Joint Local Plan Review
for
West Dorset, Weymouth and Portland

WIND & RENEWABLE ENERGY BACKGROUND PAPER

PREFFERED OPTIONS CONSULTATION VERSION

AUGUST 2018

Weymouth & Portland Borough Council

WEST DORSET DISTRICT COUNCIL

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Contents

1. Introduction

PURPOSE OF BACKGROUND PAPER

1.1 This document is one of a number of background papers produced to support the West Dorset, Weymouth & Portland Local Plan Review.

LOCAL PLAN AND THE REVIEW

1.2 In October 2015, West Dorset District Council and Weymouth & Portland Borough Council adopted their Joint Local Plan. The Local Plan sets out a long term planning strategy for the area and includes detailed policies and site proposals for housing, employment, leisure and infrastructure. The adopted Local Plan is the main basis for making decisions on planning applications.

1.3 In his report on the examination of the Joint Local Plan, the Inspector indicated that he considered it to be "imperative that an early review is undertaken". The objective of the review is to identify additional housing land capable of meeting housing need to 2036, identify a long-term strategy for development in the Dorchester area by 2021; and reappraise housing provision in Sherborne.

1.4 If a review is absent, or the Local Plan becomes silent or out of date because of a lack of progress, the presumption in favour of sustainable development applies and the councils would have less control in determining where development goes. Failure to undertake a review or even start it promptly would be likely to increase the risk of developers submitting planning applications at an early stage.

1.5 At the same time as the Review is underway, national planning policy has changed on a wide range of issues including wind energy development.

1.6 This background paper provides a general overview of issues relevant to wind and renewable energy development and considers the Councils approach to wind energy development (Policy COM11) in the light of new government policy.

1.7 It is a working document which will be updated as evidence is acquired and the consultation process proceeds.

2. National Policy and Guidance

2.1 To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

2.2 The National Planning Policy Framework (NPPF) paragraph 151 states that plans should "consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development."

WRITTEN STATEMENT MADE BY: SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT (GREG CLARK) ON 18 JUN 2015

2.3 The Written Statement states "When determining planning applications for wind energy development involving one or more wind turbines, 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; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan."

2.4 The statement continues "maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority."

2.5 The statement sets out transitional provisions where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.

2.6 The main provisions (in paragraph 2.3) have since been incorporated into the NPPF (see footnote 49 to paragraph 154 b).

3. Climate Change

3.1 The NPPF states that "plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures". Plans should also provide a positive strategy for energy from renewable and low carbon energy and heat, reflecting the provisions and objectives of the Climate Change Act 2008.

3.2 Further information:
http://planningguidance.communities.gov.uk/blog/guidance/climate-change/

RENEWABLE AND LOW CARBON ENERGY

3.3 The NPPF explains that although any positive strategy should maximise the potential for suitable renewable and low carbon energy and heat developments, it should also ensure that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).

3.4 When drawing up a Local Plan, local planning authorities should first consider what the local potential is for renewable and low carbon energy generation. There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to.

3.5 When identifying suitable areas it is important to set out the factors that will be taken into account when considering individual proposals. These factors may be dependent on the investigatory work underpinning the identified area. Identifying areas suitable for renewable energy in plans gives greater certainty as to where such development will be permitted. For example, where councils have identified suitable areas for large scale solar farms, they should not have to give permission outside those areas for speculative applications involving the same type of development when they judge the impact to be unacceptable.

3.6 In the case of wind turbines, a planning application should not be approved unless the proposed development site is an area identified as suitable for wind energy development in the development plan. Suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines or similar will not be sufficient.

3.7 Further information:

http://planningguidance.communities.gov.uk/blog/guidance/renewable-and-low-carbon-energy/

NEIGHBOURHOOD PLANNING

3.8 Neighbourhood plans are an opportunity for communities to plan for community led renewable energy developments. Neighbourhood Development Orders and Community Right to Build Orders can be used to grant planning permission for renewable energy development. To support community based initiatives a local planning authority should set out clearly any strategic policies that those producing neighbourhood plans or Orders will need to consider when developing proposals that address renewable energy development.

EUROPEAN RENEWABLE ENERGY DIRECTIVE

3.9 As part of the European Renewable Energy Directive the UK now has a legally binding target to generate 15% of the UK's total energy needs from renewable sources by 2020. This is a UK-wide target and although no local targets have been set it is clear that the Government expects local authority areas to play their part in meeting the national 2020 renewable energy target.

BOURNEMOUTH, DORSET AND POOLE RENEWABLE ENERGY STRATEGY TO 2020 (JANUARY 2013)

3.10 The Bournemouth, Dorset and Poole Renewable Energy Strategy to 2020 (January 2013) proposes an aspirational target of at least 15% of Dorset, Bournemouth and Poole's energy needs to be met from renewable sources by 2020. However, to reflect the expectation that approximately 7.5% of this will be delivered via renewable energy resources considered by Government as 'national' resources, regardless of local action, this strategy will focus on delivering a secondary target of a minimum of 7.5% of Dorset's energy needs to be met from local renewable energy resources.

3.11 This strategy is a non-statutory document which aims to set out a clear, shared ambition for renewable energy in Dorset and identify where local action should focus to maximise the benefits for Dorset while protecting and enhancing our unique environment. While it is clearly intended to create a positive and proactive climate for the deployment of renewable energy, it will be for developers, organisations, communities or individuals to come forward with specific proposals. The exact type, size and location of technologies installed on the ground will be determined by individual planning applications, which will ensure detailed site specific constraints are considered.

3.12 Further information:

https://www.dorsetforyou.gov.uk/article/422937/Dorset-Energy-Partnership-DEP

4. Current Approach

4.1 Policy COM 11 of the adopted Local Plan sets out the approach for all forms of renewable energy development other than wind energy development. The policy includes a positive strategy that allows proposals for generating heat or electricity from renewable sources (other than wind energy) where possible, providing that the benefits of the development significantly outweigh the harm.

5. Reason for Change

5.1 The exclusion of wind energy development from policy COM11 was a late modification to the policy as a result of a change to national policy.

5.2 National planning policy asserts that applications for wind energy development will only be allowed if the development site is identified as suitable for wind energy in either a Local or Neighbourhood Plan. Wind energy applications must also demonstrate that the planning impacts identified by local communities have been addressed and therefore the proposal has their backing.

5.3 The review of the local plan presents an opportunity to consider the councils approach to wind energy development in light of the new Government policy.

6. Proposed Approach

6.1 Paragraph 151b) of the NPPF states that local planning authorities should "consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources".

6.2 Suitable areas for renewable energy development would need to be identified and allocated in either the local plan or a neighbourhood plan. In either case national policy is clear that sites must be supported by the local community.

6.3 A local plan allocation would give greater certainty as to where such development will be permitted, as the councils should not have to give permission for speculative wind energy applications when they judge the impact to be unacceptable.

6.4 In identifying suitable areas for wind energy development the councils would be contributing positively towards increasing the supply of renewable and low carbon energy. Consideration would need to be given to the rich diversity of the local environment including the Dorset AONB and the World Heritage Site designations and the ability to secure community support.

6.5 An alternative route would be to rely on local initiatives for wind energy development, led by local communities and delivered through neighbourhood plans.

6.6 In either case, individual planning applications would continue to be considered on a case by case basis, with consideration given to the appropriateness of a project's scale and design in that location.

6.7 In order to draw-out the community's views on this subject, the issues and options document asked the following question.

25-i. Should the councils allocate suitable sites for wind energy through the local plan or rely on locally led initiatives such as neighbourhood plans?

7. Issues and Options Consultation Responses

7.1 For the Wind Energy chapter, a total of 20 responses were received. The individual comments were broken down as follows:

- Number of comments made: 20
- Object: 7
- Support: 3
- Neutral: 10

7.2 The questions asked at the issues and options stage relating to Wind Energy are set out below. A summary of issues raised by the public and stakeholders has been added under each question.

25-i. Should the councils allocate suitable sites for wind energy through the local plan or rely on locally led initiatives such as neighbourhood plans?

COMMENTS RECEIVED RELEVANT TO QUESTION 25-i

7.3 There were generally mixed views as to whether Local or Neighbourhood Plans should allocate sites for wind energy. Respondents recognised the high demand for sustainable energy but raised concerns about the difficulty in finding suitable sites because of landscape and other constraints. Neighbourhood plans were seen as a means of better gauging public interest in wind energy.

7.4 Yetminster and Ryme Intrinseca Parish Council considered that Local and Neighbourhood Plans should maximise the production of green energy. Bradpole Parish Council, Portland Town Council and Natural England all consider that the allocation of wind energy should be led by the Local Plan. Natural England noted that Local Plans takes full account of protected landscape and the AONB.

7.5 Dorchester Town Council felt more national leadership was required and that neighbourhood plans could not fulfil the renewable energy needs and provide the right mix.

7.6 Sherborne Town Council and Lyme Regis Town Council objected to the principle of allocating sites.

8. Developing Preferred Options

SUPPORTING EVIDENCE

DORSET AONB MANAGEMENT PLAN 2014-2019

8.1 The Dorset AONB was designated in 1959 and is the fifth largest AONB in the country. It covers 1,129 square kilometres, approximately 42% of the county. The primary purpose of the designation is to conserve and enhance natural beauty.

8.2 The Dorset AONB Management Plan recognises that there is growing pressure for renewable energy developments in the south west. In particular a substantial solar and wind resource alongside a viable Feed in Tariff, has resulted in a rising demand for wind farms and field scale solar parks.

8.3 Large scale renewable energy developments can have a negative impact on landscape and scenic beauty, presenting potential conflicts between the need to tackle climate change and the statutory purposes of the AONB.

8.4 The introduction of Feed in Tariffs (FiT) has resulted in a rising demand for large scale commercial wind and solar energy developments, especially within the setting of the designation. Such developments are required to feed energy directly into the national distribution network resulting in the clustering of individual developments around substations. The cumulative effects of several schemes in close proximity can detract from the landscape and beauty of the AONB, in particular the undeveloped rural character and the quality of views into and out of the designation. Individual developments and decentralised community-scale renewable energy schemes should be permitted in AONBs where there is no significant detrimental effect on the landscape.

8.5 Forms of renewable energy production that have positive benefits for the AONB should be actively promoted, for example, the production of woodfuel from the sustainable management of existing woodlands, and the production of energy from the anaerobic digestion of locally generated waste are processes intrinsically linked to the positive management of the landscape. Other types of development that may be acceptable include small scale individual wind turbines, and roof-mounted solar panels especially upon new and existing educational, commercial and agricultural buildings.

8.6 Any decisions about renewable energy development should take into account any wider infrastructure needs (e.g. additional powerlines) and be based on a sound understanding of their impacts upon landscape and scenic beauty, and the enjoyment of these qualities by the public. This should take into account the differing ability of the AONB's diverse landscapes to accommodate development without harming its distinct character. It should be remembered that proposals outside of the AONB boundary can also have negative impacts upon the

landscape and scenic beauty of the designation and should be carefully assessed and considered.

8.7 The Dorset AONB Management Plan lists a series of objectives that set out what they want to achieve. Under each objective the Plan has a management policy that sets out broadly how the objective will be achieved including specific actions.

8.8 Management Policy PH1k seeks to support renewable energy production where compatible with the objectives of AONB designation. Proposed actions include undertaking and implementing a landscape sensitivity study to help guide decision making on renewable energy development and ensuring renewable energy developments affecting the AONB are assessed to a high standard with consultation in line with AONB Planning Protocol.

GUIDANCE FOR WIND TURBINE DEVELOPMENT IN THE DORSET AREA OF OUTSTANDING NATURAL BEAUTY (JANUARY 2012) NON-ADOPTED

8.9 The demand for renewable energy is rapidly increasing as fossil fuel resources continue to deplete. The UK has the largest wind resource in Europe. Dorset, as a coastal area, is particularly windy and there is good potential to harness the wind to bolster energy supplies. Nevertheless, wind development should be sensitive to Dorset's unique environment, in particular where it is located within the important landscapes of the Dorset AONB, that are highly protected for their outstanding natural beauty and scenic quality.

8.10 The Dorset AONB team has received several enquiries regarding proposed wind development within the designation and its setting. The quality of proposals has been varied and it is evident that there is a need for more clarity regarding the implications of AONB policy upon potential developments. In response the AONB team have prepared an informal guidance note to expand on the current national policy and to highlight the specific issues that should be taken into account, in line with the AONB's primary purpose to "conserve and enhance natural beauty."

NATIONAL ASSOCIATION OF AREAS OF OUTSTANDING NATURAL BEAUTY: WIND ENERGY POSITION STATEMENT

8.11 The National Association of Areas of Outstanding Natural Beauty has a position statement for renewable energy, with regards wind development it states the following:

8.12 "Smaller-scale turbines for community or individual use within or adjacent to an AONB may be acceptable where they would not, individually or in conjunction with other existing installations, be to the detriment of the natural beauty, character, amenity and / or nature conservation interest of the AONB through visual intrusion, noise, activity or associated infrastructure such as overhead

lines. In assessing the appropriateness of scale (height and number of turbines) and of a proposed development as a whole, regard should be had to:

- the topography and character of the landscape;
- the zones of visual impact of the proposals;
- the proximity and likely effect upon rights of way and open access land;
- the likely effect upon species or habitats of nature conservation interest;
- the likely effect on any below or above ground historic assets; and
- the existence of other turbines in the locality and the potential cumulative effect.

8.13 AONB boundaries rarely present a sharp border of landscape quality or character. Therefore in some cases, developments outside an AONB may adversely affect the special qualities and characteristics of an AONB. For these reasons, the above criteria should apply to wind energy developments in adjacent land or sea. The extent of the impact of developments will depend on visibility to and from the AONB and the precise character of the countryside or seascape."

DORSET AND EAST DEVON COAST WORLD HERITAGE SITE MANAGEMENT PLAN 2014-2019

8.14 In December 2001, the undeveloped cliffs and beaches between Orcombe Point near Exmouth in East Devon and Studland Bay near Poole in Dorset were inscribed on the World Heritage List, by UNESCO. The Site was granted World Heritage status under UNESCO's *criterion viii) - Earth's history and geological features* - which indicated that its geology and geomorphology were of Outstanding Universal Value (OUV).

8.15 The Jurassic Coast World Heritage Team (JCWHT) works closely with partners from local authorities and statutory agencies when a threat is predicted or identified, and to date no developments have been permitted that impact significantly on the Site's OUV.

8.16 The Management Plan acknowledges that the last five years has seen a significant growth in the development of wind farms. This has come about largely through national level policies and incentives, particularly in respect of meeting carbon reduction targets on the one hand, and improving national fuel security on the other.

8.17 The most noticeable of these in respect of the Jurassic Coast was the proposed Navitus Bay Wind Farm, an array of up to 218 turbines up to 200m in height in the sea south of Poole Bay. The Secretary of State agreed with the Examination Panel that "the scale and location of the project would affect important special qualities of the AONBs over a widespread area of coastline". The Secretary of State also agreed that "the offshore elements of the project would bring about changes in the way the World Heritage Site would be experienced or enjoyed in

its surroundings and would have adverse implications for the Site's significance and its Outstanding Universal Value."

8.18 This issue is a complex mix of threats and opportunities depending on perspective and the nature of developments being proposed.

8.19 Policy 1.4 of the Management Plan seeks to protect the landscape character, natural beauty and cultural heritage of the Site and setting from inappropriate development. Local Authorities and AONB teams discourage inappropriate development, using as evidence the setting and buffer zone arrangements in this Management Plan, and Landscape Character Assessments, Land / Seascape assessment, the Historic Environment Record and the Dorset Land and Seascape Assessment (2010). The Management Plan also aims to develop a better shared understanding of the setting of the WHS in the context of the planning system, with greater clarity on the definitions of, and differences between, the experiential and functional definitions.

HOW TO IDENTIFY SUITABLE AREAS FOR ONSHORE WIND DEVELOPMENT IN YOUR NEIGHBOURHOOD PLAN, CENTRE FOR SUSTAINABLE ENERGY JUNE 2016

8.20 From June 2015, planning policies changed to give local people the final say on planning applications for wind turbines. The government introduced two pre-conditions that onshore wind proposals would have to meet in order to get planning permission:

- The development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and
- Following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

8.21 The policy changes have been designed to offer a far greater opportunity for residents to determine and shape how wind power will be developed in their area.

8.22 The need for sites to be allocated in local or neighbourhood plans adds a layer of complexity and potential cost to the development of a wind power project. In addition (this being a relatively recent policy change) there is little experience of the processes that must be undertaken in order to develop a site allocation for wind power in neighbourhood plans. This lack of clarity could create a challenge for the ongoing development of the UK's onshore wind industry generally, but in particular represents a challenge for community-owned wind power projects. Such projects are usually developed by a group of residents in a given locality who wish to both cut their community's carbon emissions and to re-invest the profits in services and facilities within their communities, and tend to have much tighter development budgets than commercial projects.

8.23 The purpose of this note is to provide a step-by-step guide for communities to learn how to cost-effectively, identify an area as being suitable for onshore wind within a neighbourhood plan, to outline what evidence is needed to assemble to support a wind allocation, and to provide guidance on suggested policy wording and content.

SURVEY OF LOCAL AUTHORITY WIND POLICIES, CENTRE FOR SUSTAINABLE ENERGY APRIL 2017

8.24 In June 2015 the government published a Written Ministerial Statement changing the planning regime as regards onshore wind development. The policy change was significant in that onshore wind projects could only be developed if either local planning authorities or local communities took deliberate action to "opt in" to accepting onshore wind by identifying suitable areas in planning policy. Outside of the identified areas and in districts which choose not to plan for wind, onshore wind projects would not get planning permission.

8.25 The 2017 research sought to determine how local planning authorities in England were responding to this change, the proportion that were planning for onshore wind developments in their areas, those who were devolving decisions to neighbourhood planning groups and the number of neighbourhood planning groups then progressing wind policies. The research also sought to understand how the revised guidance is perceived by local authorities and the wider strategies being pursued by Local Planning Authorities to promote renewable energy.

9. National Policy & Guidance

REVISED NPPF (JULY 2018)

9.1 Paragraph 154 (and footnote 49) of the revised NPPF consolidate the Government's position on Wind Energy Development as previously outlined in the Written Ministerial Statement of 18 June 2015.

9.2 When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

10. Preferred Options Consultation

APPROACH PROPOSED IN RELATION TO WIND ENERGY & RENEWABLE ENERGY DEVELOPMENT

RENEWABLE ENERGY DEVELOPMENT

10.1 Adopted Local Plan Policy COM11 (now COM10) has been carried forward largely unaltered into the Local Plan Review – Preferred Options. A minor amendment has been made to the policy and supporting text to remove reference to wind energy development now covered by new Policy COM11.

WIND ENERGY DEVELOPMENT

10.2 National policy previously set out in the Ministerial Statement 18 June 2015 and more recently translated into the revised NPPF (July 2018) states that proposals for wind energy development should only be granted planning permission if the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

10.3 Due to the absence of local evidence and high landscape sensitivity of a large part of West Dorset (namely the Dorset AONB and World Heritage Coast) the local plan review has not identified any areas suitable for wind energy development.

10.4 Although the review has not identified any areas suitable for wind energy development the Councils are conscious of the national drive towards renewable sources of energy and the contribution they can make to meeting energy needs.

10.5 The Dorset AONB Management Plan does support "individual developments and decentralised community-scale renewable energy schemes" within the AONB where there is no significant detrimental effect on the landscape. The Councils therefore consider that proposals for a small-scale wind energy development up to a maximum of 15m to the hub will be supported where it can be demonstrated to be community-led. Support for smaller scale wind proposals would broadly conform to the objective of the AONB Management Plan.

10.6 Informal guidance prepared by the Dorset AONB team considers a 'small-scale' turbine to have a hub height up to 15m. Small-scale wind turbine projects generally consist of a single turbine for individual and / or community use. The definition would not include large-scale commercial wind farms.

10.7 Where appropriate neighbourhood development plans may seek to identify suitable areas for small scale wind energy development. It is not considered

appropriate for neighbourhood development plans to identify areas suitable for larger scale wind energy development as this scale of development is considered strategic because the impacts of development are likely to extend beyond the neighbourhood development plan area. Limiting the cluster size and scale of wind energy development also reflects the high landscape sensitivity of much of the plan review area, which is designated as Heritage Coast and AONB.

10.8 As further safeguards, proposals for small scale wind energy development will only be supported where there are no unacceptable effects on: landscape character, heritage assets, residential amenity, designated wildlife sites, biodiversity, air traffic safety, and radar and telecommunications. These criteria reflect guidance prepared by the Centre for Sustainable Energy for Local Planning Authorities and Neighbourhood Planning groups.

10.9 All wind energy proposals must include appropriately detailed, technical impact assessments which follow industry best practice and clearly demonstrate that impacts on all properties are within acceptable thresholds.

10.10 Cumulative impacts of existing operational, consented and proposed developments must be assessed, and suitable mitigation measures proposed, to minimise impacts on biodiversity and landscape character.

6-v Policy COM11 is a new policy dealing specifically with wind energy developments. Do you have any comments on this new policy?