

# PLANNING FOR THE FUTURE: DEVELOPING WIND FARMS UNDER A COALITION GOVERNMENT

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The UK has just entered into an historic period of coalition government, which promises to throw the nation's hard-fought wind power policies into disarray. The coalition governments of Germany, Italy and Austria on the other hand, are forging ahead with inspired legislation, which may shine a light on Britain's efforts. However, until these governments' pioneering policies are recognised, it seems that the UK will continue to flounder...



Which way is the wind blowing? On the one hand, the Conservatives (Tories) have published the Renewable Energy Action Plan for the United Kingdom, which talks about the need to dramatically increase renewable energy generation; on the other hand, they have revoked Regional Spatial Strategies, which contain legally binding renewable energy targets. The left hand talks of the planning system continuing to act as an impediment to speedy deployment; the right hand takes away the most obvious strategic planning tool.

The move is towards local decision-making and away from centralised control. The Tories say that on-shore wind farms are not appropriate in all settings: local community consent is vital, and applications will need to be considered in the light of the possible

impact on the local environment. This, according to the Conservatives, means allowing communities to be beneficiaries of onshore wind development. As stated in their pre-election Green Paper, "Open Source Planning", their policy is to allow communities that choose to host wind farms to keep the business rates they generate for six years. They are also "examining how community ownership of wind turbines can be introduced".

What this all means for the on-shore wind sector in practice isn't clear; the early signs have not been promising. The first two decisions made by Eric Pickles, the UK's Secretary of State for Communities and Local Government, have resulted in refusal of permission for schemes in Yorkshire and the Borders. Near Wakefield, Pickles laced his decision letter with references to the

revocation of the RSS and suggested that less weight be attached to meeting strategic targets. If this is the thin end of the wedge and an indication of what the Tories truly think about on-shore wind schemes, then we all have reason to worry.

In the short term, what the policy of local decision making and the new strategic policy vacuum does mean is a return to the days of planning by appeal; in increasing numbers, developers are lining up to take schemes through the appeal process. The Planning Inspectorate is seeking to dispose of wind farms appeals within 20 weeks from the date of validation and, for the foreseeable future, the volume of inquiries looks as if the process is going to be fast and furious. Of course, causing the majority of the decisions to

be made by the Planning Inspectorate isn't what the localism agenda of the Government intended, but it does look like being the consequence of what has happened.

If national renewable energy policy objectives are to be met, then not all wind farms can be located on isolated coastlines, fenlands or moorlands in England. There have never been 'easy' sites for on-shore wind development, but those three broad types of landscape are now accommodating a considerable number of schemes. However, relatively straightforward choices will only go so far. To make real progress towards the 2011-2012 national interim target set out in the Renewable Energy Strategy and reiterated in the Renewable Energy Action Plan, wind farms will have to be appropriately sited and accepted in settled parts of rural England, both lowland and upland. This is very much where the battles are being fought at the moment.

Development in settled parts of rural England has caused a number of topics to come to the fore in recent months. Interest in protection of the amenity of residential occupiers has reached a level very rarely seen, if at all, in relation to other forms of built development. High water marks this year have been the refusal of a scheme at Brightenber in Craven District on the basis of effects on lifestyle of a single farm unit.

In another case in Lincolnshire, consent was refused because of the potential effects of turbines on the health of two motion sensitive children. The question now asked is whether turbines appear in such numbers and at such

close distances that they appear as being unacceptably overwhelming or overbearing. Whilst there is no policy guidance on this 'liveability' factor, as a matter of course, developers are producing extremely detailed 'gazetteer' style assessments of all houses within a radius of 1km of any turbine.

Proximity to settlement also causes decision makers to focus on the effects of noise, and objections now come in two forms. Firstly, criticism is made that ETSU-R-97, which is the nationally-endorsed guidance for rating and assessment of noise from wind turbines, is no longer fit for purpose. In particular, it does not allow adequate account to be taken of Amplitude Modulation, which has, at least at one location at Deeping St. Nicholas, caused considerable disturbance.

Secondly, even if a wind farm can be shown to operate within noise levels predicted in ETSU-R-97, a more recent strand of attack is that current guidance fails to provide adequate protection against noise which is capable of disturbing natural sleep and which can lead to chronic health problems. In the field of noise, there is much scaremongering and misinformation but there are also serious questions which need to be answered on a robust scientific basis. DECC has recently announced that it has commissioned an expert report to be carried out in this field.

A third area of concern which has become increasingly important has been the potential effect of wind farms on cultural heritage assets; in settled England, virtually every wind farm will

have some effect on listed buildings, scheduled ancient monuments or other features. If all cultural heritage features and their settings were to be accorded absolute protection, then very few new wind farms would get built. What the recently-published PPS 5 has sought to do is to recognise the balance that needs to be struck between preservation of those elements of setting which contribute most towards an understanding of historical significance of an asset, and the wider public benefit of renewable energy generation. Of course, identifying what the setting of a cultural heritage asset may be in the first place is a vexed question, and one which has led to a number of seemingly contradictory decisions, but it is an issue with which decision makers are going to have to grapple.

In short, the Government have not yet made clear which way they think the wind is blowing. Binding targets at European level remain, and the need for diversity in the means of generation, the need for security of supply and the need to reduce carbon emissions remain in place. Whether on-shore wind has a large role to play in meeting those objectives remains to be seen. In the short term, the initial decision-making by Eric Pickles will result in a rash of appeals, fought over potential effects on living conditions of everyday people in rural England. Whilst these battles go on, developers are drawn into producing ever-increasing levels of detail, and new ideas of what price it is reasonable to expect private interests to bear (in pursuit of the greater public interest) are cast. ■

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