



PINS NOTE 33/2013r1

To: All Inspectors (England)

Date of Issue: 18 October 2013

Currency: review at 6 months after issue

Last Updated: 10 April 2014 – to include reference to the written ministerial statement of 9 April 2014, extending the period for recovery by 12 months.

LOCAL PLANNING AND RENEWABLE ENERGY DEVELOPMENTS – RECOVERY OF APPEALS

Action

1. Inspectors will need to be aware of the recently published written ministerial statement¹ by Eric Pickles of 9 April 2014, which updates the previous statement published on 10 October 2013², announcing the Secretary of State's intention to give particular scrutiny to planning appeals involving renewable energy developments (wind turbines and solar farms). The recovery policy was revised from 10 October 2013 to include renewable energy developments for a period of six months from that date. This latest WMS extends the period for the option to recover renewable energy proposals by 12 months (i.e. until 10 April 2015).
2. The statement indicates that the extension is necessary as the guidance is still relatively new and may not have been taken account of in some proposals. Ministers will continue to have the option to recover renewable energy appeals to test the application of the planning practice guidance, originally issued on 29 July 2013, now incorporated into the web-based [Planning Practice Guidance](#) suite published on 6 March 2014. The Government intends to produce new planning guidance shortly on community engagement.

Background

3. In order to test Inspectors' application of the renewable energy planning practice guidance, published in response to concerns raised by local communities, the SoS has announced the addition of

¹ [WMS on Local planning and renewable energy developments](#) – DCLG, 9 April 2014.

² [WMS on Local planning and renewable energy developments](#) – DCLG, 10 October 2013.

renewable energy proposals to the recovery policy issued on 30 June 2008. It should be noted that not all renewable energy appeals will be recovered; rather a selection, covering a range of proposal types and scenarios, will be decided by the SoS in order to consider the application of the planning practice guidance at a national level and to ascertain how the guidance is meeting the Government's intentions. Since October, the Inquiries and Major Casework team have recovered around 30 turbine appeals ranging in scale from single to multiple turbines. And a 20MW solar farm was recovered in December. They cannot be prescriptive about future Ministerial involvement as ultimately the discretion to recover any appeal lies with the SoS.

4. The planning practice guidance seeks to make clear the importance of proper consideration of environmental protection and confirms that the need for renewable energy should not automatically override the protection of the local environment and heritage, which should be given proper weight when determining applications. The SoS stressed that the views of the local community must be listened to when making planning decisions. Further details can be found in PINS Note 19/2013, published on 30 July 2013.
5. Please contact XXXX if you have any general queries on this Note or XXXX for queries on recovery of appeals.

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Acting Chief Planning Inspector