

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

**PLANNING FOR RENEWABLE ENERGY DEVELOPMENT – SUPPLEMENTARY
PLANNING DOCUMENT**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform council about the recent public consultation exercise on the Planning for Renewable Energy Development – Draft Supplementary Planning Document (SPD).
- 1.2 To adopt the Supplementary Planning Document as part of the North Lincolnshire Local Development Framework and use it in assessing planning applications for renewable energy developments.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council is looking to bring in a Planning for Renewable Energy Development – Draft Supplementary Planning Document (SPD) and with this in mind Council resolved to conduct two periods of consultation on a draft version at the end of August 2011.
- 2.2 Supplementary Planning Documents (SPDs) are prepared under the Town and Country Planning (Local Development) (England) Regulations 2004, and form part of the Local Development Framework (LDF) which delivers the Spatial Strategy for a council's area. Whilst SPDs do not have the status of the statutory development plan they do have material weight in the consideration of planning applications. Their purpose is to expand or supplement policies within development plan policies where necessary.
- 2.3 This SPD has been prepared by North Lincolnshire Council to supplement the policies in the Core Strategy Development Plan Document (DPD) that relate to renewable energy proposals (Policy CS18: Sustainable Resource Use and Climate Change). Since its adoption the Core Strategy now forms part of the development plan for North Lincolnshire.
- 2.4 The need to address climate change and global warming is one of the key challenges currently facing the planning system. The burning of fossil fuels for energy is a major contributor to greenhouse gas emissions. At the same time the demand for energy grows whilst many traditional forms of fossil fuels are declining, particularly oil, gas and coal. This makes the need to find cleaner, more secure, more diverse forms of energy vital if we are to continue to ensure prosperous and sustainable communities and a healthy environment.
- 2.5 Renewable energy is the term used to describe energy flow that occurs naturally and continuously in the environment, such as energy from wind and the sun. These sources are not depleted by being used. Renewable energy has an important role to play as an alternative to energy generated using fossil fuels and nuclear energy generation. The environmental, economic and

social benefits are important factors when considering applications for such schemes.

- 2.6 Over recent years North Lincolnshire has attracted significant interest from energy companies who are looking to develop renewable energy projects. Since 2003/2004 North Lincolnshire has received around seven proposals for wind energy developments at various locations across the area. Of these three have been approved (two by the Government and one by the council). There are also a number of proposals consented for wind energy developments in neighbouring local authority areas at Tween Bridge (Doncaster), Goole Fields, Twin Rivers and Sixpenny Wood (East Riding of Yorkshire) and Stallingborough (North East Lincolnshire).
- 2.7 Whilst there are undoubted benefits from providing energy from renewable sources, proposals for such development can cause concerns for local communities in terms of their impact upon them. Therefore we need to plan appropriately for renewable energy development. The communities of North Lincolnshire have found themselves under significant pressure from Wind Farm developers and applications have been submitted, and continue to be submitted for these types of scheme. North Lincolnshire Council and its communities feel that they are leading the way as one of the countries 'renewable energy capitals', but feel that we have met the targets in the Regional Spatial Strategy for Yorkshire and Humber and that in relation to proposals for renewable energy (particularly Wind Farms) North Lincolnshire has had enough and that the council should be opposing these controversial Wind Farm proposals where they affect North Lincolnshire's communities and most significant landscape areas.
- 2.8 This SPD sets out North Lincolnshire Council's approach to planning for renewable energy proposals. It aims to promote the development of renewable energy technology in those locations in North Lincolnshire which have the capacity to accommodate such development without it having an adverse effect on the natural and built environment. The SPD aims to provide guidance for developers in preparing planning applications for renewable energy developments in North Lincolnshire, as well as assisting elected members and council officers in determining planning applications.
- 2.9 This SPD has been subject to two stages of public consultation: pre-deposit consultation for 21 days (key stakeholders) which received 23 representations, and a full stage of public consultation for four weeks, which received 377 separate representations. Each representation has been analysed and responded to and then the SPD has been amended accordingly. A copy of the Consultation Statement which outlines the consultation process that has been undertaken is attached as Appendix Two and the council's response to the representations can be found as Appendix Three.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – Approve the adoption of the Planning for Renewable Energy Development – Supplementary Planning Document (SPD).
- 3.2 Option 2 – Do nothing and rely on existing national and local planning policy.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 is the preferred option as this will allow North Lincolnshire Council to progress with the adoption of the SPD which will put in place further specific planning policy that has been locally developed and locally determined. The SPD will further supplement the policies of the Core Strategy and allow local factors (such as, impact on surrounding communities, landscape etc) to be assessed in determining applications.
- 4.2 Without further locally determined policy the council will have to rely on existing local planning policy, which has now become superseded by national policy (Planning Policy Statement: Planning and Climate Change - Supplement to PPS1, and Planning Policy Statement 22: Renewable Energy), and also will have to refer to the national policy, in determining planning applications, which does not reflect the requirements of the local communities who will be greatest affected by any scheme.
- 4.3 It is important to note that existing planning policy and the emerging National Planning Policy Framework (NPPF) require local planning policy to be positive on all renewable energy proposals. This SPD reflects the requirements of local people and has been written in this vein. However there is a risk that this SPD may be challenged at appeal at a later stage.
- 4.4 Option 2 would result in the use of mainly national policy to determine local applications in North Lincolnshire as the existing local planning policies will be superseded by national policy. It is imperative that the council is able to influence decisions locally as its communities are the most affected, and it is unfair that decisions are made without their input. Furthermore without this SPD there is risk that under the 'presumption in favour of sustainable development' that all renewable energy proposals should be approved unless there is up to date local policy in place. Therefore it is even more imperative that this SPD is implemented as soon as is practicable.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

No additional financial resources will be required to deliver the policy outlined in this report.

5.2 Staffing

There are no additional staffing implications arising from this report.

5.3 Property

There are no additional property implications arising from this report.

5.4 IT

There are no additional IT implications arising from this report.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 CRIME AND DISORDER, RISK AND OTHER)

6.1 Environmental

The council has a duty to bring forward local development plans that deliver sustainable development wherever possible, but that contribute to reducing emissions and stabilising climate change. However it is essential that communities are provided with an opportunity to influence decisions locally where it has potential for negative environmental impacts.

6.2 Diversity

The Planning for Renewable Energy SPD is subject to Integrated Impact Assessment.

7. OUTCOMES OF CONSULTATION

7.1 The consultation on this SPD was split into two phases: pre-deposit consultation for 21 days and received 23 representations; and full public consultation for four weeks, which received 377 separate representations. Each representation has been analysed and responded to in the council's response to the representations. A copy of the council's response to the representations can be found in Appendix Three.

7.2 During the public consultation a number of representations were received that requested greater protection of specific areas of landscape with a view to protecting these areas from inappropriate development. Based on these requests landscape capacity and other studies will be considered and a review of this SPD will be undertaken if appropriate.

8. RECOMMENDATIONS

8.1 That the contents of this report are noted.

8.2 That the Planning for Renewable Energy SPD is adopted as part of the North Lincolnshire Local Development Framework (LDF) and be used in assessing planning applications for renewable energy developments.

HEAD OF REGENERATION AND PLANNING

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Background papers used in the preparation of this report

North Lincolnshire Local Development Framework: Core Strategy Adopted June 2011.

Planning Policy Statement: Planning and Climate Change - Supplement to PPS1.
Planning Policy Statement 22: Renewable Energy