

## Exercise 2: Wind Development

Information on an example wind farm scheme is set out below. Three Plans (Figure 1: Location Plan, Figure 2: Site Layout Plan, Figure 3: Constraints Plan) have also been provided.

The Task:

- Read through the information below.
- Now look at extract from National Planning Policy and the example of local renewable energy policy in the middle of your table.
- Consider if the NPPF and local policy would provide you enough of a policy steer to determine the proposed wind farm development and come to a view as to whether the policy framework is clear and robust:
  - Do you expect the determination of this application (or at least the officer's recommendation) to be straightforward?
  - What information would enable more robust decision making?

### Proposed Development

Planning permission is sought for the erection of 4 wind turbines and their associated infrastructure. The location of the development is shown on [Figure 1](#).

The EIA states that the wind farm would have an installed capacity of between 8 and 10 MW based on the use of 2 / 2.5 MW turbines.

The ancillary development to the wind farm mainly consists of the following;

- a) Control building incorporating sub station;
- b) Temporary lay down area and construction compound;
- c) Construction of new access to the south of the site
- d) Construction of new access to the east of the site
- e) Construction of approx. 3.5 - 4km of new access tracks;
- f) Construction of a crane pad adjacent to each turbine;
- g) Underground electrical cabling;

See [Figure 2: Proposed site layout plan](#).

The wind farm is proposed to have a 25 year life excluding construction and decommissioning phases which are indicated as being 10 month periods.

Decommissioning is indicated as providing for the removal of the turbines and all surface features although suggests that foundations and tracks would remain in place.

The submission suggests construction working hours of Mon – Fri 7 am to 7 pm and Sat 8 am to 1 pm although requests works associated with the abnormal loads (construction of turbines) be unrestricted as these require police escorts, etc and would need third party agreements.

It is then connected to the on site metering within the control building via 11 kV or 33 kV underground cables placed in trenches generally following the route of the access tracks.

## Environmental and Context Information

The site constraints are shown on [Figure 3](#).

### Landscape and Visual Impacts

- The site falls within an area of least constraint for wind turbines in the LPAs Renewable Energy Study (2009) (i.e. Area X).
- The site is not subject to international or national landscape designations.
- The impact of the proposal on both the character and appearance of the local landscape has been assessed as:

There would not be significant effects on the landscape character within area studied. The visual assessment has however found that there may be more significant visual effects on some receptors close to the site, as would be expected.

Cumulative impacts on designated landscapes have been assessed to be of minimal significance. The most potentially significant cumulative visual impacts are predominately limited to the views of a combination of this wind farm and other proposed with farms to the north of the site.

### Noise

An assessment of predicted noise levels from the proposed wind turbines has been carried out in accordance with the government's guidance on the calculation and Assessment of Noise from Wind Farms (ETSU-R-97: Assessment and Rating of Noise from Wind Farms).

Six properties around the site were selected in consultation with the LPA's Environmental Health Officers and these have been used to represent properties in the area.



The predicted noise levels at all the representative properties are less than the day time and night time limits specified in the guidance for all of the wind speeds considered.

## Ecology

A number of specialised ecological surveys have been carried out on the site. The application site lies outside any international or national designated areas for nature conservation.

The effect of the proposal on designated areas habitats and species within the site would not be significant.

The ornithology assessment has concluded that potential effects on important bird species would not be significant. To protect bat population, we are using turbine stand of distances from hedgerows used by bats for foraging.

The new access road would pass through a local community forest.

## Archaeology and Cultural Heritage

An archaeology and cultural heritage assessment has been carried out. The assessment looked at the potential for direct effects (physical) and indirect effects (setting) on known features of historic importance and also the potential for uncovering and affecting unknown archaeological features.

There are no scheduled ancient monuments, listed buildings, conservation areas or other nationally designated features within the application area. There is one grade II listed building adjacent to the western boundary of the site (an accommodation bridge under the railway line) which will not be affected by the proposal.

The proposed wind farm would not have any significant direct or in direct effects on archaeological or cultural heritage features.

## Television, Telecommunication, Utilities and Radar

It is possible for wind turbines to cause interference to local TV reception and telecommunication links. Liaison with the BBC and telecom operators has formed the basis for the assessment of possible impacts. Any TV reception impact will be overcome by realignment or upgrading the viewers television aerial or installing a new mast. We will carry out these works if television reception is affected by the proposed development.

Telecommunication links near the site have been identified and avoided where possible during the design process. Where mitigation is required it is possible to overcome any impact by realigning the link or installing a new mast. Through consultation and assessment it is predicted that the proposed wind farm would not have a significant effect on the safe working or operation of either military or civil aviation radar systems.



The National Grid has advised that a Major Accident Hazard Pipeline (MAHP) high pressure gas pipeline runs through the application site with turbines in close proximity and access tracks passing over the pipeline.

## Transport

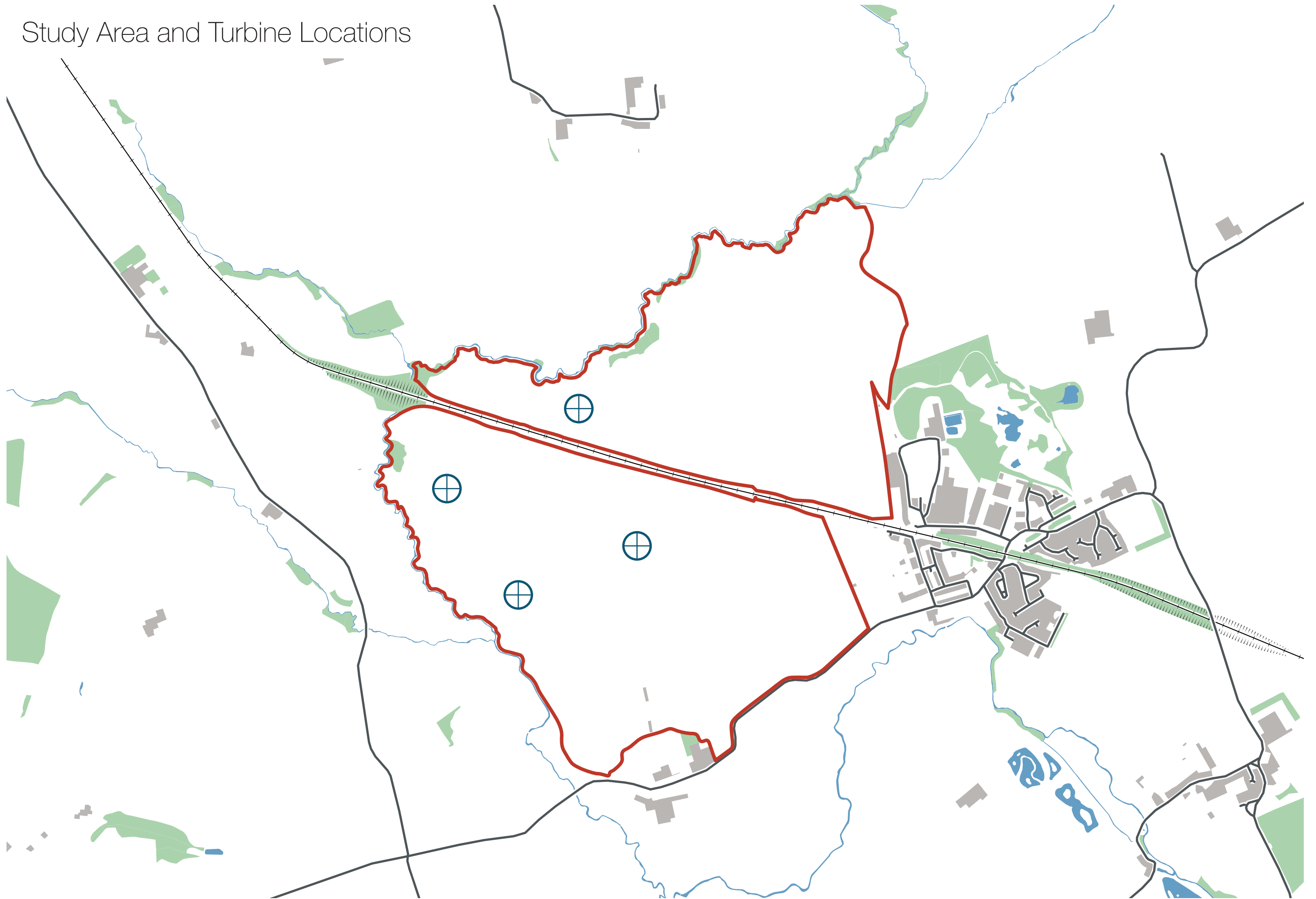
The construction traffic and transport assessment concludes that there would be a short term, insignificant increase in traffic levels during the construction of the proposed development (and during decommissioning). It is recommended that this is controlled by means of a traffic management plan agreed with the Highway Authority. Abnormal (large) loads will be escorted and will arrive at times agreed with the police and the Highway Authority.

A railway line runs through the centre of the site.

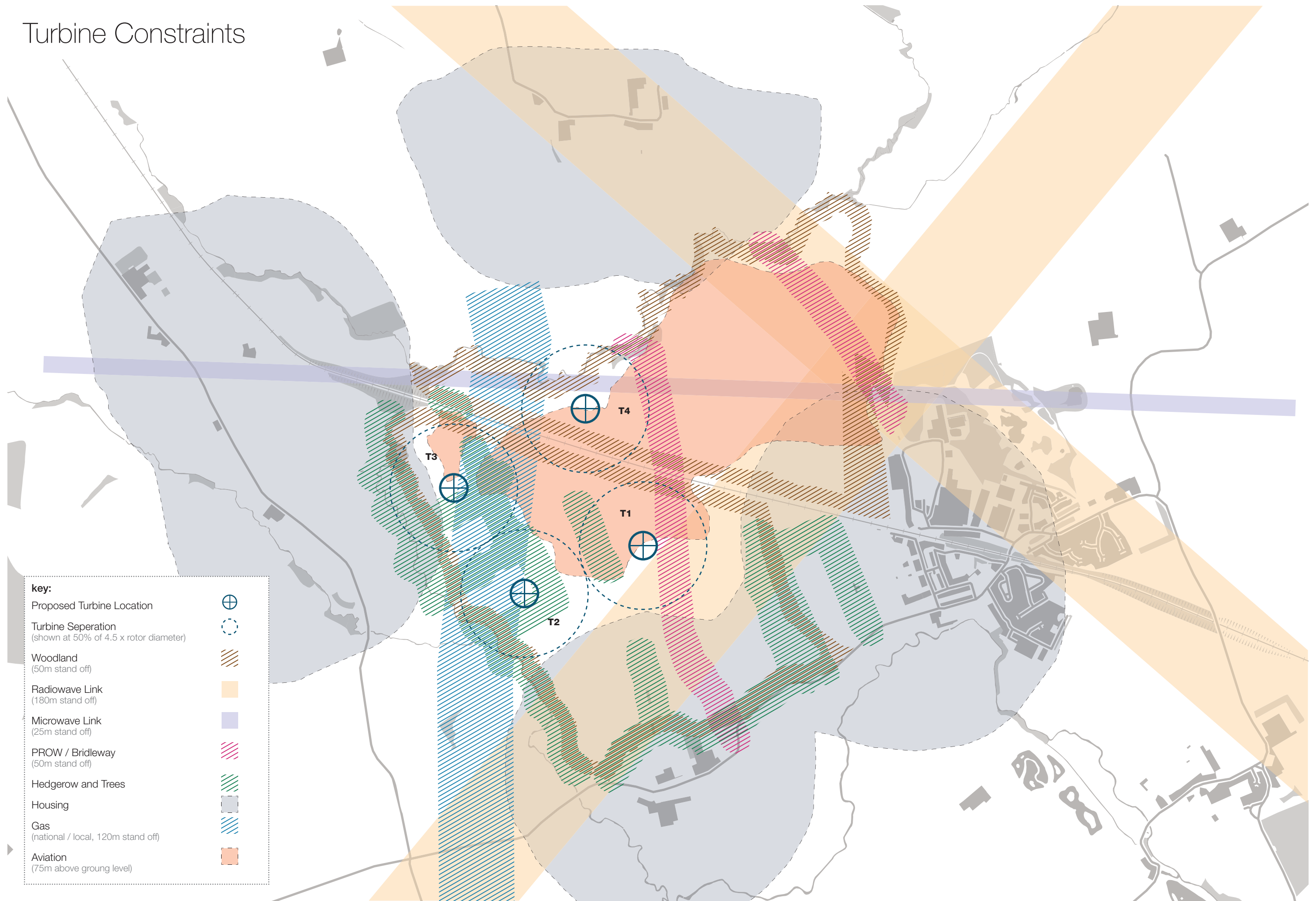
# Location Plan



# Study Area and Turbine Locations



# Turbine Constraints



## Renewable Energy Policy – Example 1

### Policy 1.1- Responses to Climate Change

Action to reduce the city's impact on climate change will include:

- a. giving priority to development in the City Centre and other areas that are well served by sustainable forms of transport; and
- b. promoting higher densities of development in locations that are well served by sustainable forms of transport; and
- c. promoting routes that encourage walking, cycling and the use of public transport; and
- d. designing development to increase energy efficiency and reduce energy consumption and carbon emissions; and
- e. promoting developments that generate renewable energy; and
- f. reducing the volume of waste disposed of in landfill sites and generating energy from waste.

Action to adapt to expected climate change will include:

- g. locating and designing development to eliminate unacceptable flood risk
- h. giving preference to development of previously developed land where this is sustainably located
- i. adopting sustainable drainage systems
- j. encouraging environments that promote biodiversity, including the city's Green Network
- k. designing development to minimise the relative heating of urban areas.

### Policy 1.2 Sustainable Design of Developments

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and function in a changing climate. All developments will be required to:

- a. achieve a high standard of energy efficiency; and
- b. make the best use of solar energy, passive heating and cooling, natural light, and natural ventilation; and
- c. minimise the impact on existing renewable energy installations, and produce renewable energy to compensate for any loss in generation from existing installations as a result of the development.

All new buildings and conversions of existing buildings must be designed to use resources sustainably. This includes, but is not limited to:

- d. minimising water consumption and maximising water re-cycling;
- e. re-using existing buildings and vacant floors wherever possible;
- f. designing buildings flexibly from the outset to allow a wide variety of possible future uses;
- g. using sustainable materials wherever possible and making the most sustainable use of other materials;
- h. minimising waste and promoting recycling, during both construction and occupation.





## Policy 1.2: Renewable Energy and Carbon Reduction

Renewable energy capacity in the city will exceed 12MW by 2010 and 60MW by 2021.

Areas X has potential locations for larger-scale wind generation though not to the exclusion of other sustainable locations.

**All significant developments will be required, unless this can be shown not to be feasible and viable, to:**

- a. **provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy; and**
- b. **Generate further renewable or low carbon energy or incorporate design measures sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. This would include the decentralised and renewable or low carbon energy required to satisfy (a).**

The renewable or low carbon energy technologies must be operational before any new or converted buildings are occupied.

If it can be demonstrated that the required reduction in carbon emissions cannot be met through decentralised renewable or low carbon energy and/or design and specification measures, a contribution towards an off-site carbon reduction scheme may be acceptable.

## Renewable Energy Policy – Example 2

### Policy 2.1, Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.
3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document (Note: Once the RSS is abolished these policies would no longer apply)

**Policy 40 (Regional Priorities for Low Carbon Energy Generation)** seeks to achieve the regional target of 175MWe (460GWh/y) of energy from onshore wind sources by 2020. The policy sets out specific criteria for Local Planning Authorities to consider in relation to wind energy proposals.

In establishing criteria for onshore wind energy, Local Planning Authorities should give particular consideration to:

- Landscape and visual impact, informed by local Landscape Character Assessments;
- The effect on the natural and cultural environment (including Biodiversity, the integrity of designated nature conservation sites of international importance, and historic assets and their settings);
- The effect on the built environment (including noise intrusion);
- The number and size of turbines proposed;
- The cumulative impact of wind generation projects, including 'intervisibility';
- The contribution of wind generation projects to the regional renewables target; and

- The contribution of wind generation projects to national and international environmental objectives on climate change.

8. Additionally, in designing new development, proposals will:

- Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
  - Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
  - Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
  - Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.
9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

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- The cumulative impact of wind generation projects, including 'intervisibility';
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## Renewable Energy Policy – Example 3

### Policy 3.1, Renewable and Low Carbon Energy

Developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the National Park;
- Would not impact adversely on the local community, economy, or historical interests;
- Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;
- Would not have an adverse impact on air quality, soil and water resources.

In the absence of major opportunities for large-scale renewable and low carbon energy generation, new development will be expected to play a key role in reducing carbon emissions. In Ryedale all new development should be built to as high a standard as is available nationally and deliver on-site renewable and low carbon energy.

All new development will demonstrate that all levels of the energy hierarchy have been addressed. This will involve delivering the most up to date national standards for energy efficiency and on-site decentralised renewable and low carbon energy.

For all new homes this currently means complying with Building Regulations and attaining Code for Sustainable Homes Level 4 up to 2016 and Level 6 beyond 2016. For all other development (over 1000 sq m) this means attaining 'very good' standards as set out in the Building Research Establishment Environmental Assessment Method.

In all new residential development proposals and all new commercial development proposals over 1,000 sq m will be expected to make provision for at least 10% of energy supply to be provided from decentralised renewable or low carbon sources.

Applications for residential and commercial development will be accompanied by an energy statement that explains how the energy hierarchy has been integrated in the scheme. The Local Planning Authority will take into account the feasibility and viability issues associated with the delivery of low carbon and decentralised energy. Where it is not feasible or viable to provide for these standards on-site, or within the locality, consideration will be given to Allowable Solutions in line with agreed national definitions.

The Sites Document will aim to establish more ambitious targets and identify opportunities for the use of particular technologies (such as combined heat and power (CHP) and district heating schemes).

## Renewable Energy Policy – Example 4 (based on East Riding)

### Policy 4.1: Promoting sustainable patterns of development and addressing climate change

- a. The LDF and development decisions will seek to promote sustainable patterns of development and reduce the level of greenhouse gas emissions by:
  1. Directing new development to areas where there are services, facilities, homes and jobs, and where it can be served by sustainable modes of transport;
  2. Making the most efficient use of land, mineral, energy, and water resources, including prioritising the use of the area's previously developed land, ensuring that such land is safe and free from contamination or capable of full remediation;
  3. Building at higher densities where appropriate and supporting opportunities for mixed-use development;
  4. Promoting sustainable modes of transport and well-connected places;
  5. Supporting the creation of economic clusters for the renewable energy technology sector;
  6. Encouraging renewable energy generation and other suitable technologies in appropriate locations to exceed RSS/IRS targets;
  7. Requiring a proportion of energy supplying larger developments to come from decentralised and renewable or low carbon sources;
  8. Requiring high standards of sustainable design and construction (i.e. in accordance with the Code for Sustainable Homes and BREEAM);
  9. Conserving, enhancing and linking Green Infrastructure (e.g. through the Heywoods initiative, Rights of Way Improvement Plan); and
  10. Promoting sustainable waste management (e.g. anaerobic digestion).
- b. The LDF and development decisions will seek to mitigate and adapt to the expected impacts of climate change by:
  1. Directing development away from areas of high flood risk;
  2. Facilitating the re-location/rollback of development from areas between Barmston and Spurn Point that are vulnerable to coastal change;
  3. Requiring high standards of sustainable design and construction (i.e. in accordance with the Code for Sustainable Homes and BREEAM) with built-in resilience to the impacts of climate change (e.g. from flood risk, storms, higher temperatures and drought); and
  5. Conserving, enhancing and linking Green Infrastructure to help support habitat networks and to provide flood mitigation features.

## Policy 4.2: Developing renewable energy

- A. Grid connected Renewable Energy Targets in the RSS/IRS will be exceeded by a variety of renewable energy types.
- B. Proposals for renewable energy development and the associated infrastructure will be supported where possible, weighing the wider environmental and economic benefits against any harmful effects.  
Developments should:
  1. Consider the capacity for landscapes to accept renewable energy development avoiding areas of high landscape value.
  2. Take into account the cumulative impact of a proposal and the effects of development on the economy; amenity; biodiversity and nature; built heritage; navigation and radar; telecommunications and transport (including the opportunity to use waterways and rail for transportation of materials and fuel)
  3. Ensure the impact on the local community is fully considered
  4. Ensure adverse effects are mitigated against as far as possible and that any adverse effects do not outweigh the benefits of renewable energy
  5. Ensure that any adverse effects do not exceed any relevant standards e.g. for noise
  6. Ensure that the development will not be affected by coastal erosion over the lifetime of the development,
  7. Ensure the development is decommissioned at the end of its life, with minimal impact on landscape and biodiversity
- C. Where a risk is foreseen a precautionary approach should be taken, the developer will provide evidence to show that any significant adverse effect will not occur or can be mitigated.

A Supplementary Planning Document will be produced on renewable energy development.

## Proposed policy 4.3 Promoting sustainable construction

- Development will, through its planning, design, layout, construction, and usage, seek to reduce carbon emissions and make prudent and efficient use of natural resources, particularly energy and water. This includes expecting that:
  1. All new development of 10 or more dwellings or 1000m<sup>2</sup> (gross) of non-residential floorspace will achieve at least the RSS/IRS target in providing decentralised and renewable or very low carbon energy technologies
  2. Larger developments will aim to exceed the RSS/IRS target and consider how to contribute/share new technologies to meet part of the energy needs and/or increase the sustainability of adjacent existing development, and be capable of being adapted over time, to further upgrade energy efficiency and allow alternative occupancy and/or use
  3. The chosen technology(ies) will be operationally suitable for the development, be visually acceptable and not unduly harm amenity





4. All new development will attain a high standard of sustainable construction in line with the prescribed national ratings (The Code for Sustainable Homes, BREEAM or equivalent).

## Renewable Energy Policy – Example 4

### Policy 4.1: Promoting sustainable patterns of development and addressing climate change

- a. The LDF and development decisions will seek to promote sustainable patterns of development and reduce the level of greenhouse gas emissions by:
  1. Directing new development to areas where there are services, facilities, homes and jobs, and where it can be served by sustainable modes of transport;
  2. Making the most efficient use of land, mineral, energy, and water resources, including prioritising the use of the area's previously developed land, ensuring that such land is safe and free from contamination or capable of full remediation;
  3. Building at higher densities where appropriate and supporting opportunities for mixed-use development;
  4. Promoting sustainable modes of transport and well-connected places;
  5. Supporting the creation of economic clusters for the renewable energy technology sector;
  6. Encouraging renewable energy generation and other suitable technologies in appropriate locations to exceed RSS/IRS targets;
  7. Requiring a proportion of energy supplying larger developments to come from decentralised and renewable or low carbon sources;
  8. Requiring high standards of sustainable design and construction (i.e. in accordance with the Code for Sustainable Homes and BREEAM);
  9. Conserving, enhancing and linking Green Infrastructure; and
  10. Promoting sustainable waste management (e.g. anaerobic digestion).
  
- b. The LDF and development decisions will seek to mitigate and adapt to the expected impacts of climate change by:
  1. Directing development away from areas of high flood risk;
  2. Facilitating the re-location/rollback of development that are vulnerable to coastal change;
  3. Requiring high standards of sustainable design and construction (i.e. in accordance with the Code for Sustainable Homes and BREEAM) with built-in resilience to the impacts of climate change (e.g. from flood risk, storms, higher temperatures and drought); and
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  - 2. Take into account the cumulative impact of a proposal and the effects of development on the economy; amenity; biodiversity and nature; built heritage; navigation and radar; telecommunications and transport (including the opportunity to use waterways and rail for transportation of materials and fuel)
  - 3. Ensure the impact on the local community is fully considered
  - 4. Ensure adverse effects are mitigated against as far as possible and that any adverse effects do not outweigh the benefits of renewable energy
  - 5. Ensure that any adverse effects do not exceed any relevant standards e.g. for noise
  - 6. Ensure that the development will not be affected by coastal erosion over the lifetime of the development,
  - 7. Ensure the development is decommissioned at the end of its life, with minimal impact on landscape and biodiversity
- C. Where a risk is foreseen a precautionary approach should be taken, the developer will provide evidence to show that any significant adverse effect will not occur or can be mitigated.

A Supplementary Planning Document will be produced on renewable energy development.

### Proposed policy 4.3 Promoting sustainable construction

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  1. All new development of 10 or more dwellings or 1000m<sup>2</sup> (gross) of non-residential floorspace will achieve at least the RSS/IRS target in providing decentralised and renewable or very low carbon energy technologies
  2. Larger developments will aim to exceed the RSS/IRS target and consider how to contribute/share new technologies to meet part of the energy needs and/or increase the sustainability of adjacent existing development, and be capable of being adapted over time, to further upgrade energy efficiency and allow alternative occupancy and/or use
  3. The chosen technology(ies) will be operationally suitable for the development, be visually acceptable and not unduly harm amenity
  4. All new development will attain a high standard of sustainable construction in line with the prescribed national ratings (The Code for Sustainable Homes, BREEAM or equivalent).

## Relevant Policies from National Planning Policy Framework – Wind Development

### Core Planning Principles

The NPPF includes 12 core planning principles (paragraph 17), one of which is to

*'support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example by the development of renewable energy)'.*

### Meeting the challenge of climate change, flooding and coastal change

Paragraph 97: 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: They should:

- Have a positive strategy to promote energy from renewable and low carbon sources;
- Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- Consider identifying suitable areas for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and
- Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and suppliers.

Paragraph 98 of the NPPF provides specific guidance for local planning authorities in determining planning applications, stating that local planning authorities should:

- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- Approve the application (unless material considerations indicate otherwise) 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 also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Paragraph 100 of the NPPF sets out national planning policy on flood risk and seeks that inappropriate development in areas at risk of flooding should be avoided by directing development away from the areas at highest risk of flooding. The NPPF goes on to talk about the sequential and exceptions test. The former PPS25 guidance is included in a separate document entitled 'technical guidance to the NPPF'. This document reconfirms that renewable energy schemes do not need to meet the sequential or exceptions test.

## Meeting the challenge of climate change, flooding and coastal change

The NPPF includes a section on conserving and enhancing the natural environment. Relevant policies are set out below:

Paragraph 112: Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This position replicates the policy direction of the former PPS7: Sustainable Development in Rural Areas in relation to the loss of agricultural land.

Paragraph 118: When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles (paragraph 118):

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made information about their statutory purposes, management and other matters. where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- The following wildlife sites should be given the same protection as European sites:
  - Potential Special Protection Areas and possible Special Areas of Conservation;
  - Listed or proposed Ramsar sites; and
  - Sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

Paragraph 123 includes the NPPF policies on noise and states that planning policies and decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts<sup>1</sup> on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts<sup>2</sup> on health and quality of life arising from noise from new development, including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;<sup>3</sup> and
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

### Conserving and enhancing the historic environment

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance,

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<sup>1</sup> See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

<sup>2</sup> See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

<sup>3</sup> Subject to the provisions of the Environmental Protection Act 1990 and other relevant law.

notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.