

PENDLE CORE STRATEGY PLAN EXAMINATION

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To:

John Halton
Planning and Building Control
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Sent via e-mail

10 July 2015

Dear Mr Halton

Pendle Core Strategy (CS) Examination – Wind Energy Development

You will no doubt be aware of the publication of the Written Ministerial Statement (WMS) regarding onshore wind turbine development dated 18 June 2015 and the corresponding changes to the Government's Planning Practice Guidance (PPG).

The Pendle Core Strategy does not identify suitable areas for wind energy relying on a criteria-based policy, ENV 3. Although the policy itself does not specifically refer to wind energy, it can be inferred from the explanation to the policy and the wording of the policy, that wind energy development would be tested against Policy ENV 3. In view of the changes to national policy brought about by the WMS and PPG, Policy ENV 3 is no longer considered to be consistent with national policy.

Accordingly there appear to be three possible options to address this soundness issue:

- i. Delete the criteria-based Policy ENV 3, leaving future planning decisions to rely on the Framework, the WMS and PPG;
- ii. Add to Policy ENV 3, the additional WMS tests saying a wind turbine proposal must be in area identified as suitable for wind energy development and fully address the planning impacts identified by local communities. This would mean the plan would include the up-to-date policy, and support any future part of the development plan (including a neighbourhood plan) that identifies suitable areas. The rationale could be provided in the supporting text (otherwise it might appear that the Plan was requiring wind turbines to be

in identified areas but not identifying any area as suitable for wind energy).

iii. Amend the Plan to make it clear that Policy ENV 3 does not relate to wind turbines, that the wind turbine issue will be dealt with in a subsequent review of the plan or single issue DPD, and that in the meantime wind turbine proposals will be considered against the WMS.

Any of the three options would represent a Main Modification (MM) to the Plan. Based on my assessment of the options it would seem to me that Option ii. (adding to Policy ENV 3 with the WMS tests) would be the best way forward.

The need for further Sustainability Appraisal (SA) and public consultation would need to be considered. If further SA and consultation is required this will inevitably delay the examination process and my report.

That said, depending on the option chosen, it may be that you reach the view that there is no need for further SA and public consultation, having considered the potential for legal challenge. But that is a matter for the Council. If this is the case it may be possible to recommend the MM at your request with an explanation in the report as to why it is necessary for soundness. In such circumstances the report is unlikely to be delayed.

I look forward to an early response. If you require any clarification on the above please contact me via the Programme Officer.

Yours sincerely

Mark Dakeyne

INSPECTOR

Inspector: Mark Dakeyne BA (Hons) MRTPI