

**NORTH DORSET LOCAL PLAN 2011 – 2016 PART 1  
EXAMINATION**

**RESPONSE TO  
INSPECTOR'S QUESTION 7 TO THE COUNCIL**

**July 2015**

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# 1. Recommendation

1.1 To better reflect new Government policy following the Written Ministerial Statement 18 June 2015 giving new considerations to be applied to proposed wind energy development giving the community the final say on proposals for new wind turbine development the following changes be made to the Plan.

- New para to be inserted immediately before Policy 22:

## Wind Energy Development

Proposals for Windfarms and wind energy development can raise concerns from local people over a range of possible potential impacts. A Written Ministerial Statement was made on the 18th June 2015 which gives reassurance to local people that they will have the final say on determining wind farm applications and this statement will be taken into account in the determination of any planning application for wind energy development. No areas for wind energy development are being proposed in this Plan but this does not preclude possible consideration being given and subsequently being brought forward in a Neighbourhood Development Plan, (made having regard to national policy), or for this matter being examined further in the review of the Local Plan or in another DPD such as LP2 (allocations and designations).

- In Policy 22 second para new clause in parenthesis:

A proposal for generating heat or electricity from renewable or low carbon sources (excluding wind energy development) will be permitted .....

- In Policy 22 criterion e delete reference to an impact which is only relevant to wind energy installations:

i.e. any issues of ~~shadow flicker~~, noise and vibration or interference ....

## 2. Introduction

2.1 This statement is in response to a question asked by the Inspector on 9<sup>th</sup> July 2015

The inspector's question was:

*The Secretary of state published a Written Ministerial Statement in June which sets out new considerations to be applied to proposed wind energy development.*

*The expectation is that any future wind energy development must be in an area identified as suitable for wind energy in a local or neighbourhood plan<sup>1</sup>.*

*At this stage in the Examination process I consider a pragmatic approach to this matter should be sought. For example the Council could revise policy 22 and its supporting text to confirm that it does not relate to wind turbines and that until such time as the Plan is reviewed any wind turbine proposal would be considered against the advice in the Ministerial Statement. There may be other ways forward, however, and it is for the Council to decide how it wishes to proceed.*

*It would be helpful if the Council could consider this matter and let me know how it intends to address the implications of the Ministerial Statement.*

*An initial response by Friday 24<sup>th</sup> July would be welcome.*

2.2 The Written Ministerial Statement dated 18th June 2015 can viewed on the following web-link:

<http://www.parliament.uk/documents/commons-vote-office/June%202015/18%20June/1-DCLG-Planning.pdf>

2.3 National Planning Practice Guidance has been amended to reflect the Ministerial Statement and can be viewed on the following web link:

<http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines/>

## 3. Council's Response to Question 7

3.1 The Written Ministerial Statement by the Secretary of State for Communities and Local Government (Greg Clark) entitled "Local planning" was made to the House of Commons on 17 June 2015. The WMS sets out new considerations to apply to proposed wind energy development. The expectation is that any future wind energy development must be in an area identified as suitable for wind energy in a local plan or neighbourhood plan and the proposal has demonstrably the backing of

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<sup>1</sup> NPPF paragraph 97, 3<sup>rd</sup> bullet point

the local community. Hereafter development described as “windfarms” – is used interchangeably with Wind Energy Development as in revised National Practice Guidance

- 3.2 The Local Plan Part 1 has not designated any particular area within North Dorset as suitable for wind energy turbine development.
- 3.3 In North Dorset there are no Neighbourhood Development Plans which have yet been made. Whilst several NDPs have commenced none are advanced to draft submission stage and from what is known none are proposing to identify areas as suitable for wind energy development. However this is not to say that such may not advance in the future as an expression of community preference.
- 3.4 As appropriate location, scale, appearance, mitigation measures etc. of any wind energy development thought potentially to be acceptable may be further addressed in Local Plan 2 – Allocations and Designations and also to come forward for further consideration in the early review of LP1.
- 3.5 The WMS and national practice guidance describe “transitional provisions” to follow were a planning application to be submitted to the council sometime in the future and before consideration is given to the allocation suitable areas for wind energy development in the development plan. 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. This is consistent with the Secretary of State’s preference that the community “has the final say”.
- 3.6 It is understood that currently there are no pending proposals for windfarms or other wind energy development in North Dorset but this is not to say that such may not arise under the aegis of Local Plan Part 1 or a further Development Plan Document is advanced e.g. Local Plan Part 2 – which is to deal with Allocations and Designations.
- 3.7 NDDC LP1 Policy 22 may be regarded as being more positive towards wind farm development than is now intended by the WMS... It is appropriate to be explicit that the Policy does not now apply to wind energy development.
- 3.8 It follows that reference to “wind flicker” – which is an impact only attributable to wind turbines – would also be deleted from Policy 22.

## 4. Conclusion

- 4.1 The council proposes that an additional paragraph be introduced into the draft plan to acknowledge the recent Ministerial Statement as national government planning policy, and to explain how the requirement for identifying the planning impacts of

concern to potentially affected local communities will be taken into account when decision taking on planning applications for wind energy development. Thus consistency with national policy may be demonstrated.

4.2 Consequential changes would follow from this in the detailed wording of Policy 22 – to exclude wind energy development (para 2 Policy 22) and to “shadow flicker” (para e Policy 22).

4.3 The following additional paragraph is proposed:

Wind Energy Development

Proposals for Windfarms and wind energy development can raise concerns from local people over a range of possible potential impacts. A Written Ministerial Statement was made on the 18th June 2015 which gives reassurance to local people that they will have the final say on determining wind farm applications and this statement will be taken into account in the determination of any planning application for wind energy development. No areas for wind energy development are being proposed in this Plan but this does not preclude possible consideration being given and subsequently being brought forward in a Neighbourhood Development Plan, (made having regard to national policy), or for this matter being examined further in the review of the Local Plan or in another DPD such as LP2 (allocations and designations).

4.4 This paragraph will be incorporated as an additional change and to be open for public consultation at the same time as the council’s proposed main modifications arising from the advice in the Inspector’s Preliminary Findings (9<sup>th</sup> June 2015).