

# Powering or puzzling? How do spatial planning approaches affect wind energy development?

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# Introduction

Context: spatial planning approaches to renewable energy development, especially onshore wind, steering development away from sensitive areas and towards those more acceptable:

“smart and resourceful land use policies can help accelerate the growth of clean renewable energy ... and still protect treasured public lands and wildlife” (Kenworthy 2010, 2)

# Introduction

Research gap: we know relatively little about the effects of spatial planning approaches in practice

Research gap: nor is there much reflection on what purposes spatial planning approaches are meant to serve?

Goal: to examine the effects of spatial planning approaches on onshore wind energy development, using the UK context

Structure: theory, research design, findings and conclusions

## 2. Spatial planning as 'modes of governance'

Need to see spatial analyses of wind energy opportunities as techniques that can be institutionalised in very different 'modes of governing' (Bulkeley et al 2005, 2007)

The 'internal' content of spatial analyses (the social process of their creation and the entities that are mapped) shape their 'external' governing effects

Always simplifications and exclusions, which create tensions, but spatial approaches do not automatically fail  
But 'fail' or 'succeed' at what purpose? Powering or puzzling? (After Hecllo), reflexivity around RE targets?

### 3. Research design

Longitudinal, comparative research design, focused on the UK, using ‘the laboratory of devolution’ i.e. comparing the evolution and effects of spatial planning approaches to RE in England, Scotland and Wales.

Key point on land use planning in the UK: land use plans are important but not legally binding

## 4. UK 'starting line'

Through the 1990s, planning policy was 'criteria-based'

The wind industry and UK government had an aversion to firm spatial zoning

But from 2000, rising climate concern and increased planning conflicts over wind farms created a problem, which the devolved nations addressed in different ways

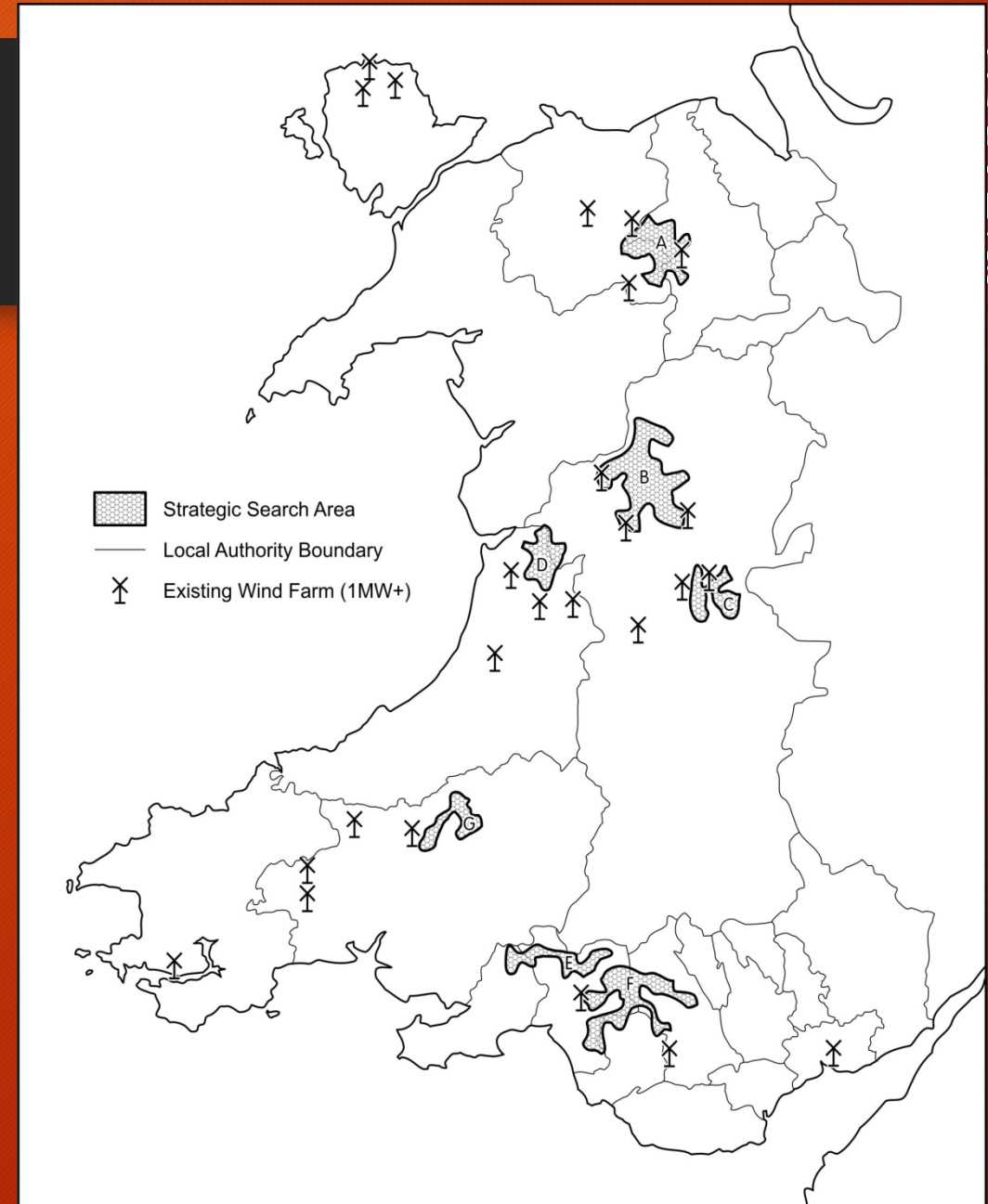
## 4.1 Wales – central direction

Keen to take a spatial planning approach but did so centrally for nation as a whole

Result was policy for on-shore wind, designating seven 'Strategic Search Areas', in which there was to be a presumption in favour of large-scale wind

Constructed from a series of mappable criteria

## 4.1 Wales – central direction





## 4.2 England: laissez-faire to local exclusion

Laissez faire: 'Planning policies that rule out of place constraints on the development of RE technologies should not be included in plans' (ODPM 2004)

Much 'puzzling' over targets at regional level, using spatial assessments and multiple stakeholders but rarely translated into firm spatial policies

## 4.2 England: laissez-faire to local exclusion



## 4.2 England: laissez-faire to local exclusion

Since 2010, government (i) abolished regional level of governance, and (ii) since 2015, partly in name of localism, introduced planning policies with tight local, spatial control:

“... local planning authorities should only grant planning permission if ... The development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan’

## 4.3 Scotland: meta-governance by methodology

Massive wind energy growth drives concerns about cumulative effects

Scottish Govt. began encouraging local authorities to identify areas where wind energy development would be appropriate and inappropriate, diverse responses

But flexibility has gradually been reigned in by firmer advice on methods: ltd basis for strong constraints, ltd scope to map in local constraints

## 5.0 Evaluating the UK experience

Evaluating effect is difficult where governance roles is unclear

On wind energy development rates, effects ambiguous in Scotland and England

Clearest in Wales: new SSAs caused massive delay; then surge in developer interest, but targeting SSAs did not guarantee project consent

## 5.0 Evaluating the UK experience

Effects on spatial patterns of development?

Added value unclear with ‘top designations’

Turning to wider landscape: in Wales, policy of spatial concentration, contested but effective; in Scotland, methodological evolution reflects dispute over status of landscape, patchy compliance; in England, from developer-driven distribution to local landscape acceptability as driver

## 5.0 Evaluating the UK experience

Reflexivity - puzzling to what ends?

Wales - some co-evolution between spatial planning and targets

Scotland - wind energy is uncontested, puzzling has been around status to give to landscape constraints

England - has been major policy switch on on-shore wind, landscape effects are one ingredient, but 'reflexivity' took place in the political realm, spatial assessments a side show

## 6.0 Conclusions

Linear effects on wind shore development rates are unclear, because spatial approaches are used in diverse modes of governing: regional puzzling, local spatial control, meta-governance by methodology, central specification

Problems therefore in theorising about spatial planning approaches as an instrument, outwith the mode of governing in which they are enrolled



## 6.0 Conclusions

Creating spatial planning approaches do bring together energy policy and other environmental concerns, but:

Evidence of ‘puzzling’ is fairly limited, and tends to take place in shadow of powering, mainly around energy policy goals

Moreover, this powering can be seen to permeate the design (and choice to use or not use) spatial planning approaches

# Context – *where angels fear to tread ...*

Deciphering the effects and merits of EU environmental legislation is very tricky! For a number of reasons:

Analytical difficulties - working out 'added' value is difficult given that EU law is embedded in, rather than distinct from, UK law

“You cannot flick through the statute book and see immediately which provisions come from the EU and which are home grown”  
(Prof. Colin Reid, University of Dundee)

# Context

Political difficulties - the merits of EU action is often highly contested:

Eric Pickles criticised the EU for  
'regulatory creep ... imposing additional and  
expensive requirements on the planning system'  
... 'over and above long-standing, domestic  
environmental safeguards in planning law'



For others, EU membership has underpinned major improvements in UK environmental performance and Brexit risks a deregulatory race to the bottom.

# Context

Devolution - talk of ‘the’ effects of Brexit on the future relationship between environmental regulation and planning need to recognise that environmental policy, like planning, is very significantly devolved.



“The bill... is a naked power-grab, an attack on the founding principles of devolution.”

Joint statement from Scottish and Welsh first ministers

BBC NEWS

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# The research project

- Four main phases
- To be completed by December
- What does it entail?

**WHAT  
TO DO ?**

# The research project - Phase 1

## Documentary analysis

What claims have previously been made about the relationship between EU legislation and UK planning regimes?  
What is evidence for 'additional and expensive' burden perspective?

- RTPI consultation responses
- Red tape reviews; 'fitness for purpose' reviews
- Regulatory impact assessments

Shows value-laden nature of exercise



# The research project - Phase 2

## Systematic appraisal of key EU directives

- Focusing on the ten directives identified in previous RTP1 research
- Modelling how those directives have delivered their outcomes (substantive and procedural). Asking: what is their relationship with planning in this respect? What are the intersections and overlaps? Can we identify ideas for change?

# The research project - Phase 2

## Emerging themes

### *Directives set goals:*

- Planning as a pro-active means of achieving goals (e.g. Water Framework Directive)
- Planning as a reactive means of achieving goals (e.g. UWWTD)

### *Directives specify procedures:*

- Planning as a prime delivery agent (e.g. EIA and SEA)
- Planning as a contributing actor (e.g. Waste Management Plans, River Basin Management Plans)



## The research project - Phase 2

### Emerging themes - 'governance architecture' and 'gaps':

- EU directives and regulations 'work' not just because of the individual pieces of legislation, but because through the Commission, EU Courts and other bodies, there are powerful mechanisms for informing, monitoring, enforcement, enabling member state governments to be held to account
- Progress with 'new environmental body/bodies' is highly germane.

# The research project - Phase 3

## Testing and discussing ideas

- Semi-structured interviews with informed commentators from across public, private and voluntary sector of planning
- Four focus groups, in Belfast, Cardiff, Edinburgh and London

We may well be contacting people attending today's General Assembly

# The research project - Phase 4

## Writing up conclusions

- Completed analysis of intersections/duplication
- Ideas for change
- ‘Assessment mechanism’ for assessing case for retention/modification/extension
- Checklist of governance qualities

# Conclusions

It's timely to begin these discussions now as the implications for planning could be profound:

- Towards further deregulation or re-establishing the public value of firm environmental standards?
- Towards a narrower focus on delivering development and infrastructure, or an integral part of a much more cohesive environmental governance apparatus?

Thank you for your time

Any questions?

# The 10 Directives

- Waste Framework Directive (2008/98/EC)
- Water Framework Directive (2000/60/EC)
- Marine Strategy Framework Directive (2008/56/EC)
- Maritime Spatial Planning Directive (2014/89/EU)
- Ambient Air Quality Directive (2008/50/EC)
- Urban Waste Water Treatment Directive (91/271/EEC)
- Habitats Directive (92/43/EEC)
- Birds Directive (2009/147/EC)
- Strategic Environmental Assessment Directive (2001/42/EC)
- Environmental Impact Assessment Directive (2011/92/EU)