination regarding flood risk. However, we note that flood risk impacts during construction (and decommissioning for temporary developments) do not appear to be given due consideration. Local communities and the surrounding areas should not be asked to suffer the consequences of flood risk during construction, and appropriate drainage strategies should be required from the start of construction, and through the end of decommissioning for temporary developments.

Public Rights of Way

We would like to see the value of PRoW recognised within the NPSs. Since PRoW are likely to be applicable to all types of energy development it would be relevant in EN-1, and most likely best placed in chapter 5.11 which discusses Green Infrastructure and Open Spaces.

11. Do you agree with the new guidance added to EN-3 on solar PV?

We welcome much of the new guidance relating to solar PV, particularly when it comes to the purpose of determining the capacity of a solar development in p 2.48.7.

Time-Limited Development

Further we welcome the recognition that solar PV developments are to be of temporary nature, and are finite in the lifespan. We further welcome the recognition that solar PV panels deteriorate over their lifetime. However, we feel this recognition misses an opportunity. Where solar PV developments were commonly proposed for 20-25 years, the typical lifetime of a solar panel, developments nowadays are increasingly sought for lifetimes of 35-40 years. Solar panel lifetimes have not increased though. This means developments would require at least one solar panel change over the entire site during their operation, a significant undertaking. We have reviewed numerous applications for ground mounted solar development and this undertaking has not once been addressed by applicants. With this lifetime in mind, the considerable pace that technology is evolving, and the large expanse of land needed for ground mounted solar PV, we feel it would be reasonable for the Secretary of State to limit consents for ground-mounted solar PV to a period of no more than 25 years, with a review of the development by the Secretary of State being required prior to the installation of new solar panels to consider if the land area would be better suited to different uses as times and needs change.

Decommissioning

We welcome the inclusion of a requirement for decommissioning details to be submitted, however we are concerned there is no guidance on when this should be submitted. It is currently common for developments to provide little decommissioning detail at the application stage, citing a more comprehensive decommissioning plan would be provided closer to the end of the projects consented lifetime. However, we note that in the situation where a solar PV site becomes inactive earlier than the end of its consent, for whatever reason, decommissioning may need to commence earlier than originally planned. We would suggest a detailed decommissioning package be submitted within one year of the completion of construction, with flexibility for this to be reviewed as technology changes, such as recycling options for example.

13. What further changes do you think might be necessary to EN-3 and the nationally significant infrastructure projects (NSIP) regime more broadly in the longer term to deliver our de-carbonisation and other objectives including to deliver the scale of deployment needed for Carbon Budget 6 and Net Zero?

We note that aside from paragraphs 3.3.28 and 3.3.29 in EN-1, battery storage does not appear to be addressed. Battery energy storage systems (BESS) are now a common associated development to renewable energy infrastructure, particularly solar PV. It would therefore be reasonable for BESS to be considered within EN-3, and its particular safety issues addressed. The primary danger appears to stem from thermal runaway, but developers focus instead on fire suppression. Whilst fire is an outcome of thermal runaway, fire suppression is not a solution to thermal runaway. They are not the same dangers and therefore require different mitigation strategies. This danger needs to be recognized and acted upon before a disaster occurs. The Grenfell Tower tragedy shows us the need to recognise and fully understand dangers. It is interesting that there is a robust policy document regarding BESS safety at a domestic level, in order to protect individuals in a household, but nothing for utility scale BESS with the potential to cause significant harm to entire communities in one fell swoop. We ask that the government include general guidance for BESS developments within EN-3, with further consultation to produce more comprehensive regulation as a separate project. The general guidance should include (but not limited to) provision to assess fire suppression,

thermal runaway suppression, appropriate collection and disposal of waste water (where water is used as a suppression option), and air pollution.

18. Do you agree that the amendments to EN-5 (in combination with EN-1) provide clear planning policy to support the government's position on electricity networks infrastructure?

We have a specific concern regarding p 2.1.2 which states "the Secretary of State should act on the basis that the need for the electricity networks infrastructure covered in this NPS has been demonstrated." Whilst in general we agree with the need for a more robust transmission system, the need of a specific development should always be challenged and considered thoroughly in the decision making process. A blank cheque for development wherever and whenever one chooses, without challenge and debate, should not be permitted. This would undermine the fundamental basis of the examination process.