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STATEMENT BY RICHARD BACON M.P.

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1. Many people here today will be aware that this Inquiry is taking place against a backdrop of significant change in the planning system.
2. The Coalition Government is acting to return power over planning matters to Local Planning Authorities. The Coalition Agreement spells out this intent in clear, unambiguous terms, stating that the Government:  
  
“...will rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils...” <sup>[1]</sup>
3. Ministers have repeatedly underlined the need for action to address the serious democratic deficit in the way planning decisions are currently being taken. During the Committee Stage of the Localism Bill the Minister for Planning Policy, Greg Clark, told MPs that:  
  
“... the problem with the present system is that there is not enough incentive for people to accept development and there is not enough community involvement, so it needs change. The system is broken and there is a recognition that this is an historic opportunity to change it.” <sup>[2]</sup>
4. The Coalition Government wants to give local communities as much discretion as possible over planning matters. Although the Localism Bill, which is currently making its way through the House of Lords, contains no specific provisions relating to onshore wind farms, the Government’s reforms to restore local control over planning will nevertheless apply equally to wind farms being considered through the Town and Country Planning Act system.
5. Be in no doubt, this Government remains an enthusiastic supporter of renewable energy. Earlier this year, the Minister for Renewable Energy, Charles Hendry, told MPs that:  
  
“Common sense dictates that we should consider our own natural resources. We have the strongest wind resource anywhere in Europe. To turn away from that and say that we should not be using it would be a serious mistake by Government, and one that we are not prepared to make.” <sup>[3]</sup>

I agree. However, the minister added :

“Energy plants need to be sited in appropriate locations, and common sense tells us that that is the right way forward.” <sup>[4]</sup>

Again, I agree and this is the central point I wish to make today.

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<sup>[1]</sup> *The Coalition: our programme for government*, page 11, paragraph 4.

<sup>[2]</sup> *Public Bill Committee: The Localism Bill*, 27 January 2011, column 160.

<sup>[3]</sup> *Official Report*, 10 February 2011, column 191WH.

<sup>[4]</sup> *Official Report*, 10 February 2011, column 1921WH.

6. All the relevant planning policy guidance states clearly that development, including renewable energy schemes, should only be permitted where the impact that they will inevitably create is considered to be acceptable. If the impacts of such schemes are not considered to be acceptable then the guidance is clear: they should be refused. This includes renewable energy schemes and applies to every tier of planning policy, be it local, national or regional, at least until Regional Spatial Strategies are finally abolished.
7. The appellant's proposed scheme was judged to be contrary to South Norfolk local plan policies ENV1, UTL13 and IMP9. These policies all state categorically:
  - that development will not be permitted where it would significantly harm...identified assets important to the character of the landscape<sup>[5]</sup>;
  - that planning permission will be granted for renewable energy projects provided that the benefits of exploiting the renewable resource in the national interest are not outweighed by demonstrable harm to the locality<sup>[6]</sup>; and
  - planning permission for new development will only be granted where the Council is satisfied that the development does not have a significantly adverse impact on nearby residents<sup>[7]</sup>.
8. It is the contention of the appellant that the refusal of planning permission on these grounds is not justified. However, it is my contention that the refusal of planning permission by South Norfolk Council was justified and entirely in accordance with local, regional and national planning policies.
9. Throughout the relevant national Planning Policy Statements; that is PPS1, the supplement to PPS1 on climate change, PPS7 and PPS22, it is clearly established that planning authorities have a duty to protect and preserve the environment, and that sources of renewable energy should *only* be exploited where the inevitable environmental and social impacts are considered to be acceptable.
10. PPS 1 states that planning should:
 

“...facilitate and promote sustainable and inclusive patterns of urban and rural development by...protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities.”<sup>[8]</sup>
11. PPS1 continues:
 

“Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole.”<sup>[9]</sup>

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<sup>[5]</sup> [http://www.south-norfolk.gov.uk/planning/media/Environmental\\_Assets.pdf](http://www.south-norfolk.gov.uk/planning/media/Environmental_Assets.pdf)

<sup>[6]</sup> [http://www.south-norfolk.gov.uk/planning/media/Local\\_Plan\\_Development.pdf](http://www.south-norfolk.gov.uk/planning/media/Local_Plan_Development.pdf)

<sup>[7]</sup> [http://www.south-norfolk.gov.uk/planning/media/Impact\\_of\\_Development.pdf](http://www.south-norfolk.gov.uk/planning/media/Impact_of_Development.pdf)

<sup>[8]</sup> *Planning Policy Statement 1: Delivering Sustainable Development*, page 2, paragraph. 5.

<sup>[9]</sup> *Planning Policy Statement 1: Delivering Sustainable Development*, page 7 paragraph 17.

12. PPS7 underlines that the Government's objective is to protect the countryside:

"...for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all." <sup>[10]</sup>

Furthermore:

"Many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities." <sup>[11]</sup>

13. PPS7 also goes on to state that planning authorities should provide for the "sensitive exploitation of renewable energy sources" <sup>[12]</sup> in accordance with PPS22.

14. The climate change supplement to PPS1 calls on Local Planning Authorities to:

"Ensure any local approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances." <sup>[13]</sup>

15. This emphasis is reflected by South Norfolk Local Plan Policy UTL13, which explicitly states that planning permission will be granted for renewable energy projects, as long as the benefits of exploiting the renewable resource in the national interest are not outweighed by demonstrable harm to the locality.

16. This is consistent with PPS22, which states that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable but, again, subject to the caveat that: "environmental, economic, and social impacts can be addressed satisfactorily" <sup>[14]</sup>.

17. This caveat is best defined in the technical annex of the companion guide to PPS22, which states that:

"The material question is whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected" <sup>[15]</sup>.

18. It was the unanimous judgement of South Norfolk Council that the benefits of exploiting the renewable resource in the national interest were outweighed by the demonstrable harm to the locality and to the residential amenity of a number of properties, including in particular Semere Green Farm and Barnacres and because these environmental and social impacts

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<sup>[10]</sup> *Planning Policy Statement 7: Sustainable Development in Rural Areas*, page 7 paragraph 1(iv).

<sup>[11]</sup> *Planning Policy Statement 7: Sustainable Development in Rural Areas*, page 11 paragraph 12.

<sup>[12]</sup> *Planning Policy Statement 7: Sustainable Development in Rural Areas*, page 12 paragraph 16(iv).

<sup>[13]</sup> *Planning Policy Statement: Planning and Climate Change supplement to Planning Policy Statement 1*, page 14, paragraph 20.

<sup>[14]</sup> *Planning Policy Statement 22: Renewable Energy*, page 7, paragraph 1(i)

<sup>[15]</sup> *Planning for Renewable Energy: A Companion Guide to PPS22*, page 167, paragraph 39.

cannot be satisfactorily addressed, the development is contrary to PPS22. The approach of Central Government is, rightly, not to interfere with the jurisdiction of Local Planning Authorities unless it is absolutely necessary to do so and it is widely understood, therefore, that councils should be free to carry out their duties with the minimum of interference.

19. It is certainly the case that a substantial amount of government policy supports the exploitation of Britain's sources of renewable energy, including wind turbine schemes. One such example is the climate change supplement to PPS 1, which states:

"An applicant for planning permission to develop a proposal that will contribute to the delivery of the Key Planning Objectives set out in this PPS should expect expeditious and sympathetic handling of the planning application" <sup>[16]</sup>.

20. However, 'sympathetic handling' does not translate into the automatic overriding of a Local Planning Authority's duty to protect the landscape and the visual and residential amenity of its residents. If it did, then renewable energy schemes would always be approved and planning appeals would never take place.

21. As has already been stated, the Government has signalled its intent clearly and unambiguously to abolish Regional Spatial Strategies. However, despite its impending abolition, it is important to note that the East of England Plan also reinforces the principle that the protection of the countryside from inappropriate development cannot be automatically overridden by other considerations.

22. According to the Plan, local planning authorities and other agencies should:

"...seek to conserve and enhance the natural, historic and built environment by positive management and protect it from development likely to cause harm." <sup>[17]</sup>

Local Planning Authorities should also:

"protect, for their own sake, all important aspects of the countryside, including individual features, special sites, their setting, and the wider landscape" <sup>[18]</sup>

And:

"conserve and enhance whenever possible regional and local distinctiveness and variety, based on a thorough assessment of local character and scrutiny of development impacts." <sup>[19]</sup>

23. In conclusion, even if one took little account of the Government's clear intent on the future of the planning system, the existing national, local and regional policy evidently makes development conditional upon whether the proposal in question would have a detrimental effect on the locality generally and on amenities that ought to be protected in the public interest.

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<sup>[16]</sup> *Planning Policy Statement: Planning and Climate Change supplement to Planning Policy Statement 1*, page 19, paragraph 40.

<sup>[17]</sup> *The East of England Plan*, page 50, paragraph 8.2

<sup>[18]</sup> *The East of England Plan*, page 50, paragraph 8.2

<sup>[19]</sup> *The East of England Plan*, page 50, paragraph 8.2

24. Furthermore, the direction of travel of the Government's policy indicates clearly that the future of the planning system is in empowering communities, through democratically elected councillors, to decide for themselves how they should develop. The damaging trend towards central control will be reversed and top-down targets and requirements will go.
25. This means that developers will be expected to provide communities with a much clearer understanding of the direct benefits they will receive from development and it will be for communities to decide for themselves whether those benefits are worth the impact on their locality.
26. South Norfolk Council held that the appeal scheme would have a detrimental effect on the locality and that the public interest would best be served by protecting local amenities from the proposed development. Therefore, the decision of South Norfolk Council to reject this proposal was taken with clear regard for, and in accordance with, all relevant Government policies.
27. It is therefore my view that that the appeal should be dismissed.

**RICHARD BACON M.P.**  
**21 June 2011**