



## Revised Draft Overarching National Policy Statement for Energy (EN-1)

### A consultation response by the English National Park Authorities Association (ENPAA)

January 2011

1. The English National Park Authorities Association (ENPAA) supports the policy making process by facilitating the input of the ten National Park Authorities. It is governed by the Chairs of the ten Authorities. Our response represents the collective view of officers who are working within the policies established by the National Park Authorities (NPAs). Individual National Park Authorities may submit separate comments, which will draw on the specific issues for their particular area.
2. ENPAA welcomes the opportunity to comment on the National Policy Statements for Energy. We had a useful meeting with DECC officials on 18 January and this letter concentrates on the main aspects which remain a concern.

#### Development within nationally designated landscapes

3. Our main concern relates to the major development test as applied to major development within nationally designated areas. Footnote 114 of draft EN1 for the first time includes a regional dimension to the test. This is not consistent with government policy as applied elsewhere, including in the *Draft NPS on Waste Water* (paras 6.7.6 – 6.7.8). We understand that footnote 114 has been included for clarity. ENPAA is firmly of the view that the reference detracts from established policy; will be perceived as reducing the protection afforded to designated areas; and as such will confuse rather than clarify. ENPAA asks that footnote 114 be removed to ensure a consistent approach and clarity on this matter.
4. In a similar vein, to ensure a consistent approach to government policy the NPS should reiterate PPS7's stance that major development within nationally designated areas is required to be **both** exceptional and be demonstrated to be in the public interest (PPS7, page 14, para 22). The NPS still appears to be trying to re-define this test and attempts to define exceptional circumstances as where development can be demonstrated to be in the public interest. The two are not always necessarily equivalent. There is a need to demonstrate why development itself is an exception as almost invariably energy infrastructure can be considered to be in the public interest. The more unequivocal statement in PPS7 that "Major developments should not take place in these designated areas, except in exceptional circumstances" is preferred to the current ambivalent wording that "the IPC may grant development consent in these areas in exceptional circumstances".

#### Development below threshold for IPC consideration

5. Confusion remains in relation to the relative weight of NPS and local development framework policies regarding development that is below the threshold for IPC consideration of major infrastructure. Para 1.21 states that 'this NPS is likely to be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)'. Whilst recognising any statement of Government policy may be construed as a material consideration, this specific reference undermines the LDF role and is not consistent with the thread of localism in current government thinking.

#### Spatial dimension to the NPS

6. It is recognised government cannot dictate where energy projects should go. Nevertheless, ENPAA remains concerned that there is still no spatial vision which sets out a national perspective of preferred locations or areas where the industry should seek to avoid. The document simply lists criteria which will be taken into account. A more purposeful spatial vision would help to concentrate the minds of those responsible for strategic energy planning. For example, reference to location criteria such as proximity to centres of population, and existing infrastructure together with the need to avoid designated areas of special protection and to have regard to cumulative impact would be helpful reference points.

#### Promoting good design

7. ENPAA welcomes the government's strengthening advice on good design. Whilst this may be the responsibility of CLG – and delivered through the National Planning Policy Framework, ENPAA would like to place on record its willingness to assist in this process, accepting that achieving quality design in specially protected landscapes is something all would like to see achieved.

#### Setting of National Parks

8. ENPAA also wishes to support reference in para 5.9.11 to the setting of National Parks. It is recognised this is consistent with the *Draft NPS on Waste Water* and represents a welcomed clarification from government.
9. Given the cross Government nature of the NPS, and of the points that we are making we are copying our response to the Government's Chief Planner and to Defra.

**January 2011**