

Local Plan – Core Strategy

Proposed Main Modifications

Representation Form

July 2015

The publication period:

The publication will run from **13 July 2015 to 10 August 2015**.

Submitting your comments:

Comments may be submitted in the following ways:

- By emailing this form to: programme.officer@herefordshire.gov.uk
- By posting this form to:
Programme Officer,
c/o Herefordshire Council,
Plough Lane, Hereford, HR1 0LE

This form can be downloaded from the above website or you can request a form by e-mailing ldf@herefordshire.gov.uk alternatively, copies are available at all Customer Service Centres in the county.

Please note that comments must be submitted in writing. Telephone or social media comments cannot be accepted.

Filling in the form:

This form has two parts:

- You must complete Part A, which asks for your personal details.
- Part B should be used to comment on the soundness of the modification. Please ensure that Part A and B are joined together when submitting your comments to the Inspector.

Your comments:

- No comments will be accepted after **10 August 2015**.
- All comments will be considered by the Planning Inspector as part of the examination of the Plan. The Inspector may wish to contact you to discuss your comments and concerns, prior to concluding the formal examination into the Plan.
- Please do not repeat your previous comments as these have already been considered by the Planning Inspector. **Comments will only be accepted that refer to main modification MM067.**
- The personal information in Part A will only be used for purposes related to the consultation and the Herefordshire Local Plan examination. Only your name and/or organisation will be published. However other information will be shared with the Planning Inspector. The information in Part B will

be published in full on the Council's website.

Purpose of the publication:

The purpose of the Local Plan examination is to enable the Inspector to decide whether the Plan is 'sound', legally compliant and has been produced in accordance with national planning policy and the relevant legislation. A more detailed explanation of the examination process is set out in Part B of the form. It will assist the Inspector if you are able to bear in mind the purpose of the examination when you are completing the form, and relate your representation to these points whenever possible.

Comments must be submitted by no later than 10 August 2015.

If you need help to understand this document, or would like it in another format or language, please contact the Planning Policy Team at ldf@herefordshire.gov.uk

Official use ref:

Herefordshire Local Plan – Core Strategy Proposed Main Modifications

Part A

Personal details

Title:Ms... Initials:.....S..... Surname:Milne.....

Job title (where relevant):

Company/Organisation (where relevant):

LDF number:
(If you have made a comment on a previous LDF consultation then please enter your reference here)

Address 1:..... Address 2:.....

Address 3:..... Address 4:.....

Postcode:.....

Telephone number:.....

Email address:.....

Preferred contact method:email.....

If you are an agent,
Please indicate the name of the client that you represent:.....

If you **do not** wish to receive further information about the Core Strategy Examination, please tick:

Herefordshire Local Plan – Core Strategy Proposed Main Modifications

Part B

Comments on soundness

All representations will be considered by the Planning Inspector as part of the examination of the Plan. The purpose of the examination is to enable the inspector to decide whether the Plan is 'sound'. For a Plan to be sound, it must be:

- **Legally compliant.** This means that the Plan meets the legal requirements under Section 20(5) (a) of the 2004 Act (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
- **Positively prepared.** This means that the Plan should seek to meet objectively assessed needs and infrastructure requirements where it is reasonable to do so and where this is consistent with achieving sustainable development.
- **Justified.** This means that the Plan should be the most appropriate strategy, considered against reasonable alternatives.
- **Effective.** This means that the Plan should be deliverable and based on effective joint working on cross-boundary priorities.
- **Consistent with national policy.** This means that the Plan should enable the delivery of sustainable development in accordance with the National Planning Policy Framework 2012.

You should bear these considerations in mind when making your comments.

B1. Which part of the proposed main modifications does this comment relate to?

Modification **MM067**

B2. Do you consider the proposed main modification addresses the following issues in relation to the policy concerned?

	Yes	No
Legally compliant		X
Positively prepared		X
Justified		X
Effective		X
Consistent with national policy		X

B3. If you have ticked no to any box in question B2, please give your reasons below with regards to the Tests of Soundness?

Legally compliant

I hold this policy proposal to fail this test because it will cause a complete halt to development of affordable sustainable energy production from local renewable sources and in local ownership. This is counter to HMG's legal duties under international obligations and existing UK legislation, including the NPPF presumption in favour of sustainable development.

In fact this policy has no basis in evidence and is being proposed for reasons of political expediency. From the minister's own statement

"I am today setting out new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications, fulfilling the commitment made in the Conservative election manifesto."

Positively prepared

This proposal fails to allow the use of existing evidence as a basis of effective policy and practice. By excluding the use of independently prepared resource maps to inform locations policy it places undue burdens on potential developers, especially community groups, wanting to create local energy supplies at some time in the life of the Plan.

Justified

A policy must be the best option compared to reasonable alternatives, and so must be evidence based. As far as I am aware, in this case no such comparison has been made public.

There may be other proposals for energy infrastructure which arise during the period covered by the plan (for example hydraulic fracturing in the east of the county). If restrictions are to be put on the development of wind energy, consideration of similar restrictions on other types of energy infrastructure is required.

A comparison is also needed with the previous policies, which would have allowed locally proposed wind energy projects to be developed during the period covered by the Plan.

As this policy has no evidential basis it fails to consider any alternatives and their potential adverse impacts (such as hydraulic fracturing in the east of the county or dumping the externalised impacts of energy resourcing onto other people and places). It takes no account of the c.£500 million which the county pays for energy each year or how this could be reduced by investment in local energy resources.

Effective

This policy fails this test as it places unnecessary burdens on future potential developers, whoever they may be, to both identify their potential resource site and ensure its inclusion in a Parish level plan within a very short, immediate time frame. This is counter to the intentions of recent Localism legislation and HMG stated policy objectives of empowering communities.

Consistent with NPPF

By making the potential development of wind energy projects so difficult, this policy is directly contrary to the intention of NPPF in enabling sustainable development. HMG have clearly stated their continuing support for community led renewable energy projects, explicitly including wind, which this policy would serve to obstruct or prevent.

As SoS at DECC says

"I will also shortly be considering options for future support for community onshore wind projects that might represent one or two turbines, through the feed-in tariff (FITs) as part of the review that my department is conducting this year."

I do not wish to stand in the way of local communities coming together to generate low carbon electricity in a manner that is acceptable to them, including through small scale wind capacity.”

B4. Please set out what change(s) you consider necessary to make the Local Plan – Core Strategy Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of the policy or text. Please be as precise as possible.

SD2

Add to end of policy:

In the case of energy generation through wind power developments at medium and larger scale (as defined in the Renewable Energy report from Wardell–Armstrong in 2010), permission will only be granted for such proposals where:

the proposed site is identified in that report as a resource site for wind energy generation; and it is demonstrably viable to deliver the proposed machinery to the site; and

a majority equity stake in the scheme is offered by a community/ cooperative group on a nearest first basis and therefore the proposal has the backing of the local community.

Proposals for projects with a rated capacity of 100kW or below to be considered on a site specific basis as any other development proposal.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to justify the representation and the suggested change. There will not normally be an opportunity to make further representations. After this stage, further submissions will only be at the request of the independent Inspector based on the matters and issues identified for examination.

Name:Sheila Milne.....

Signature:Sheila Milne.....

Date:8 August 2015.....