

## **Executive – 18 March 2013**

### **Recommendation to Executive from the Sustainable Communities Overview and Scrutiny Committee meeting held on 6 March 2013**

#### **SCOSC/12/99 Planning Guidance on Wind Energy Development in Central Bedfordshire**

Mr S Mooring introduced a report that set out proposed technical Guidance Note 1 on wind energy development in Central Bedfordshire. In addition the importance of the guidance as a material planning consideration was highlighted. The guidance did not refer to specific sites and referred only to wind energy. Guidance relating to alternative forms of renewable energy would be developed over the next 12 months.

The Chairman invited a speaker to address the Committee. The speaker raised several issues, which in summary included:-

- Concerns that Guidance Note 1 was not in accordance with the Council's own Development Strategy or national planning policy including the National Planning Policy Framework (NPPF), the Overarching National Policy Statement for Energy (EN1) and the National Policy Statement for Renewable Energy Infrastructure (EN3).
- Concerns that the Council could not adopt Guidance Note 1 without considering other alternative sources of renewable energy, which effectively appear to be ruled out by this Guidance.

In response Mr S Mooring stated that there were no references in Guidance Note 1 that ruled out other forms of renewable energy. Guidance Note 1 did set out where the Council might ask for mitigation measures in the event of wind developments being provided in Central Bedfordshire. It was also commented that the document highlighted sensitivity of landscape and other factors relating to wind farm developments. In those areas deemed high or medium sensitivity an onus was placed on developers to design schemes that do more to mitigate these impacts. Under the NPPF the Council would have to approve applications if its impacts were (or can be made) acceptable.

Members who were not on the Committee raised concerns that Guidance Note 1 was disappointing and seemed to suggest that Central Bedfordshire was not supportive of wind development. In response Mr S Mooring commented that Guidance Note 1 identified some areas that are seen as having some potential for wind generation.

The Chairman invited Cllr Nicols to make a presentation to the Committee with regards to Guidance Note 1. Cllr Nicols referred to several specific concerns regards the document that were in summary as follows:-

- Cllr Nicols felt that Guidance Note 1 was an overt attempt to block wind turbines in Central Bedfordshire for political reasons and in particular it could damage the emerging Development Strategy.
- The Guidance Note was based on national planning policy that did not yet exist.

- The Guidance Note would prevent any wind turbines being developed in Central Bedfordshire. The Guidance Note was not, as was required by the NPPF, a “positive strategy to promote energy from renewable and low carbon sources”.
- The Guidance Note did not assist all parties involved in the renewable energy development process (para 1.1 refers).
- The Council should wait until the remaining series of notes had been produced to guide development of renewable energy (para 1.2 refers) rather than adopting this Guidance Note now in isolation.
- The purpose of any proposals outside of the least sensitive geographic areas having to argue their case (para 1.6 refers).
- The subjective nature of the statement relating to the impact of wind farm developments (para 2.1 refers).
- It was inappropriate to refer to the European Landscape Convention (2000) as there were several documents contained within this Convention that the Council would not consider adopting (para 2.6 refers). It was also considered inappropriate to refer to guidance produced by Natural England as it was unlikely that this would be applied to all documents contained in the Local Development Framework (para 2.7 refers).
- Whether the summaries of the content of the NPPF, EN1 and EN3 were appropriate as they failed to summarise a large amount of the content of those documents (paras 2.9 to 2.11 refer).
- It was inappropriate to refer to guidance from the Scottish Natural Heritage as this body skewed evidence against development of wind energy (para 2.13 refers).
- The emerging Central Bedfordshire Development Strategy (Policy 58 – Landscaping) should refer to no growth being permitted within an Area of Outstanding Natural Beauty (AONB).
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was inappropriate and should be removed from the Guidance Note (para 6.14 refers).

Cllr Nicols also raised the following points relating to national issues regarding the need for more positive wind guidance:-

- The 50% reduction by 2025 of the level of Gigawatts (GW) energy produced per annum in the UK from current energy sources.
- The inefficiency of exploiting gas and shale gas as a method of energy production in the future.
- Changes in energy costs depending on the time of day at which it is received by the user.
- Legal requirements being introduced to monitor energy usage.

In response Cllr Young stated that he would take Cllr Nicols’ concerns on board as part of the consultation on Guidance Note 1, particularly the potential for impact on the Core Strategy. Cllr Young did not feel that the Guidance Note precluded wind energy development but promoted development in areas that would be impacted least.

In response to a question Mr R Fox commented that the Council was not open to challenge if the Guidance Note was not implemented by March 2013, this was interim technical guidance and not a Supplementary Planning Document.

In response to the issues raised by the public speaker and the further issues raised by Cllr Nicols the Committee discussed the following issues in detail:-

- Whether a consultation had been completed on Guidance Note 1. Cllr Young confirmed that the consultation had been completed but the views of Members would be taken into account.
- There should be further safeguards included in the document other than the landscape character assessment, such as noise. It was suggested that Guidance Note 1 should provide further clarity on the impact of noise and how this might effect the areas that that might be suitable for potential wind development. In response Cllr Young stated that as a result of the consultation further guidance in relation to noise was being provided. The Council would include whatever guidance was available at the time in relation to noise.
- Whether the guidance on noise imposed a distance from properties for wind development to be deemed suitable. In response Cllr Young stated that guidance was yet to be published, once it was published the Council would take it on board.
- The Council should develop the series of renewable energy guidance notes so that they could be considered together rather than developing one at a time.
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was unrepresentative and should be removed from the document.
- The document should be rebalanced so that it was more supportive of wind energy in Central Bedfordshire.
- Why the Council had only undertaken a four-week consultation on Guidance Note 1. In response Mr R Fox commented that four-weeks was the statutory minimum for a plan of this nature, given the number of responses that were received and in order to fit into the committee timetable this duration of consultation was felt to be appropriate.

## **RECOMMENDED TO EXECUTIVE**

**That the Guidance Note on Wind Energy Development in Central Bedfordshire be adopted subject to the consideration of the detailed comments as contained in the Minutes of the meeting, including those of Cllr Nicols, and specifically comments relating to:-**

- 1. the importance of including further guidance on noise disturbance and proximity to housing;**
- 2. the removal of the drawing to visualise wind turbines against existing tall structures in Central Bedfordshire;**
- 3. the need to rebalance the Guidance Note such that it was more supportive of wind energy**