

WELSH GOVERNMENT

Examination Hearing Statement

Powys Local Development Plan

Hearing Session 15: Renewable Energy

27th / 28th June 2017

(Session 15): Matters & Issues Agenda

1. Introduction
2. Procedural Matters
3. In respect of renewable energy policies and proposals, has the Plan been prepared in accordance with the necessary procedural requirements?

The Welsh Government is not aware of any issues in this respect.

- a) Has the Plan been prepared in accordance with the Delivery Agreement, including the Community Involvement Scheme?

The Welsh Government is not aware of any issues in this respect.

- b) Has the Plan been subject to a robust Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulations Assessment/Appropriate Assessment?

The Welsh Government is not aware of any issues in this respect.

- b) Has the Plan been informed by a robust consideration of reasonable alternatives?

This is for the authority to answer.

- d) Has the Plan had regard to the requirements of the Well-being of Future Generations (Wales) Act 2015?

The Welsh Government has already provided a clarification note which has been included in the examination website under Doc ED202. Link below:

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED020_Application_of_Well-being_for_Future_Generations_Wales_Act_2015_WG_18.11.16_.pdf

4. Does the Policy RE1 provide an appropriate policy framework for realising the area's potential for renewable energy generation?

It is the Welsh Government's opinion that the Council has followed PPW and the Toolkit taking into account all relevant issues and, where appropriate, making evidence based decisions where the toolkit facilitates this approach.

The Council has updated the evidence base (ED059, ED060) as well as those matters where the toolkit is not prescriptive such as landscape and grid connection enabling an informed local choice in line with PPW. The Welsh Government considers the approach aligns with National Planning Policy and the Toolkit.

The policy framework, supporting contribution tables and the monitoring framework will need to be updated to ensure that it reflects the latest evidence and ensures internal consistency in the plan. We consider proposed policy

RE1 within the Councils position statement (ED061) needs further refinement in order to reflect the conclusions of the REA (see 4a-c).

a) Is the policy consistent with the requirements of other legislation and national planning policy?

b) Has the policy been informed by robust and credible evidence, particularly in relation to the defined local search areas (wind and solar) and the renewable electricity contribution (Table RE1)?

c) Does the policy provide a clear and consistent framework for assessing development proposals?

RE1: Welsh Government Comments/Observations – Proposed Policy (EDO61)

The Welsh Government considers that policy RE1 would benefit from some amendment and clarification in order to align with national policy, the evidence base and ensure the plan will achieve what it intends to in respect of renewable energy.

The following observations are intended to assist the discussion at the hearing session.

1) SSAs only

- It is not clear that RE1 as currently worded would only permit proposals for 25Mw and over within SSAs? It is unclear what is meant by the term 'directed'. The Welsh Government considers that 'directed' is changed to 'permitted'. In addition, the policy should also state locations within **(or close to)** the boundary of SSAs should be added in order to align with TAN 8 (para 2.4). The local authority has not undertaken refinement work in terms of SSAs and is therefore reliant on national policy. The authority should consider how the Enplan work, which will inform SPG, will be used in this instance. Are additional policy criteria required in order to provide a 'hook' to the SPG? This will be for the authority to consider.

2) Inside LSAs

- LSAs should be listed in a table in the plan/reasoned justification of RE1.
- This part of the policy should be clear and specific to what will happen in LSAs and phrased in a way to determine applications that are consistent with the evidence base, i.e. a proactive part to facilitate Solar PV proposals in the LSA (Between 5Mw - 50Mw (Fig.12.2 PPW). For example "proposals for solar pv between 5-50Mw will permitted within LSAs provide that....." The authority will need to consider what

detailed criteria are appropriate in this instance such as, cumulative impact, glare/visual intrusion and consideration of the EnPlan landscape methodology which will be developed in SPG and published? Landscape assessment requirement should be part of policy? Part 3 will deal with applications outside LSAs.

2) Inside LSAs – other considerations

- How do you deal with solar PV proposals less than 5Mw in LSAs?
- Should the policy have the capability to preserve the integrity of LSAs for that specific type of renewable energy, i.e. solar PV?

3) Outside LSAs

- Schemes between 50Kw-25Mw for on shore wind and 50 Kw-50 Mw for all other renewable technologies.
- Criteria based approach to deal with other proposals coming forward from all other renewable technologies outside of LSAs, i.e. on shore wind, biomass, hydro, solar PV, anaerobic digestion/energy from waste. Are there specific technology typology impacts that may warrant explicit reference?
- Need to consider existing DM generic policies to conclude if they cover all specific aspects of these technologies. Could have a general renewable policy, or could identify specific criteria relating to renewables, i.e. radar /communications interference. Operate in the round and avoid duplication?
- Current proposed wording (ED061, criteria 3) appears to cover general issues relating to technology issues.
- On shore wind 5Mw – 25Mw not concluded to justify inclusion in LSAs. Policy should provide a framework to assist determination, if they come forward. The evidence did indicate potential for individual schemes below the threshold. LPA to consider the merit of a specific criteria/policy?

- 5. Does the Plan provide an appropriate balance between realising the area's potential for renewable energy production and the protection of the landscape, natural and historic environment of Powys?**

This for the authority to answer.

- 6. Will Policies RE1 and DM15 be effective in influencing carbon management of new development?**

DM15 – Criteria 14

Where are the 3MW/KM heat demand density areas? They should be spatially expressed on proposals map. This is critical to enable applications to be considered. How has the work undertaken in the REA on CHP/DHN informed this policy? This work does not suggest a blanket approach is appropriate i.e. three places are specifically tested. The evidence suggests there is no current viability for this type of technology, is it appropriate for the policy to be included in the plan? If it is reliant on external circumstances to make this policy approach viable, then this could be picked up in a review of a plan.

- 6. Any other matters**