

Appendix 3

Extract from Cumbria Joint Structure Plan

Policy R39 - Areas of search for grid-connected renewable energy

Proposals for the development of grid-connected renewable energy will be favoured in the relevant Areas of Search shown in figures 10-15.

All proposals for grid-connected renewable energy will be required to:

1. meet all the relevant criteria used in the identification of Areas of Search, unless it can be demonstrated that for technical reasons criteria no longer apply; and
2. conform with all other relevant Structure Plan policies.

8 UTILISING RESOURCES

- 8.1 There is a need to ensure the efficient use of resources by increasing the use of renewable energy, reducing the use of finite mineral resources and reducing the amount of waste for disposal. The need to encourage increased energy efficiency and conservation, and where possible the use of renewable energy technology within development is also important and is considered as part of Policy ST43. [The current Supplementary Planning Guidance on wind energy will be updated as a Supplementary Planning Document, and will provide additional guidance and more detail in the implementation of the Structure Plan's policies.](#)

Renewable Energy

- 8.2 The UK currently generates approximately 2%¹⁶ of its electricity from renewable sources. National targets¹⁷ require that renewable energy should supply at least 10% by 2010 and to increase this to [15% by 2015 under the Renewables Obligation, 20%⁴⁸ by 2020](#). The North West region currently supplies 1.3% of its generating capacity from renewable energy sources, of which 47% is supplied from wind turbines in Cumbria. A study undertaken by Sustainability North West (2001)¹⁸ suggests that by 2010, 8.5% of energy capacity in the NW region should be from renewable sources. Cumbria is identified in this study as having the greatest potential contribution of new renewable energy amounting to 27% of the regional total, mainly from on and offshore wind power, biomass, landfill gas and small scale hydro. [Following the panels report into the partial review of the Regional Spatial Strategy the indicative target for new additional installed capacity for renewable energy to 2016 is 243MW.](#)
- 8.3 Policy ER13 of Regional Planning Guidance [promotes development that minimises energy use and uses energy efficient technologies. Development Plans are also required to include positive policies for renewable energy development that requires Development Plans to identify areas of search for renewable energy developments which aim to](#) protect the region's most valuable and sensitive environments. The North West Development Agency's Regional (Economic) Strategy highlights renewable energy as a key growth sector.
- 8.4 [Renewable energy developments can range from larger scale commercial developments through to community and domestic projects. Each renewable technology has its own locational characteristics and requirements, and different areas will be better suited to different technologies. Renewable energy developments should be directed to locations where the technology is most efficient and where environmental impacts can be satisfactorily addressed.](#)

**Policy R40 44: Wind energy proposals
Renewable energy outside the Lake District
National Park and AONBs**

Outside the Lake District National Park and AONBs ~~Proposals for renewable wind energy development including any ancillary infrastructure or buildings will be favourably considered if: permitted where it is demonstrated that they satisfy all the following requirements:~~

1. there is no significant adverse ~~ag~~ffect on the landscape character, ~~biodiversity and the natural and built heritage~~ of the area either individually or cumulatively through ~~their relationship with other utility infrastructure, its relationship with other wind energy development,~~
- ~~4. there is no detrimental impact on the designated areas identified in Policy E31 or within their settings that are detrimental to their character and/or species of national or international conservation importance.~~
2. there is no significant adverse ~~ag~~ffect on local amenity, ~~the local economy~~, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce ~~any~~ the adverse impact of development on recognised landscape, environmental, nature conservation, ~~and~~ historical ~~and local community~~ interests, ~~and~~
- ~~5. measures are included to secure the satisfactory removal of structures and remediation of land following cessation of operation of the installation.~~

In considering applications for planning permission in relation to the above criteria and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

Wind energy development

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation.

New plant for the commercial generation of energy from biomass

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

- 8.5 A technical study²⁰ has been undertaken to identify the potential for further grid connected renewable energy development in Cumbria. This took into account economic, social and environmental factors as well as technical and viability considerations. The study has enabled the formation of criteria against which to judge applications ~~broad Areas of Search to be identified for different technologies as set out in Policy R44. The search areas referred to in policy R39 are set out in Figures 10 to 15. These are required to be more closely defined in Local Plans following local assessment.~~

- ~~8.6 All grid related proposals will be required to meet the search criteria set out in Schedule 3 unless it can be demonstrated that for technical reasons criteria no longer apply. Proposals must also conform with all other relevant Structure Plan policies. Within the Areas of Search these criteria have been already met. Renewable energy proposals that are non-grid connected or for domestic use will be considered under general Structure Plan and Local Plan policies. In the case of the National Park and AONBs, Policy R42 will apply to all renewable energy developments. Policy R39.~~

- 8.6 When considering the impact of any proposal on local amenity account will need to be taken of issues such as noise, odour and visual intrusion. In all cases, developers should ensure that schemes contain a clear commitment to actively consult and involve local communities at an early stage and, where possible, enable the community, where the scheme is to be sited, to gain significant benefits.

- 8.7 Of the range of renewable energy technologies the development of wind energy within the County has been the most emotive given the visual impact and the influence it has on the character of important landscapes and their settings. However, it is currently the technology with the greatest technical and economic viability to meet the proposed targets for Cumbria.

- 8.8 ~~Figure 10 illustrates the Areas of Search for windfarms of 3MW or more whilst Figure 11 shows Search Areas for smaller grid connected windfarms.~~ Proposals for on-shore wind energy will need to ensure that the adverse impacts of development are not significant. The use of need to protect landscape character assessments will be of particular importance and ~~this~~ should take into account the cumulative effects of the development proposals, including associated power uses, buildings

Proposals for the recovery of energy from agricultural waste within existing farm units or sewage sludge.

6. shall be well related to the activity, scale and character of the existing business/enterprise and/or setting.

Policy R44: Biomass and energy from waste

Proposals for the development of new plant for the generation of energy from biomass and waste will be permitted where it is demonstrated that they satisfy all the following requirements:-

1. it is to be sited on existing industrial/employment sites or previously developed land subject to the land not being designated for other purposes (e.g. Nature Reserve). Where practicable, measures to transport fuel and waste by rail shall be made.
2. there is no significant adverse affect on local amenity, access and transport,
3. there is no detrimental impact on the designated areas identified in Policy E34 and/or species of national or international conservation importance; and
4. the proposal takes all practicable measures to reduce the adverse impact of development on recognised landscape, environmental, nature conservation and historical interests.

Proposals for the recovery of energy from agricultural waste within existing farm units or sewage sludge shall be well related to the activity, scale and character of the existing business/enterprise and/or setting as well as satisfying criteria 2 to 4 above.

and access roads, together with any existing infrastructure, on the landscape. Measures will be required to minimise any adverse impact on the environment including obligations for the removal of, where appropriate, redundant structures and related infrastructure such as access roads should be agreed, and Site remediation processes will also be required when operations cease. **Policy R44**

FIGURE 10 DELETED

Consents for offshore Windfarms are authorised by Department of Trade and Industry. Only on shore plant associated with offshore wind energy developments require planning permission.

FIGURE 11 DELETED

Potential exists for the generation of energy from both waste (municipal and industrial) and biomass (forestry wastes and coppice) in the Areas of Search shown in Figures 12 and 13. There may be scope for the anaerobic digestion of agricultural wastes and sewage where these are developed in close proximity to arisings. However, Areas of Search have not been identified, given the likely sporadic nature of development proposals.

- 8.9 Proposals for energy from ~~waste and~~ biomass (forestry wastes and coppice) will be assessed, taking account of any potential adverse local impacts and the need to meet national targets. Growing energy crops, can assist the process of rural diversification and provide an alternative income for farmers. Small scale heat and power projects such as community wood chip burners also have local benefits and will be strongly supported. Proposals for the development of anaerobic digestion schemes associated with existing agricultural or utility operations, will require consideration to be given to the impact on the local setting, environmental interests and scale of activity. Policy R44. Certain forms of energy from waste are classified as renewable and should be treated accordingly (See policy R50).
- 8.10 There may be scope for the anaerobic digestion of agricultural wastes and sewage where these are developed in close proximity to arisings. Proposals for the development of anaerobic digestion schemes associated with existing agricultural or utility operations, will require consideration to be given to the impact on the local setting, environmental interests and scale of activity. Policy R44.

Extract from Copeland Local Plan Modifications

9. RENEWABLE ENERGY

- R9.1.1 Modify by the addition of a new general, criteria based policy which is supportive of renewable energy and contains key criteria to be used to judge applications. *This follows but there are additional changes to the Reasoned Justification text which introduces and explains the new policy and the other EGY policies which follow on.*

Section “9.1 INTRODUCTION” retained with Paras 9.1.1 – 9.1.3 as written in 2D. Heading “9.2 RENEWABLE ENERGY SOURCES” deleted and Para 9.2.1 re-numbered as 9.1.4 and placed after 9.1.3. Para 9.1.4 as shown in 2D to be re-numbered 9.2.1 and placed as the 1st para of a new section, “9.2 RENEWABLE ENERGY POLICIES” with the addition of the following after “...appropriate safeguards.” to complete the last sentence: “...against any adverse impact, in line with the provisions of PPS 22 on Renewable Energy, Policy ER15 of RSS and Policy R44 of the JSP.” Then add two additional sentences: “The Council will therefore support development for renewable energy generation so long as the overall criteria of Policy EGY 1 are met along with any of the additional safeguards in Policies EGY 2 – 6 which relate to specific types of energy proposal. The following paragraphs 9.2.2 – 9.2.7 set out how the criteria in Policy EGY 1 are to be applied.” Thereafter new paras to be added as follows:

“9.2.2 The landscape and visual effects of renewable energy proposals will vary according to the type of development, its location and the landscape or townscape setting. Adverse impacts can be minimized by attention to siting, design, scale, colour schemes and landscaping and the Council will expect developers to take such matters into account (including the effects of any associated infrastructure such as network connections, sub stations, security fencing and access tracks and foundations) at an early stage in project development. They should ensure that their proposals do not adversely affect the special qualities of designated landscapes, particularly the St Bees Head Heritage Coast or those of the built heritage – in terms of Scheduled Ancient Monuments, Conservation Areas and Listed Buildings. In addition, sensitive handling will be required in the siting, design and scale of development in Landscapes of County Importance. The Council will take into account the likely cumulative effects of existing and proposed renewable energy schemes including linked apparatus and distribution lines and other utility infrastructure in its assessment of all proposals.

- 9.2.3 Effects on biodiversity are also important. Where development for renewable energy could have an adverse effect on a site of international importance such as a Special Protection Area, a Special Area for Conservation or a RAMSAR site (see 6.1.4 – 6.1.11 and Policy ENV 1) the Council will only consider granting planning permission a) if an assessment of the site has shown that its integrity would not be adversely affected or b) where adverse effect could be expected and with no alternative solution apparent, that there are imperative reasons of overriding public interest identified by the developer, including those of a social or economic nature. In cases of national designations like SSSIs, proposals will need to demonstrate that they would not compromise the objectives of the designation or that any adverse effects are clearly outweighed by the environmental, social or economic benefits. Elsewhere the Council will expect developers to explore all potential effects on wildlife habitat or species and make provision for mitigation, compensatory or enhancement measures.
- 9.2.4 Effects on general amenities will be taken into account. As noted in PPS 22, renewable technologies may generate small increases in noise levels and the Council will expect the location and design of renewable energy developments to minimize increases in ambient noise levels. Objectionable odours can be significant issue in handling some proposals e.g. for anaerobic digestion. The Council will not allow such plants to be located in close proximity to existing residential areas or those with planning permission or allocated for development in this Plan. Any other potential nuisance e.g. emissions and pollutants must be identified by the developer and appropriate mitigation measures designed into the scheme to minimize their effects on neighbouring uses. Waste arisings can also be a source of potential nuisance and care will be required to in the first instance minimize the amounts of material involved and then to ensure that the most efficient, least harmful means of disposal is used, including attention issues involved in transportation from the site (e.g. type of vehicle and need for containment). Developers will also need to demonstrate that neither the operations or waste arisings will have an adverse effect on the hydrology of the site and surrounding area.
- 9.2.5 Traffic impacts must be borne in mind, particularly the match between the standard and condition of highway(s) serving the site and the size of vehicles and frequency of trips generated by the particular type of development.

The site access, traffic management and parking arrangements must be designed in accordance with Policy TSP 6 requirements.

- 9.2.6 Care must be taken in or adjoining areas designated for community recreation purposes (by virtue of Policy SVC 13) and routes serving them. Developers must ensure that no safety or security risks are created by the form, siting or type of development proposed.
- 9.2.7 Most large scale renewable energy proposals are likely to require a full Environmental Impact Assessment which will assist all parties in meeting the Policy EGY 1 criteria or in establishing the need to consider alternative sites (Policy DEV 9 will also apply). In all cases, however, the Council will expect developers to actively consult local communities at an early stage in the development process and will expect significant benefits to be delivered to the community where a scheme is to be sited, where possible. The Council will also expect that such issues as effects from electro-magnetic interference, effects on radar and aviation and separation distances from powerlines, roads and railways will have been addressed before it considers applications for planning permission. Additional guidance is being compiled by the County Council in partnership with the Cumbrian District Authorities. This will be incorporated in Supplementary Planning Documents to be published shortly on Wind Energy Development and Landscape Character and both will assist in the handling of new development proposals.”

The new, replacement Policy EGY 1 is as follows:

POLICY EGY 1: Renewable Energy

Proposals for any form of renewable energy development must satisfy the following criteria:

1. That there would be no significant adverse visual effects
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness
3. That there would be no adverse impact on biodiversity
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to effect nearby residents or other adjoining land users
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network

7. That any waste arising as a result of the development would be minimized and dealt with using a suitable means of disposal
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/approved utility infrastructure in the vicinity.

Developers are expected to actively consult with local communities in developing their proposals and to deliver significant benefits to the community where the scheme is to be sited wherever possible.”

R9.1.2 Modify EGY 1 as written in 2D to become:
 “Policy EGY 2: Wind Energy

Proposals for wind energy developments will be considered against the criteria of Policy EGY 1 with the additional requirement that:

There would be a scheme for the removal of turbines and associated structures and the restoration of the site to agriculture when the turbines become redundant.” *(see R9.4.1 for modifications to supporting text and R 9.5.1 re last sentence of policy)*

Modify Policy EGY 2 as written in 2D to become:
 “Policy EGY 3: Solar Energy” with further modification in accordance with R9.6.2 below.

Modify Policy EGY 3 as written in 2D to become:
 “Policy EGY 4: Hydro Electric Schemes

Proposals for Hydro Electric schemes will be considered against the criteria of Policy EGY 1 and other Plan policies.”

Modify Policy EGY 4 as written in 2D to become:
 “Policy EGY 5: Tidal Energy” with further modifications in accordance with R9.8.1 below.

Modify Policy EGY 5 as written in 2D to become:
 “Policy EGY 6: Waste and Bio-fuels

Proposals for the generation of energy or heat from commercial, domestic and agricultural waste or bio-fuels will be considered against the criteria of Policy EGY 1 with the additional requirements that:

1. wherever possible the scheme should be sited on existing industrial/employment sites or previously used land that is well related to the resource catchment
2. wherever practicable measures to transport fuel and waste by rail or water are made and
3. proposals involving agricultural waste within existing farm units or involving sewage sludge should be well related to the activity, scale and character of the business or enterprise and its setting.”

R9.1.3 Modify by the addition of a new section 9.3:
“9.3 Energy Conservation and Efficiency

9.3.1 As noted earlier in 3.2.7 the Council recognizes the importance of energy efficiency in new development. The siting, layout, design and choice of materials can help reduce energy consumption and thereby reduce the amount of harmful greenhouse gas emissions. Orientation can help maximize solar gain and daylighting and when coupled with high levels of insulation and small-scale sources of renewable energy like solar panels and photovoltaic cells can significantly reduce heating costs. Consideration should also be given to the use of recycled materials and waste minimization and recycling measures, especially of heat and water. Higher densities of development, the re-use of existing buildings and use of environmentally sustainable building materials can all have wider benefits whilst energy-efficient buildings can significantly reduce mortality risks by providing warmer housing in winter.

9.3.2 The Council is mindful of the government’s call to have a proportion of new residential, commercial or industrial development’s energy needs to come from on-site renewable energy developments (PPS 22 Para 8). It will be consulting stakeholders and local communities on the most appropriate form of policy to achieve this as part of work on the Local Development Framework. In the meantime it will expect developers to observe the requirements of Policy EGY 7 in this regard where the scale and design of such schemes must be able to be assimilated in accordance with Policy EGY 1 criteria, particularly minimizing any threat to local amenity.

Policy EGY 7 Energy Conservation and Efficiency

All development proposals should take into account the need to maximize energy conservation and efficiency. The design, layout and choice of materials should incorporate measures which help reduce energy consumption and waste and increase the potential for recycling. Developers should also make provision for energy production on-site from renewable sources

and such schemes must be designed and of a scale appropriate to the form of development, its character and the wider setting”.

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| R9.1.4 | No modification |
| R9.2.1 | No modification |
| R9.3.1 | No modification |
| R9.4.1 | <p>Modify Para 9.2.2 by renumbering as 9.2.8 and deleting the 2nd sentence and replacing it with: “These are sensitive locations where the application of Policy EGY 1 (<i>as modified</i>) will be implemented with care and the proposed new SPDs on wind energy and landscape character will be especially useful in this regard. The St Bees Head Heritage Coast is particularly sensitive area and planning permission for wind energy development within or in close proximity to the Heritage Coast will only be given where it can be demonstrated that the objectives of its designation will not be compromised, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits. Elsewhere, in Landscapes of County Importance, schemes will need to demonstrate sensitivity to the distinctive character of the area.” In addition the sentence beginning “Landscape impact..” is deleted and a new last sentence added: “As required by JSP Policy 44 (4) measures will also be required to secure the removal of structures and related infrastructure from the development site once their operation ceases with appropriate remediation works to the site.” Para 9.2.3 is renumbered as 9.2.9. (<i>See R9.1.2 for Modified Policy EGY 2: Wind Energy</i>)</p> |
| R9.4.2 | No modification |
| R9.5.1 | <p>Modify Policy EGY 1 by deleting the last sentence.</p> <p>No further modification – <i>It is felt that the effect of other modifications, particularly the new Policy EGY ,1 bring the treatment of issues in line with PPS 22 and JSP requirements.</i></p> |
| R9.5.2 | No modification |
| R9.6.1 | <p>Modify Policy EGY 2 by deleting “....or Landscapes of County Importance” from criterion 1</p> <p>[PC031]</p> |
| R9.6.2 | <p>Modify Policy EGY 2 by deleting criterion 2 and replacing it with: “the installation does not unduly harm the character of the building and, where on a roof, is generally flush with the plane of the roof”</p> |
| R9.6.3 | No modification |