



<b>Subject:</b>	Responses to Department of Environment's 'Call for Evidence' for Strategic Planning Policy on Renewable Energy Development
<b>Date:</b>	19 <sup>th</sup> April 2016
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<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<i>Please see Note 1 in Part 3</i>		
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>If 'No' please see Note 2 in Part 3</i>		

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The Minister of the Environment committed to undertake a review of regional strategic planning policy for renewable energy following the publication of Strategic Planning Statement (SPPS) 'Planning for Sustainable Development' in its final form in 2015. Members will be aware the SPPS consolidated some twenty separate policy publications into one document, setting out strategic planning policy in relation to a wide range of subject policies, including regional policy for Renewable Energy Development. A copy of the SPPS Subject Policy 'Renewable Energy' is attached in Appendix 3.
1.2	The aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance. The regional strategic objectives for renewable energy are to: <ul style="list-style-type: none"><li>ensure that the environmental, landscape, visual and amenity - impacts</li></ul>

	<p>associated with or arising from renewable energy development are adequately addressed;</p> <ul style="list-style-type: none"> <li>• ensure adequate protection of the Region’s built and natural, and cultural heritage features; and</li> <li>• facilitate the integration of renewable energy technology into the design, siting and layout of new development and promote greater application of the principles of Passive Solar Design.</li> </ul>
1.3	<p>Depending, in part, upon the evidence received following the ‘Calls for Evidence’, the scope of the forthcoming reviews will be refined to focus on the key matters that need to be addressed. The subsequent reviews will be the subject of Strategic Environmental Assessment (SEA).</p>
1.4	<p>The purpose of the report is to update and make members aware of the Calls for Evidence for Renewable Energy Development and seek members approval on the proposed draft response set out in paragraph 3.5 and appendix 1</p>

<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Members are asked to consider and, if appropriate agree the proposed draft response to the Call for Evidence: Renewable Energy set out in appendix 1.
<b>3.0</b>	<b>Main report</b>
<b>3.1</b>	<p><b><u>Key Issues</u></b></p> <p>The Department of Environment (DoE) issued a formal ‘Call for Evidence’ for Renewable Energy Development (see appendix 2). The ‘Call for Evidence’ process seeks to gather the necessary information from interested parties and their views or concerns as part of a review of strategic planning policy which will influence future Local Development Plan (LDP) policies. The DoE through the review is calling greater understanding of the operation and impact of the existing strategic policy and evidence on the social, environmental and economic impacts of developments. The DoE is particularly keen on views in relation to how strategic planning policy can assist in addressing potential amenity issues that may arise as a result of facilitating all types of renewable energy development (e.g. wind, solar, water (hydropower), geothermal energy, biomass).</p>
<b>3.2</b>	<p>The Council welcomes the broad aim of the SPPS for sustainable development across Northern Ireland. Within this context, the key issues are set out in the draft Council response to DoE’s Call for Evidence: Renewable Energy appendix 1. In summary, it is</p>

	<p>proposed Council:</p> <ul style="list-style-type: none"> <li>• Supports the increase of the use and supply of renewable energy and their contribution towards sustainable development without overriding environmental assets of acknowledged importance.</li> <li>• Takes into account the potential and cumulative impacts of siting and scale of renewable energy technologies on the local environment with particular regard to wind turbines and large scale solar farms.</li> <li>• Identifies Landscape Character Areas through Landscape Character Assessments to assess likely impacts of proposals and identify areas suitable for renewable energy technologies to assist managing development.</li> <li>• Introduces a requirement for community benefits for significant renewable energy proposals through contributions, contracts and/or employment.</li> <li>• Affords protection to sensitive landscapes such as Areas of Outstanding Natural Beauty and wider settings.</li> </ul>
<b>3.3</b>	<p><b><u>Finance and Resource Implications</u></b></p> <p>There is no resource implications associated with this report.</p>
<b>3.4</b>	<p><b><u>Asset and Other Implications</u></b></p> <p>The evidence received by DoE following the Calls for Evidence may have implications on the policy making process of the LDP.</p>
<b>3.5</b>	<p><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no relevant equality and good relations implications attached to this report.</p>
<b>4.0</b>	<p><b>Appendices – Documents Attached</b></p>
<b>4.1</b>	Appendix 1: Proposed Draft Response to DoE on Calls for Evidence: Renewable Energy
<b>4.2</b>	Appendix 2: DoE Call for Evidence: Renewable Energy Development
<b>4.3</b>	Appendix 3: SPPS Current Policy ‘Renewable Energy Development’

## **Appendix 1: Proposed Draft Response to DoE on Calls for Evidence: Renewable Energy**

The Council welcome the opportunity to comment on all aspects of strategic planning policy for Renewable Energy; and how can strategic planning policy best assist with addressing potential amenity issues that may arise as a result of facilitating all types of renewable energy development (e.g. wind, solar, water (hydropower), geothermal energy, biomass)?

Strategic Planning policy is important to support increase in the use and supply of green energy, and ensuring that the need for renewable energy does not automatically overrides environmental protections and the planning concerns of local communities.

In considering Strategic Planning Policy for Renewable Energies, the Council's view is that the following are key areas of consideration:

- the range of technologies that could be accommodated and the policies needed to encourage their development in the right places;
- the costs of many renewable energy technologies are falling, potentially increasing their attractiveness and the number of proposals;
- different technologies have different impacts and the impacts can vary by place;
- we have statutory commitments to cut greenhouse gases and meet increased energy demand from renewable sources. Planning policy should therefore be designed to maximise renewable and low carbon energy development.

In considering locations, the Council or local planning authorities will seek to ensure account is taken of the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts and the views of local people.

The DoE should be clear that when identifying suitable areas through LDP or other processes, it is important to set out the factors that will be taken into account when considering individual proposals in these areas. These factors may be dependent on the investigatory work underpinning the identified areas. In considering impacts of some types of technologies, assessments can use tools to identify where impacts are likely to be acceptable. For example, landscape character areas could form the basis for considering which technologies at which scale may be appropriate in different types of location.

The Strategic guidance should ensure through the LDP process suitable areas for renewable energy are identified to give greater certainty as to where such development areas could be permitted. Under the approach, where councils have identified suitable areas for large scale development, they may not have to give permission outside those areas for speculative applications involving the same type of development where they judge the impact to be acceptable.

The Council will seek to introduce clear policy criteria related to the potential impact or proposals for mitigation. The criteria published by the Department in Strategic Planning Policy Statement provides a useful starting point for this policy development. These could provide a context to consider the impacts particular technologies can give rise to and how these should be addressed.

In developing local policy for inclusion in LDPs, it is important for regional guidance to be clear that:

- the need for renewable or low carbon energy does not automatically override environmental protections;
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- proposals in Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Strategic Planning Policy should not introduce unreasonable or inflexible rules on buffer zones or separation distances that could be more effectively considered at LDP level. Distance is a consideration, but so is the local context including factors such as topography, the local environment and proximity to existing land uses.

The Renewable Energy industry has grown significantly over the past decade bringing local investment to many communities. The potential benefits for local communities can be monetary and/or non-monetary. The current guidance is limited in relation to community benefit. The Council would welcome the introduction of further guidance of the strategic level, in relation to:

- a requirement for community benefits for significant renewable energy proposals through contributions, contracts and/or employment
- the approach and policy on good practice principles for community benefits from onshore and off shore renewable energy developments.

**Appendix 2: DoE Call for Evidence: Renewable Energy Development (See below)**

## Appendix 3: SPPS Current Policy 'Renewable Energy Development'

### Renewable Energy

Northern Ireland has significant renewable energy resources and a vibrant renewable energy industry that makes an important contribution towards achieving sustainable development, and is a significant provider of jobs and investment across the region.

Making appropriate use of renewable energy sources is supported by wider government policy, including the Regional Development Strategy 2035 (RDS) which emphasises the need to increase the contribution that renewable energy can make to overall energy mix. This commitment is affirmed by the Department of Enterprise, Trade and Investment's (DETI) strategic aim for a more secure and sustainable energy system, as contained within the Strategic Energy Framework for Northern Ireland 2010.

Renewable energy reduces our dependence on imported fossil fuels and brings diversity and security of supply to our energy infrastructure. It also helps Northern Ireland achieve its targets for reducing carbon emissions<sup>50</sup> and reduces environmental damage such as that caused by acid rain. Renewable energy technologies support the wider Northern Ireland economy and also offer new opportunities for additional investment and employment, as well as benefitting our health and well being, and our quality of life.

The main sources of renewable energy are wind, sun (solar energy), moving water (hydropower), heat extracted from the air, ground and water (including geothermal energy), and biomass (wood, biodegradable waste and energy crops such as for use in an Anaerobic Digester).

The aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance.

### Regional Strategic Objectives

The regional strategic objectives for renewable energy are to:

- ensure that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are adequately addressed;
- ensure adequate protection of the region's built, natural, and cultural heritage features; and
- facilitate the integration of renewable energy technology into the design, siting and layout of new development and promote greater application of the principles of Passive Solar Design.

Renewable energy development proposals in the marine environment are managed under a separate consenting regime within the framework of the UK Marine Policy Statement. It is important for both terrestrial and marine environments to work together.



## Regional Strategic Policy

Councils should set out policies and proposals in their Local Development Plans (LDPs) that support a diverse range of renewable energy development, including the integration of micro-generation and passive solar design. LDPs must take into account the above-mentioned aim and regional strategic objectives, local circumstances, and the wider environmental, economic and social benefits of renewable energy development. Moratoria on applications for renewable energy development whilst LDPs are being prepared or updated are not appropriate.

Particular care should be taken when considering the potential impact of all renewable proposals on the landscape. For example, some landscapes may be able to accommodate wind farms<sup>51</sup> or solar farms more easily than others, on account of their topography, landform and ability to limit visibility.

A cautious approach for renewable energy development proposals will apply within designated landscapes which are of significant value, such as Areas of Outstanding Natural Beauty, and the Giant's Causeway and Causeway Coast World Heritage Site, and their wider settings. In such sensitive landscapes, it may be difficult to accommodate renewable energy proposals, including wind turbines, without detriment to the region's cultural and natural heritage assets.

Development that generates energy from renewable resources will be permitted where the proposal and any associated buildings and infrastructure, will not result in an unacceptable adverse impact on the following planning considerations:

- public safety, human health, or residential amenity;
- visual amenity and landscape character;
- biodiversity, nature conservation or built heritage interests;
- local natural resources, such as air quality, water quality or quantity; and,
- public access to the countryside.

The wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted.

Active peatland is of particular importance to Northern Ireland for its biodiversity, water and carbon storage qualities. Any renewable energy development on active peatland will not be permitted unless there are imperative reasons of overriding public interest as defined under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 as amended.

For wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance not less than 500m, will generally apply.

## Implementation

In decision-taking, the planning authority must carefully consider all development proposals for renewable energy development, including proposals which include micro-generation, and passive building design measures. Consideration of all renewable energy proposals will take account of their contribution to the wider environmental benefits arising from a clean, secure energy supply; reductions in greenhouse gases and other polluting emissions; and contributions towards meeting Northern Ireland's target for use of renewable energy sources.

The factors to be considered on a case by case basis will depend on the scale of the development and its local context. In addition to those factors set out at paragraph 6.228 proposals will also be assessed in accordance with normal planning criteria, including such

considerations as: access arrangements, road safety, good design, noise and shadow flicker; separation distance; cumulative impact; communications interference; and, the inter-relationship between these considerations.

It will not necessarily be the case that the extent of visual impact or visibility of wind farm development will give rise to negative effects; wind farm developments are by their nature highly visible yet this in itself should not preclude them as acceptable features in the landscape. The ability of the landscape to absorb development depends on careful siting, the skill of the designer, and the inherent characteristics of the landscape such as landform, ridges, hills, valleys, and vegetation.

Where any project is likely to result in unavoidable damage during its installation, operation or decommissioning, developers will be required to indicate how such damage will be minimised and mitigated, including details of any compensatory measures, such as a habitat management plan or the creation of a new habitat. These matters will be agreed before planning permission is granted.

Some proposals for renewable energy development may require a connection to the National Grid. The grant of planning permission does not guarantee grid connection. Connection to the grid falls within the remit of Northern Ireland Electricity (NIE) and therefore liaison with NIE at an early stage of any renewable development but particularly a wind turbine / farm development is considered to be paramount in relation to the viability of such a scheme.

In relation to developments such as wind farms and solar farms, applicants will be required to provide details on future decommissioning, including proposals for site restoration. In such cases planning conditions (or a legal agreement where appropriate) should be used. 8

The supplementary planning guidance '***Wind Energy Development in Northern Ireland's Landscapes***' and other relevant practice notes should be taken into account in assessing all wind turbine proposals.