

REPORT TO	DATE OF MEETING
Cabinet	02/04/14

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
Renewable and Low Carbon Energy SPD	Strategic Planning and Housing	Rachel Peckham	10

SUMMARY AND LINK TO CORPORATE PRIORITIES

The Renewable and Low Carbon Energy Supplementary Planning Document (SPD) sets out the Council's approach to this type of development. The SPD is intended to supplement the policies on renewable and low carbon energy in the Central Lancashire Core Strategy.

Members will recall that a draft SPD was the subject of consultation early in 2013. The production of the document was delayed to allow consideration of revised national planning policy on this matter and the outcome of 3 appeals for wind turbine developments in the Borough.

The Council published its Responses Report from 12th February – 12th March 2014, responding to all of the comments made, and showing if and how the document had been changed. This report highlights the issues raised to the Responses Report, and seeks Cabinet endorsement of the draft SPD. The document will then be presented to Full Council for adoption on 20th May 2014.

The Renewable and Low Carbon Energy SPD has links to the corporate priorities of Clean, Green and Safe and Strong and Healthy Communities.

RECOMMENDATIONS

That the Council be recommended to:

1. Adopt the Renewable and Low Carbon Energy SPD attached at Appendix 1; and
2. Delegate authority to the Planning Manager in consultation with the Cabinet Member for Strategic Planning and Housing to make any minor text, layout and formatting changes on the publication of the document.

DETAILS AND REASONING

Supplementary Planning Documents (SPDs) were introduced by the Planning and Compulsory Purchase Act (2004) as part of reforms to the planning system. One of the functions of an SPD is to provide further detail/guidance on policies and proposals within the development plan. SPDs must be consistent with national planning policies as well as local policies set out in the development plan.

The SPD is intended to sit within the Local Development Framework (LDF) to support policies within the Central Lancashire Core Strategy and the South Ribble Site Allocations and Development Management Policies DPD.

In recent years, the generation of energy from renewable and low carbon sources has had an increasingly high profile. This is due to a greater appreciation and understanding of the issues surrounding climate change, a reduction in the price of renewable and low carbon technologies,

improvements in the efficiency and availability of technologies, rising energy prices, and various Government led financial incentives to encourage further uptake.

The purpose of the Renewable and Low Carbon Energy Supplementary Planning Document (SPD) is to set out the Council's approach to this type of development. Within South Ribble there has been an increase in the number of planning applications and enquiries received for renewable and low carbon energy projects. The document aims to provide advice and guidance for applicants on the suitability, appropriate location of such technologies and how the planning system relates to them.

A consultation was undertaken early in 2013 on a draft version of the SPD. A total of 88 responses were received. A summary of the responses received is provided below:

- 78% of responses supported the inclusion of a 1000m separation distance. These respondents were all residents of the Borough
- 16% of respondents wanted the 1000m separation distance to be increased, to 1500m or 2000m. Again, these respondents were all residents of the Borough.
- 7% of responses did not support the separation distance. These responses came from organisations and interest groups, and one resident. The reasons for not supporting the distance included lack of evidence, unsupported research into issues such as Wind Turbine Syndrome, and conflict with National Guidance
- 1% of respondents said the document was too negative in the way it was written in relation to wind turbines, and that the Council should be encouraging more wind power developments.
- 10% of respondents stated that the definitions of small and medium scale turbines (in relation to size) should be changed
- 2% of respondents stated that no turbines should be permitted anywhere in the Greenbelt, with 1% stating that no turbines should be located anywhere near any residential area or property.
- 3% of respondents stated that the SPD was in direct conflict with the NPPF. These responses came from organisations, not from the general public.

Following on from the consultation, the Government introduced new guidance on renewable energy in July 2013 – Planning Practice Guidance for Renewable and Low Carbon Energy. This document, together with the outcome of 3 appeals, has all fed into the revised draft SPD.

The most significant change in the document is in the wind turbine chapter. Members will recall that the initial draft SPD included a required separation distance of 1000m between wind turbines and residential properties. It became clear following the first consultation that there was little support nationally for a mandatory separation distance, with the Planning Practice Guidance for Renewable and Low Carbon Energy document stating that:

“Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones and separation distances. Other than when dealing with setback distances for safety, distance of itself does not necessarily determine whether the impact of the proposal is unacceptable”

All 3 of the appeal decisions, whilst they were dismissed, referenced the fact that separation distances are contrary to national guidance. The SPD must be robust document. Any SPD that was not in line with national policy would be given limited weight at appeal.

The chapter on wind turbines was amended to both reflect these changes, and reflect the aspirations of the Council in relation to renewable energy development. The document now includes a local recommendation for a 1000m separation distance. In addition to this, a section on

wind turbines and noise has been added to the document. This is to ensure that the amenity of residents would not be detrimentally affected in terms of noise disturbance. The document sets out what would be considered appropriate noise levels at properties near to proposed wind turbines. The revised chapter can be seen on page 14 of the revised draft SPD, which is appended to this report.

The Responses Report was published on 12th February 2014 for a 4 week period. The report showed how the Council had considered comments received as part of the consultation, and how the document had been amended. The Council received 29 letters with comments in response to this publication.

The comments received can be summarised as follows:

- Document will provide protection against inappropriate wind turbine applications and is supported;
- Agree with the 1000m separation distance and agree with more rigorous noise testing;
- Council has taken on board issues raised by those objecting to planning applications;
- Document is very comprehensive;
- South Ribble planning should be commended for the diligence shown;
- Planners have considered very carefully the views of residents regarding the impacts of wind turbines and have produced practical and sensible guidance;
- South Ribble should embrace wind turbines as the impact of climate change is clear;
- The SPD is not sound as it is not consistent with national policy;
- Separation distances are not in accordance with national policy and should not be included;
- The Council should list all of the research which indicates wind turbines are not usually suitable in the Borough;
- Document only emphasises negative things in relation to wind turbines;
- SPD should not be produced in order to pander to the wishes of those who would stop all forms of renewable energy in our Borough;
- The SPD should make it clear that where the viability and deliverability of schemes can be demonstrably shown to be threatened by cumulative impacts of policy requirements, reduced levels of obligations should be allowed subject to viability assessments;
- Issues relating to heritage impacts have not been adequately addressed and the draft would be improved by reference to English Heritage guidance;

Following on from the comments received to the Responses Report, it is not felt necessary to amend the SPD. The Borough has a diverse character and large amounts of Greenbelt, the protection of which is supported by the appeal decisions received. It is not considered necessary to remove the local recommendation of a separation distance as there is flexibility within the SPD to have a lesser or greater distance, which would be assessed on a site by site basis. The inclusion of a separation distance is not considered to be contrary to national policy, and is considered to be sound, as it is a local recommendation that allows for flexibility on a site by site basis.

The Draft SPD is therefore presented to the Cabinet for approval, prior to going before full Council on 20th May.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these. The risk assessment which has been carried out forms part of the background papers to the report.

FINANCIAL	Preparation and publication costs contained in current local plan revenue estimates.
LEGAL	Preparation of the SPD complies with relevant legislation. Once adopted, it can become a material consideration in the planning process.
RISK	A risk assessment was undertaken as part of the Local Development Scheme, and is subject to annual review.
THE IMPACT ON EQUALITY	Equality Impact Assessment undertaken as part of document preparation.

OTHER (see below)	Sustainability Appraisal undertaken as part of document preparation.
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Risk Assessment
Renewable and Low Carbon Energy SPD.