

### Book 3 – Author's PREFACE

This book was written in the 6 month period before the first lockdown in March 2020. At that point the legal publishing world went into a state of hibernation. The instruction from my publisher was to keep the book up-to-date. In the event the book was largely re-written and by the time it went into production in September 2020 I was satisfied that it was as up-to-date as I could make it, particularly when it came to the extensive case and appeal studies (with added commentaries) contained in Chapter 8 (wind power projects) and Chapter 10 (solar power development) which I consider to be the main highlights of the book.

In 2019 electricity generation in the UK from low carbon and renewable sources ('LCRS') was 37.1% whereas only a decade ago electricity generated from fossil fuels provided around 80% of the UK's electricity needs (split between gas and coal). Although oil still forms a key part of the UK's energy mix (40%) there has been a steep decline in oil production with the UK becoming a net importer in 2005. By 2019 coal accounted for less than 1% of the UK's electricity whereas as recently as 2013 it had been as much as 18%. The real winners in all this are wind and solar. Indeed, on a windy Boxing Day 2020 a record 50.7% of the UK's electricity was derived from wind power with wind and solar contributing 29% across the year, up from 23% in 2019.

Production of energy from LCRS is expected to intensify. The government has made the expansion of offshore wind production one of the main opportunities for achieving net zero emissions. On 27 June 2019 the *Climate Change Act 2008 (2050 Target Amendment) Order 2019/1056* came into force. Under this provision the previous target to cut emissions by 80% by 2050 was changed to 100%. The push is therefore on to target *net-zero* greenhouse gas emissions by 2050. The current Prime Minister has chosen to go even further by pledging that offshore wind farms would generate enough electricity to power every home in the UK by 2030.

Many in the industry would point to the need for a better balance between onshore and offshore wind energy. Onshore wind energy is still held back by

the constraints of local development plans whereas offshore production is characterised by its very high cost, difficulties with connectivity to the grid and the harm which can be caused to sensitive marine habitats. The UK clearly needs a reliable mix of carbon-free sources of energy supply and in view of recent trends it seems highly likely that the day will come when wind, solar and nuclear will become the main contributors of electricity supply as the UK plays its role in the shift towards a greener world.

The book begins with an analysis of what is meant by climate change and the UK's record in the generation of electricity from LCRS in recent years. It then moves into an overview of the regulatory framework affecting wind and solar developments with separate chapters dealing with nationally significant infrastructure projects, environmental impact assessment, habitats regulations and national planning guidance relevant to wind and solar developments. The final chapters deal with wind and solar farms and are followed by a large number of recent case studies and commentaries.

I am indebted to Lord Justice Lindblom (Senior President of Tribunals) for kindly providing me with a generous Foreword. I am also grateful to Andrew Riddoch of Wildy, Simmonds & Hill for his wise advice and support throughout. My thanks also goes to my clerks at 3 Paper Buildings, most notably to Mark Heath and Joe Townsend, both of whom helped me cope with the daily demands of my practice in tandem with book writing. Lastly, I thank my wife as I struggled to complete and update the text in the final months.

All errors and omissions in this book are my own. I do though encourage readers to get in touch with me directly (or with the publishers) if they spot any mistakes or wish to offer suggestions for the next edition.

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