



BWCE Consultation Response to the B&NES Council Local Plan Update

28th September 2021

1. Bath & West Community Energy

Bath & West Community Energy (BWCE) is a not for profit, Community Benefit Society. We are working to put people at the heart of the energy transition, placing ownership and control of energy in local hands via clean energy projects that actively involve and benefit communities in Bath and the surrounding area.

BWCE has so far installed 12.35 MW of community owned renewable energy, enough to match the annual electricity demand from 4,000 homes and has re-distributed to date £290,000 of surplus back into local communities. In addition to this we are assessing the potential for a community owned electric vehicle charging network, community renewable heating projects and testing community approaches to minimising peak electricity demand.

2. Summary

BWCE strongly welcomes and supports B&NES Council's Local Plan update and the strong emphasis it places on climate change mitigation and environmental quality. BWCE supports the strengthened policies around renewable energy with a new policy on wind energy, the strengthened policies on sustainable construction and the new policies on embodied carbon and electric vehicles. We also make a few recommendations for enhancing these policies further.

Specifically, we comment on the following policies:

1. Renewable energy (CP3)
2. Roof mounted/building integrated scale solar PV (SCR2)
3. Community renewable energy schemes (SCR4)
4. Retrofitting existing buildings (CP1)
5. Sustainable construction for residential and non-residential buildings (SCR 6 & 7)
6. Embodied carbon (SCR8)
7. Electric vehicles (DM8)

The Local Plan update provides a welcome range of policies on sustainable transport planning and environmental quality. We are keen to hear from other practitioners, closer to these policy areas than BWCE, as to whether these policies are commensurate with the challenges we face.

3. Renewable energy (CP3)

BWCE strongly welcomes this enhanced policy around renewable energy which:

- Looks to encourage renewable energy where appropriate rather than place blanket restrictions, and is an enabling policy rather than a restrictive one
- Provides significant weight to community energy projects both in policy CP3, and in the specific community energy policy SCR4,
- Directs larger scale commercial schemes to offer shared community ownership
- Provides a focus on biodiversity net gain
- Raises the importance of co-locating energy generation and energy use
- Addresses national planning policy requirements for onshore wind by identifying areas of search for wind energy, providing clarity and an approach to minimising landscape impact
- Acknowledges the landscape impacts of wind and restricts wind energy only in the areas of highest landscape impact, as identified through a robust and independent landscape impact assessment for wind energy



- Acknowledges that community support for wind is vital, that 100% community support is never achievable and should not be seen as a requirement, but provides a strong link to the community energy policy (in SCR4) as an example of what community support could mean
- Promotes energy storage and severely restricts new fossil fuel fired generation

Issues for consideration:

Targets: The targets for renewable energy in CP3 have not been changed since the policy in the core strategy was approved in 2014. This is a missed opportunity to recognise the increasing demands on climate change mitigation and the recent research B&NES Council commissioned from Anthesis following the Council's climate emergency declaration.

Local renewable energy is important because it helps keep energy bills down with lower capital costs than large scale projects such as offshore wind, is closer to demand and so also reduces transmission costs and losses. Local renewable energy also delivers local benefit for the local economy and local communities, particularly when community owned. By being locally visible, it is also a constant reminder to us of where our energy comes from and can help us focus on using it more efficiently. We should be maximising local renewables wherever we can.

However, doing this will be challenging in large part due to grid constraints in the B&NES area that will severely restrict the ability to develop high levels of local renewables.

Increasing local targets sends a very clear signal to our local grid operator Western Power Distribution and helps build the evidence base on which they can justify the grid reinforcement that is required in this area. Further grid reinforcement is needed not just for renewable energy, but also for the higher electricity demand that will come from the increased use of heat pumps and electric vehicles, essential to allow us to meet our carbon reduction goals.

So, in a very real sense, increasing targets could have a material impact on our ability to secure local renewables. If there are technical reasons why these higher targets could not be incorporated into this update, flagging an intention to increase targets in the full review of the Local Plan in 2023, following the more detailed resource assessment currently underway, will make a clear statement of intent and demonstrate a clear direction of travel.

BWCE would also strongly recommend that the current B&NES Supplementary Planning Guidance on Solar PV in greenbelt is reviewed and updated where necessary, and to also include the development of wind energy.

Shared community ownership of commercial schemes: This is an excellent addition to the policy and focusses commercial developers on the needs of local communities. However, we would recommend 2 changes to ensure that the policy is sufficiently impactful, and its principal intention is not subverted.

1. We strongly suggest that policy provides more direction as to what is meant by shared ownership. Shared ownership schemes are properly meant to mean either (a) split site schemes where the community organisation owns a part of the project and has a shared grid arrangement with the commercial partner, (b) shared revenue schemes where the community organisation purchases a right to a share of the project's revenues, or (c) joint ventures where commercial and community partners jointly develop and are shareholders in a separate legal entity that owns the project.

In all cases the commercial partner establishes some form of financial arrangement with a community group or community enterprise that can hold the benefit from the arrangement in trust for the community. Whilst still offering some benefits, shared ownership should not mean commercial partners offering investment in their projects



direct to local people, where local people then become minority shareholders in a fully commercially owned project that doesn't provide the same local control or benefit as community ownership.

2. We would also suggest that the target is increased to providing an option for a minimum of 20% ownership. Shared ownership schemes can be complex to establish and need to offer sufficient benefit to the community to make the transaction costs worthwhile. Of course, there can never be an absolute requirement to do this as it will depend on there being a community organisation interested in and able to take up the option, at whatever % ownership they are able to deliver.

Application of DEFRA's biodiversity net gain metric: BWCE strongly welcomes the use of this metric as a way of encouraging biodiversity improvement within ground mount solar development where the change in land use justifies setting a target. However, the land take for wind energy projects is much smaller, with agricultural use often continuing unchanged adjacent to the turbine towers. As a result, it is difficult to see how a wind development can provide the opportunity to improve biodiversity. Rather, the requirement should be to ensure that any wind development doesn't result in a net reduction in biodiversity.

Landscape impact of ground mount solar: It is not clear why the encouragement for solar is only to areas of high, high-moderate and moderate potential and does not include areas of low-moderate potential as well. There are other clear criteria that will restrict inappropriate siting of ground mount solar, relating to biodiversity, agricultural grade and special designations among many other issues.

The additional paragraph does suggest that ground mount solar will be acceptable in other areas if impacts can be shown to be mitigated. But this does represent a higher planning hurdle to meet. Ground mount solar has a profile of around 3m high, creating low landscape impact, so such an approach appears unnecessarily restrictive.

If the headline statement stays at encouraging in the top three categories only, we would suggest that the additional paragraph says that projects in other areas will be 'encouraged' rather than just be 'acceptable', if adverse impacts can be mitigated.

The landscape impact assessments for solar are limited in terms of scale of project. Solar projects are only categorised up to 30 Ha. This could result in projects of between 15-25MW, depending on the type of framing used for the panels. However, projects are already coming forward for above this in scale. How will they be treated?

Whilst there is an important discussion to be had about the scale of project and how it fits into the landscape, we believe that policy shouldn't be exclusive just because the scale of project hasn't been considered.

4. Roof mounted/building integrated scale solar PV (SCR2)

This local plan update adds a requirement for proposals to be consistent with heritage policy HE1 without saying specifically how this can be done. This can be addressed by clearly saying projects that do utilise non reflective panels and have regular panel layouts will be considered to have addressed the requirements of heritage policy HE1.

5. Community renewable energy schemes (SCR4)

Para 119 refers to a quote from a 2015 strategy document adopted by a previous administration and to a government department that no longer exists. Whilst the sentiment of the quote is excellent, the current administration no longer recognises this strategy and we are waiting for an



update on government approach on community energy within the promised net zero strategy. We suggest aligning the final document with this, rather than using an old quote as per para 119, to reduce the risk that a planning inspector might water down an excellent policy on the basis that it references a strategy document that is no longer recognised by government.

6. Retrofitting existing buildings (CP1)

It is good to see policy covering retrofitting of energy efficiency in existing buildings. However, the policy refers to documents that are not consistent. For example, the sustainable construction checklist in the SPD, still refers to policies in the previous version of the local plan update which do not match the higher standards in this document. The guidance on integrating energy efficiency into heritage buildings dates from 2013. Heritage protection is of course important in Bath. However, with the greater need for climate action in 2021, we should be reviewing this guidance to ensure the balance with heritage protection is still appropriate given the climate crisis we currently face.

7. Sustainable construction for residential & non-residential buildings (SCR 6 & 7)

The strengthening of the sustainable construction policies is very welcome. The switch to looking at prioritising energy demand reduction (for residential development) and then balancing this with on site renewables or a financial contribution if renewables are not technically or economically viable, seems sound. However, greater clarity and guidance will need to be provided on what is meant by 'economically viable' and what level of financial contributions will be required, to ensure that the motivations behind these policies are not subverted for commercial gain.

It is also not clear in the policy what constitutes major development and whether smaller development will also be required to provide financial contributions if on site renewables are shown to be not viable.

The basic approach now differs between residential and non-residential development, with the latter keeping a focus on carbon emissions rather than energy. This will potentially cause problems for mixed development.

Ensuring a minimum EPC rating for Houses in Multiple Occupations (HMOs) of at least 'C' is good and in line with the latest government consultation (recently closed) for the wider Private Rented Sector. We believe an EPC rating 'C' represents the lowest that a minimum standard should be set at. It would be good to see a commitment to increasing this in the full Local Plan review in 2023.

We would strongly recommend that there is adequate provision for performance monitoring and post construction quality assessment to ensure that the high sustainability standards set by policy are fully implemented in practice. Policy should flag both the importance and the intent to follow through with this and be supported by further guidance as to how this will be delivered.

We have not commented on the range of place specific policies, on the grounds that with regards climate mitigation, issues should be covered within the development management policies such as those on sustainable development.

However, we suggest that where there are development sites that include land appropriate for the development of larger scale renewables, (such as ground mount solar or wind energy, that may or may not be in excess of what is required to meet sustainable construction guidelines) these opportunities are not lost. For example, there could be a recommendation to review the potential of such opportunities for use as community owned renewable energy sites. This would



This would offer the potential for community investment to finance the project and generate community benefit as a result. This way, opportunities for larger renewables projects associated with new development could be progressed at no additional cost to the developer.

8. Embodied carbon (SCR8)

We particularly welcome new policy on this, recognising the importance of embodied carbon emissions linked to the whole life cycle of materials, construction and use of the building. However it is not clear how the figure of 900 kg/sqm of carbon is derived and how it compares to requirements based on the science behind carbon reduction goals. We would like to request more information be provided on this. Your evidence base lists a paper on embodied carbon, but there is no corresponding document to download.

9. Electric vehicles (DM8)

Policy on electric vehicle charging is important and welcome. Technology for chargepoints is evolving rapidly with increasing pressure on chargepoints to be 'smart' enabling remote control of charging to minimise conflict with times of peak demand. The next generation of chargepoints is also only just being tested and will allow vehicle batteries to be utilised by the grid when connected, helping to balance supply and demand during times of high or low generation of renewable energy. New standards are also required to ensure technology is interoperable and doesn't tie consumers to individual systems or suppliers.

All this development is happening rapidly and technology is likely to change significantly during the next few years.

Electric vehicle use is still low (but increasing rapidly) so many residents of new developments will not yet own electric vehicles. It would therefore make sense for new developments to install the infrastructure, future-proofed as far as possible, but the chargepoints in just a proportion rather than all of the dwelling/parking spaces, to account for current and near term levels of demand.

If the installation of active technology is specified, then they should be clearly defined as smart chargepoints, allowing demand to be flexed in response to grid constraints, whilst also meeting consumer needs for service. Demand Side Response will play a critical role in creating a secure and decarbonised electricity system, as electricity demand rapidly increases met by increasing distributed renewable energy generation. We should not be implementing policy now that will act as a block to this transition.

If central and local government continue to provide grants to support the take up of chargepoints, then it would maximise the potential for new chargepoints to match the take up of electric vehicles and so ensure that the technology was always the most advanced and appropriate to the demands of a flexible grid. Otherwise, there is the danger that we will need to replace obsolete technology with significant associated cost and waste of resources.

Ofgem's current Forward Access and Charging Review (consultation on Ofgem's 'minded to' position [here](#)) raises the strong possibility that grid connection costs will fall in 2023 when the outcomes of this review are implemented.

This policy should also flag the council's intention to proactively review the level of requirement within the full Local Plan update in 2023 to clearly highlight the direction of travel for industry. This next update provides a timely opportunity to increase the level of active provision in new development, if considered appropriate at that time to meet increasing demand and in light of new technology development.