

KNOWSLEY LOCAL PLAN: CORE STRATEGY EXAMINATION

INSPECTOR'S NOTE – WIND ENERGY DEVELOPMENT

1. The Secretary of State for Communities and Local Government published a Written Ministerial Statement (WMS) entitled 'Local Planning' on 18 June 2015, together with a press release. The WMS sets out new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications.
2. Subject to a transitional provision relating to planning applications already submitted, these considerations took effect from the date of issue (18 June). The WMS indicates that when determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:
 - the proposed 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.
3. The WMS is supported by a number of consequential changes to national Planning Practice Guidance on Renewable and Low Carbon Energy. These make clear (at paragraph 5) the need to identify areas suitable for wind energy development in a Local or Neighbourhood Plan, and that planning applications for wind turbines should not be approved unless the site is in such an area.
4. Knowsley Local Plan: Core Strategy (KLPCS) policy CS 23 "Renewable and Low Carbon Infrastructure" gives general support for proposals that produce renewable and low carbon energy, subject to there being no significant harm to a range of interests and matters. Although wind energy is not specifically mentioned in policy CS 23 or the accompanying text, it is clear that the policy applies to all types of renewable energy, including wind.
5. The KLPCS does not include "an area identified as suitable for wind energy development". I note that the potential for wind energy generation in Knowsley was examined in the evidence base. It is not clear to me whether potentially suitable areas were examined and none were identified, or whether such an exercise was not carried out.
6. The WMS has implications for the soundness of the KLPCS, in that the plan contains a criteria-based policy that would permit wind energy development if its criteria are met, but the plan does not identify "suitable areas" for such development. In these circumstances the options available to the Council include:

Knowsley Local Plan: Core Strategy Examination

- a. Add to the criteria-based policy CS 23 on Renewable and Low Carbon Infrastructure the additional WMS tests (ie a wind turbine proposal must be in an area identified as suitable for wind energy development and must fully address the planning impacts identified by local communities). In this way the KLPCS would include the up-to-date policy, albeit without identifying suitable areas. The rationale would be provided in the supporting text, which would say that the identification of any areas suitable for wind energy development would be carried out as part of the Site Allocations and Development Management stage of the Local Plan.
 - b. Delete policy CS 23 or specifically exclude wind turbines from its provisions, stating in the policy that future wind energy planning decisions would rely on the WMS.
 - c. Amend paragraph 9.17 of the KLPCS to make it clear that policy CS 23 does not relate to wind turbines, that the wind turbine issue will be dealt with at Site Allocations and Development Management stage, and that in the meantime wind turbine proposals will be considered against the WMS.
7. Any alteration along these lines would be a Main Modification (MM) to the KLPCS and would resolve the potential unsoundness issue. The substantive changes suggested in 6(a) or 6(b) would require further public consultation and, perhaps, Sustainability Appraisal (SA) of the modification.
 8. It may be appropriate for the less significant MM suggested in 6(c) to be added without the need for a further round of public consultation and SA at this stage. If the Council favours option 6(c), I invite it to consider whether there is a need for SA and public consultation on the proposed MM. If, having considered any potential for legal challenge, the Council reaches the view that there is no need for SA and public consultation and requests that I make this MM, it would enable me to complete my report without any further delay.
 9. There may be alternative ways of dealing with the WMS other than those outlined above. I am happy to consider other suggestions from the Council.
 10. I would appreciate the views of the Council on the WMS and the content of this Note by **Friday 24th July 2015**, if possible. Although this Note is primarily directed at the Council, any other party wishing to express an opinion on this matter should submit their comments to the Programme Officer by the same date.
 11. In my Note dated 19 June 2015 I stated that I would send my report on the examination to the Council by 10 August 2015. This will no longer be possible. I will advise all parties of a revised submission date once I have considered the responses to this Note.

Martin Pike

Inspector
8 July 2015