



MID DEVON LOCAL PLAN REVIEW 2013 – 2033

Proposed Submission (incorporating proposed modifications) Examination

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Main Hearings - Hearing 4: Tuesday 19th February 2019

Matters and Issues

Development Management Policies

Statement of Mid Devon District Council

ISSUE 2	Is Draft Policy DM2 (Renewable Energy) up to date? Is there a need for renewable energy allocations?
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2) Is Draft Policy DM2 (Renewable Energy) up to date? Is there a need for renewable energy allocations?

2.1 Yes, Draft Policy DM2 'Renewable and low carbon energy' is up to date. The policy sets out a positive approach for renewable energy projects to come forward and is consistent with national policy. Having regard to the provisions of national policy, and the Council's evidence base, there is no need for renewable energy allocations for the following reasons:

- No renewable energy projects have been promoted to the Local Plan Review at any stage of the plan preparation process.
- The Council's Renewable Energy, Carbon Reduction and Air Quality Study 2004 [ENV01] indicates that the whole landscape is sensitive to large scale renewable energy development, and the sensitivity increases with the size of development. It identifies that there are few suitable sites for installation of further large-scale, standalone generation particularly wind power, in the Mid Devon District.

National Policy Context

2.2 Planning policy for renewable and low carbon energy is set out in a number of key documents, principally the National Planning Policy Framework (2012) and Planning Practice Guidance (PPG).

- 2.3 The NPPF paragraph 17 (Core Planning Principles) states that planning should “*support the transition to a low carbon future in a changing climate...*” and “*encourage the use of renewable resources (for example, by the development of renewable energy)*”
- 2.4 Paragraph 97 of the NPPF states that local planning authorities should:
- “*have a positive strategy to promote energy from renewable and low carbon sources;*
 - *design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;*
 - *consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
 - *support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
 - *identify opportunities where development can draw its energy from decentralised renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”*
- 2.5 In relation to onshore wind energy developments, on 18 June the Government announced, in a Written Ministerial Statement (WMS)¹ **[NPG03]**, new considerations to be applied to wind energy development so that “local people have the final say on wind farm applications”. These considerations took effect from 19 June 2015 and should be taken into account in planning decisions. When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:
- The development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and
 - Following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
- 2.6 The Ministerial statement was subsequently incorporated into the National planning Practice Guidance (PPG) (paragraph 033 of the Renewable and Local Carbon Section). Further to this, paragraph 005 states that “*There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and critically, the potential impacts on the local environment, including from*

¹ It is acknowledged that this has since been incorporated into the Government’s revised National Planning Policy Framework (July 2018). However, given that the Local Plan Review is being examined under the 2012 version under transitional arrangements, it is appropriate to refer to the ministerial statement and Planning Practice Guidance.

cumulative impacts. The view of local communities likely to be affected should also be listened to.”

- 2.7 Paragraph 008 also explains that *“local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with setback distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable.”*

Policy DM2 ‘Renewable and Low Carbon Energy’

- 2.8 Policy DM2 of the Local Plan Review seeks to maximise renewable and low carbon energy while ensuring that adverse impacts are addressed satisfactorily, including cumulative impacts. Examples of development considered under this policy include hydropower, solar installations and energy systems associated with other development such as combined heat and power (CHP) or district heating.
- 2.9 The Proposed Submission 2015 consultation draft included a version of Policy DM2, which set out the development management test for renewable and low carbon energy. However, in light of the Written Ministerial Statement (WMS) of the 18 June, the policy supporting text was amended ahead of the 2017 consultation on the Local Plan Review Proposed Submission (incorporating proposed modifications) to state: *“Any wind turbine proposals will be considered in the context of the 18 June 2015 Written Ministerial Statement which requires planning applications for such development should only be granted if areas of suitable for wind energy development are identified in Local or Neighbourhood Plans.”* This version of the policy was included in the Local Plan Review documents as submitted to the Secretary of State on 31 March 2017.
- 2.10 The Mid Devon Renewable Energy, Carbon Reduction and Air Quality Study (2014) [ENV01] notes that *‘there are few suitable sites for installation of further large-scale, stand-alone generation, particularly wind power, in the Mid Devon District. It also states that the ‘transport network in unconstrained areas would not have the capacity to take large-scale wind turbine components.’* Having regard to these considerations, it is considered that the Council has adopted a positive approach to renewable and local energy through Policy DM2 whilst ensuring that adverse impacts will be satisfactorily addressed.

Onshore wind – Justification of policy approach

- 2.11 The Council has reviewed the WMS and associated changes to planning practice guidance and considers that the Local Plan Review supports the Council’s responsibility to contribute to renewable energy generation. Accordingly, the policy is up-to-date. The NPPF does not oblige LPAs to allocate areas suitable for wind energy development in their development plans; rather, the requirement is to consider defining such areas (paragraph 97). Similarly, the Government’s legal obligations to reduce carbon emissions do not permeate through the NPPF to specific requirements for individual local plans, although the NPPF outlines that local planning authorities should help increase the use and supply of renewable and low carbon energy.

- 2.12 The Renewable Energy, Carbon Reduction and Air Quality Study (2014) [ENV01] considers suitability for onshore wind energy developments within Mid Devon. The study notes that *'the whole landscape is highly sensitive to large scale renewable energy development, and the sensitivity increases with the size of development. Sensitivity increases in areas with high scenic quality; this can be nationally designated areas (Blackdown Hills AONB and Dartmoor National Park) or important areas of 'archetypal Devon farmland and valleys.'*
- 2.13 Notwithstanding the above, any applications would also have to meet the second test set out in PPG (i.e. that it can be demonstrated that the planning impacts identified by local communities have been **fully addressed** and therefore the proposal has their backing).
- 2.14 A survey conducted by the Centre for Sustainable Energy in 2017 indicates that over 50% (48 of 92 surveyed) of authorities are not planning to work to adapt a wind policy following national policy changes². In contrast to this, the Council has taken a positive approach to planning for onshore wind, set within the context of the ministerial statement, to provide local communities with the opportunity to consider onshore wind directly. The Council is willing to provide support and advice to neighbourhood plan groups who wish to pursue onshore wind policies within their neighbourhood plans.

Need for renewable (onshore wind) energy allocations

- 2.15 In light of the above, the Council does not consider that there is a need for renewable energy allocations. Whilst the Council could have identified areas 'technically suitable' for wind energy, a significant level of uncertainty would have remained over the level of landscape sensitivity considered 'acceptable', cumulative effects of wind energy developments, residential amenity, setting of heritage assets, ecology and air traffic safety, among other issues. In addition, issues related to road suitability for construction vehicles were identified as an issue in Mid Devon [ENV01]. The Council's approach is consistent with paragraph 032 of Planning Practice Guidance which stipulates that *'suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines or similar will not be sufficient.'* In the absence of any proposal coming forward, it was not possible to provide proportionate and robust evidence that would facilitate an allocation within the Local Plan Review.
- 2.16 There is also a need to demonstrate that the planning impacts identified by local communities have been fully addressed and therefore the proposal has their backing. The Council considers that this would be most appropriately considered at the neighbourhood level to ensure that local people have the final say on wind farm developments. On this basis, Policy DM2 is supportive of suitable areas for wind energy development coming forward in Neighbourhood Plans. This decision is considered to be consistent with national policy (i.e. the WMS and the NPPG). This would allow consideration of site specific issues in

² <https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/planning/survey-of-local-authority-wind-sites.pdf>

more detail and; by providing neighbourhood planning bodies with the opportunity to identify suitable areas, the second test set out in national policy can be more easily applied.

Other forms of renewable energy – justification of policy approach

- 2.17 The policy stipulates that renewable and low carbon energy development will be weighed against its impact. The supporting text stipulates that these developments, especially when they are of a commercial scale, have the potential to cause significant harm through degradation of landscape character or heritage, impact to local residents and loss of productive agricultural land or biodiversity.
- 2.18 With the exception of the additional reference to planning for onshore wind, Draft Policy DM2 is broadly similar to Policy DM5 within the Council’s Local Plan Part 3: Development Management Policies **[LDO03]**. This has successfully provided the basis for renewable and low carbon energy projects to come forward since the plan was adopted in 2013. Indeed, within that timeframe the Council has determined/facilitated a range of proposals for renewable and low carbon energy projects across the district, many of which have now been implemented. Examples of such projects include solar PV developments of various scales across Mid Devon as well as anaerobic digestion, which forms an important proportion of the energy derived from renewable energy in Devon. More recently, the Council has been facilitating the redevelopment of historic mills across the district with the aim of establishing these as a source of hydropower generation.
- 2.19 Where the Council has considered a need for further guidance to aid implementation of the policy, it has sought to do this through Supplementary Planning Documents. One such example is the ‘Landscape Implications of Solar PV Proposals’. This approach will be carried forward following adoption of the Local Plan Review 2013 – 2033.
- 2.20 Consequently, Draft Policy DM2 establishes a positive strategy to promote energy from renewable and low carbon sources and is designed to help maximise renewable and low carbon energy development, whilst ensuring that adverse impacts are addressed satisfactorily, in accordance with paragraph 97 of the NPPF (2012).

Other forms of renewable – need for allocations

- 2.21 Draft Policy DM2 is a facilitative policy which allows renewable and low carbon energy projects to come forward and be considered on their merits. The Renewable and Low Carbon Energy Study 2014 **[ENVO1]** conducted an assessment of the feasibility of a range of renewable and low carbon options throughout the district (table 13 – page 32). This identifies significant constraints for large scale renewable energy solutions, however, it does identify that there are smaller scale, site specific solutions which are technically feasible and suitable for inclusion within large scale mixed use developments or individual house options. The Local Plan Review incorporates these provisions accordingly, for example, Policy CU5 ‘North West Cullompton Carbon Reduction and Air Quality’ requires that renewable and low carbon energy provides a proportion of the site’s energy use. Policy CU11 ‘East Cullompton Carbon Reduction and Air Quality’ requires similar provisions. The policy provides the

baseline for more detailed consideration of appropriate solutions at the masterplanning stage. On this basis, and having regard to the lack of any specific projects being promoted through the Local Plan Review process, there is no need for renewable energy allocations.