

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: M i s s Initials: ...RH..... Surname: Stanier

Job title (where relevant):

Company/Organisation (where relevant): Herefordshire Friends of the Earth

LDF number: 492

(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;

It seems that the proposal is not legally compliant because it will cause a halt to the development of affordable sustainable energy production from local renewable sources and in local ownership. This is counter to the government's legal duties under international obligations and existing UK legislation, including the NPPF presumption in favour of sustainable development.

Positively prepared.

The proposal appears to exclude the use of independently prepared resource maps to inform locations policy and so it places undue burdens on potential developers, especially community groups, wanting to create local energy supplies at some time during the life of the Plan.

Justified.

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 would also be required; this comparison does not seem to have been made.

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

Effective.

The proposal 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 time frame. This is counter to the intentions of recent Localism legislation and government 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. The Government has clearly stated continuing support for community led renewable energy projects, explicitly including wind, which this policy would serve to obstruct or prevent.

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

I wish to support the following suggestion which has been made by others:

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, 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: Ruth Stanier.....

Signature:

Date: 6th August 2015