

**Report No:** RE1  
**Objections:** 507  
**Support:**  
**Subject:** Renewable energy targets  
**Chapter:** 8  
**Policy:**  
**Para:** 8.1.2  
**Other:**

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### **ISSUES RAISED**

1. Suggest addition of reference to 15% target by 2015
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### **RESPONSE**

1. Agreed
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### **PROPOSED CHANGES**

Add to para 8.1.2 (1D) "The Renewables Obligation calls on all licensed electricity suppliers in England and Wales to supply 15.4% of their electricity sales from renewable sources by 2015-16."

**Report No:** RE2  
**Objections:** 163  
**Support:**  
**Subject:** Wind energy  
**Chapter:** 8  
**Policy:**  
**Para:** 8.1.3 and 8.1.4  
**Other:**

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### **ISSUES RAISED**

1. 8.1.3 makes reference to 'Power of Prosperity' but 8.1.4 limits consideration of material considerations in respect of renewable energy developments to land use considerations. Such an approach fails to recognise or consider weight which should be given to wider environmental and economic benefits.
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### **RESPONSE**

1. Agreed that reference should be made to wider environmental and economic benefits.
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### **PROPOSED CHANGES**

Amend paragraph 8.1.3 (1D) to read "In land-use policy terms the important thing is to seek a balance between encouraging the development of renewable energy resources, taking into consideration the wider environmental and economic benefits of proposals and appropriate safeguards."

**Report No:** RE3  
**Objections:** 508, 738, 167  
**Support:**  
**Subject:** PPS22  
**Chapter:** 8  
**Policy:**  
**Para:** 8.1.5  
**Other:**

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### **ISSUES RAISED**

1. Should be recognised that PPS22 does not support areas of search approach. Copeland should seek to give favourable consideration to applications outside area of search defined in the JSP where criteria are met. (508)
  2. Suggest adding to end of paragraph “The Council will await the final version of PPS22 and the Panel Report on the JSP before reviewing this position. If there is strategic policy provision for defining Areas of Search in the Structure Plan then this exercise will be undertaken taking into account local factors and working jointly with representatives of the renewable energy industry” (738)
  3. It is implied that because draft PPS22 was issued late in the plan preparation process the policy approach of the existing local plan will be used in the first deposit draft. There is no logical planning based reason to support an approach and it would appear that it was in fact always the intention of the LPA not to update its policy approach to renewable despite the considerable amount of guidance. (167)
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### **RESPONSE**

- 1-3. 1<sup>st</sup> Deposit Plan written prior to publication of PPS22 and agreed that Areas of Search approach is no longer appropriate. Whole chapter amended in accordance with PPS22.
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### **PROPOSED CHANGES**

Delete from paras 8.1.4 – 8.1.5 (1D) “Policy ER13 of RPG requires an “Area of Search” approach to protect the most valuable and sensitive environments and Policy R39 in the JSP fulfils this at sub regional level on the back of a detailed assessment of potential carried out for the County Council and Sustainability North West in January 2003.

8.1.5 In the normal course of events the Council would undertake to more closely define the JSP’s broad areas of search on the Local Plan Proposals Map. However, as this version of the Local Plan was being finalised the government published the draft of a new Planning Policy Statement on Renewable Energy (PPS 22, November 2003). The draft PPS suggests that local authorities should not base policy on assumptions about technical feasibility of renewable energy projects – which could undermine the work undertaken to define areas of search in the JSP. As a consequence the Council intends to proceed on the basis of its existing suite of renewable energy policies noting that favourable consideration will be given to proposals within the areas of search indicated by the JSP authorities (and reproduced in Appendix 11 the Local Plan) so long as the proposals meet the criteria set out in the relevant policy.

Delete from para 8.2.8 (1D) “The County Council has indicated in its Areas of Search for Energy from waste and Biomass that only sites in or close to Whitehaven would meet the JSP Criteria”

**Report No:** RE4  
**Objections:** 509, 510, 552, 737  
**Support:**  
**Subject:** Wind energy  
**Chapter:** 8  
**Policy:**  
**Para:** 8.2.2  
**Other:**

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## ISSUES RAISED

1. Key principles of PPS22 at odds with this paragraph. Development Plans are required to contain policies which promote and encourage rather than restrict the development of renewable energy projects. Sentence beginning “Generally the Council ...” should be deleted as should sentence “In Copeland the most...” (509)
  2. Local landscape or habitat designations should not be used in themselves to rule out renewable energy developments. The wording from “The Council considers..” to “..residential amenity” should be deleted. Should be replaced with reference to more positive benefits.(510)
  3. Electricity transmission and distribution networks are not necessarily sited to provide all the services of them that will be required on the future. LPA’s should works with regional and national utility companies. Suggest wording to be added to paragraph 8.2.2 “The Council will work with utility companies to allow necessary development of electricity transmission and distribution infrastructure whilst avoiding unreasonable adverse affects.” (552)
  4. Define small scale in line with existing Structure Plan. Turbines now bigger – what is major could be considered much smaller for instance MW or 3-4 turbines. Changes to Structure Plan are likely to make a cross reference to major developments policy on anything that would be picked up via EA Regs (737)
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## RESPONSE

1. Reference to Council’s recognition of benefits for all sources of renewable energy added to paragraph 8.1.4 (1D). The Council believes however that it is justified in identifying St Bees Heritage

Coast and the areas designated County Landscapes should be afforded protection. Once a comprehensive landscape character assessment approach is developed it will be incorporated into planning policy in place of the current County Landscapes approach. Agreed identified text should be deleted.

2. The text or policy does not seek to rule out renewable energy developments in all designations. The Council believes that the Heritage Coast and County Landscapes should be protected (see above) and that other sensitive sites should be given due consideration. Agreed should refer to benefits of renewable energy.
  3. Suggest that reference should be made to encouraging developer / utility company discussions with the Council at an early stage in proposals.
  4. Agreed. Definitions of small and large scale deleted. (see RE5 EGY1 – policy refs to scale also deleted)
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## **PROPOSED CHANGES**

Add to para 8.1.4 (1D) “The Council recognises the benefits that both standalone and integrated renewable energy schemes can bring from a local to global scale..... taking into consideration the wider environmental, economic and social benefits of proposals”

Amendments also made to EGY1 and para 8.2.8 (see Reports RE5 and RE9 respectively)

Delete from para 8.2.2 (1D) “Generally the Council will not sanction larger scale developments, i.e. more than 10 turbines unless it can be shown that there is an overriding national need for a project and that the criteria in Policy EGY 1 can otherwise be met. Small clusters of turbines in the Areas of Search identified in the JSP (Appendix 11) outside the special landscape areas and other sensitive sites will be favourably considered subject to satisfactory detailed siting and so long as they meet the Policy EGY 1 criteria. In Copeland the most appropriate sites are likely to be coastal.”

Para 8.2.2 (1D) change “The protection of other sensitive sites” to “The impact upon other sensitive sites”

Add to para 8.2.2 (1D) “Landscape impact is a test included in criteria 1 of Policy EGY 1 and this test will be assisted by use of Landscape Character Assessment currently being developed by Cumbria County Council in partnership with other Cumbrian local authorities to be brought forward subsequently as SPD (see also Section 5.2)

Para 8.2.2 (1D) delete “i.e. up to 10 turbines”

Add new paragraph (9.1.5 2D) “The Council will expect developers of renewable energy schemes to engage with local communities regarding their proposals before a planning application is submitted. Utility companies will

also be encouraged to discuss their proposals with the Council at an early stage.”

**Report No:** RE5  
**Objections:** 164, 166, 243, 468, 511, 562, 601, 736, 909, 986, 687, 520  
**Support:**  
**Subject:** Wind energy  
**Chapter:** 8  
**Policy:** EGY1  
**Para:**  
**Other:**

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## ISSUES RAISED

1. Policy does not make reference to Areas of Search as identified in JSP and in contrary to text which accompanies Appendix 11. Overall policy approach is confused and fails to give clear guidance on the location of such developments. (164)
2. Policy is unjustifiably negatively worded in respect of wind farms over 10 turbines. Reflects policy in existing local plan which predates significant research and publications. Does not accord with key principles No.s 2,3,4,6 and 7 for LPA's (166)
3. Unclear which criteria apply to major wind farms. Objections to areas of search, especially around national park and nature conservation sites. Note that the Council shares these concerns and request appropriate wording included in EGY1 – National Trust would ask to be consulted on wording. Concerned about landscape implications, cumulative impact. Criteria for small scale wind energy developments should be amended to make specific reference to protected / valued landscapes and their hinterlands. (243)
4. Lack of clarity with respect to the weight that should be attached to nature conservation in the identification of sites. Cannot be confident correct weight will be given to nature conservation unless permitted development subject to DEV6 and ENV4. DEV6 requires amendment. (468)
5. Whole policy needs to be reworked in line with PPS22. In meantime suggest that two introductory paragraphs combined to read 'Proposals for wind energy developments will be favourable considered so long as...' (511)
6. Policy does not make any reference to the Highways Agency being the Highway Authority for the trunk road network. Reference to 'highway safety' should be expanded to the need to consult the Highways Agency where such proposals would impact on the trunk road network. Wording should be amended "they would not be

- prejudicial to highway safety, this includes the trunk road network on which the Highways Agency must be consulted” (562)
7. Horses easily frightened by turbines – consider carefully implications where turbine placed close to a bridleway. British Horse Society have guidelines. (601)
  8. Threshold on what is considered to be large scale should be reviewed consistent with current practice. (736)
  9. Policy and r/j on wind energy is too negative and restrictive. Unnecessary and onerous to suggest renewable energy development should justify itself against national and regional need. Regional targets are a minimum. Policy should be amended to be less restrictive. Specific concerns which might arise should be dealt with by more specific criteria. (909)
  10. This is the last kind of development we need in this area as we already have BNFL and Drigg (986)
  11. Policy and text does not give reference to ‘landscape character’ tools as required by PPG7. Lack of such a policy and reference to landscape character would fail to accord with draft Deposit JSP E31 and E33 and RPG SD8, ER1 and ER2. Policy fails to draw distinction between ‘landscape’ and ‘visual’ effects which is fundamental to EIA assessments. Policy must refer too accepted professional landscape texts. Policy makes no reference to setting to Lake District National Park. Areas of Search opposed. (687)
  12. Area of search in Lamplugh Parish is inappropriate. There is conflict with the development of tourism. (520)
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## RESPONSE

1. Reference to areas of search deleted in line with JSP/PPS22
2. Negative wording in relation to large scale proposals deleted from policy. Whole chapter updated to be in line with PPS22.
3. Reference to scale of wind farms removed (also see Objection 737 Report RE4 with reference to ‘scale’). Areas of search approach no longer applicable. National Trust will be given opportunity to comment at 2<sup>nd</sup> deposit stage. Felt that landscape and cumulative impact concerns addressed as far as possible by policy.
4. Felt that policy addresses nature conservation issues. Unnecessary to cross reference other plan policies. Objections to DEV6 dealt with in report D34.
5. Whole chapter amended to conform with PPS22
6. The relevant highway authority will be consulted as proposals come forward. It inappropriate to refer to the Highways Agency in the Policy.
7. Felt that concerns over impacts on horses are dealt with by policy.
8. Agreed – references to scale deleted and replaced with references to definitions in EA Regs as set out in JSP
9. Agreed. Policy and rj amended to be less restrictive.(Also see amendments to para 8.2.2 Report RE4)

10. Any proposal will be subject to public consultation. Policies must conform with higher tiers of planning guidance.
  11. Reference to landscape character added to para 8.2.2 with cross reference to Environment Chapter. See Report RE4.
  12. Areas of search approach no longer appropriate and removed from plan.
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## **PROPOSED CHANGES**

Delete from EGY1 “Proposals for large scale wind energy developments (more than 10 turbines) will not normally be permitted unless it can be demonstrated that benefits associated with a scheme outweigh environmental impacts and that the following criteria are satisfied:”

Delete from EGY1 “small scale”

Add to Policy EGY1 “Where the proposals involve the installation of more than two turbines or the hub height of any turbine or any other structure exceeds 15 meters an Environmental Impact Assessment will be required and the proposal will be subject to Policy DEV9.”

Amend para 8.2.2 to read “The Council will have regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and where relevant proposals will be subject to Policy DEV9: Major Development. The Council will also take into account the cumulative effects of wind turbine developments in any locality so as to avoid significant adverse affects.

**Report No:** RE6  
**Objections:** 244, 512, 563  
**Support:**  
**Subject:** Solar Energy  
**Chapter:** 8  
**Policy:** EGY2  
**Para:**  
**Other:**

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### ISSUES RAISED

1. Reference to setting of conservation areas welcomed but impacts on the qualities of local landscapes, especially from light reflection, should be included in the third bullet point. (244)
  2. Possible that PPS22 may contain advice that small scale renewable energy development which as solar water heating and photovoltaic panels should be encouraged on listed buildings and in conservation areas where they do not affect the reason for designation. Suggest policy could be made more proactive along the following lines "The Council will encourage development with photovoltaics (solar power), solar water heating and passive solar heating within the Borough, in partnership with local initiatives" (512)
  3. Given potential for light reflection to impact on highways safety wording should be amended "Light reflection for the installation would not adversely affect residential amenity or impact on highway safety on the trunk road network" (563)
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### RESPONSE

1. Agreed reference to landscapes should be made
2. PPS22 advises that small scale proposals can be incorporated into both new developments and some existing buildings. The Council believes that schemes for listed buildings and conservation areas should be subject to particular scrutiny. Suggest that the policy is already expressed in positive terms "will be considered favourably..." Using terms such as "encourage" in policy wording is not good practice.
3. Agreed reference should be made to highway safety, but this should be a reference applicable to all highways, not just trunk road network

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**PROPOSED CHANGES**

Add to Policy EGY2, Criterion 1 "...or Landscape of County Importance"

Add to Policy EGY2 Criterion 3 "...or highway safety"

**Report No:** RE7  
**Objections:** 830  
**Support:**  
**Subject:** Hydro electric schemes  
**Chapter:** 8  
**Policy:** EGY3  
**Para:** 825  
**Other:**

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### **ISSUES RAISED**

#### **Support**

1. Strongly support government targets and recognise cumulative contribution hydropower can make. Requirements in Water Resources Act 1991 specific conditions. As mentioned in paragraph 8.2.5 hydropower schemes can affect a number of elements in river management. Schemes should only be permitted if they do not adversely affect any of these interests.
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### **RESPONSE**

#### **Support**

1. Support noted
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### **PROPOSED CHANGES**

No change

**Report No:** RE8  
**Objections:** 334, 688, 987  
**Support:** 469  
**Subject:** Tidal barrages  
**Chapter:** 8  
**Policy:** EGY4  
**Para:**  
**Other:**

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### **ISSUES RAISED**

1. Statement is contrary to many others made in support of infrastructure required for development of the area and will negate any future large and long term development. Does not make any allowance for the very possible follow on from the 'Nirex' long term storage of nuclear waste. No allowance for decline in fossil fuels and rising costs of power generation. Should not make broad ranging policies without having a broad ranging view of the north and whole countries requirements.(334)
2. "public interest" should be reworded as "national interest". Public interest difficult to define. National interest embodied in planning law legislation and forms part of the wording to JSP review ST9 (688)
3. Totally support provision of a road scheme / tidal barrage as would open up area for future development (987)

### **Support**

1. Support policy and would object to any planning proposals which would adversely affect nature conservation interests (469)
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### **RESPONSE**

#### **Objection**

1. Policy worded negatively in recognition of the international significance of the nature conservation interests in the area.
2. Agreed
3. Comment noted

#### **Support**

1. Support noted
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## **PROPOSED CHANGES**

Policy EGY4 delete “public interest” replace with “national interest”

**Report No:** RE9

**Objections:** 735, 323, 470, 513, 829  
**Support:**

**Subject:** Waste and Bio fuels

**Chapter:** 8  
**Policy:** EGY5  
**Para:** 8.2.7-8.2.8  
**Other:**

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## ISSUES RAISED

1. 1<sup>st</sup> sentence 8.2.7 should be amended to ‘Bio fuels for short rotation coppice...’as it is unlikely that the actual crop will have a significant adverse impact on landscape. The crop could not be controlled under the planning acts. (735)
2. Wording of policy not tight enough. Should be made clear that only in exceptional circumstances will a scheme that does not meet criteria of an existing industrial site or PDL be considered. “wherever possible” provides unacceptable leeway and too wide an interpretation (323)
3. Policy should be cross referenced to ENV4 and DEV6 (470)
4. Wood fuel and other biomass options should not be in same policy as energy from waste. Energy from waste is not classed by Government as a fully renewable energy source and any policies relating to it would be better placed in waste management section. Biomass proposals may need to be sited close to source of fuel to minimise transport – may be in rural areas. Benefits offered in terms of farm diversification should be noted, as should variety of scale of development (as with wind). Biomass is one of the renewable energy sources which should be recommended to developers for consideration in housing or industrial developments over a certain size. (513)
5. Suggest additional paragraph before EGY5 stating government targets for recovering municipal waste by local authorities. “In order to comply with the Landfill Directive, the Government has established the following targets for recovering value (by recycling, composting, other forms of material recovery and energy recovery) from municipal waste by local authorities:
  - Recover value from 40% of municipal waste produced by 2005
  - Recover value from 45% of municipal waste produced by 2010

- Recover value from 67% of municipal waste produced by 2015(829)
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## **RESPONSE**

1. Agreed
  2. Felt criteria which proposals has to satisfy will ensure that location of developments are very restricted allowing very limited opportunity for 'leeway'. Waste and biofuel opportunities are often best located near to the fuel source. They also can offer opportunities for farm diversification. Ideally proposals should be on pdl or industrial sites but it is recognised that this may not be realistic given other locational needs.
  3. Plan should be read as a whole. Unneccesary to cross reference other policies.
  4. Proposals for the incineration of municipal waste are dealt with by the Cumbria Minerals and Waste Local Plan. Reference added to text. Recognised that development may be in rural areas. Agree should add reference to farm diversification and scale. Encouragement of renewable energy sources in new development is covered by Policy DEV6.
  5. Targets regarding the landfill directive are discussed in the Environment Chapter (5.2 1D)
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## **PROPOSED CHANGES**

Para 8.2.7 (1D) amend to read "Bio-fuels for short rotation coppice...."

Add to para 8.2.8 (1D) "Energy from the incineration of municipal waste is covered in Section 6.11 of the Cumbria Minerals and Waste Local Plan 1996-2006"

Add to para 8.2.7 (1D) "It can also offer opportunities for farm diversification. Such development must be of an appropriate scale and ...."

Para 8.2.8 (1D) add cross reference to 5.2 (1D) Waste Disposal and Recycling

**Report No:** RE10

**Objections:** 514  
**Support:**

**Subject:** Additional Policy – Combined Heat and Power

**Chapter:** 8

**Policy:**

**Para:**

**Other:**

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### **ISSUES RAISED**

1. Should consider adding a further policy on CHP. Should be a presumption that CHP will be included in certain types of development e.g. high density mixed use, large building development, large energy intensive industrial plants, refurbishments of buildings with centralised heating plan. Should be cross references with DEV6 point 5.

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### **RESPONSE**

1. Planning applications for CHP would be dealt with by the County Council as major development or acting as Minerals and Waste authority. Felt that DEV6 (1D) adequately addresses the issue.

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### **PROPOSED CHANGES**

No change