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West Devon  
Borough  
Council

## WEST DEVON COMMUNITY SERVICES COMMITTEE - TUESDAY, 25TH JUNE, 2013

Agenda, Reports and Minutes for the meeting

### Agenda No    Item

1.     **Agenda Letter (Pages 1 - 2)**

2.     **Reports**

Reports to Community Services:

- a)     Item 5 - Connect Strategy and Priority Action Plan Update 2013/2014 (Pages 3 - 44)
- b)     Item 6 - Application to designate Neighbourhood Plan Area for North Tawton (Pages 45 - 56)
- c)     Item 7 - Hatherleigh Community Plan (Pages 57 - 64)
- d)     Item 8 - Interim Planning Guidance for Renewable Energy (Pages 65 - 162)
- e)     Item 9 - Proposal to implement Dog Control Orders in West Devon (Pages 163 - 166)
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- g)     Item 11 - West Devon Borough Council Waste & Leaves Outlet Contract (Pages 171 - 176)

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# Agenda Item 1

## AGENDA – COMMUNITY SERVICES COMMITTEE – 25<sup>th</sup> JUNE 2013

### PART ONE – OPEN COMMITTEE

1. **Apologies for absence**
2. **Declarations of Interest**  
Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

3. **Items Requiring Urgent Attention**  
To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

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### MINUTES

4. **Confirmation of Minutes**  
Regular Meeting held on 30<sup>th</sup> April 2013 (previously circulated).

### OPERATIONAL

5. **Connect Strategy and Priority Action Plan Update 2013/2014**  
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6. **Application to designate Neighbourhood Plan Area for North Tawton**  
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7. **Hatherleigh Community Plan**  
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8. **Interim Planning Guidance for Renewable Energy**  
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11. **West Devon Borough Council Waste & Leaves Outlet Contract**  
Report of the Waste Development & Contracts Manager 163

**PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED (if any).**

If any, the Committee is recommended to pass the following resolution:

**“RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting on the grounds that exempt information may be disclosed as defined in the paragraph given in brackets below from Part I of Schedule 12(A) to the Act.”

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813662 or email [arose@westdevon.gov.uk](mailto:arose@westdevon.gov.uk)

## WEST DEVON BOROUGH COUNCIL

<b>NAME OF COMMITTEE</b>	<b>Community Services Committee</b>
<b>DATE</b>	<b>25<sup>th</sup> June 2013</b>
<b>REPORT TITLE</b>	<b>Connect Strategy and Priority Action Plan Update 2013-14</b>
<b>Report of</b>	<b>Community Manager</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

Following the review of the Connect Partnership and delivery arrangements the priority action plans for Community Life, Environment and Homes have been reviewed and updated to cover the period 2013-14 and incorporated in one Connect Strategy update document. Members are asked to consider this updated Strategy and recommend its approval to Council.

**Financial implications:**

The resource implications of the actions proposed are set out in the action plans and are already incorporated into the Council's Budget.

**RECOMMENDATIONS:**

That Members recommend to Council that the Connect Strategy annual update for 2013-14, incorporating updated action plans for Community Life, Environment and Homes, be approved and adopted.

**Officer contact:**

Debbie Bird, Community Manager, [debbie.bird@swdevon.gov.uk](mailto:debbie.bird@swdevon.gov.uk), lead officer for Community Life

Ross Kennerley, Natural Recreation and Environment Manager, [ross.kennerley@swdevon.gov.uk](mailto:ross.kennerley@swdevon.gov.uk), lead officer for Environment

Liam Reading, Affordable Housing Manager, [liam.reading@swdevon.gov.uk](mailto:liam.reading@swdevon.gov.uk), lead officer for Homes

**1. BACKGROUND**

1.1 In order to ensure that it manages and targets resources where they are most needed, the Council regularly reviews its corporate priorities to ensure that they are relevant to the local area. At the Council meeting in December 2010, Members approved four high level priorities for the authority and authorised the development of detailed delivery plans for each priority.

- 1.2 The high level priorities approved were:
  - Community Life
  - Economy
  - Environment
  - Homes
- 1.3 The full delivery plans for each of these priorities were approved by the relevant Committees in July 2011. Annual updates for 2012-13 were produced for Community Life, Environment and Homes and approved by Members in July 2012. The Economy plan was updated following a review of the Service and an update document covering the period 2012-14 was approved in October 2012.
- 1.4 Following a review changes to the Connect Partnership and delivery arrangements were approved in April 2013. Rather than a Connect Strategy and four separate delivery plans there is now one strategy which includes focused annual action plans for the four priorities.
- 1.5 Longer terms strategic goals and aspirations are referenced in the main document and actions to support their delivery will be included in the annual action plans at the appropriate time.
- 1.6 Monitoring of the action plans will take place annually rather than six-monthly.
- 1.7 The Economy action plan is not due to be reviewed until March 2014 and will be integrated into the new arrangements at that time.
- 2. CONNECT STRATEGY UPDATE 2013-14**
- 2.1 The Connect Strategy update for 2013-14 is included at Appendix A and incorporates updated action plans for Community Life, Environment and Homes.
- 2.2 The action plans were developed in consultation with stakeholders and partners. We also received 157 responses to an on-line questionnaire on the priorities; these responses indicate that in general actions are being focused on the areas the public consider to be important.
- 2.3 During the review process it was identified that there is still further work to do to shorten the priority action plans to ensure that they are focused with actions that add value and are realistic and measureable. Work has been undertaken this year with the delivery groups to address this.
- 2.4 The priority action plans also now identify estimated officer time, financial commitment and any known external funding.
- 2.5 It should be noted that whilst this is a shared strategy across South Hams and West Devon some actions may be specific to only one authority area, this may be due to resources or Member/community aspirations or to address issues specific to one area.

2.6 The draft action plans were presented to Overview and Scrutiny Committee on the 4<sup>th</sup> June 2013 for Members of that Committee to consider the proposed action plans and make recommendations as to their further development. The plans have been updated to reflect agreed changes.

2.7 A range of qualitative and quantitative measures will be used to measure whether milestones set out in the action plans have been met. Measures will be compared against previous information where available to determine whether there has been a positive change and will be reported to Overview and Scrutiny Committee as part of the annual monitoring. Measures may also be used to set a base-line to monitor future progress.

### 3. LEGAL IMPLICATIONS

3.1 Council is responsible for approving the Connect Strategy which now includes the priority action plans. Overview and Scrutiny is responsible for monitoring and influencing the priority action plans.

3.2 There is a legal requirement under the Homelessness Act 2002 to produce a homelessness strategy at least once every 5 years, based on a review of homelessness in the district and setting out plans for homeless prevention and securing sufficient suitable accommodation and support services for homeless households. This is included within the Connect Strategy and Homes action plan.

### 4. FINANCIAL IMPLICATIONS

4.1 The resource implications of the actions proposed are set out in the action plans and are already incorporated into the Council's Budget.

### 5. RISK MANAGEMENT

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

<b>Corporate priorities engaged:</b>	Community Life; Environment; Homes
<b>Statutory powers:</b>	Statutory requirement to produce a Homelessness Strategy.
<b>Considerations of equality and human rights:</b>	A 360 degree assessment was carried out on the original Connect Strategy and Delivery Plans – no further assessment is required unless the priorities change significantly.
<b>Biodiversity considerations:</b>	A 360 degree assessment was carried out on the original Connect Strategy and Delivery Plans – no further assessment is required unless the priorities change significantly.
<b>Sustainability considerations:</b>	A 360 degree assessment was carried out on the original Connect Strategy and Delivery Plans – no further assessment is required unless the priorities change significantly.

<b>Crime and disorder implications:</b>	A 360 degree assessment was carried out on the original Connect Strategy and Delivery Plans – no further assessment is required unless the priorities change significantly.
<b>Background papers:</b>	Connect Strategy 2011- 2015/ Connect Strategy Annual Update 2012/13 Community Life delivery plan 2011-2015/ Community Life Annual Update 2012/13 Homes delivery plan 2011-2015/ Homes Annual Update 2012/13 Economy delivery plan 2011-2015/Economy Annual Update 2012/14
<b>Appendices attached:</b>	Appendix A – Connect Strategy and Priority Action Plan Update 2013/14



## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Strategic Direction	Provide strategic direction for community life and homes setting out how we will improve the quality of life in West Devon and South Hams working with our partners and the community.	Action plans that don't meet local needs.	Low	6	↔	<p>Community Life, Environment and Homes Identified as priorities for the area.</p> <p>Connect Strategy offers clear strategic direction to meet local needs in West Devon and South Hams.</p> <p>Actions define outcomes for local communities.</p>	Priority Lead Officers
2	Community Engagement	Effectively engage communities in developing plans for their locality to meet local needs.	Local People unable to influence and shape plans.	Medium	9	↔	<p>Regular stakeholder consultation and annual priorities survey.</p> <p>Up to date evidence used to develop plans, including local consultation.</p> <p>Voice initiatives used to inform development of plans.</p> <p>Delivery Groups comprising key partners and community representatives developing plans.</p>	Priority Lead Officers
3	Economic Conditions and Funding	Difficult economic conditions and reducing funding could impact on delivery.	Unable to deliver outcomes to meet local needs.	High	12	↓	<p>Resources identified in action plans and Financial Strategies.</p> <p>Regular monitoring and updating to identify and address emerging issues.</p>	Priority Lead Officers
4	New Government Policy	Actions need to be in conformity with Government legislation.	Actions don't deliver outcomes in line with Government policy	Low	6	↔	<p>Maintaining understanding of Government legislation.</p> <p>Working closely with partners and communities to develop action plans that reflect Government policy and meet local need.</p>	Priority Lead Officers

Direction of travel symbols ↓ ↑ ↔

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**Appendix A – Connect Strategy and Priority Action Plan Update  
2013/14**

**South Hams and West Devon  
CONNECT STRATEGY  
2011-2015**

**Local Priorities Annual Update  
2013-2014**

## **INSERT PICTURES OF JOHN TUCKER AND PHILIP SANDERS**

***“Whilst as partners we continue to face financial challenges we are committed to working together to meet the needs of local communities and maintain front line services. In the past year we have reviewed the way we work and streamlined our approach whilst ensuring that we can continue to deliver in key priority areas.”***

Cllr John Tucker, Leader of South Hams District Council and Cllr Philip Sanders, Leader of West Devon Borough Council; joint chairs of the Connect Partnership

**ADD IN ELECTRONIC SIGNATURES FOR BOTH LEADERS**

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## ABOUT THIS UPDATE

The Connect Strategy (2011-2015) was produced by the South Hams and West Devon Connect Partnership. It is the overarching strategic document which sets the priorities for the area and how partners will work together to improve the quality of life for our communities whilst safeguarding the environment for future generations. The strategy was underpinned by a suite of delivery plans, one for each of the four priorities, setting out the key areas for each priority and the actions to be taken to deliver improvements for local people and businesses.

We made a commitment to review and update the strategy and supporting delivery plans on an annual basis to ensure that the needs of communities continue to be met. We have recently reviewed the role of the partnership and streamlined the priority delivery arrangements. This update sets out the changes made as a result of the review, revisits the local priorities, looks back over the previous year, highlights updated evidence and most importantly, sets out action plans for each of the reviewed priorities for the next 12 months.

Whilst the financial landscape continues to be challenging we are still committed to working together on the four identified priorities, improving services in the most cost-effective and efficient way to have a positive impact on the quality of life for local people.

### **PRIORITIES FOR SOUTH HAMS AND WEST DEVON:**

- **Community Life**
- **Economy**
- **Environment**
- **Homes**

This is not a stand alone document. It updates previous strategies and delivery plans and should be read in conjunction with these.

The strategy, plans and updates are available on our websites: [www.southhams.gov.uk](http://www.southhams.gov.uk) or [www.westdevon.gov.uk](http://www.westdevon.gov.uk)

If you would like to get involved in helping to shape the priorities for the local area please contact the Community Team on 01803 861234 or 01822 813600, or email [community@southhams.gov.uk](mailto:community@southhams.gov.uk) or [community@westdevon.gov.uk](mailto:community@westdevon.gov.uk)

## **CHANGES TO THE CONNECT PARTNERSHIP AND DELIVERY ARRANGEMENTS**

Following a review of the way in which partners are working together to deliver the local priorities for the area, through the Connect Partnership, some changes have been made to the operation of the partnership and related delivery arrangements. Key changes are as follows:

- The Connect Partnership Board will now include two Town and Parish Council representatives;
- The Board will meet twice a year, instead of four times, and have a stronger strategic focus;
- The Connect Strategy and four delivery plans will now be incorporated into one document with action plans for each priority area. Delivery groups comprising key partners will continue to develop the individual action plans, which will be shorter and more focused with actions that are realistic and achievable given current levels of funding and resource;
- Future stakeholder consultation will use existing fora and scheduled meetings rather than be held as separate events;
- Monitoring of action plans will be undertaken on an annual basis by the appropriate Council Scrutiny groups, with in-year exception reporting to these groups and the Connect Partnership Board where problems are identified or targets unlikely to be met

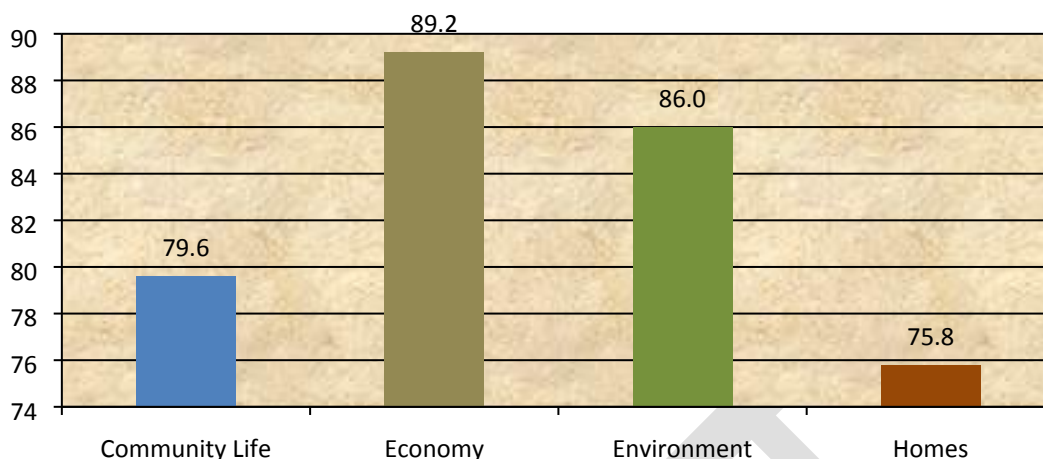
## **UPDATED CONSULTATION AND EVIDENCE**

The priorities for delivery are underpinned by a variety of consultation and statistical evidence. Whilst this update does not attempt to cover all available updated evidence some key information is highlighted below.

### ***Priorities Survey***

An on-line survey was carried out on the local priorities in March and April of 2013. 157 responses were received, which broadly supported the four priorities and areas for action in each.

### % Respondents Who Agree Area is a Priority



### Five Most important areas for action under each priority:

Community Life	Economy	Environment	Homes
Accessing services in rural areas	Supporting young people to access training and employment	Supporting communities to reduce, re-use and recycle waste	Making better use of existing housing stock
Ability to influence local decision-making	Promoting local business initiatives	Protecting and promoting public and green spaces	Increasing the supply of affordable homes
Engaging with elderly or vulnerable people	Tourism	Improving the efficiency of waste collections	Reducing fuel poverty and increasing energy efficiency
Improving health and wellbeing	Supporting local business development	Supporting community transport	Allocating affordable housing taking account of local issues
Funding for local voluntary services	Business support and advice	Conserving and enhancing the environment	Understanding local housing market and local housing need

Comments made by respondents highlighted the following themes as important:

- Transport
- Health Services
- Improving recycling
- Affordable housing for local people
- Keeping young people in the area
- Helping those who are most vulnerable
- Broadband/internet access

### 2011 Census

Information on the 2011 Census has now been produced by the Office of National Statistics (ONS). Some key statistics are shown below and detailed information on individual local authority areas and neighbourhoods can be found on the ONS website: <http://neighbourhood.statistics.gov.uk/>

### Population growth since 2011:

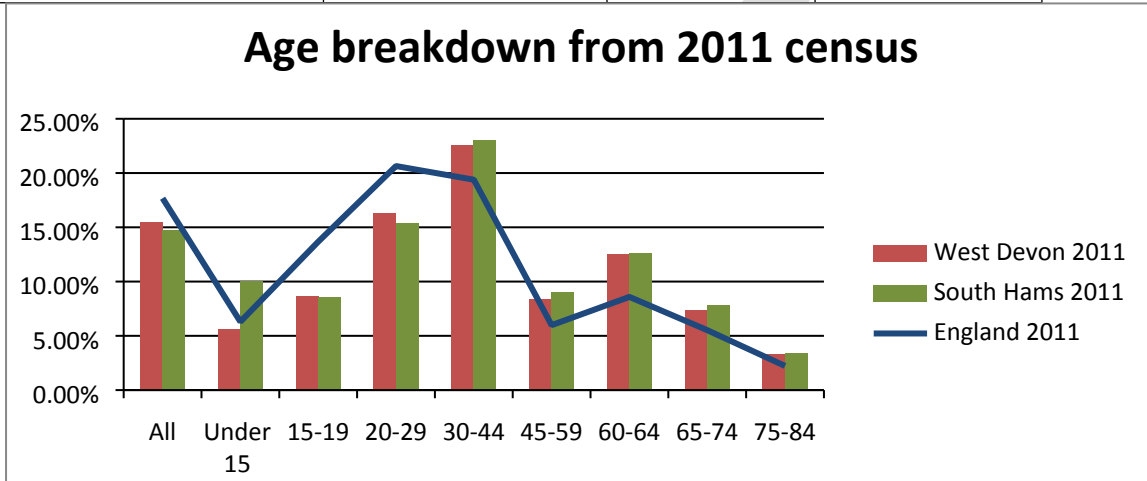
- **South Hams 1.5%**
- **West Devon 9.4%**



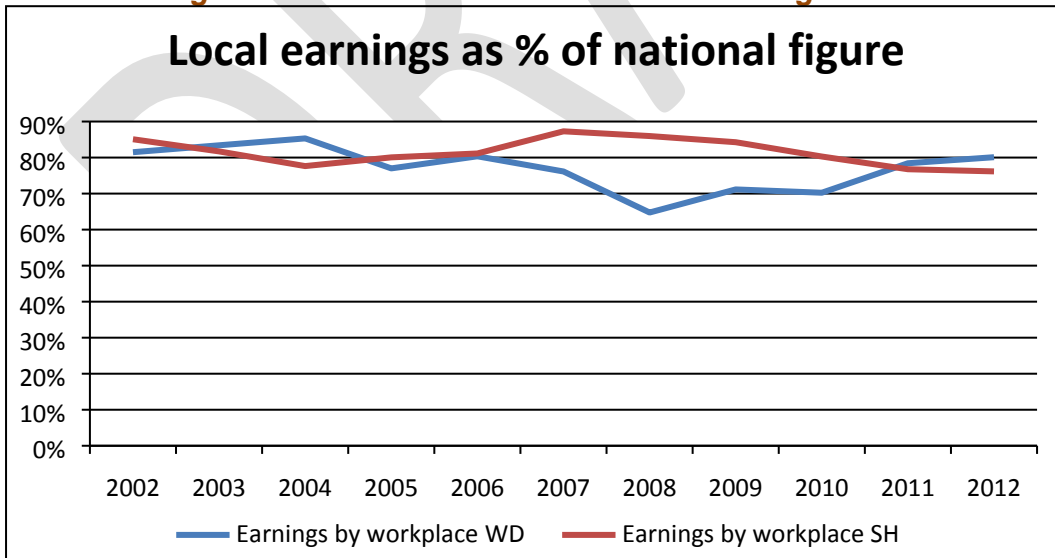
- **Devon 5.9%**

The average age in South Hams and West Devon is higher than nationally and regionally, with a greater percentage of the population over 60 and a lower percentage aged 20-44 than nationally:

	Population	Mean Age	Median Age
<b>England and Wales</b>	56,075,912	39.4	39
<b>South West</b>	5,288,935	41.6	42
<b>Devon</b>	746,399	43.7	45
<b>South Hams</b>	83,140	45.3	48
<b>West Devon</b>	53,553	44.6	47



**Local earnings are around 80% of the national average:**



An older population, lower wages and high house prices place pressure on health services and make it more difficult to retain young people and families.

**2013 Strategic Housing Market and Needs Assessment (SHMNA)**

This assessment covers 5 local planning authority areas: Cornwall, Plymouth, South Hams, West Devon and Dartmoor National Park Authority. The assessment provides part of an evidence base to inform planning policies and underpin housing strategies

in these areas. It uses data from a variety of sources to develop a robust understanding of the current housing market and assess future housing need using a range of appropriate scenarios based on population and household projections.

### SHMNA KEY FINDINGS

- **238 long term empty homes in South Hams and 208 in West Devon.**
- **Population is projected to increase by 6.36% in South Hams (5,312) and 16.8% in West Devon (9,018) between 2011 and 2031.**
- **60% of newly forming households in South Hams, 50% in West Devon and 53% in the Dartmoor National Park Authority area are unable to access market housing.**
- ***Annual affordable housing need: 336 in South Hams and 199 in West Devon.***
- ***Annual Market Housing need, depending on demographic change and job forecasts:***
  - **Between 189 and 752 in South Hams (Excluding the Dartmoor National Park)**
  - **Between 13 and 53 in the South Hams Dartmoor National Park Authority area**
  - **Between 199 and 337 in West Devon (Excluding the Dartmoor National Park)**
  - **Between 76 and 130 in the West Devon National Park Authority area**

### STRATEGIC GOALS AND ASPIRATIONS

Whilst the updated action plans contain specific actions for the next 12 months they feed into a wider set of strategic goals and aspirations for the local area that will be delivered over a longer period. A number of actions will be needed over several years to underpin these and will be included in the action plans at the appropriate time. Some of these overarching strategic areas are set out below.

#### ***Local Plans***

Partners have started working together to prepare Local Plans that will set out how sustainable development will be achieved for the area. The plans will contain policies to deliver appropriate levels of housing, economic and social growth and

infrastructure requirements in a timely and positive way that conserves and enhances the local environment.

The three Local Planning Authority Areas – South Hams, West Devon and Dartmoor National Park Authority will be working closely together to meet local needs. In addition, it will be important to co-operate with other neighbouring local authority areas to ensure the wider delivery of economic, housing and social benefit for the area.

It is anticipated that updated plans will be approved and in place during 2015.

### ***Health and Wellbeing***

There have been significant changes to the health service as set out in the Health and Social Care Act. The Health and Wellbeing Boards have been set up and their role is to ensure that leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities. Clinical Commissioning Groups, responsible for designing local health services, are now in place. Partners will be working together to finalise local priorities and agree how these will be funded and delivered.

South Hams and West Devon are spread across two Clinical Commissioning areas – New Devon and South Devon and Torbay, with two health and wellbeing boards. The Devon area is further split into localities around the main hospitals and there are therefore two Devon localities covering the area. As such partnership working to deliver joined-up and effective health services for local people will be vital.

### ***Local Visions and Priorities***

Partners are working with communities to support them to develop and deliver visions and priorities for their local area. Much of this work will be centred round the main towns and will look at how the surrounding parishes work with the towns to deliver local services and community needs.

### ***Supporting Vulnerable People***

Partners and communities are working to support the most vulnerable in our communities to ensure they do not slip through the net and are enabled to participate in local life and access the services they need. Action plans contain a number of actions each year to ensure that vulnerable people are supported.

The main challenge facing partners and communities is the reducing level of resources available and how services can be maintained and outcomes delivered within tough financial constraints. Partners and communities will need to work together effectively to maximise available resources.

## **LOCAL PRIORITIES**

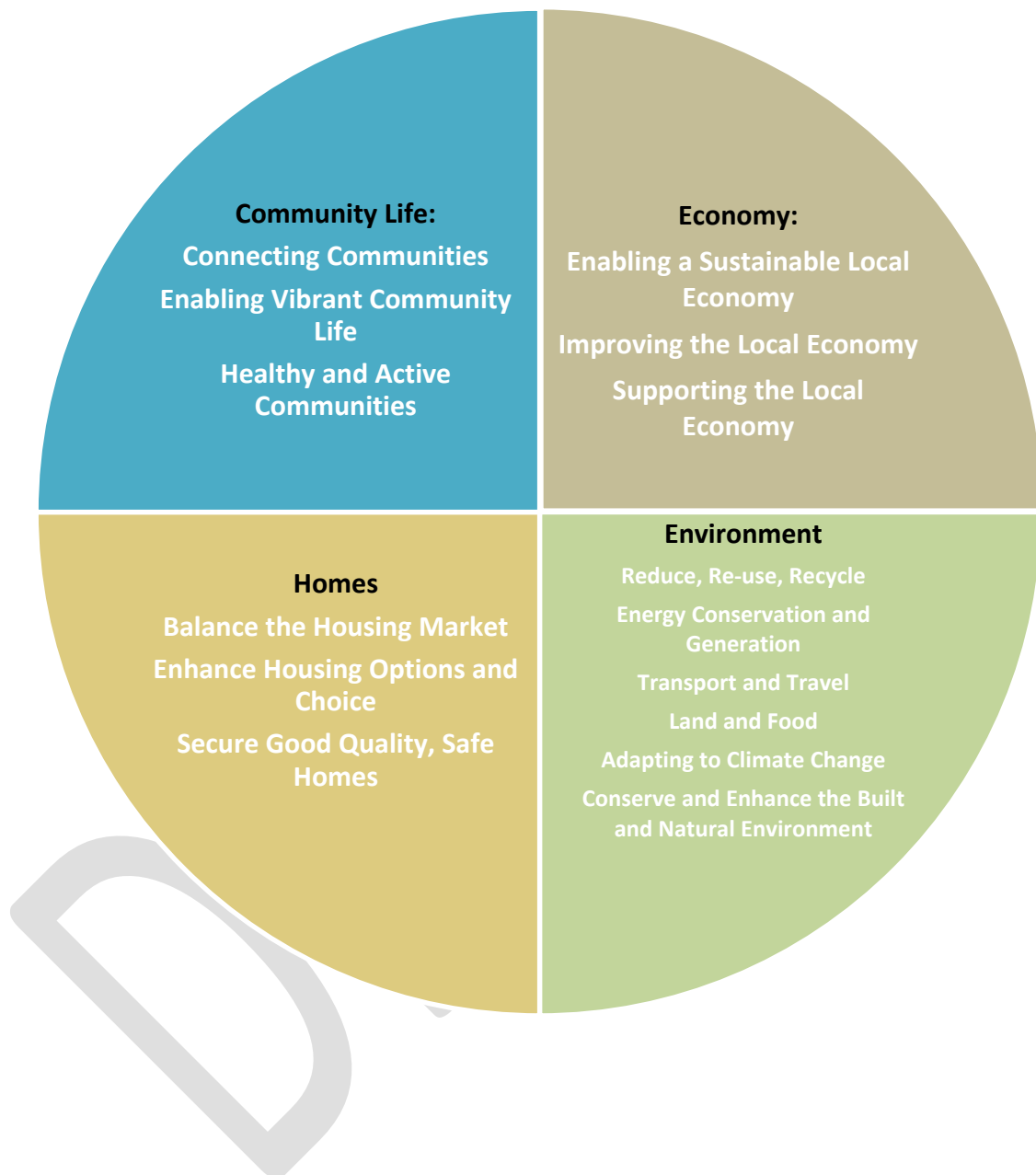
## **PRIORITIES FOR DELIVERY:**

- **Community Life**
- **Economy**
- **Environment**
- **Homes**

2013/14 action plans for each of the priority areas, excluding the Economy, can be found at Appendix A. These plans contain short term “added value” actions towards the delivery of the longer term strategic goals and aspirations. Areas of work that are part of the normal operation of an organisation, “the day job” or “business as usual”, are not included within the action plans.

The Economy delivery plan was reviewed and updated in October 2012 following a review of the Economy service by both Councils. This revised plan includes an action plan covering the period April 2012 to April 2014. The Economy action plan will be reviewed with all the other priority action plans in April 2014 and incorporated into next years update.

It should be noted that whilst this is a shared strategy across South Hams and West Devon some actions may be specific to only one authority area, this may be due to resources or Member/community aspirations or to address issues specific to one area.



### **Measuring Success**

A range of qualitative and quantitative measures will be used to measure whether milestones set out in the action plans have been met.

Qualitative measures will include surveys, case studies and feedback, and quantitative measures will generally be statistical, for example:

- the number of enquiries dealt with at a Connect Outreach event;
- the number of participants at events or activities i.e. Walk and Talk and Active Villages;
- the number of new affordable homes completed;
- the percentage of waste recycled

Many of the milestones can be measured in this way.

Measures will be compared against previous information where available to determine whether there has been a positive change and will be reported to the relevant Council Scrutiny Committee as part of the annual monitoring. Measures may also be used to set a base-line to monitor future progress.

Some key achievements for 2012/13 are listed in Appendix B.

DRAFT

## PRIORITY ACTION PLANS 2013-14

### COMMUNITY LIFE:

#### 1. CONNECTING COMMUNITIES

1.1 Maintaining and Improving Access to Services						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Hold additional community events in: <ul style="list-style-type: none"> <li>• South Brent</li> <li>• Ivybridge</li> </ul>	Increased engagement with residents of South Brent and Ivybridge.  Residents more aware of their local services and how these can be accessed.	December 2013	Connect Outreach Partners South Brent Caring	45hrs approx	South Brent venue cost - £22.50	Contributions are made from the partners ad hoc through out the year to help fund venue costs & advertising
Deliver a roving outreach service over 13 days, visiting 50 villages across South Hams via the mobile library service.	Increase the number of residents in rural communities who are able to access local services.  Partners working more efficiently and effectively on joint delivery of services.	July 2013	Devon County Council (DCC) Connect Outreach Partners	Approx 135 hours including planning	No other budget implications	Partners time
Deliver a roving outreach service in West Devon visiting 13 rural communities.	Increase the number of residents in rural communities who are able to access local services.  Partners working more efficiently and effectively on joint delivery of services.	June 2013	Dartmoor National Park Authority (DNPA) Devon and Somerset Fire Service (DSFS) Connect Partners	Approx 74 hours including planning	No other budget implications	Partners time
Deliver a rural crime event in Hatherleigh.	Local residents more aware of rural crime and the steps they can take to protect themselves and their property.	April 2013	Community Safety Partnership (CSP) Connect Partners	Approx 15 hours including planning	No other budget implications	Partners time

1.2 Engaging with Young People						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Deliver an information event for Young People at KEVICCS in Totnes	<p>Enable effective engagement with young people, providing information that will be of assistance to them.</p> <p>Young people more aware of local services and how to access them.</p>	Sept 2013	South Hams District Council Connect Partners	Approx 37 hours	No other budget implications	Partners time
Produce Holiday and Play Activity Directories for South Hams and West Devon to be sent out by email to all partners and placed on the Council websites.	<p>Families encouraged to participate in healthy, fun and physical activities.</p> <p>Maintain and increase participation in play activities to improve health and wellbeing.</p>	July 2013	South Hams District Council West Devon Borough Council	Approx 65 hours SH and 50 hours WD	Design charge to be agreed.	Sourcing external funding to print a small number of hard copies
Deliver Play Days at Castle Drogo and Okehampton Community Hub.	<p>Families encouraged to participate in healthy, fun and physical activities.</p> <p>Maintain and increase participation in play activities to improve health and wellbeing.</p>	Sept 2013	West Devon Play Forum	Approx 55 hours	Print costs for posters only.	Partners time
Develop a Young Persons Micro Website.	<p>Enable effective engagement with young people, providing information that will be of assistance to them.</p> <p>Partners understand the issues facing young people and are able to better respond to them and source appropriate solutions.</p>	March 2014	South Hams District Council West Devon Borough Council Devon County Council NHS Devon and Cornwall Police Devon and Somerset Fire Service	Approx 175 hours	Design costs	Partners time
Develop an approach to engaging with Young People in the development of a Renewable and Green Energy Strategy and a Youth Proofing Protocol	Effective engagement with young people that enables them to influence the work of the Councils and partners.	March 2014	South Hams District Council West Devon Borough Council	Approx 75 hours (10 days)	No other budget implications	Partners time



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## 2. ENABLING VIBRANT COMMUNITY LIFE

2.1 Empowering Local Communities							
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding	
				STAFF TIME	Budget		
Pilot the Localisation of Services Model in Lifton exploring alternative options for the delivery of grounds maintenance services currently provided by both the Borough and County Council.	Improved delivery of grounds maintenance services.  Village is more attractive, cleaner and well kept enhancing the local environment for residents and visitors.	July 2013	West Devon Borough Council Devon County Council Lifton Parish Council	Approx 120 hours (16 days)	No other budget implications	Village obtained own funding for equipment and training	
Deliver a Town and Parish Councillor Development Programme in West Devon.	Improved Town and Parish Councillor effectiveness.  Towns and parishes enabled to understand and utilise the benefits offered by the Localism agenda and its implications for them.	March 2014	West Devon Borough Council Devon Association of Local Councils (DALC) Town and Parish Councils	Approx 37 hours	No other budget implications	£6,000 TAP funding	
Increase membership of the Community Voice in both South Hams and West Devon by: <ul style="list-style-type: none"> <li>Attending outreach events</li> <li>Promotion of Membership in the press, on the website, at events and through existing groups and Voice initiatives.</li> </ul>	A database of local people who are interested in participating in the consultation process and willing to engage with the Councils on service delivery and key plans for the area, improving engagement with local residents. Will be measured by number on the database and number of responses to consultations.	March 2014.	South Hams District Council West Devon Borough Council	Approx 75 hours (10 days)	No other budget implications	N/A	

2.2 Shaping Local Communities						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Engage with local communities on initial options and ideas to inform the development of Local Plans for the area.	Communities involved and engaged in the development of Local Plans that affect development in both Council areas.	March 2014	South Hams District Council West Devon Borough Council Dartmoor National Park Authority (DNPA)	Time resource difficult to quantify at this early stage	Costs approx £20,000 per local authority for consultation and evidence Procurement.	N/A
Support the Community-Led Planning process in line with the agreed Community Planning Protocols.	Communities enabled to take forward plans for their area that meet local development needs and involve local people in shaping development for the future – will monitor number of communities assisted and level of assistance.	March 2014	South Hams District Council West Devon Borough Council	Difficult to quantify but will only be able to assist where there is capacity to do so.	No other budget implications	Government funding for Neighbourhood Plans
Deliver 3 Planning training sessions in each local authority area to Town and Parish Councils.	Towns and Parishes understand and support the local planning process.  Greater co-operation between the Councils and Towns and Parishes and improved engagement over planning applications and issues.	March 2014	South Hams District Council West Devon Borough Council	6 sessions – 9 days (1.5 days each for planning, and delivering). Total approx 65 hours	Minimal for refreshments	N/A

### 3. HEALTHY AND ACTIVE COMMUNITIES

3.1. Creating, Promoting and Supporting Healthy and Active Communities						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Update both Councils evidence base for open space, sport and recreation to inform negotiations with Developers on new housing sites.	<p>Compliant evidence base that will inform negotiations with developers and provide evidence for accessing external funding for sports and leisure facilities.</p> <p>Development of “fit for purpose” and National Governing Body recommended sports facilities and playing pitches in the area.</p> <p>Increased participation in sport and physical activity.</p>	March 2014	South Hams District Council West Devon Borough Council Sport England	Project management and tender process Circa 40 hours	£10,000 - £20,000	May be Potential for partner funding
Work with partners to develop a Devon-wide model for delivery of Walk and Talk from April 2014 using county led scheme with local delivery partners.	<p>Health Walks schemes embedded in the future preventative health care model for Devon. Project becomes sustainable and continues to support and increase the numbers of walkers and volunteers across the area.</p> <p>Improvement in Health and Wellbeing of our communities including social inclusion and mental health.</p>	March 2014	South Hams District Council West Devon Borough Council Devon County Council, Health and Wellbeing Board- Commissioning group Devon Local Authorities.	Ongoing support. Current Line management role for Walk and Talk Coordinator-externally funded post.	£5,000	£20,000 NHS Devon DCC
Ensure the successful roll out of the new Active Communities project if the external funding bid to Sport England is successful. Continuation project from Active Villages focussing on larger communities.	<p>Coordinated approach to delivery and maximum impact in larger communities.</p> <p>Address the 14 – 25 age group and associated drop off in participation levels.</p>	March 2014	South Hams District Council West Devon Borough Council Devon County Council Active Devon Sport England- Community Sport	Circa 2 hours per week	No other budget implications	<p>Estimated-South Hams 12 X 3 yrs= £36,000</p> <p>West Devon 8 X 3 yrs= £24,000</p>

	Improvement in Health and Wellbeing of our communities and increase in participation in sport and physical activity.		Activation Fund			
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Manage, deliver and monitor the joint action plan for the Active South Hams and West Devon Community Sport Physical Activity Network (CSPAN) with partners and use the joint action plan to further evidence the need for sport and physical activity development initiatives across West Devon and South Hams.	<p>Joined up approach to the delivery of sports and physical activity project ensuring higher impact.</p> <p>Further evidence base for partners to use in when applying for external funding.</p> <p>Improved health and wellbeing and increase in participation in sport and physical activity across the areas.</p>	April 2014	<p>South Hams District Council</p> <p>West Devon Borough Council</p> <p>National Governing Bodies</p> <p>Active Devon</p> <p>NHS Devon</p> <p>Devon Youth Service</p> <p>Leisure Providers- Leisure Connection, Tone Leisure, OCRA</p> <p>Dartmoor National Park Authority</p>	Circa 5-10 hours a month	No other budget implications	Various for project delivery Circa £1,000,000
Ensure continued support for entry into the Devon Games to Inspire event 2013.	<p>Commits Councils' role to support Olympic Legacy programmes.</p> <p>Increasing the school to club link opportunities for young people and therefore increasing participation in regular sport.</p>	July 2013	<p>South Hams District Council</p> <p>West Devon Borough Council</p> <p>Active Devon</p> <p>OCRA</p> <p>Tone Leisure</p>	Circa 2 -4 hours a month	<p>West Devon £3,500</p> <p>South Hams £3,500</p>	£25,000
Develop a club development and project support structure across both Council areas.	Both Councils to work with external partners to enable local communities, clubs, volunteers to progress and take forward sport and physical activity schemes to sustain and increase participation.	March 2014	<p>South Hams District Council</p> <p>West Devon Borough Council</p> <p>Active Devon</p> <p>OCRA</p> <p>Tone Leisure</p>	Advise and assist. Circa 2 - 4 hours per month	To be confirmed	Potential for partnership funding
Agree Public Health priorities for the South Hams and West Devon areas.	Local health priorities identified to enable the development of appropriate actions to tackle health equalities and improve health and wellbeing.	July 2013	<p>South Hams District Council</p> <p>West Devon Borough Council</p>	Staff time to be determined	No other budget implications	Funding available for actions and projects to

			Devon County Council Health and Wellbeing Boards/Health Commissioning Groups			address priority areas
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## ENVIRONMENT:

Reduce, Re-use and Recycle						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Develop an annual educational programme with focus on the delivery of education in key areas – communities, schools.	Greater community knowledge of waste reduction and recycling options by direct involvement and consultation with community groups and residents.	June 2013	SHDC, WDBC, DCC, DAWRRC, DCRN, WRAP, SwwRF.	To be confirmed	To be confirmed	To be confirmed
Connect with local communities and business groups by interaction with established waste fora which proactively encourage public involvement in future decisions on local waste issues.	Support and develop community and other groups in achieving sustainable waste management practices.	On-going	SHDC, WDBC, DCC, DCRN, DFF, DCCN	To be confirmed	To be confirmed	To be confirmed
Directly support community initiatives to reduce, reuse and recycle in particular working with community and transition groups to promote sustainable waste management and which encourage management of waste further up the waste hierarchy.	Greater community involvement and understanding of waste management.	On-going	SHDC, WDBC, DCC, DCRN, DFF, transition groups	To be confirmed	To be confirmed	To be confirmed

Energy Conservation and Generation							
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding	
				STAFF TIME	Budget		
Produce a West Devon and South Hams Community Energy Plan in conjunction with community groups and interested parties.	Continue to support the community group partnership to promote joint working across both council areas; Produce a community supported approach to energy conservation and energy generation; Promote and publicise outcomes and actions.	July 2014	South West Devon Community Energy partnership, WDBC SHDC DNPA, AONBs; DCC.	74hrs	No other budget implications	DCC (SEACs) c. £60,000	
Review opportunities for energy generation or conservation on council assets and projects.	Co-ordinated approach to increased energy generation and energy conservation	On Going	SHDC, WDBC, South West Devon Community Energy Partnership	148 hrs	Would need to be considered in capital programme on an invest to generate basis	To be confirmed.  Would depend on any opportunities identified	
Production of Renewable Energy Guidance including requirements for locating renewable energy proposals and for on site renewable energy generation on new build proposals.	Guidance that balances the merits and concerns of renewable energy projects. Currently on consultation in SHDC	July 2013	SHDC; WDBC; DCC; DNPA	148 hrs	Publication costs	NA	
To work with the Energy Saving Trust and other partners on the EU funded 'Ready for Retrofit' project to identify and implement a preferred model for delivery of energy efficiency measures through the Green Deal and Energy	Delivery model implemented and uptake of ECO/Green Deal measures maximised along with the associated economic and fuel poverty reduction benefits.	Dec 2013	SHDC, WDBC, DCC, EST, SWDCEP	74hrs	Officer time plus potential for capital investment depending on preferred	To be confirmed	

Company Obligation (ECO) initiative.					model (subject to Member approval)	
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Transport and Travel							
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding	
				STAFF TIME	Budget		
Review availability and accessibility of public and community transport.	Maximising and promoting availability; Increasing health and well being for members of the community including vulnerable groups; Promoting on-going dialogue with service providers. Co-ordinated approach to green travel planning.	March 2014	SHDC; WDBC; DCC; Service Providers	TBC	Existing community transport funding maintained however current service could also be reviewed to ensure its meeting local needs.	To be confirmed	
Support cycle and walking initiatives to increase access to green space and country side and for commuting.	Increased quantity and quality of access to public space; Reduced car travel.	On-going	SHDC; WDBC; DCC; Sustrans; Ramblers; Groups; Clubs;	37 hrs	Partnership work with DCC to promote opportunities	NA	
Promote and support Green Travel Planning	A combined Council green travel plan; Support community based green travel planning	TBC	SHDC; WDBC; DCC; Service Providers; Developers	To be confirmed	No other budget implications	To be confirmed	

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Land and Food						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Work with community organisations to enable the use of council owned land to be utilised for community food production.	Increased opportunity for community based food production.	March 2015	DNPA, WDBC, SHDC, Transition and local Environment Groups. Allotment Associations.	37hrs	No other budget implications	To be confirmed  Projects are community led and groups will need to self fund.
Liaise with DEFRA and Natural England to target land management support and grant aid in South Hams and West Devon.	Maximise external support and grant aid to support agriculture and land management in South Hams and West Devon.	On-going	SHDC; WDBC; DEFRA; Land owner organisations;	10hrs	No other budget implications	Will be directed to land management for landowners.

Adapting to Climate Change						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Support the Lead Local Flood Authority (DCC) administer it responsibilities under Flood and Water Management Act 2010.	Combined approach to flood resolution. More joined up approach gives better service to public.	December 2014	DCC	~ 3 days a week spent on Land Drainage	No other budget implications.	DCC and EA funding for schemes



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**Conserve and Enhance the Built Environment**

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Work with communities on local public space improvement projects.	Deliver 12 Big Green Space Challenge 2012 projects and up to 10 further community managed public space improvement projects.	March 2014	SHDC; WDBC; PCC; BTCV, Community Groups, Town and Parish Councils	148 hrs	s.106 Langage Landscape Fund	External match fund will be sought for schemes
Work with other local authority partners, business and community groups to promote Tavistock as a Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site (WHS)	Completion of Key centre studies; designation of Tavistock as a Key centre in the WHS and successful implementation of the Tavistock THI scheme	October 2013 and ongoing	TTC, DCC, Tavistock BID Co. Tavistock and District Chamber, WHS	165 hours	ED Grant scheme and LABGI	External funds from various partners

**Conserve and Enhance the Natural Environment**

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Programme of projects, events and activities in South Devon and Tamar Valley AONBs.	Integrated promotion and management of nationally protected landscapes.	On-going	SHDC; WDBC; DCC; DNPA; AONB Partnerships; CCC;	74 hrs	Part funded from WDBC and SHDC core contributions	Based on 12.5% council contribution DCC provide 12.5% and DEFRA fund 75%. Other funding also

						pursued
Support delivery of AONB management plans and work further with AONB units.	High quality landscape management and promotion of access and understanding to visitors and residents.	Mar 2014	SHDC; WDBC; DCC; DNPA; AONB Partnerships; CCC;	74 hrs	Part funded from WDBC and SHDC core contributions	As above
Continue to develop the coordinating role for estuary management.	Coordinated management and promotion of all estuaries to promote conservation, access and commercial interests.	On-going	SHDC; WDBC; DCC; AONB Partnerships; CCC; Harbour Authorities; Estuary Partnerships; MMO	10 hrs	Part funded from WDBC and SHDC core contributions	Harbour Authorities, DCC, Duchy, Natural England
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Introduce joint working with the environmental voluntary sector and neighbouring authorities to identify biodiversity priorities including work on Local Nature Partnerships, Green Infrastructure partnerships and Biodiversity Offsetting.	A coordinated approach to biodiversity conservation management across South Hams and West Devon.	December 2013	SHDC; WDBC; DCC; DNPA; DWT; RSPB; BCT; Natural England	74 hrs	s.106 funds	PCC, TBC, TDC, DNPA, DCC, Natural England, National Trust, Torbay Coast and Countryside Trust
Support South Hams Tree Warden scheme.	More community involvement in tree and woodland schemes.	On-going	SHDC, WDBC, Woodland Trust, Community Groups.	7 hrs	No other budget implications	Community groups, landowners.
Deliver Public Space Improvement programme.	Improved play, park, countryside and pitch facilities.	On -going	SHDC, Town and Parish Councils, Community Groups, Sports Clubs	0.2 fte	No other budget implications	s.106, external funders, sport governing bodies etc

## HOMES:

### 1. BALANCE THE HOUSING MARKET

1.1 Increase the Supply of Affordable Homes						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Deliver 190-235 units of affordable housing to include:  100-125 new build affordable homes in South Hams  80-100 new build affordable homes in West Devon  8 empty homes returned to use or provided through conversion as affordable homes (South Hams)  1 x West Devon and 1 x South Hams through the Shekinah Project	Increased supply of affordable homes to meet identified need.  Increased supply of affordable homes & increased New Homes Bonus.  Enable the Councils to meet the statutory accommodation duty under the Housing Act.	March 2014	South Hams District Council West Devon Borough Council Registered Providers Developers CCD – Rural Housing Partnership Private sector landlords and Chapter 1	1.75 FTE South Hams  1.4 FTE West Devon	Capital Funding budget as approved in both Councils	Homes and Communities Agency Affordable Housing Programme  Registered Providers  Developers
Introduce Self Build Initiative.	Increased options to deliver	August	West Devon Borough Council	4 days per month	No budget implications at	Homes & Communities

	<p>affordable homes.</p> <p>Increased supply of affordable homes &amp; increased New Homes Bonus.</p> <p>Links to further education &amp; employment opportunities.</p> <p>Positive growth &amp; economic benefits.</p> <p>Reduce Council liability for maintenance of council owned plots.</p>	2013	<p>South Hams District Council</p> <p>Parish Councils</p> <p>Registered Providers</p> <p>Community Groups</p> <p>CCD – Rural Housing Partnership</p>		this time	<p>Agency</p> <p>Registered Providers</p>
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
<p>Explore and deliver alternative funding models for the delivery of affordable housing.</p>	<p>Increased investment in affordable housing delivery.</p> <p>Increased housing options including low cost home ownership models.</p>	July 2013	<p>South Hams District Council</p> <p>West Devon Borough Council</p>	1 day per month	No budget implications	<p>Registered Providers</p> <p>Homes &amp; Communities Agency</p> <p>Private Institutional Investment</p>
<p>Deliver a Connecting Communities project.</p>	<p>Increased community capacity and engagement in the delivery of affordable housing.</p> <p>Increased numbers of affordable homes.</p> <p>Best practice and learning shared across communities to enable the delivery of housing and facilities to</p>	Sep 2013	<p>South Hams District Council</p> <p>West Devon Borough Council</p> <p>Registered Providers</p> <p>Community Groups</p> <p>Parish Councils</p> <p>CCD – Rural Housing Partnership</p>	<p>1 officer x 1 day per week for 6 weeks to develop web site</p> <p>Minimal input thereafter</p>	No other budget implications	<p>Devon County Council</p> <p>RIEP funding allocated for Localism Projects available through Community</p>

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	<p>meet local needs.</p> <p>Increased localism and community ownership.</p> <p>Less reliance on local authority intervention.</p>					Team
Explore innovative approaches to site selection.	Greater community engagement in the delivery of affordable housing in appropriate locations.	March 2014	South Hams District Council West Devon Borough Council	10 days	No budget implications at this time	

## 1.2 Understand the Local Housing Market and Assess Local Housing Need

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Finalise and publish the Strategic Housing Market and Needs Assessment.	<p>Clear evidence to support new Local Plans for both Councils.</p> <p>Inform &amp; support future planning policy &amp; site specific negotiations.</p>	June 2013	South Hams District Council West Devon Borough Council Plymouth County Council Cornwall County Council Dartmoor National Park GVA Grimley Consultants	25 days	£22k per authority	
Undertake 3 Parish Housing Needs Surveys	<p>Housing needs in specific parishes identified to help inform future development.</p> <p>Residents are aware of local housing</p>	March 2014	South Hams District Council West Devon Borough Council Community Council	2/3 days per LA	£5k per annum (£2.5k x both authorities)	Other rural Devon Districts Dartmoor National

	need helping to support delivery of local rural housing schemes.		For Devon Parish Councils			Park Registered Providers
Gypsies & Travellers Accommodation	Enable the provision of suitable sites for Gypsies and Travellers.	March 2014	South Hams District Council West Devon Borough Council	12 days	No budget implications at this time	
Deliver Community Housing surgeries.	Raising awareness and understanding of affordable housing at community level.  Promoting the Localism agenda.	Every 6 months	South Hams District Council West Devon Borough Council	1 x day per 6 months per Council	No other budget implications	

### 3.3 Make Better Use of Existing Housing Stock

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Develop, adopt and implement a Joint Empty Homes Strategy across both Councils in light of changes to Council Tax exemptions.	Targeted approach to bringing empty properties back into use, maximising use of existing housing stock and New Homes Bonus income for both Councils.	October 2013	South Hams District Council West Devon Borough Council	0.2 FTE WDBC  0.2FTE SHDC	No other budget implications	None at present but HCA funding to be accessed when available
Down Sizing Project (Welfare Reform Act) – Deliver a new scheme targeted at older tenants to encourage downsizing into designated and sheltered accommodation and free up family homes for those in need.	Mitigate risk of rent arrears for households under occupying.  Increase supply of general needs family housing for local people.  Meet the needs of older people.	August 2013	South Hams District Council West Devon Borough Council Registered Providers Devon Home Choice Partnership	1 day per month	SHDC - Up to £25k  WDBC – up to £15k	
Improve Night Shelter provision in South Hams.	Aid the regeneration of disused	Summer	South Hams District Council	1.5 days per month	No budget implications	Revival Life Ministries

	<p>Council employment units.</p> <p>Reduce incidence of rough sleeping and increase health &amp; well being for those vulnerable people on the streets.</p> <p>Enable vulnerable homeless people into secure accommodation.</p>	2014	Revival Life Ministries Shekinah			Charitable donations
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## 2. ENHANCE HOUSING OPTIONS AND CHOICE

2.1 Improve Housing Options and Choice for Vulnerable People						
Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Work with partners to provide improved support and access to services for rough sleepers.	<p>Reduction in the incidences of rough sleeping.</p> <p>Offering temporary accommodation to people who are rough sleeping</p> <p>Provide one point of contact for rough sleepers</p> <p>Offering individual solutions</p> <p>Facilitate re-connection</p> <p>Assist into suitable settled</p>	Spring 2014	<p>South Hams District Council</p> <p>West Devon Borough Council</p> <p>Shekinah</p> <p>Encompass South West</p> <p>Revival Life Ministries</p> <p>NHS Devon</p>	<p>1 day per week</p> <p>15 days work for Housing Team Manager</p> <p>3 Counts – Totnes, Tavistock &amp; Okehampton. 12 officers at</p>	<p>Increased expenditure on temporary accommodation £10,000</p>	<p>FTE Post across South Hams &amp; West Devon funded by central government grant until September 2014</p> <p>Homelessness prevention funding</p>

	<p>accommodation</p> <p>Health needs audit of rough sleepers &amp; people at risk of rough sleeping in Totnes.</p> <p>Better understanding of number of rough sleepers in the area by conducting an early morning street count in rough sleeping "hotspots"</p> <p>Community &amp; local businesses educated in how to best support rough sleepers in their area.</p>			each 2 hours early morning work		
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### 2.2 Devon Home Choice

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Review membership of Devon Home Choice Partnership	Ensure future platform for the allocation of social housing provides value for money and is fair and equitable to the service users.	March 2014	Devon Home Choice Partners	20 days between Housing Services manager and Team Manager	No other budget implications	

### 2.3 Prevent Homelessness

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Develop a policy to enable the	Reduced amount of time applicants	December	South Hams District	2 days a	No other	Discretionary



Council to discharge its homeless duty to accommodate into the private rented market instead of into units of social housing	remain in temporary accommodation. Reduction in number of applicants placed in temporary accommodation	2013	Council West Devon Borough Council	week	budget implications	Housing payments Homelessness prevention funding
Establish a procedure for using the Devon Minimum Property Standards to support the discharge of the main homelessness duty into the private rented sector.	Better use of Housing Stock. Reduction in instances of temporary accommodation required.  Security built in to ensure safe and suitable properties through Landlord's self-certification with a monitoring function from Environmental Health	April 2014	South Hams District Council West Devon Borough Council	To be confirmed	No other budget implications	

#### 3.4 Increase Awareness of Housing Options

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Target tenants affected by the bedroom subsidy reform	Early intervention will prevent homelessness through rent arrears and other debt by offering an individual housing options service to support and assist applicants through: <ul style="list-style-type: none"> <li>• Money Advice</li> <li>• Targeted Mutual Exchanges</li> <li>• Downsizing support packages</li> </ul>	Autumn 2014	South Hams District Council West Devon Borough Council Registered Providers	1 day a week	No other budget implications	Discretionary Housing payments Homelessness prevention funding
Employ a dedicated Young Persons Officer for South Hams & West Devon	To improve the outcomes of Young People who become homeless.	Autumn 2013	South Hams District Council West Devon Borough	3 days a week	No other budget implications	£20k Devon County Council

	To reduce the numbers of young people entering the care system		Council Devon County Council			
	To find sustainable realistic solutions to young people in housing crisis					
	To educate and inform Young People about their housing options					

### 3. SECURE GOOD QUALITY SAFE HOMES

#### 3.1. Support Independent Living

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Develop and promote adoption/ implementation of a joint protocol with Registered Providers for the delivery of Disabled Facility Grants within their stock.	Adaptations for Registered Provider Tenants assessed, approved and delivered efficiently enabling individuals to live independently.	November 2013	South Hams District Council West Devon Borough Council Registered Providers	Minimal – quarterly meetings	Existing grants Budget	Registered Provider funding subject to negotiations

#### 3.2. Improve Private Sector Housing Conditions

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Promote the Private Sector Renewal Policy across both Districts.	The health and well being of individuals and families improved through the improvement of Private Sector Housing Condition.	October 2013	South Hams District Council West Devon Borough Council Owner-occupiers and Private Landlords Wessex	0.5 FTE SH 0.4FTE WD	Existing grants Budget	Residual Decent Homes Funding from previous years
Implement a risk based inspection programme for Licensed Park Home/Caravan Sites.	Sites inspected in line with statutory requirements and risks to residents reduced.	October 2013	South Hams District Council West Devon Borough Council	0.05FTE WD 0.05FTE SH	Existing Budget	

#### 3.3. Reduce Fuel Poverty and Increase Energy Efficiency

Milestones	Outcomes	Target Date	Responsible Partners	Council Resource Required		External Funding
				STAFF TIME	Budget	
Implement Action Plan identified within Home Energy Conservation Act (HECA).	Fulfilment of statutory obligation to establish the Council's intentions with regard to Energy Efficiency Savings	March 2014	South Hams District Council West Devon District Council	0.1FTE WD 0.1FTE SH	Existing Budget	
Actively support local community projects to improve energy efficiency and reduce fuel poverty	Improved energy efficiency and reduced fuel poverty through community based initiatives.	March 2014	South West Devon Community Energy Partnership South Hams District Council West Devon Borough Council Dartmoor National Park Authority	0.05FTE WD 0.05FTE SH	Existing Budget	

## ACHIEVEMENTS 2012/13

Community Life	Economy	Environment	Homes
<p>Implementation of a roving outreach surgery in 10 communities in South Hams.</p> <p>Regular Connect Outreach surgeries maintained and a new service delivered in Rattery.</p> <p>Four community days held in Totnes,</p>	<p>The first Devon Work Hub commenced trading August 2012 in Totnes</p> <p><b>Greater Dartmoor LEAF Programme LEAF Outputs - Actual (duration of the programme):</b> 91 projects supported 615 businesses assisted</p>	<p>Information awaited</p>	<p>Information awaited</p>

<p>Kingsbridge, Okehampton and Tavistock and outreach services provided at Okehampton Show, Tavistock Dickensian Evening and Ivybridge Christmas Market.</p> <p>Voluntary Voice and Town and Parish Voice embedded with additional events and forums held on specific issues.</p> <p>Localisation Strategy and Model developed to enable communities to have a greater influence on Council service delivery and on how Council assets could be used for the benefit of the local community.</p> <p>Town and Parish Fund fully allocated in South Hams and 90% allocated in West Devon, to support collaborative projects that address local needs.</p> <p>52 projects supported by a range of West Devon Borough Council grant schemes, allocating £63,000 in funding towards projects worth £812,500, leveraging in an average of £13 in matched funding per project.</p> <p>In South Hams £50,000 was allocated towards community projects totalling £623,000 through the Sustainable Communities Locality Fund, leveraging in £12.50 in matched funding, on average, per project.</p>	<p>29 FTE jobs created Value of programme £1.94m Total project value with matched finding: £4.8m</p> <p><b>The South Devon Coastal LAGLAG Outputs - Committed:</b> 99 projects supported Over 30 jobs created 138 micro-enterprises supported or created Value of programme £1.78 Total project value with matched finding: £4.8m</p> <p>Successful £450,000 bid to the Coastal Communities Fund for the development of South Devon Fisheries. This programme will boost skills and distribution networks across the local industry, engage with tourist businesses and visitors and derive value from both the products and the waste generated by the fishing industry. This will assist in the retention of 441 FTE jobs, the creation of 38 direct FTE jobs and 52 part time jobs, and the reduced cost of managing 22 businesses. The project will support over 100 businesses to innovate, develop supply networks and secure future employment.</p> <p>In excess of 90% occupancy of council owned units in South Hams (averaged 95% occupancy throughout the year).</p>		
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<p>Work on-going with local young people and groups to develop better engagement platforms for young people to engage with the work of the Councils and partners.</p> <p>Community-led and neighbourhood planning protocols adopted setting out the processes that communities will need to undertake when preparing plans for their area.</p> <p>Health Walks continue to grow; there are now 299 registered walkers in South Hams and 251 in West Devon, an increase of 66 and 67 respectively. There are 73 active volunteer leaders in South Hams and 57 West Devon.</p> <p>Since April 2012 Ramblers and Macmillan Cancer Support now host the Walking for Health Scheme.</p> <p>Active Villages is in its final phases but there are still opportunities to revisit earlier villages where demand has not been met. In West Devon a total of 8 villages were involved with 402 participants. In South Hams 5 villages took part with 127 participants; further development work is taking place in South Hams as the new co-ordinator was only appointed in December.</p>	<p>Completion of the capital phase of the Tamar Valley Mining Heritage (TVMHP) Programme within budget and within programme.</p> <p>Adoption of TVMHP Legacy Plan and establishment of Legacy Partnership</p> <p>Stage 1 approval of the Tavistock THI scheme bid.</p> <p>Support from both Tavistock Town Council and West Devon Borough Council for the promotion of Tavistock as a Key Centre in the World Heritage Site..</p> <p>Just under £17,000 was allocated to 10 projects through the Economic Development &amp; Regeneration Grant Scheme in West Devon, with a total project cost of just under £186,000. Therefore every £1 granted levered in £11 in match funding.</p> <p>£4,600 was allocated to 10 projects under the Arts Grants Scheme in West Devon, with a total project cost of just over £112,000. Therefore every £1 granted levered in £24 in match funding.</p> <p>Business Survey completed May 2012.</p>		
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<b>NAME OF COMMITTEE</b>	<b>Community Services</b>
<b>DATE</b>	<b>25<sup>th</sup> June 2013</b>
<b>REPORT TITLE</b>	<b>Application to designate a Neighbourhood Plan Area for North Tawton</b>
<b>Report of</b>	<b>Strategic Planning Officer</b>
<b>WARDS AFFECTED</b>	<b>North Tawton</b>

**Summary of report:**

North Tawton has submitted an application to the Council to designate a plan area in respect of preparing a neighbourhood plan.

The application has been advertised for six weeks (8<sup>th</sup> April – 20<sup>th</sup> May 2013) in which comments have been invited about whether the plan area is appropriate.

The Council has not received any objections to the designation of the plan area proposed.

**Financial implications:**

There are no financial costs arising from this report.

Where applications for plan areas are successful, the Council can apply for financial support from the Government to recognise the authority's costs in assisting in the preparation of neighbourhood plans. The Council intends to submit an application in this respect in July 2013. More details are provided in Section 4.

**RECOMMENDATIONS:**

It is recommended that

- Members approve the designation of the North Tawton Plan Area for the purposes of preparing a Neighbourhood Plan.
- Members support an application for financial support from central government help cover the costs associated with preparing a Neighbourhood Plan.

**Officer contact:**

Rebecca Black | Strategic Planning Officer  
01822 813556

## **1. BACKGROUND**

- 1.1 The Localism Act and National Planning Policy Framework (NPPF) both came into effect in 2012. These encourage and support communities to prepare plans for their area.
- 1.2 The Council has adopted a Community-Led Planning Protocol which provides clear information on the procedures that will guide the community planning process following the designation of a plan area at the local level.
- 1.3 The first step in the community planning process is to designate a plan area which is the area that the plan will cover. This requires communities to make an application to the Borough Council to designate the area. This application is subject to a six week period where those who live, work or carry out business in the area are invited to comment on whether the proposed area is appropriate. There are other opportunities in the community planning process to put forward ideas about what the plan should contain.
- 1.4 This Committee report considers one application to designate a plan area in North Tawton for the purposes of preparing a Neighbourhood Plan.

## **2. ISSUES FOR CONSIDERATION**

### **North Tawton Plan Area**

- 2.1 North Tawton Town Council submitted an application to the Borough Council in 15<sup>th</sup> March 2013 to designate the area that they intend their neighbourhood plan to cover. This area covers the extent of the parish boundaries and can be viewed in Appendix A.
- 2.2 The application is accompanied by a Terms of Reference for the group that will be responsible for leading the process in the North Tawton. This group has been endorsed by North Tawton Town Council. The Terms of Reference can also be viewed in Appendix A.
- 2.3 The application has been displayed throughout the parish through the use pink site notices and the opportunity to comment on the proposed designation has been publicised on the Town Council website and through the local Roundabout magazine.
- 2.4 The Council has received no objections to the proposed plan area. As such, it is considered that the plan area is appropriate and can be designated for the purposes of preparing a neighbourhood plan for North Tawton.

## **3. LEGAL IMPLICATIONS**

- 3.1 The Localism Act, National Planning Policy Framework and West Devon's adopted Core Strategy all make provision for communities to prepare plans that influence planning and development in their area.
- 3.2 This application is also made in accordance with the Council's adopted Community-Led Planning Protocol.



3.3 The “*Town and Country Planning, England, Neighbourhood Planning (General) Regulations 2012*” set out the procedures which govern the processes of neighbourhood planning.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are no financial costs arising from this report.

4.2 Once neighbourhood plan areas are designated, the Council can apply for financial support from the Government to recognise the authority’s costs in assisting in the preparation of Neighbourhood Plans. The Council intends to submit a bid in this respect in July 2013.

4.3 For member’s information, the government has set out a programme of financial support for neighbourhood planning from 1 April 2013 – 31 March 2014 for local authorities. The authority is able to claim for financial support for up to 30 designations over the two year period. There are various payment stages to reflect the work involved. These are as follows:

- The first payment of £5,000 will be made following designation of a neighbourhood plan area.
- A second payment of £5,000 will be made when the local planning authority publicises the neighbourhood plan prior to examination.
- The third payment of £20,000 will be made on successful completion of the examination and any other further steps that may be needed for the plan to come into legal force, including referendum.

4.4 The government has also made a separate funding stream available through Locality for communities to be able to access direct support or grant arrangements for up to £7,000 to help them produce their plan.

4.5 Whilst these are the current arrangements at the time this report was prepared, the arrangements may change in the future. The Committee will be advised at future meetings of any changes.

#### 5. RISK MANAGEMENT

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

#### 6. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	All
<b>Statutory powers:</b>	National Planning Policy Framework (NPPF) Localism Act 2011 Town and Country Planning, England Neighbourhood Planning (General) Regulations 2012
<b>Considerations of equality and human rights:</b>	This report seeks to ensure that communities are enabled to prepare community-led plans for their areas and that the process undertaken is fair, transparent and inclusive for everyone.

<b>Biodiversity considerations:</b>	There are no direct biodiversity implications arising from the report.
<b>Sustainability considerations:</b>	The designation will enable the community to prepare a plan to secure a sustainable future for the area.
<b>Crime and disorder implications:</b>	There are no proposals contained within this report which have direct crime and disorder implications to consider.
<b>Background papers:</b>	Community-Led Planning Protocol
<b>Appendices attached:</b>	Appendix A – North Tawton Neighbourhood Plan – Application form and Terms of Reference

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Lack of plan to guide local development initiatives in North Tawton.	If the plan area is not designated then the North Tawton neighbourhood planning group cannot progress work on its plan. Without a plan in place, decisions relating to development in the area of North Tawton will defer to national and Borough-level planning policy.	2	2	4	↑	Approve the designation of the plan area	Strategic Planning

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Direction of travel symbols ↓ ↑ ↔

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## Application Form for Designation of Plan Area

<b>Name of Applicant</b> <i>(this must be a Parish or Town Council)</i>	NORTH TAWTON TOWN COUNCIL
<b>Contact Details</b> <i>Please supply contact details of project lead</i>	Name: MRS R RICE – Town Clerk Address: 14a THE SQUARE, NORTH TAWTON, EX20 2EP  Email: northtawton.towncouncil@yahoo.co.uk Telephone: 01837 880121
<b>Name of proposed plan area</b>	NORTH TAWTON NEIGHBOURHOOD PLAN
<b>Map of proposed plan area</b>	<i>THE AREA FOR THE NEIGHBOURHOOD PLAN IS THE WHOLE OF THE PARISH OF NORTH TAWTON.</i>
<b>Statement confirming why the proposed plan area is appropriate</b>	The proposed plan area is appropriate because it is the parish of North Tawton for which the Town Council is responsible.
<b>Type of plan proposed</b>	Neighbourhood Development Plan
<b>Group Terms of Reference</b>	<i>Please supply a separate sheet detailing the Group's Terms of Reference</i>

Please return to the Strategic Planning Team, West Devon Borough Council, Kilworthy Park, Tavistock,

## **North Tawton Neighbourhood Plan Project**

**Terms of Reference:** final version for consideration by NTTC Planning & Estates Committee.

(Relates to WDBC Community-Led Planning Protocol [Annexes A & B])

### **Main Aim of the Project**

To help the residents of the Parish of North Tawton play an active role in formulating planning priorities that will have relevance over a twenty year period.

### **Objectives**

- 1) To identify a broadly agreed vision for the future development of the Parish, which accords with the West Devon Borough Council Development Plan.
- 2) To produce a set of objectives that will
  - a) support the shared vision of the Parish
  - b) add detail to, and work within, the Development Plan
  - c) have successfully passed a robust sustainability analysis.
- 3) To produce a neighbourhood plan which identifies development policies that
  - a) support the objectives set (ie. as in section 2 above)
  - b) are broadly acceptable to a majority of the residents of North Tawton Parish
  - c) have been articulated within the provisions of the Localism Act 2012, its instruments and associated protocols of West Devon Borough Council.

### **Membership and Governance**

#### **1) Project Structure (members and Roles)**

The project is controlled by the Planning and Estates Committee of the Town Council (hereafter, 'the Committee'<sup>1</sup>) on behalf of the Town Council and is supported by a Project Team of approximately 12 people, broadly balanced between town councillors and residents of the Parish. See Appendix 1 for a list of the current members of both the Committee and the team.

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<sup>1</sup> This term to refer to the lead group (The Group) which takes responsibility for the project. Ref: Para.2.4 of the WDBC Community Services Report 'Community-Led Planning Protocol' 30 October 2012.

The Project Team is chaired by a councillor, appointed by the Committee. The team functions as both a consultative forum and as a means of reaching out to consult further with individuals, businesses and community groups within the parish. Its meetings are not open to the public. This is because its role is in part that of a working party on behalf of the Committee and it is considered that unrestricted debate with members of the public is not conducive to that function. The team reports to the Committee every two months during the production of the Neighbourhood Plan and to the full council when requested by them to do so. The Committee in turn, informs the full council of progress made, from time to time at the discretion of its Chair. Meetings of the Committee are open to the public in the same way that are all meetings of the Planning and Estates Committee. The Ward Member for North Tawton attends Project Team meetings ex-officio.

Councillor members of the Project Team sometimes meet informally in between planned meetings of the Project Team, to deal with immediate issues. Such matters are then discussed at the next Project Team meeting.

Minutes of both the Committee and the Project Team are taken and agreed at their next meetings in accordance with normal practice. Preliminary and informal discussion of those minutes may take place by email but are always subject to ratification at the next meeting.

## **2) Changes to membership**

Replacement and/or additional members of the Project Team are sought by publicity on the Council's website, in the local news letter 'Roundabout' and in notices in the Council Office window and/or the Post Office. Decisions concerning membership are taken by the Committee and in carrying this out the Committee have in mind the need for maintaining

- a) a balance between Councillors and residents
- b) the size of the Project Team at an optimal level for efficient working.

## **3) Declarations of Interest**

In the work of the Project Team, declarations of interests, including those relating to ownership of land, are made by team members as and when such potential conflicts of interest arise. It is assumed that all members of the Parish have personal interests of various kinds and, in keeping with the provisions of the Localism Act 2012 it is considered beneficial to the community, for there to be no barriers to residents taking part in the discussions. Therefore all, members of the project team are entitled to participate in discussions, debates and voting, whether or not they have a personal interest in the matter under discussion. It is expected however, if only on the basis of courtesy and the maintenance of good relations in a small community, that all such interests are in fact declared.

The Committee, as the group with the responsibility for the Neighbourhood plan, necessarily functions more formally and here the normal code of conduct of the Town Council applies. The details of this can be obtained from the Town Clerk.

## **4) Voting**

The Project Team themselves decide when voting is required and it is carried out by a motion being proposed, seconded and carried or rejected by a simple majority. The Ward Member, attending ex-officio, does not

normally vote but is entitled to do so if he/she wishes. The Project Team would be quorate if 4 members were present. Voting within the Committee is carried out according to normal Council practice.

## **5) Decisions**

Within the parameters set by the Committee, operating decisions can be made by the Project Team, and these are subject to ratification by the Committee through the reporting process. The relationship between the Committee (ie. the Planning and estates Committee) and the full Council, continues to function in the normal way.

## **6) The resolution of Conflict**

Disagreements from time to time are inevitable when planning development is being considered, but it is hoped that transparency of operation will keep them from becoming conflicts. However it is always possible for example, that the Project Team could be accused by a resident of operating unfairly or in some way improperly. Should such a conflict (or something similar) arise, the Chair of the Project Team will attempt to resolve the dispute in the first instance. If this is unsuccessful the matter will be referred to the Chair of the Committee for mediation. If necessary a final ruling on any unresolved conflict will be made by the full Town Council.

## **Reporting and Feedback**

### **1) Sharing Information, feedback and consultation with the Community**

This takes place through some or all of the following;

- a) information and updates being included on the Council's website
- b) notices in the Council Office window or Post Office
- c) inclusion of updates and notices in the local newsletter *Roundabout*
- d) individual letter and/or surveys (in relation to consultation)
- e) participation in the Community Forum organised by Devon Heartlands Community Partnership
- f) presentations and individual approaches made by members of the Project Team
- g) the inclusion of interested community members in the work and decisions of the Project Team
- h) presentations and the display of information at public meetings and other community events.



## **2) Publication of minutes and meetings of the Project Team.**

These are published on the Council's website and advertised in the Office window.

### **Resources and Finance**

Regular meetings of the Committee and of the Project Team take place in the Council Office, for which there is no charge. Apart from the cost of the examination and the referendum, which it is understood is being borne by West Devon Borough Council, there is a need only for funding for secretarial services, for associated materials and for the hire of space for occasional public meetings/ events. Some fundraising is being planned by the Project Team (for example a combined public meeting and coffee morning) and it is anticipated that West Devon Borough Council will be applying for a Government grant on behalf of the Parish.

In relation to non-financial resourcing The Committee is encouraged by the practical help in the form of guidance and advice being offered by Officers of West Devon Borough Council. Valuable though this is to the project, it is recognised that such support must be limited and that ultimately, the success of the project, and the work involved, is the responsibility of the residents of North Tawton.

### **Monitoring and Review**

The work of the Project Team is regularly monitored by the Committee and the progress of the project as a whole is reviewed from time to time by the full Town Council, in whose name the Neighbourhood Plan will be formally submitted for examination and referendum.

After the adoption of the Neighbourhood Plan, the Project Team will be disbanded. The work of supervising the operation of the plan to ensure its effective operation will be the responsibility of, the Committee. At its discretion, the Committee will itself carry out this work along with any necessary adjustments to the plan, or will set up an appropriate project team to do so on their behalf.

31 January 2013

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<b>NAME OF COMMITTEE</b>	<b>Community Services</b>
<b>DATE</b>	<b>25 June 2013</b>
<b>REPORT TITLE</b>	<b>Hatherleigh Community Plan</b>
<b>Report of</b>	<b>Strategic Planning Officer</b>
<b>WARDS AFFECTED</b>	<b>Hatherleigh</b>

**Summary of report:**

Hatherleigh Town Council has adopted a Community Plan following a year of public and stakeholder consultation. The Community Plan provides guidance on future development and local community initiatives in the parish of Hatherleigh. In accordance with the adopted Community-Led Planning Protocol, the Community Services Committee is being asked to approve the plan to be used by the Borough Council when determining relevant applications for development in the area the plan covers.

**Financial implications:**

There are no direct financial costs arising from this report.

**RECOMMENDATIONS:**

It is recommended that the Committee approves the Hatherleigh Community Plan to use as a material planning consideration when determining relevant applications for development in the area the plan covers.

**Officer contact:**

Michelle Luscombe  
 Strategic Planning Officer  
 01822 813563 | [mluscombe@westdevon.gov.uk](mailto:mluscombe@westdevon.gov.uk)

**1. BACKGROUND**

- 1.1 The Hatherleigh Community Plan is the first to be prepared of its kind in the Borough. It has been prepared under the provision of Core Strategy Strategic Policy SP24 using the recommended 'Plan-It' approach.
  
- 1.2 The process began in September 2011 in response to development pressures on the existing brownfield market site in the centre of the town. The Hatherleigh Plan-It Group, made up of volunteers from the local community and town councillors, have led the process with the support of Hatherleigh Town Council.

- 1.3 The Hatherleigh Plan-It group has carried out extensive consultation with all parts of the community to achieve a good understanding of the issues and aspirations of local residents and businesses. A Statement of Consultation accompanies the Community Plan and is provided as an appendix within it.
- 1.4 A draft version of the plan was consulted on between 4<sup>th</sup> October and 15<sup>th</sup> November 2012 and has since been amended to incorporate any suggested changes that were appropriate. As the Borough Council, we provided a response to this consultation which stated that we supported the broad principles of the plan but recommending some changes. These changes have been included in the final version which was adopted by Hatherleigh Town Council on 9<sup>th</sup> April 2013.
- 1.5 It is important to note that as this is not a neighbourhood plan it does not carry statutory weight. However, it will be a material consideration in the determination of relevant applications.

## **2. REQUIREMENTS TO APPROVE THE PLAN**

- 2.1 The plan itself has not been attached as an appendix to this report as it is not the content which Members are approving but the process by which the plan has been undertaken. Officers have reviewed the plan and an assessment of it is provided in Appendix A. This assessment has used the criteria included in the Council's adopted Community-Led Planning Protocol which contains a set of criteria which a Community Plan must fulfil in order to be approved by the Borough Council.
- 2.2 The plan is available to view on Hatherleigh Town Council's website – [www.hatherleightowncouncil.org.uk](http://www.hatherleightowncouncil.org.uk) and the West Devon Borough Council website – <http://www.westdevon.gov.uk/article/3686/Community-Plans>

## **3. STRATEGIC PLANNING CONSIDERATIONS**

- 3.1 The plan covers a range of issues and activities in the community using the recommended 'Plan-It' approach. All aspects of the community have been considered and include community life, housing, local facilities and activities, local services, the economy, the environment and transport and communications.
- 3.2 The particular strategic planning considerations which have been included within the plan are:
- The community has had a high rate of development over the last few years and wants to try and achieve a steadier rate of growth in the future, so that the community has time to absorb new development and the roads and infrastructure are not overburdened.
  - The plan therefore makes provision for around 105 homes. Around 80 of these are proposed for the Hatherleigh Market site with the remainder being provided by opportunities for small-scale infill and self-build projects.
  - A Parish Housing Needs Survey carried out in 2012 only identified a very small amount of affordable housing need. As such, the community would like financial contributions/planning obligations from any redevelopment of the

market site to focus on delivering a market facility, whilst still enabling an element of affordable housing.

- The plan has consulted with the local infrastructure providers and has identified any improvements needed as a result of this level of development.

3.3 The guidance included within the plan accords with the policies of the Council's Adopted Core Strategy (2011) and Local Plan (2005) and the policies of the NPPF.

3.4 Importantly, the Community Plan makes provision for 105 homes of the 430 rural housing requirement as set out in Core Strategy Strategic Policy 7.

**4. LEGAL IMPLICATIONS**

4.1 The Hatherleigh Community Plan has been prepared under the provisions of Chapter 8 of the Core Strategy and the strategy for development in local centres and villages.

4.2 The preparation of the Hatherleigh Community Plan has met with the requirements of Section C of the Borough Council's adopted Community-Led Planning Protocol.

4.3 The Hatherleigh Community Plan is in accordance with higher tier policies and EU regulations.

**5. FINANCIAL IMPLICATIONS**

5.1 There are no direct financial implications arising from this report.

**6. RISK MANAGEMENT**

6.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

**7. OTHER CONSIDERATIONS**

<b>Corporate priorities engaged:</b>	Community Life; Housing; Environment; Economy
<b>Statutory powers:</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework</li> <li>• Adopted Core Strategy 2011</li> </ul>
<b>Considerations of equality and human rights:</b>	The Plan has addressed community life as a specific section and identifies how the community can continue to be involved in local activities so that they are equally able to enjoy and use the town. There are no aspects which have any direct impacts on human rights.
<b>Biodiversity considerations:</b>	The Plan makes provision to conserve and enhance biodiversity with specific reference to features of the Hatherleigh Market future development site. The planning application would assess the impact that any proposed development would have on biodiversity.

<b>Sustainability considerations:</b>	The Plan looks at seven different areas of sustainability and provides a strategy to maintain a sustainable future for the parish of Hatherleigh. The suggestions included within the plan are likely to be of benefit to both existing and future residents of Hatherleigh and the surrounding area.
<b>Crime and disorder implications:</b>	The overall strategy promoted in the Plan is to ensure that there is a good quality of life for all residents and that there are sufficient facilities and services available to avoid any increase in crime and disorder.
<b>Background papers:</b>	<i>Hatherleigh Community Plan Community-Led Planning Protocol Adopted Core Strategy 2011</i>
<b>Appendices attached:</b>	Appendix A: <i>Assessment of the Plan</i>

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Lack of community planning guidance for new development in Hatherleigh parish	There is a risk that without the Hatherleigh Community Plan, all decisions relating to future development in the parish of Hatherleigh will default to the Borough Council's adopted policies and the NPPF. This will mean that the Hatherleigh community has limited influence about where and how future development can take place.	2	3	6	↑	Approve the Hatherleigh Community Plan to be used as a material consideration alongside other plans and policies of the Council and the NPPF.	Strategic Planning  Development Management

Direction of travel symbols ↓ ↑ ⇄

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## Appendix A – Assessment of the Hatherleigh Community Plan

In accordance with the Council's adopted Community-Led Planning Protocol, the Hatherleigh Community Plan must be assessed against the following criteria. Officer comments regarding each of these criteria are provided in the table below:

<i>Criteria</i>	<i>Officer Comments</i>
a) The Plan has been undertaken by an appropriate group, approved by the Parish or Town Council, which is committed to representing the issues and needs of the whole community.	The preparation of the Community Plan has been led by a group of volunteers made up of local residents, businesses and Town Councillors. The Group has been known as the Hatherleigh Plan-It Group and has been constituted by the Town Council.
b) The Plan has sought to involve all groups in the community to ensure it fully represents the needs, ideas and interests of the community.	The preparation of the Community Plan has undergone extensive community and stakeholder constitution. This has been covered in three main stages: <ol style="list-style-type: none"> <li>1. Initial consultation to gather ideas and issues in the community. This included a household survey and youth consultation.</li> <li>2. Plan-It Event. An all day event involving an exhibition and workshop discussions.</li> <li>3. Formal six week consultation on a draft version of the plan from 4<sup>th</sup> October – 15<sup>th</sup> November 2012</li> </ol> Full details of the consultation are included within Appendix A of the Community Plan.
c) The Plan contributes to achieving sustainable development taking into consideration local housing, employment and environmental needs.	The plan uses the principles of the Sustainable Rural Communities Toolkit and covers all seven aspects of the community: community life; transport and communications; environment; economy; housing; local services; and local facilities and activities.  The plan identifies the key development needs of the area and makes provision for new housing and employment opportunities to come forward in the town.
d) The Plan is based on a thorough assessment of evidence and makes every effort to meet identified needs. Evidence should be wide-ranging and robust and include statistical profiles of the plan area, a Parish Housing Needs Survey and primary	The plan has been based on evidence collected through the Parish Housing Needs Survey and other statistical data as referenced in the plan. A household survey which was distributed to every household in the parish was also carried out and has

research data.	been used to inform the plan.
e) Preparation of the plan has followed a robust and transparent process (for example, Plan-It).	The preparation of the plan has used the Plan-It process as recommended by the Borough Council.
f) The Plan contains a vision of the aspirations of the community in the long term with clearly stated objectives and goals.	The plan includes a vision and a set of aims for each of the sustainability themes. These are reflected in the principles for development which are contained throughout the plan.
g) Where required, the plan contains an action plan to deliver local projects and initiatives.	Appendix B of the Community Plan contains an Action Plan which reflects the requests and aspirations of the community that have been identified during the consultation process.
h) The plan conforms to any legislative requirements and any higher tier plans and policies.	The guidance included within the plan accords with the policies of the Council's Adopted Core Strategy (2011) and Local Plan (2005) and the policies of the NPPF. In particular: <ul style="list-style-type: none"> <li>• the plan has been prepared under the provisions of Core Strategy Strategic Policy 24; and</li> <li>• the plan builds on the provisions for the redevelopment of the market site set out in policy ED9 of the adopted Local Plan 2005.</li> </ul>
i) The plan has been through a minimum six week consultation period in which people living, working and carrying out business in the local area were invited to comment.	A formal consultation on the draft plan was carried out for a six week period from 4 <sup>th</sup> October – 15 <sup>th</sup> November 2012.
j) The plan has local legitimacy and accountability, through formal adoption by an appropriate accountable body i.e. Parish/Town Council.	The plan was formally adopted by the Town Council on 9 <sup>th</sup> April 2013.
k) It has been identified how the implementation of the plan is to be monitored and demonstrates a commitment to review and update the plan on a regular basis.	The plan includes a commitment to monitor the plan on an annual basis and will be reported on at the Town Council's AGM. A full or partial review of the plan will be carried out five years from the date of adoption or sooner if circumstances change significantly.

<b>NAME OF COMMITTEE</b>	<b>Community Services</b>
<b>DATE</b>	<b>25<sup>th</sup> June 2013</b>
<b>REPORT TITLE</b>	<b>Interim Planning Guidance for Renewable Energy</b>
<b>Report of</b>	<b>Strategic Planning Officer</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

The Council has prepared draft Interim Planning Guidance for wind and solar energy development and proposes to consult on the contents.

**Financial implications:**

There are no financial implication arising from the consultation process

**RECOMMENDATIONS:**

It is recommended that:

1. The draft Interim Planning Guidance attached as Appendix 1 is agreed for public consultation
2. The consultation response and any proposed amendments to the draft guidance are reported to the Community Services Committee at its meeting on 10 September 2013

**Officer contact:**

Pauline Warner Strategic Planning Officer: 01822 813577

**1. BACKGROUND**

1.1 The National Planning Policy Framework (NPPF) makes it clear that all Local Planning Authorities have a responsibility to contribute to energy generation from renewable or low carbon sources, as well as making sure that the environmental impacts are acceptable and important assets are protected.

1.2 At its meeting on 30 April, the Community Services Committee resolved that:

- (i) interim guidance notes for wind and solar pv energy development be prepared;
- (ii) the Strategic Planning Officer and Member Group (SPOMG) agree the scope and content of the proposed guidance notes; and,

- (iii) a report to the Committee's next meeting in June 2013 considers the draft interim guidance notes and their release for public consultation and the findings of the South West Devon Community Energy Partnership evidence base and its implications for future strategy and policy development.
- 1.3 The draft guidance notes are appended to this report as Appendix 1. An Executive Summary of the SWDCEP evidence base is attached as Appendix 2.
- 2. THE DRAFT GUIDANCE NOTES**
- 2.1 The Council has adopted policies at the strategic level to manage renewable energy development and the interim guidance notes supplement these.
- 2.2 The draft interim guidance notes have been prepared to:
- highlight the nature of issues prospective developers will need to address;
  - set out the methodologies used to assess impacts;
  - raise awareness of the relevant adopted Core Strategy policies;
  - signpost readers to other advice and information; and
  - set out the roles of both developers and the Development Management service.
- 2.3 The Strategic Planning Officer and Member Group (SPOMG) considered the scope and content of the guidance notes at its meeting on 17 May.
- 2.4 The SPOMG were mindful that Interim Guidance Notes have also been prepared for South Hams. There was an opportunity to learn from the earlier consultation response to the South Hams documents. The draft guidance notes for West Devon have therefore been written to take account of significant (generic) issues raised by consultees in order to improve the quality and acceptability of the documents.
- 2.5 It is proposed that the draft interim guidance notes are made available for public comment for the statutory minimum four week consultation period.
- 2.6 The Committee will be aware of recent announcements by the Government to give more weight to community concerns in the decision making process surrounding wind farm development. Further information is awaited from Government and the guidance notes will require updating to reflect this. Appropriate wording has been inserted into the relevant sections.
- 3. STRATEGY REVIEW AND NEXT STEPS**
- 3.1 The South West Devon Community Energy Partnership (SWDCEP) evidence base has now been published. It provides energy related information that is useful to a number of the Council's service areas. A summary of the document is attached as Appendix 2. A briefing for Councillors from West Devon, South Hams and the Dartmoor National Park Authority was held on 10 June.
- 3.2 The information gathered suggests the following indicative priority areas for policy and action:

- Retrofit of domestic dwellings to improve energy efficiency and thermal comfort, allied to behaviour change that reduces energy use
- New development: Developing local policy so that the benefits of new development (such as the Government's zero carbon proposals) are realised in the local area
- Reducing energy use from the non-domestic sector
- Reducing single occupancy car travel
- Large scale renewable energy – determining the appropriateness of large scale renewable energy generation and to maximise local benefit where it can be deployed
- Promoting and implementing renewable heat technologies in buildings
- Renewable Futures Group – keeping abreast of potential opportunities and emerging technologies

3.3 Not all of these indicative priorities fall within the scope of planning and there will need to be a corporate debate about the Council's role in responding to them. As an active member of the SWDCEP West Devon will be able to work alongside community and stakeholder interests to develop an appropriate response to the evidence base.

3.4 The evidence base does provide an overview of renewable energy resources in West Devon. This will provide a context for Local Plan options, consultation and discussion about the extent to which it is appropriate to exploit that resource.

#### **4. LEGAL IMPLICATIONS**

4.1 The Climate Change Act 2008 sets out a legally binding framework for reducing carbon emissions and requires certain public bodies to report on the measures they are taking to adapt to climate change.

4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The NPPF continues to promote the plan led system and up to date NPPF compliant policies continue to have full weight in the decision making process.

4.3 To help meet the challenge of climate change, flooding and coastal change the NPPF asks Local Planning Authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They 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...; and

- Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat suppliers and consumers.

## 5. FINANCIAL IMPLICATIONS

- 5.1 There are minimal costs associated with publishing the draft interim guidance notes for public consultation (staff time and limited printing costs to enable those without electronic communication to participate). There are considerably more costs involved in developing a revised strategy and policy approach and these resources will be drawn from resources allocated to the new Local Plan.

## 6. RISK MANAGEMENT

- 6.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

## 7. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	All
<b>Statutory powers:</b>	Planning and Compulsory Purchase Act 2004 The Town and Country Planning ( Local Planning) (England) Regulations 2012 National Planning Policy Framework 2012
<b>Considerations of equality and human rights:</b>	Consultation on the draft interim guidance will be open to all groups
<b>Biodiversity considerations:</b>	The consultation process itself does not impact on biodiversity interests, although the contents of the draft guidance do. Consultation will enable relevant stakeholders and interested parties to help shape the final content.
<b>Sustainability considerations:</b>	The draft guidance notes and SWDCEP evidence base respond directly to the need to address the environmental, economic and societal impacts of energy use
<b>Crime and disorder implications:</b>	No impact
<b>Background papers:</b>	National Planning Policy Framework Renewable Energy Policies for West Devon Community Services Committee 30 April 2013
<b>Appendices attached:</b>	<b>Appendix 1:</b>  1A On Shore Wind Turbines in West Devon (Outside of the Dartmoor National Park) – Interim Planning Guidance for Prospective Developers  1B Solar Arrays in West Devon (Outside

	<p>of the Dartmoor National Park) – Interim Planning Guidance for Solar Arrays Requiring Planning Permission</p> <p>1C On Shore wind Turbines in West Devon (Outside of the Dartmoor National Park) – Interim Planning Guidance for Micro Scale Wind Turbines and Permitted Development</p> <p>1D Installing Solar PV or Solar Thermal Panels in West Devon (Outside of the Dartmoor National Park) – A Guide for Householders</p> <p><b>Appendix 2:</b></p> <p>South West Devon Strategic Energy Study: The Evidence Base: Executive Summary</p>
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## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Applications for renewable energy development that do not address the requirements of existing Development Plan policies or where impact assessment is not of sufficient standard to aid decision making	Clarity around information required for planning applications and issues to be addressed in response to existing Development Plan policies, enabling Council to make fully informed decisions	3	2	6	↑	Dissemination of interim guidance to renewable energy stakeholders and potential applicants; alignment with Development Management validation procedures	Strategic Planning Team

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Direction of travel symbols ↓ ↑ ⇄



# On Shore Wind Turbines in West Devon

## Interim Planning Guidance for Prospective Developers

(Outside of the Dartmoor National Park)



**West Devon  
Borough  
Council**



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# 1 Introduction

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## 1.1 Renewable Energy Guidance

The Government has committed the UK to achieving at least 30% of its electricity from renewable sources by 2020. The planning system plays an important role in delivering this target and Local Planning Authorities are expected to play a positive role in bringing renewable energy development forward. Decision making at the local level is complemented by planning processes at the national level for larger scale schemes, set out in the [National Planning Statement](#) for Renewable Energy Infrastructure (EN-3). This guidance note is one of a series that amplifies current planning policy in West Devon. The series comprises:

- On Shore Wind Turbines in West Devon: Interim Planning Guidance for Prospective Developers
- Micro Scale Wind Turbines and Permitted Development: A Guide for Property Owners in West Devon
- Solar Arrays in West Devon: Interim Planning Guidance for Prospective Developers
- SolarPV or Solar Thermal Panels and Permitted Development : A Guide for Property Owners in West Devon

Other guidance notes may be added to the series as necessary. This document may be accessed electronically on [www.westdevon.gov.uk](http://www.westdevon.gov.uk)

## 1.2 The Role and Status of This Document

This guidance has been prepared:

- To act as an engagement tool with the Local Authority for developers and communities
- To set out the type of information and level of detail required when making a planning application
- To describe the tools, methodologies and best practice that can be used to compile the information necessary to judge the acceptability of proposals
- To describe how the Development Management service will assess any impacts arising from development

This guidance is set against the background of fundamental changes to the planning system. The Council will therefore keep this guidance under review and update it as Government policy evolves and Local Plan work advances.

This guidance has no statutory weight in the planning process. The adopted policies of the Development Plan have full weight in the planning process and planning applications must be decided in accordance with them unless there are over-riding material considerations. The weight to be given to this guidance in the planning decision making process will therefore be limited, but it has a positive role as an engagement tool and in providing information about the nature of supporting information and methodologies to be employed in assessing impacts, required to enable the Council to make good decisions. It is anticipated that the contents of the guidance will be kept

under review as a new Local Plan Renewable Energy Strategy is developed, so that it remains up to date and linked to appropriate policy.

### **1.3 Feed in Tariffs and ROCs**

To stimulate renewable energy generation the Energy Act 2008 paved the way for the introduction of Feed in Tariffs [FITs]. Payments are made for each kWh of energy generated over a 20 year period and are index linked, giving a financial incentive for developers of renewable energy. Tariff levels are subject to change, depending on the uptake of the technology. Tariff tables and eligibility dates for applications to the scheme are published on the [ofgem](#) web site.

Developers may use the Renewables Obligation to aid financing of large scale installations. The RO requires licensed UK electricity suppliers to source a specified proportion of the electricity they provide to customers from eligible renewable sources. This proportion (known as the 'obligation') is set each year and has increased annually. More information can be found on [this link](#)

## 2 The Location of Turbines – Initial Site Selection

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### 2.1 The Importance of Early Discussions

The National Planning Policy Framework sets out that Councils should approve planning applications for renewable energy development (unless there are over-riding material considerations) if the impacts can be made acceptable.

Sections 2 and 3 of the guidance set out many of the issues a planning application will need to address. The Council is keen to pro-actively engage with developers; each planning application will need to be treated on a site by site basis, as well as conforming to planning policy. The Council emphasises the importance of early discussions to give an opportunity to identify the likely issues and factors relevant to a proposal, set out how impacts should be evidenced, the way in which evidence can be drawn together into reports (a design and access statement for example) and how it should be presented.

Further information and links to the Council's pre-application process, and a table setting out the type of information likely to be required can be found in section 5 of the guidance.

### 2.2 Local Wind Resource

The economics of wind turbine development depend on the energy generated and this is directly related to wind speed.

Screening for potential sites can be undertaken using published resources, followed by more detailed site specific wind speed monitoring. Wind speed is highly dependant on ground conditions, topography and land form and anemometer measurement over a period of time will be required to accurately evaluate site potential.

The [Annual Mean Wind Speed Map](#) and wind speed data can be downloaded from the Department of Climate Change and Energy website. The met office also provides a ['virtual met mast'](#) wind data service for developers. Further information on [wind resource potential](#) and energy density is also available from the renewable energy agency RegenSW.

### 2.3 Grid Connection

The type of grid connection required will vary according to the nature of the turbine installed.

Developers who are looking for a connection must first decide whether they require a transmission connection or a distribution connection.

Transmission connections are required by generators wishing to make a direct connection to the National Electricity Transmission System (NETS).

Distribution connections are relevant to generators wishing to connect to a distribution network; this is referred to as an embedded connection.

Larger turbines and multiple turbines will require connection to the national grid. Proximity to grid connection (and the ability of the grid to take the generated electricity) is therefore a key consideration in site location. Early discussion with the Distribution Network Owner (DNO) is

recommended as the necessary steps for grid connection may take as long as twelve months for more complex schemes. Information on the [application process](#) for connection to the National Grid can be found on the National Grid website.

## 2.4 Telecommunications

Wind turbines may impact adversely on microwave links, radio links, TV broadcasts, navigation and surveillance systems, broadband and telecommunications, including the emergency communications used by police and health services. A tool on the [BBC website](#) provides guidance for wind farm developers and provides a rough estimate of the population that may suffer interference to their television services from a wind farm built at the location specified. Ofcom has also produced guidance on [tall structures and their impact on broadcast and other wireless services](#).

## 2.5 Military, Radar and Airports and Air Corridor Constraints

Wind turbine development has the ability to produce a number of effects which may impact adversely on aviation interests. The height of turbines, visual interference, issues with radar turbulence and low level flying are all risk factors. The [RenewableUK website](#) contains guidance and further links to relevant documentation.

The Ministry of Defence (MoD) has a dedicated wind energy team that deals with planning applications. It is best practice for developers and Local Planning Authorities to consult the MoD if a proposed turbine is 11m to blade tip or taller and has a rotor diameter of 2m or more. The MoD advises early consultation and a [pre-application proforma](#) is available to initiate this.

## 2.6 Road Access and Rail Infrastructure

Much of West Devon is very rural in nature and the road network is characterised by numerous small roads and lanes where Devon banks, carriageway width, gradient and the twisty nature of roads may combine to make access to sites extremely difficult for HGVs. Access to fields may require the creation or widening of new accesses to accommodate the large vehicles and plant associated with construction (and sometimes maintenance) which in themselves may require planning permission and an assessment of the presence of statutorily protected species. A Construction Management Plan may be required to manage potential impacts, if road access is an issue.

The County Council, as Highway Authority, defines abnormal loads as those exceeding a gross weight of 40 tonnes. Before abnormal loads can be moved, prior notification must be sought from the Highway Authority and permission given. Notification can be given using the [on-line notification form](#)

The movement of construction traffic and the operation of turbines can have consequences for other infrastructure, such as railway corridors and associated bridges, crossings and structures. Where proposed sites are close to railway corridors and/or routes cross railway infrastructure, developers should consult Network Rail for a view about likely impacts and whether permission is required to cross bridges and other infrastructure.



## 2.7 Other Highway Issues

The Highway Agency provides guidance on the siting of wind turbines close to trunk roads in its [Spatial Planning Advice Note SP12/09](#). The guidance note recommends an offset area between a trunk road boundary and the siting of a wind turbine equal in distance to the height of the proposed turbine +10% for micro and small turbines (defined by the HA as turbines with a maximum output of up to 50KW and a rotor diameter of up to 16m) and a distance equal to the turbine height +50m for commercial turbines. Additionally, the Highway Agency advises that the potential for visual distraction should be minimised, by provision of a clear, continuous view of a wind farm that develops over the maximum possible length of approach carriageway. Sites close to other hazards such as road junctions, crossings, bends etc should also be avoided. Similar issues may also arise on roads that are not part of the Strategic Road Network. In such instances the Council will seek the advice of the County Council, as the Highway Authority. The Highway Agency will not permit direct access to sites from the Strategic Road Network.

Planning for Renewable Energy: A Companion Guide to PPS22 recommends a buffer of at least fall over distance between turbines and roads or rail lines, regardless of the classification of the road in question.

## 2.8 Other Rights of Way and Distance Issues

The British Horse Society has published non-statutory [guidance](#) which recommends a minimum exclusion zone of 200m from a public right of way used by horses. As a starting point for assessment a separation distance of four times the overall turbine height is the target for national trails and RideUK routes and a separation distance of three times the overall turbine height for other routes. Developers should also be mindful of the impacts of turbines on footpaths and other open access land.

The National Grid advises that wind turbines should be located at a distance of 3 times the diameter of the turbine blade from overhead power lines (September 2010)

## 2.9 Flood Risk

The Environment Agency is the main body with responsibility for managing flood risk from main rivers, the sea and large raised reservoirs. The County Council has responsibility for managing local flood risk from ordinary watercourses, surface run-off and groundwater. Developers are advised to consult with agencies at an early stage and use published maps and resources, such as strategic flood risk assessments to initially screen proposed sites for flood risk.

## 2.10 Agricultural Land

Agricultural land is a resource of national importance recognising the need for flexibility to respond to changing markets[eg for biofuels, new crops] and the issue of food security. The National Planning Policy Framework asks Local Authorities to take into account the economic and other benefits of the best and most versatile agricultural land (grades 1, 2 and 3a)when making decisions. In view of this, renewable energy development on the best and most versatile land should be avoided where possible. Where proposals on land holdings with good quality land come forward, preference should be given to developing land of lower quality where this is possible, provided this does not result in other unacceptable environmental impacts (on wildlife habitat, for example).

Further information about the agricultural land classification system can be found in the Natural England technical advice note [TIN049](#)

## 2.11 Other Strategic Environmental Assets

The environment of West Devon is an important asset underpinning the unique character of the District and supporting the tourism economy. While planning policy guidance does not completely rule out wind turbine development in environmentally sensitive areas, proposals are likely to be less contentious if they can avoid sites that potentially impact on environmental assets. The [magic](#) interactive map service brings together environmental information from across Government and provides a useful screening tool.

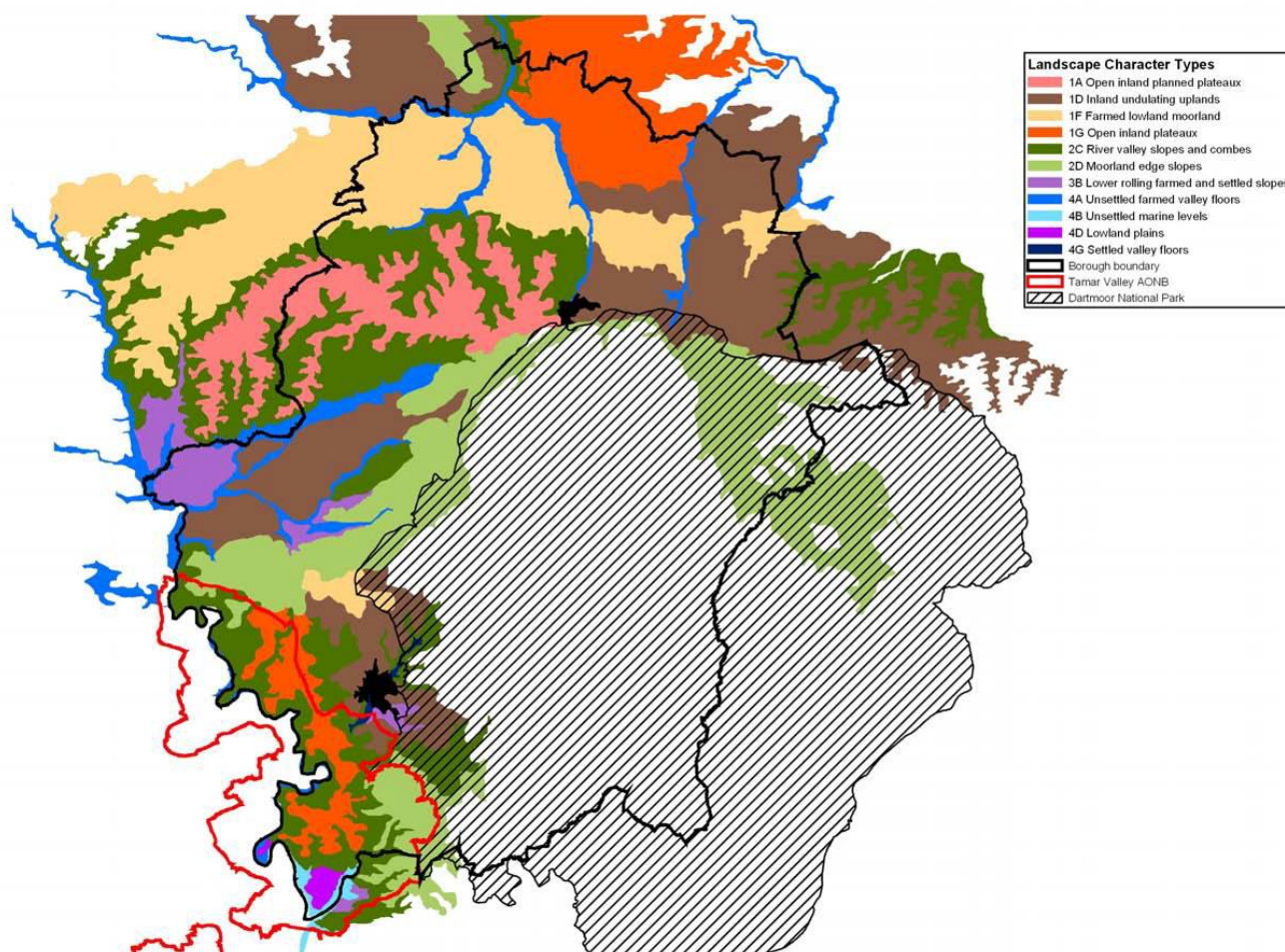
West Devon has a number of sites designated for their importance for habitats and protected species. These comprise:

- Areas of international importance: The Culm Special Area of Conservation; the Plymouth Sound and Estuaries Special Area of Conservation; and the Tamar Estuaries Complex Special Protection Area
- 36 nationally important Sites of Special Scientific Interest (22 in the Dartmoor National Park)
- Numerous locally important County Wildlife Sites and Nature Reserves

Certain species and their habitats are legally protected. Details of [protected species and relevant legislation](#) can be found on the Natural England web site.

To help with the targeting of landscape scale conservation, the [South West Nature Map](#) has been developed by Biodiversity South West in liaison with many regional and local experts. This map highlights Strategic Nature Areas, which are important for both the conservation and expansion of important habitat types. The map can be used to target large-scale projects within the wider countryside.

Landscape character is a factual description of the features of a landscape and its overall appearance. It also describes the quality and condition of that landscape (eg “undisturbed” or “heavily influenced by development”). An understanding of landscape character and condition informs the sensitivity of the area to different forms of development. The map below shows the Landscape Character Types in West Devon and [description](#) and further information is available on the Devon County Council website. Further information about County wide work to assess landscape character, evaluate its significance and guidelines for management can be found on the



Different Landscape Character Types will have different sensitivities to development. Further information on landscape sensitivity can be found in [guidance](#) prepared for the Devon Landscape Policy Group by Land Use Consultants.

Further detail of areas designated for their environmental value is given in the sections on Biodiversity and Landscape, with links to maps illustrating the location of sites in West Devon.

In addition to landscape character areas there are a number of statutory landscape designations in West Devon. They are Dartmoor National Park and the Tamar Valley Area of Outstanding Natural Beauty (AONB). These designations are made for specific purposes, as set out below. The National Planning Policy Framework (NPPF) states that great weight should be given to conserving the landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The NPPF also states that planning permission should be refused for major development in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Proposals outside of those areas, but which also impact on them, should also be given careful consideration, following the principles set out in the overarching [National Policy Statement for Energy \(EN-1\)](#). Core Strategy Strategic Policy 17 makes it clear that planning decisions in these areas (and for proposals outside of them which potentially impact on them) will need to be compatible with the purposes of designation.

The pursuit of sustainable forms of development that secure the economic and social needs of residents within the AONB may be consistent with the purposes of designation. The [Tamar Valley](#) AONB partnership has management plan policy that is supportive of appropriate renewable energy projects.

**The Purposes of National Park Designation:**

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
- To promote opportunities for understanding and enjoyment by the public of the area's special qualities.

When National Parks carry out these purposes they also have a duty to:

- Seek to foster the economic and social well being of local communities within the National Park

**The Purposes of AONB Designation:**

- The primary purpose of the AONB designation is to conserve and enhance natural beauty
- In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social need of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment
- Recreation is an objective of the designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses

**Development Management Principles: Initial Site Selection**

**Developers** should:

- Demonstrate they have addressed the issues set out in paragraphs 2.1-2.11, above
- Undertaken preliminary consultation with relevant agencies where appropriate
- Engage in pre-application discussions with the Development Management team at an early stage (see also page 27)

**The Development Management Team** will:

- Advise on the availability of published resources and information
- Provide relevant contact details where available

## 3 Assessing the Impacts of Development

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### 3.1 Sustainable Development

The West Devon Core Strategy promotes sustainable development, using a set of overarching principles set out in Strategic Policy 1, Sustainable Development. The Strategic Policy demonstrates the integrated nature of outcomes sought for the Borough. Prospective developers should reflect this policy in their proposals, as well as responding to the more detailed, issue specific policies cross referenced elsewhere in this document.

### 3.2 Environmental Screening

[Environmental Impact Assessment](#) (EIA) is an important procedure for ensuring that the likely effects of significant new development on the environment are fully understood and taken into account before a development is allowed to go ahead. The process is governed by Regulations which prescribe the types of development for which an EIA is required. Wind turbine development falls within Schedule 2 of the Regulations, where an EIA must be carried out if the development is likely to have a significant impact on the environment by virtue of its nature, for example even a small scale turbine might have significant impact on the environment if adjacent to a Special Protection Area. The majority of proposals for turbine development will not be of sufficient scale or impact to require a formal Environmental Impact Assessment. Developers are advised to consult the Council on the need for an assessment (a 'screening opinion'), well in advance of a planning application. A request for a screening opinion must be accompanied by:

- a plan on which the site of the proposed development is identified; and
- a brief description of the nature and purpose of the development and its possible effects on the environment.

Regardless of the need for a formal Environmental Impact Assessment, the Council will still require robust information about the environmental impacts of the proposal and appropriate evidence and information to support a planning application. The range of impacts to be addressed and the nature of the information required is set out in more detail below.

The Development Management team can be contacted for advice on 01822 813600 or by [email](#)

### 3.3 Local Amenity

#### (i) Noise

The noise generated by turbines will be of two types - the mechanical noise arising from the gearbox and housing machinery and the 'swooshing' effects as blades pass through the air. The latter is at its noisiest as blades pass the turbine mast. Noise generated from both sources has reduced as turbine technology and design has improved. Prospective developers should be mindful of the different acoustic properties of turbine models and their design when developing their proposals.

The noise associated with wind turbines may impact on other nearby land uses and users. Some of these may be especially sensitive to noise, such as dwellings, hospitals, schools. Noise sensitive development will need to be identified by prospective developers and a noise assessment carried out if deemed necessary, to ensure that any increases in ambient noise levels are acceptable.

The former DTI published 'The Assessment and Rating of Noise from Wind Farms' ([ETSU-R97](#)) in 1997. This document provides a framework for the measurement of wind farm noise and gives indicative noise levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administrative burdens on wind farm developers. In summary this guidance requires the predicted noise levels from the wind turbine under a range of wind speeds to be compared with the background noise level at noise sensitive premises under similar wind conditions. General noise limits (in terms of  $L_{A90}$ )<sup>1</sup> are set at 5 dB(A)<sup>2</sup> above the  $L_{A90}$  background noise level, subject to a lower limit of 43dB(A) at night and 35 to 40 dB(A) during the day. The guidance also advises on the methods to be employed in identifying properties affected by wind turbine proposals.

Government commissioned a [report](#) in 2011 on the consideration of noise impacts when determining wind farm planning applications in England. This identified a need for best practice guidance on interpretation of ETSU-R97. This [guidance](#) was published in May 2013 and offers advice on the measurement and assessment of wind turbine noise. Changes in turbine technology, the range of impacts produced by different size machines, topography, wind speed and atmospheric conditions can all play a part in the degree to which noise can be perceived and tolerated. Impacts will need to be judged on a site-by-site basis.

## **(ii) Distance of Turbines From Other Users of Land**

Some land uses are more sensitive to turbine development than others. There are two components to this; the relationship of distance to noise and the nature of impact arising from proximity and residential visual amenity.

In England, there are no recommended minimum distances from dwellings for turbines to meet, in contrast to Scotland (2Km – this distance is specified largely because of visual effects rather than noise impacts) and Wales (500m). The [Companion Guide to PPS22](#) references a distance of 350m, but this is only for the purposes of comparing typical noise levels from turbines with a range of other everyday activities. Sensitivity mapping prepared for the SW Regional Assembly includes buffer zones of 400m and 600m to identify areas of potential impact. Government has, to date, rejected the idea of a minimum separation distance for England. The Council's view on separation distances is set out in the section below, drawing on advice from resource assessment studies and the expertise of other agencies. The Council is aware of the recent Court decisions and is monitoring the progress of other Local Authorities who have included separation distances in draft policies. Further work to review the position will be undertaken when the Local Plan strategy is reviewed.

Residential visual amenity covers views from dwellings – including views from inside the dwelling as well as from domestic gardens. The increase in size of wind turbines mean impacts on residential amenity have become an increasingly important part of EIA. There some guidance regarding how impacts on residential visual amenity should be assessed in the Landscape Institute's Guidelines for Landscape and Visual Impacts Assessment (April 2013). There is no right to a view and any assessment of visual intrusion leading to a finding of material harm must involve extra factors such as undue obtrusiveness, or an overbearing impact, impacting on residents to an unacceptable

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<sup>1</sup> Defined as a noise level exceeded for 90% of the time during a measurement period, often used for the measurement of background noise

<sup>2</sup> The abbreviation dB(A) refers to decibel measurement that has been 'A' weighted as a filter that represents the frequency response of the human ear

degree. Recent appeal decisions suggest the visual effect of a wind farm has to be commonly described as ‘unacceptably overbearing’, ‘oppressive’, ‘unpleasantly overwhelming’ or ‘unavoidably present in main views’ for there to potentially be a material harm to living conditions.

Key factors developers will need to consider include:

- Proximity – how far the turbines are from the property in question
- Screening – where turbines are screened by vegetation or other buildings their visual impact may be lessened
- Orientation – direct views are considered more likely to cause harm than oblique ones (includes the orientation of the windows of the house, the location and orientation of external amenity areas and the orientation of the approach to the house)
- Spread of turbines – where the turbines occupy a significant proportion of the view, this increases impact.

#### **Development Management Principles: Noise and Distance**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 3: Renewable Energy

[Saved Policy](#) BE18: Potentially polluting activity: Noise

**Developers** should undertake early liaison with Environmental Health officers to establish the necessity for, and scope of noise assessment. If a noise assessment is considered necessary **developers** should submit:

- a plan showing distance of proposed wind turbine from any noise sensitive property
- details of any property occupied by persons with a financial involvement in the proposed development
- acoustic data for specific make/model of wind turbine(s) proposed and twelve figure grid reference for turbine locations.
- a table detailing the separation distance between proposed wind turbine(s) and any noise sensitive receptors
- a background noise survey and auditable predictions of noise levels.

Developers should use an appropriate noise prediction framework, such as that provided in ISO9613 and take into account guidance on wind farm noise assessment published by the Institute of Acoustics

**The Development Management and Environmental Health Officers** will:

- Take into account current best practice and advice and will negotiate appropriate noise levels with the developer that affords a good level of protection for residents whilst still being reasonable to the developer
- Consider including planning conditions relating to noise complaints, requiring additional noise assessment if complaints are justified and cessation of turbine operation if permitted levels are exceeded.
- Keep guidance under review

### (iii) Flicker and Local Health Effects

The term 'shadow flicker' refers to the flickering effect caused when rotating wind turbine blades periodically cast shadows over neighbouring properties as they turn, through constrained openings such as windows (Parsons Brinkerhoff, 2011).

Flicker effects from rotating turbine blades can be accurately modelled and predicted. The impacts can be overcome by turbine siting, screening features and/or programming turbine shut down for the short time during which the risk of impacts arise.

An independent peer reviewed study by Parsons Brickerhoff published by DECC in May 2011, concluded that there have not been extensive issues with shadow flicker in the UK and in the few cases where problems have arisen they have been resolved effectively. The report found that the current guidance on shadow flicker, which states that impacts only occur within 130 degrees either side of north from a turbine, is acceptable. It also found that across Europe it is widely accepted that greater than 10 rotor diameters from a turbine, the potential for shadow flicker is very low.

#### **Development Management Principles: Residential Visual Amenity and Flicker Effects**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 3: Renewable Energy; Strategic Policy 20: Promoting High Quality Design

[Saved Policy](#) BE17: Potentially polluting activity

**Developers** will be required to identify likely visual impacts on nearby properties, with special reference to dwellings. Where a visual impact assessment (VIA) is required it should consider all aspects of the development including impact of turbines; ancillary structures; lighting and security measures where relevant.

This assessment will:

- Identify those properties within a zone of theoretical visibility (ZTV – see below) where a potential impact on visual amenity may materially affect living conditions
- Provide evidence of a field survey to gather information on the orientation of each property; location of gardens and opportunities for views
- The nature of existing views from the property and its garden, including the proximity and relationship of the property to surrounding landform, land cover, important visual features that draw the eye, and scenic quality of views
- Views experienced when approaching or departing from the property
- Where there is more than one turbine/scheme consider the interaction between them and the impact on views
- Mapping of any potential flicker and shadow effects

**The Development Management** team will:

- Require information proportionate to the nature of the proposal and the sensitivity of its location
- Plot EIA screening requests and planning applications for renewable energy development in order to identify possible conflicts with other land users/potential land users

In undertaking visual impact assessment, all parties will have regard to:

- Guidance and good practice published by the Landscape Institute



## 3.4 Landscape

### Landscape Character and Landscape Designations

The unique character of West Devon is directly related to the nature and quality of its natural environment and landscape. This acts as an important economic driver for the area and is an asset the Council is committed to protecting. Wind turbine development has the potential to cause harm to the landscape and a judgement is required on whether or not such impacts are acceptable or can be made acceptable.

### The Devon Landscape and Renewable Energy

The Devon Landscape Policy Officer Group has published [Advice Note 2](#) 'Accommodating Wind and Solar PV Developments in Devon's Landscape'. This provides guidance on minimising harm to the distinctive character and special qualities of Devon's landscape through sensitive siting and design. It offers examples of landscape sensitivity and generic guidance to assessing the suitability of the landscape to accommodate renewable energy development.

### Landscape and Visual Impact Assessment

Regardless of whether proposals are located in designated landscape areas (or are located nearby and are judged to impact on them), or deemed to require a full EIA, all wind turbine development will require some level of landscape and visual impact assessment, using a methodology that is compatible with that promoted by the Landscape Institute (Guidelines for Landscape and Visual Impacts Assessment Landscape Institute/IEEMA; 3<sup>rd</sup> edition April 2013 and Photography and Photomontage in Landscape and Visual Impact Assessment Advice Note 01/11). The Institute draws a distinction between:

- **Landscape effects assessment:** This deals with changes to the landscape as a resource. It is concerned with issues like protected landscapes, the contribution of landscape character to sense of place and quality of life and the way that change may affect individual components of the landscape; and
- **Visual effects assessment:** This is concerned with how the surroundings of individuals or groups of people may be specifically affected by change in the landscape. This means assessing changes in specific views and in the general visual amenity experienced by particular people in particular places

Assessment will need to take into account all phases of the development: construction (including the impact assessment of any supporting development such as cabling, trackways, plant, ancillary structures) ; operation; decommissioning and restoration in order to identify the full range of impacts and appropriate mitigating measures if required. The level and detail of assessment will vary, depending on the scale of the proposal, its location, the relationship of the proposal to other development nearby.

### Cumulative Impact

Wherever several proposals come forward in an area (or are experienced in succession when travelling through an area), even if small in scale, there is the potential for cumulative landscape and visual impact to occur.

Most experience of dealing with cumulative impacts from wind turbine development has been in Scotland and Wales, where the industry has been established for some time. Scottish Natural Heritage defines cumulative impacts as “the additional changes caused by a proposed development in conjunction with other similar developments or as the combined effect of a set of developments, taken together”. In addressing cumulative impact a number of issues must be considered and appropriate evidence gathered to assess them. The text below is derived from the [Companion Guide to PPS22](#), which draws heavily on advice prepared by Scottish Natural Heritage. It identifies the following as key points in assessing cumulative impacts and is indicative of the type of information that will be required:

#### Cumulative Impact Assessment Requirements

- a base plan of all existing windfarms, consented developments and applications received should be produced, showing all such schemes within a defined radius of the centre of the proposal under consideration;
- for those existing or proposed windfarms within a defined radius of the proposal under consideration, a plan showing cumulative zones of visual influence (ZVIs) should be prepared. This plan should clearly identify the ZVI of each windfarm, and identify those areas from where one or more windfarms are likely to be seen;
- the base plan and plan of cumulative ZVIs should reflect local circumstances – for example, the areas covered should take into account the extent to which factors such as the topography and the likely visibility of proposals in prevailing meteorological conditions may vary;
- the map of cumulative ZVIs should be used to identify appropriate locations for visual impact studies. These will need to include locations for simultaneous visibility assessments, where two or more schemes are visible from a fixed viewpoint without the need for an observer to turn their head, and repetitive visibility assessments, where the observer is able to see two or more schemes but only if they turn around;
- sequential effects on visibility occur when an observer moves through a landscape and sees two or more schemes. Common routes through a landscape (e.g. major roads; long distance paths or cycle routes) should be identified, as ‘journey scenarios’ appropriate for assessment;
- photomontages should be prepared showing all existing and consented turbines, and those for which planning applications have been submitted, in addition to the proposal under consideration. The viewpoints used should be those identified using the maps of cumulative ZVIs. The photomontages should be annotated to include the dimensions of the existing turbines, the distance from the viewpoint to the different schemes, the arc of view and the format and focal length of the camera used; and,
- at the most detailed level, description and assessment of cumulative effects may include the following landscape issues: scale of development in relation to landscape character or designations; sense of distance; existing focal points in the landscape; skylining (where additional development along a skyline appears disproportionately dominant); sense of remoteness or wildness.

Generic advice on designing for multiple developments is also contained in the [guidance prepared by Land Use Consultants](#)

### Development Management Principles: Landscape

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 17: Landscape Character; Strategic Policy 18: The Heritage and Historical Character of West Devon; Strategic Policy 20: Promoting High Quality Design

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; Policy PS9: Transmission and Distribution of Electricity

**The Developer** will undertake an assessment of the landscape and visual impacts of their proposal(s) using the following principles:

- Proposals for wind energy development should respect the sensitivity of the Landscape Character Area of which the site is a part, and propose site and turbine scale, design and colour/finish sympathetic to it (matt finish in neutral colours are preferred)
- Proposals will be accompanied by details outlining the landscape and visual impact of proposals (see table of information requirements in section 5).
- Natural features that contribute to the landscape character, historic or cultural pattern of land use, and the natural elements that underpin it (such as field boundaries, hedgerows, trees) will be retained wherever possible and any mitigation measures (such as planting and screening) designed to complement them

**The Development Management** team will:

- Require information proportionate to the nature of the proposal and the sensitivity of its location
- Plot wind turbine screening requests and development proposals so that the cumulative effects of development can be identified at an early stage

In undertaking landscape and visual impact assessment, all parties will have regard to:

- Guidance and good practice promoted by the Landscape Institute
- Devon Landscape Policy Group [Advice Note 2](#), guidance on landscape sensitivity and siting of wind turbine developments

## 3.5 Biodiversity and the Natural Environment

The presence of wildlife, protected species and/or important habitats on and around prospective development sites means special care needs to be taken when selecting sites and positioning turbines. With care opportunities can usually be found to conserve significant wildlife already on site and restore or create habitats.

Site promoters will need to assess the impact of their proposals on wildlife and habitats. Natural England and other specialist agencies can offer [guidance](#) on the scope and content of wildlife and habitat surveys and the optimal time of year for them to be carried out. Early consultation with them is advised through their [Discretionary Advice Service](#).

A Preliminary Ecologic Appraisal (PEA) should be completed as early as possible. A PEA can be completed at any time of the year and will identify the requirement for any further surveys. Some of these surveys can only be carried out effectively at particular times of the year, and this must be

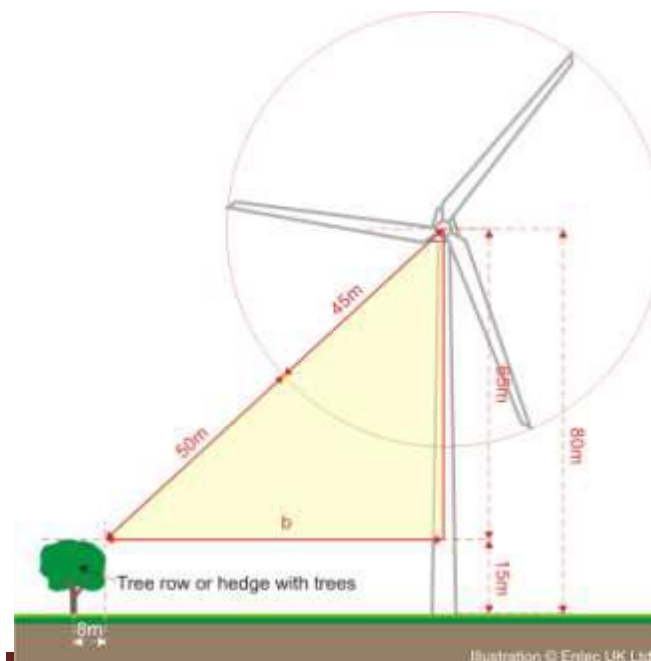
factored in to any plans or proposals for development. The table below is reproduced from Natural England’s guidance, but seeking further [guidance on surveys and monitoring](#) from the agency is recommended. Scottish Natural Heritage also provides good guidance relating to [bats and wind turbines](#). The [Bat Conservation Trust](#) provide guidance (see Chapter 10 of guidance) on the level of survey required for wind turbine proposals. The RSPB has also produced guidance examining the [sensitivity of bird populations](#) to turbine development. Scottish Natural Heritage has also published useful [guidance](#) on the assessment of small scale wind energy projects that do not require formal EIA.

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers												
Bats (hibernation roosts)												
Bats (summer roosts)												
Bats (foraging/commuting)												
Birds (breeding)												
Birds (overwintering)												
Dormice												
Great Crested Newts Terrestrial												
Great Crested Newts Aquatic												
Invertebrates												
Natterjack Toads												
Otters												
Reptiles												
Water Voles												
White Clawed Crayfish												
Habitats/Vegetation												

Source: Taken by Natural England from the Templates for Biodiversity and Geological Conservation Validation checklists, (Pilot draft), 2007 produced by the Association of Local Government Ecologists.

Further guidance is available in the report [Making Space for Renewable Energy; Assessing On-Shore wind development](#)

Bats and their roosts are legally protected by domestic and international legislation. Natural England has produced a [technical advice note](#) (February 2012) which sets out a recommended buffer zone for turbines of 50m from habitat features (trees, hedges), outlines risk to bat populations from development and good practice recommendations to prevent populations from harm. Calculation of the recommended distance is done using the formula:



$$b = \sqrt{(50 + b)^2 - (hh - fh)^2}$$

Where

b = blade length, hh = hub height, fh = feature height (all in metres. For the example in the diagram, b=69.3m

The 50m buffer zone does not allow for some bat species (e.g. noctules) which fly at height over open ground. Special consideration may therefore be needed at sites used by medium-high risk bat species.

### **Development Management Principles: Biodiversity**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 19: Biodiversity

**Developers** should:

- Identify any impacts on wildlife and habitats arising from their proposals, initially through a PEA supplemented by further surveys as required
- Check information held at the [Devon Biodiversity Records Centre](#)
- Seek the agreement of Natural England regarding the nature, timing and design of any work to assess impacts
- Identify the presence of protected species and habitats, the potential impacts from the proposal and potential mitigation measures prior to submitting a planning application

The **Development Management** team will:

- Seek opportunities to conserve, enhance and restore habitats where possible, regardless of the designation of sites

## **3.6 Soils, Hydrology and Land Management**

Trenching, cable laying, casting of foundations and movement of heavy plant and machinery has the potential to impact on the hydrology and water storage capacity of soils. Soil movement and cut and fill operations can also affect the longer term ability of land to store and release water as well as affect the success of later site restoration.

There will be a need to assess any potential impacts of both the final development and the construction methods on controlled water receptors. In addition, there may be a risk of groundwater deterioration associated with concrete pour activities and construction operations. The developer will need to identify and assess the effects on former site uses, for example private water supplies. The longer term potential impact of leaving foundations and cabling in the ground following de-commissioning should also be considered. It is recommended that further advice is sought from the Environment Agency.

Virtually all turbine sites will be in rural areas, in the open countryside. Where land is in agricultural use it is expected that some form of agricultural land management will continue and that the retention of field boundaries and field patterns will support this.

Good quality agricultural land is a finite resource and is relatively scarce in West Devon. Although wind turbines do not have a large “footprint”, their presence can restrict the type of farming it is practical to pursue, particularly for arable cropping.

### **Development Management Principles: Soils, Hydrology and Land Management**

Most relevant Local Development Plan policies:

[Core Strategy](#) Strategic Policy 21: Flooding

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; Policy BE17: Potentially Polluting Activity

**Developers** will be required to:

- Undertake early survey work to identify all water sources, wells, boreholes, streams etc. and an assessment made of their vulnerability to development. Measures to protect and/or enhance water sources and drainage systems should be included with any planning application.
- Seek to minimise the creation of permanent trackways and hard standing; turbines should be capable of servicing by agricultural vehicles or 4WD
- Manage operations that require the movement and/or storage of soil within the site so that the resources can be re-used in restoration of the site following construction. Details of soil movement and storage and proposals for restoration of the site should be included with any planning application.

### 3.7 Historic and Cultural Heritage

West Devon has a valuable and varied historic and cultural heritage, known collectively as heritage assets. There are over 2,200 listed buildings, 25 conservation areas, 172Ha of listed parks and gardens as well as a host of scheduled ancient monuments and sites of value for their archaeology. A small area of the Tamar Valley World Heritage Site also falls within West Devon, where the mining heritage and cultural landscape is unique.

The NPPF requires planning authorities to identify and assess the significance of any heritage asset that may be affected by a proposal – including development affecting the setting of a heritage asset, in order to understand the impact of the proposal on the asset. Guidance on the impact of wind energy development on the historic environment is published by [English Heritage](#). The generic guidance contained in the Devon Landscape Policy Group [Advice Note 2](#) is also relevant.

Wind turbine development can have impacts of two types: direct site related impacts, usually the result of ground and construction work associated with activities such as trenching, drainage, laying foundations, access arrangements and heavy plant movements; and, impacts on the setting of historic and cultural assets, for example, listed buildings, historic parks and gardens and historic field and hedge patterns.

Promoters of development will need to consider the impacts of their proposals on:

- Listed buildings and scheduled ancient monuments
- Conservation Areas
- Archaeological remains – whether scheduled or not
- Historic Parks and Gardens
- Effects on cultural landscapes such as the Tamar Valley, and other traditional features identified through landscape character assessment
- The historic character of towns and villages and their setting within the landscape

Information about the location and nature of historic assets can be found on the [historic environment gateway](#) and from the key contacts listed in Appendix 3.

## **Development Management Principles: Historic and Cultural Heritage**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 17: Landscape Character; Strategic Policy 18: The Heritage and Historical Character of West Devon

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; BE5 Important Open Space Within Settlements; Policies BE7-10 Archaeology

**Developers** will need to assess the impact of development on heritage assets, whether formally designated or not.

- Proposals should clearly indicate the location of known heritage assets within the zone of theoretical visibility of the proposal; proposals should respect the heritage sensitivity of the site and its setting using appropriate design, colour and structures sympathetic to it
- Where archaeological remains exist or are suspected, or where there are nearby listed buildings, conservation areas, scheduled monuments, world heritage site or listed park or garden, assessment of impact will be required
- Where impacts are acceptable and development proceeds, care should be taken to screen and protect heritage assets during construction, maintenance and decommissioning activities
- Natural features that contribute to the landscape character, historic or cultural pattern of land use, and the natural elements that underpin it (such as field boundaries, hedgerows, trees) will be retained wherever possible, and any mitigation measures (such as planting and screening) designed to complement them.

Early consultation with the Local Authority Conservation Officer is advised

**The Development Management** team will:

- Plot wind turbine screening requests and development proposals so that the effects of development (including any cumulative effects) can be identified at an early stage

## 4 Community Issues

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### 4.1 Communities and Wind Energy Development

The Government has recently announced its intention to give communities a greater say over wind farm development and increased benefits. New planning guidance is expected shortly. This section of the guidance will be kept under review and updated when more detail becomes available.

#### 4.1 Community Engagement

The 'community' is likely to be made up of many different interest groups, which will come together for a whole variety of reasons. There will be community groups representative of small towns and villages, as well as community groups brought together by shared interests in a topic or issue. Community groups will also vary in their organisation, capacity and knowledge of formal decision making processes. The Council is keen to ensure that all types of group are able to make their views known effectively and good opportunities are provided for this. As a matter of good practice the community should be engaged before a planning application is submitted (and is likely to become a pre-requisite for more significant wind energy development if Government proposals are implemented.).

Effective dialogue about wind turbine proposals between developers, the local authority, stakeholders, local communities, interest groups and statutory consultees is essential to tease out issues of concern and discuss options for mitigation and provision of any benefits to the local area. The scale of public engagement required will vary according to the scale of the proposal and the controversy any proposal is likely to generate. Prospective developers of commercial scale schemes need to be aware of the time required for effective engagement and allow sufficient time in their project planning to allow for responses.

RenewableUK has published a [Community Benefits Protocol](#) with the aim of formalising the industry's approach to community engagement and benefits. The [South West Public Engagement Protocol for Wind Energy](#) also sets out the expectation for public engagement, formalised in an engagement plan, finalised in consultation with the Council.

#### 4.2 Community Benefits

Wind turbine development has an impact on the local environment and communities. Schemes should be acceptable not only in land use terms but also have clear and direct benefits for those who live and work in the area. The Council will seek to secure benefits for communities affected by commercial wind turbine development. Local benefits can take a number of forms, from goodwill funding (lump sum payments; annual revenue payments) to agreed actions (benefits in kind; community equity stakeholding; local contracting). Other community benefits may be negotiated as part of the planning application process, for example, site conservation and habitat creation; improved footpath or bridleway access; educational visits; planting and woodland enhancement. In order to establish appropriate local benefits, the developer needs to be able to identify community representatives with whom to undertake discussions and negotiations. The Council will facilitate this dialogue where possible and will encourage all prospective wind energy developers to enter into an agreement with the local community early in the process. It is for the community to decide on the appropriate benefits it wishes to pursue and to ensure that arrangements are in place to



safeguard the management and disbursement of any financial contribution(s). RenewableUK's [Community Benefits Protocol](#) commits its signatories to providing community support equivalent to a minimum value of at least £1,000 per MW of installed capacity per annum, index linked with RPI for the life time of the project (for projects of 5MW and above). The Government is expecting the renewables industry to revise this Protocol to increase the recommended community benefit package from £1, 000 MWof installed capacity a year to £5,000.

#### **Development Management Principles: Community Engagement and Community Benefits**

The **developer** will:

- Identify the community(ies) affected by proposals
- Plan for effective community engagement to address community concerns, identify mitigation measures and the nature of community benefits

The **Development Management** team will:

- Negotiate to secure benefits for communities affected by commercial wind turbine development
- Where proposal are likely to generate local controversy seek the commitment of developers to prepare a community engagement plan, identifying key stages in the development and the steps to be taken at each stage to engage those affected
- Expect community engagement plans to reflect the principles of the RenewablesUK Protocol for Community Engagement and Benefits and the SW Public Engagement Protocol for Wind Energy

## **4.3 Community Schemes**

### **Community Ownership Models**

#### **Cooperative Share Offers**

A developer offers the project for cooperative investment at the construction stage. The offer could be for the entire project, a share of the entire project, or for 1 or more turbines in a larger project. Investors receive a rate of return over the project's life, plus the return of their capital at the end of the project. This model only benefits those able to invest.

#### **Social Enterprise Models**

The project is community initiated and involved in the development process. If a small project it may be owned and managed by the community. A larger project is likely to be managed and owned by a specialist social enterprise company for the benefit of the community. Profits must be allocated to a stated social cause such a carbon reduction and sustainability initiatives. The project can be funded by grants, cooperative share offer, commercial loans or a combination of these

There is the opportunity for communities to bring forward their own renewable energy generating proposals and there is considerable interest in renewable energy schemes. Community owned generation can extend the benefits of wind power to households in the form of cheaper energy; revenue streams; employment and has the benefit of retaining the wealth generated by the investment within the local community. Many community groups are already working on energy related activities, pursuing behaviour change, demand reduction and energy efficiency measures in addition to promoting renewable energy.

The Authority is keen to assist community renewable energy and demand reduction schemes wherever possible, particularly in the context of

Neighbourhood Plans and Community Plans. These plans are a vehicle for local discussion and involvement in projects and can be used to find sites for renewable energy development acceptable to most of the community. The Council and other partners are working through the South West Devon Community Energy Partnership to help support, coordinate and promote local energy related community projects . Case studies, advice and links to community organisations can be found on the South West Devon Community Energy Partnership [web site](#) and the web site for the SEACS<sup>3</sup> project

While it is an objective of the Local Authority to promote local economic growth and regeneration, proposals for community led renewable energy projects will still need to be assessed in the same way as other proposals for their benefits and impacts and, depending on the scale of the proposal, provide the same level of information to support a planning application.

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<sup>3</sup> Sustainable Energy Across the Common Space: A European funded project bringing together partners in Devon, Dorset, Wiltshire and France to address energy issues

## 5 The Planning Application Process

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### 5.1 Pre Application Discussions

Prior to a planning application being submitted, it is recommended that all prospective wind turbine development is discussed with a Planning Officer. Pre-application discussions can avoid delay to planning applications, clarify matters that will need to be considered and advise on sources of information, for example:

- By giving an informal opinion on the likelihood of an EIA being required.
- Advice on the up to date policy context
- Key contacts and consultees; information the Local Authority holds
- Flush out important issues at an early stage

Prospective developers should read the [pre-application advice](#) located on the Local Authority's web site.

### 5.2 Decision Making

Planning decisions are made in one of two ways:

- Planning officers will prepare reports setting out the positive and negative impacts arising from development, with a recommendation for granting, or refusing, planning permission. This is then taken before the Development Management Committee for Councillors to determine.
- A decision is delegated to a Planning Officer, in accordance with a scheme of delegation.

Both decision making routes will include extensive consultation with stakeholders, statutory consultees and other interested parties.

### 5.3 Making a Planning Application

#### Pre Application Discussions

Potential developers are strongly advised to discuss their proposals with the Local Planning Authority before submitting a planning application. Pre-application enquiries and discussions will require a location plan, an indication of the scale of the proposal, the estimated generating capacity, the height of the panels and the boundary treatment. This will enable planning officers to:

- Indicate if there are any sensitive site features that need to be taken into account
- Provide information on the supporting material that will be required with any planning application
- Identify what consultation will be required; and
- Discuss how the application will be managed, and the likely length of time to reach a decision

Pre-application discussions can avoid delay to planning applications, clarify matters that will need to be considered and advise on sources of information, for example:

- By giving an informal opinion on the likelihood of an EIA being required.

- Advice on the up to date policy context
- Key contacts and consultees; information the Local Authority holds
- Flush out important issues at an early stage

Prospective developers should read the [pre-application advice](#) located on the Local Authority's web site. There is no charge for an initial scoping meeting with officers . If a prospective applicant decides to continue with the pre-application service then the relevant fee must be submitted, along with any plans or information agreed with officers at the scoping meeting.

## Decision Making

Planning decisions are made in one of two ways:

- Planning officers will prepare reports setting out the positive and negative impacts arising from development, with a recommendation for granting, or refusing, planning permission. This is then taken before the Development Management Committee for Councillors to determine.
- A decision is delegated to a Planning Officer, in accordance with a scheme of delegation.

Both decision making routes will include extensive consultation with stakeholders, statutory consultees and other interested parties.

In some circumstances individual may address the Development Management Committee. The arrangements for this are set out on the Council's web site.

## Types of Planning Application

Planning applications can be made either in person at the Local Planning Authority, or on line via the [planning portal](#). Registration of the planning application will depend on whether all the information required by the planning authority is submitted with it. This checking of submitted information will occur during the validation process.

**The assessment processes that are required with most turbine development means that the Local Planning Authority will only accept full planning applications for wind turbines.**

## Planning Application Fees

A planning application for a small domestic wind turbine in a garden or on a house will be treated as householder application falling within Category 6 - *The enlargement, improvement or other alteration of existing dwellinghouses* or 7 - *The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for the purposes ancillary to the dwellinghouse* of the Fees Regulations. In these cases the fee for the submission of a planning application will be a flat rate of £172.

Larger non domestic wind turbines will normally be regarded as category 5 operations for fee purposes - *The erection, alteration or replacement of plant or machinery* . The planning application fee for a single non domestic wind turbine, or multiple wind turbines, can be calculated by combining the area of land over which the blades of each wind turbine can rotate together with the

area of the footprint of any ancillary structures and associated engineering works (such as underground cable).

On a site of no more than five hectares, for example, a planning application fee of £385 would be charged for each 0.1 hectare of land (or part thereof). Using land within the perimeter of a windfarm for agriculture would not require planning permission for change to a mixed use.

On sites larger than 5 hectares a fixed planning application fee of £19,049 is payable with an additional £115 for each 0.1 Hectares(or part thereof) in excess of the first 5 hectares, subject to a maximum total of £250,000.

Planning application fees are subject to change. While efforts will be made to ensure the content of this guidance is up to date, applicants are advised to check relevant fees on the [planning portal](#).

### **Planning Application: Accompanying Information**

A planning application must be accompanied by the following core information:

- A location plan (1:1250) The area(s) of land requiring planning permission should be outlined in a red line. Land within the control or ownership of the applicant should be outlined in blue.
- A site plan (1:500): Details of the make of turbine, generating capacity and size (hub height and hub to blade tip)
- Elevation(s) of turbine(s) and details of their levels
- Details of any ancillary works (access, construction details) or buildings proposed, including elevations
- Design and access statement (where required)
- A supporting statement
- Fencing specification and details (where applicable)
- Details of grid connection
- Noise assessment and details of shadow flicker
- When an EIA is required, an Environmental Statement with necessary information shall be submitted. Where an EIA is not required, any information identified as part of the screening decision
- An ecological assessment
- A landscape and visual impact assessment
- A historic environment statement
- Transport and construction management plan

### Minimum Information Requirements: Assessment of Impacts

This table is included for general guidance only. The precise detail of information required may differ according to the siting and location of turbines; for example, if EIA is deemed necessary for relatively small scale turbine development by virtue of likely impacts.

Impact	Turbine(s) Size				
	Very Small	Small	Medium	Large	Very Large
	Approx 15-25m to blade tip	Approx 26-50m to blade tip	Approx 51-75m to blade tip	Approx 76-110m to blade tip	Approx 111-150m to blade tip
Noise	Where permission is required:  Grid reference of location. The make and model of turbine; most recent manufacturers noise data; distance of turbine to curtilage of nearest properties and location of those properties	Grid reference of location. The make and model of turbine; most recent manufacturers noise data; distance of turbine to curtilage of nearest properties and location of those properties; identification of noise sensitive receptors  May require background noise survey and prediction of noise impacts on sensitive receptors using recognised noise prediction methodology	Grid reference of location. The make and model of turbine; most recent manufacturers noise data; distance of turbine to curtilage of nearest properties and location of those properties; identification of noise sensitive receptors; background noise survey; prediction of noise impacts on sensitive receptors using recognised noise prediction methodology	Grid reference of location. The make and model of turbine; most recent manufacturers noise data; distance of turbine to curtilage of nearest properties and location of those properties; identification of noise sensitive receptors; background noise survey; prediction of noise impacts on sensitive receptors using recognised noise prediction methodology	Grid reference of location. The make and model of turbine; most recent manufacturers noise data; distance of turbine to curtilage of nearest properties and location of those properties; identification of noise sensitive receptors; background noise survey; prediction of noise impacts on sensitive receptors using recognised noise prediction methodology
Residential Visual Amenity	As above	As above + information on orientation of properties and aspects from which turbine can be viewed	As above + information on orientation of properties and aspects from which turbine can be viewed	As above + information on orientation of properties and aspects from which turbine can be viewed	As above + information on orientation of properties and aspects from which turbine can be viewed
Flicker	Flicker assessment may be required where the nearest sensitive receptor is within 10 rotor diameter distance of the proposed wind turbine(s)				
Biodiversity/Habitat	Swept blade area to be located more than 50m from a hedgerow/linear landscape feature/stream or tree suitable as a bat roost A Preliminary Ecological Appraisal is likely to be	Swept blade area to be located more than 50m from a hedgerow/linear landscape feature/stream or tree suitable as a bat roost A Preliminary Ecological Appraisal is likely to be	Swept blade area to be located more than 50m from a hedgerow/linear landscape feature/stream or tree suitable as a bat roost A Preliminary Ecological Appraisal will be	Swept blade area to be located more than 50m from a hedgerow/linear landscape feature/stream or tree suitable as a bat roost A Preliminary Ecological Appraisal will be	Swept blade area to be located more than 50m from a hedgerow/linear landscape feature/stream or tree suitable as a bat roost A Preliminary Ecological Appraisal will be

Impact	Turbine(s) Size				
	Very Small	Small	Medium	Large	Very Large
	Approx 15-25m to blade tip	Approx 26-50m to blade tip	Approx 51-75m to blade tip	Approx 76-110m to blade tip	Approx 111-150m to blade tip
	requiredPotential impacts on protected species and habitats and necessary mitigation measures to be supplied with application	required Potential impacts on protected species and habitats and necessary mitigation measures to be supplied with application	required, supplemented by additional surveys as necessaryPotential impacts on protected species and habitats and necessary mitigation measures to be supplied with application	required, supplemented by additional surveys as necessaryPotential impacts on protected species and habitats and necessary mitigation measures to be supplied with application	required, supplemented by additional surveys as necessaryPotential impacts on protected species and habitats and necessary mitigation measures to be supplied with application
Landscape and Visual Impact	Information on the landscape character area and the impact of the turbine on the key characteristics of it  Details of turbine colour  Elevations and materials for ancillary structures	Information on the landscape character area and the impact of the turbine and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of development)  Identification of a zone of theoretical visibility and photomontages from agreed viewpoints may be necessary  Details of turbine colour  Elevations and materials for ancillary structures	Information on the landscape character area and the impact of the turbine and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of development); identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of turbine colour  Elevations and materials for ancillary structures	Information on the landscape character area and the impact of the turbine and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of development); identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of turbine colour  Elevations and materials for ancillary structures	Information on the landscape character area and the impact of the turbine and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of development); identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of turbine colour  Elevations and materials for ancillary structures
Soils, Hydrology & Land Management	Search to indicate if site in a flood risk zone.  Identification of key water sources, bore holes etc	Search to indicate if site in a flood risk zone.  Identification of key water sources, bore holes etc	Search to indicate if site in a flood risk zone.  Identification of key water sources, bore holes etc and measures to protect them	Search to indicate if site in a flood risk zone.  Identification of key water sources, bore holes etc and measures to protect them	Search to indicate if site in a flood risk zone.  Identification of key water sources, bore holes etc and measures to protect them

Impact	Turbine(s) Size				
	Very Small	Small	Medium	Large	Very Large
	Approx 15-25m to blade tip	Approx 26-50m to blade tip	Approx 51-75m to blade tip	Approx 76-110m to blade tip	Approx 111-150m to blade tip
			Outline of management processes for movement and/or storage of soils on site	Outline of management processes for movement and/or storage of soils on site	Outline of management processes for movement and/or storage of soils on site
Historic and Cultural Heritage	The site location map to identify known heritage assets and identify likely impacts  Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts  Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts  Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts  Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts  Desktop archaeological assessment may be required where deposits are known or suspected.
Highway Access	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain wind turbines	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain wind turbines	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain wind turbines  Traffic management plan showing delivery routes to reach site	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain wind turbines  Traffic management plan showing delivery routes to reach site	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain wind turbines  Traffic management plan showing delivery routes to reach site



## On Shore Wind Technology

### Turbine Components

Most wind turbines erected in the UK are two or three bladed horizontal axis machines of the type shown in Figure 1. Commercial turbines range in capacity from a few hundred kilowatts to over 2 megawatts. The crucial parameter determining the energy produced is the diameter of the rotor blades - the longer the blades, the larger the area 'swept' by the rotor and the greater the energy output. A wind turbine will produce the highest

Rotor Size and Maximum Power Output	
Rotor Diameter (meters)	Power Output (kW)
10	25
17	100
27	225
33	300
40	500
44	600
48	750
54	1000
64	1500
72	2000
80	2500

Sources: Danish Wind Industry Association, American Wind Energy Association

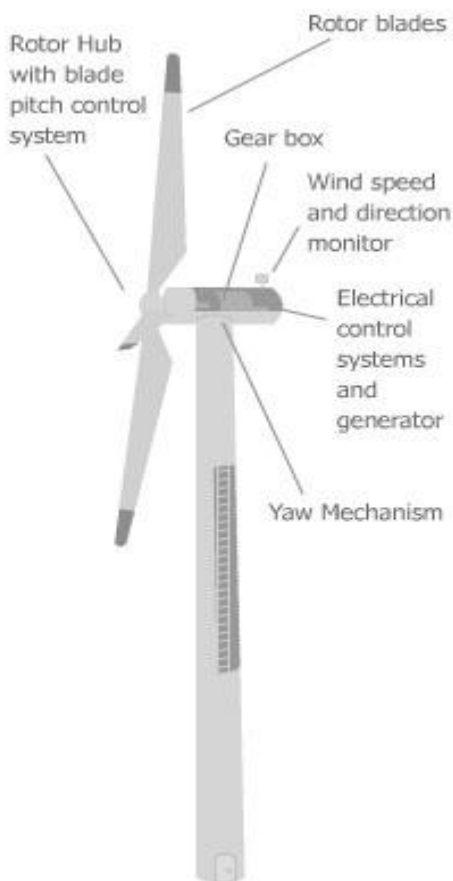


Figure 1 Diagram of a typical wind turbine

Source: RenewableUK

electrical energy when the wind speed is around 15-17 metres per second.

Turbines generally have steel or concrete towers supporting the nacelle, the box at the top of the machine which houses the mechanical machinery and the yaw mechanism (which allows the machine to turn itself towards the prevailing wind). Most rotor blades are made of glass reinforced plastic or wood epoxy but can be of aluminium or steel. Power is controlled automatically as wind speed increases; turbines are stopped at very high wind speeds to prevent damage.

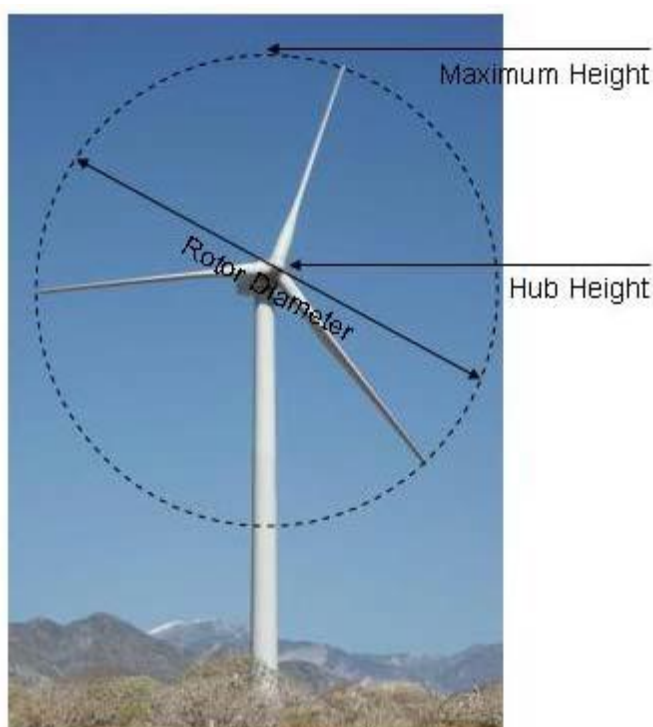
The turbine is supported by foundations whose size is determined by the type of turbine and the load generated by it, the nature of the site, ground conditions, geology and hydrology. Foundations are typically reinforced concrete raft structures in hexagonal form, or piled structures, depending on the nature and stability of ground conditions. An average turbine will require a foundation approximately 13m diameter and 1-2m deep. Foundations are usually flush with the ground.

## Turbine Size

The commercial trend is for larger machines as they can produce electricity at a lower price. This is partly because towers need to be higher to escape the turbulence and friction effects of the ground on wind speed, but primarily because controls, electrical connection to the grid and maintenance are a much higher proportion of the capital value of the system.

## Separation Between Turbines

Groups of turbines need to be sited relative to each other in a manner that does not compromise generating efficiency. Grouped turbines need to be positioned to allow a separation distance of around 3-4 rotor diameters between turbines, in order to limit energy loss of through wind shadowing from upstream machines.



## Control Unit

A centralised computerised control system is required for groups of turbines, to control their operation. This is usually

housed in a building on-site, linked remotely to off site management. The control unit allows machines to be shut down when wind speeds are either too great, or too weak to generate energy commercially.

## Equipment Safety

Companies supplying products and services to the wind energy industry operate to a series of international, European and British Standards. Other safety concerns, such as icing of turbine blades, are unlikely to cause problems as

detection systems are usually in place to deal with this before it becomes an issue. Measures to prevent damage from lightning strike are also incorporated in turbine design.

The terms used in this document (and other guidance to which it refers) to describe turbine sizes are as follows:

TURBINE SIZES		
Term	Measure	
Very small turbines	Approx 15-25m to blade tip	Excludes roof mounted machines
Small	Approx 26-50m	Height=total height of machine, inclusive of swept blade area. i.e. a tower/hub height of 55m and blades 25m long equates to an 80m turbine
Medium	Approx 51-75m	
Large	Approx 76-110m	
Very large	Approx 111-150m	
CLUSTER SIZES		
Small scale clusters	Up to 5 turbines	

Medium scale clusters	6-10 turbines	
Large scale clusters	11-25 turbines	
Very large scale clusters	More than 26 turbines	

## APPENDIX 2

### Glossary of Terms

Amenity	Quality that makes living conditions pleasant or agreeable
Biodiversity	Term used to describe the variety of life on earth – a convenient contraction of ‘biology’ and ‘diversity’
Cumulative impact	Additional changes caused by a proposed development in conjunction with other similar developments or as the combined effect of a set of developments, taken together
Development Management	The Local Authority service that manages development through advice on proposals and planning applications
Kilowatt (kW)	One thousand Watts of electrical power
Kilowatt-hour (kWh)	One thousand Watt-hours of electrical energy
Landscape Assessment	An assessment that examines changes to the landscape as a resource and the way in which change affects different components of the landscape
Local Plan	A plan that sets out where development can happen in the Local Authority area (for the area outside of the Dartmoor National Park, which has its own plan)
National Planning Policy Framework	A document published in March 2012 setting out the Government’s policies for planning, which Local Authorities must follow
Megawatt (MW)	One million Watts of electricity
Photovoltaic Panel/Cell	Device formed of materials capable of converting sunlight directly into electricity (direct current)
Renewable Energy	Energy generated from sources that are naturally replenished, such as wind and solar power, geothermal, hydropower and biomass
Supplementary Planning Document	A document that gives more detailed interpretation of a policy in a Local Plan
Sustainable	Term used to describe decisions or actions that meet the needs of today without compromising resources for the future
Visual Impact Assessment	Assessment that makes a judgement about the how the surroundings of individuals or groups of people

	may be affected by change in the landscape
Watt	The electrical unit of power
Zone of Visual Influence (ZVI)	The ZVI is shown on a map and indicates the locations from which installations can be seen

### List of Contacts

Advice on improving energy efficiency in the home	<a href="http://www.westdevon.gov.uk/article/2974/Energy-Efficiency--Renewable-Energy">http://www.westdevon.gov.uk/article/2974/Energy-Efficiency--Renewable-Energy</a>	01822 813600
Development Management	<a href="http://www.westdevon.gov.uk/article/3548/Planning">http://www.westdevon.gov.uk/article/3548/Planning</a>	01822 813600
Planning Policy	<a href="mailto:Sw-strategicplanning@swdevon.gov.uk">Sw-strategicplanning@swdevon.gov.uk</a>	01822 813600
Building Control	<a href="http://www.teignbridge.gov.uk/dbcp/index.aspx?articleid=11686">http://www.teignbridge.gov.uk/dbcp/index.aspx?articleid=11686</a>	01626 215793

# Solar Arrays in West Devon

## Interim Planning Guidance for Prospective Developers

(Outside of the Dartmoor National Park)



**West Devon  
Borough  
Council**

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# 1 Introduction

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## 1.1 Renewable Energy Guidance

The Government has committed the UK to achieving at least 30% of its electricity from renewable sources by 2020. The planning system plays an important role in delivering this target and Local Planning Authorities are expected to play a positive role in bringing renewable energy development forward. Decision making at the local level is complemented by planning processes at the national level for larger scale schemes, set out in the [National Planning Statement](#) for Renewable Energy Infrastructure (EN-3). This guidance note is one of a series that amplifies current planning policies for renewable energy in West Devon. The series comprises:

- On Shore Wind Turbines in West Devon: Interim Planning Guidance for Prospective Developers
- Micro Scale Wind Turbines and Permitted Development: A Guide for Property Owners in West Devon
- Solar Arrays in West Devon: Interim Planning Guidance for Prospective Developers
- SolarPV or Solar Thermal Panels and Permitted Development : A Guide for Property Owners in West Devon

Other guidance notes may be added to the series as necessary.

This guidance note addresses free standing solar PV installations that require planning permission. It may be accessed electronically on [www.westdevon.gov.uk](http://www.westdevon.gov.uk)

## 1.2 The Role and Status of This Document

This guidance has been prepared to fulfill a number of roles.

- To provide background information relating to use of solar PV, of use to prospective developers and the public – a “walk through guide”
- To set out the type of information, level of detail and requirements associated with making a planning application
- To describe the tools, methodologies and best practice that can be used to provide necessary information and which will be used by planning officers to judge the acceptability of proposals

This guidance is set against the background of fundamental changes to the planning system. The Council will therefore keep this guidance under review and update it as Government policy evolves and our own Local Plan work advances.

This guidance has no statutory weight in the planning process. The adopted policies of the Development Plan have full weight in the planning process and planning applications must be decided in accordance with them unless there are over-riding material considerations. The weight to be given to this guidance in the planning decision making process will therefore be limited, but it has a positive role as an

engagement tool and in providing information about the nature of supporting information and methodologies to be employed in assessing impacts, required to enable the Council to make good decisions. It is anticipated that the contents of the guidance will be kept under review as a new Local Plan Renewable Energy Strategy is developed, so that it remains up to date and linked to appropriate policy.

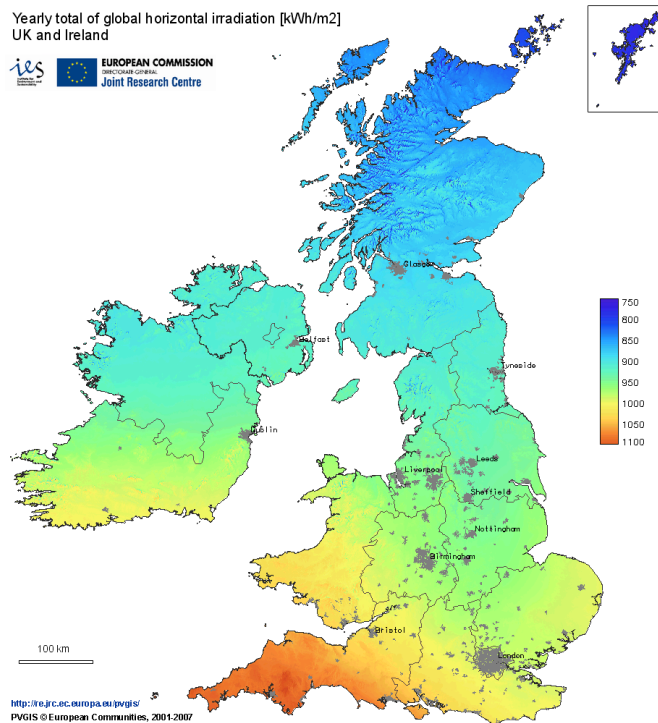
## 2 Solar PV Technology

### 2.1 Types of Solar Technology

The South West has the best solar resource in the United Kingdom; solar PV cells convert this solar energy into electricity.

Solar PV cells are made from two or more layers of semi-conducting material, usually silicon. When the silicon is exposed to light, electrical charges are generated and this can be conducted away as direct current. The energy generated by individual cells is small, so cells are linked together into panels. Multiple panels can be bolted together to generate the desired electrical output. Panels are most

efficient in direct sunlight, but will continue to generate even at lower light levels. The efficiency of energy generation is dependent on the orientation and pitch of the solar PV installation.



TILT degrees	West									South									East																																																																																																																																										
	90	80	70	60	50	40	30	20	10	0	10	20	30	40	50	60	70	80	90	10	20	30	40	50	60	70	80	90																																																																																																																																	
0	87	88	90	91	92	92	93	93	93	93	93	93	92	92	91	90	89	87	86	84	87	90	92	94	95	95	96	96	97	97	96	95	94	93	91	89	87	84	82	85	90	93	94	96	97	98	99	99	98	97	96	95	93	91	88	84	81	78	83	87	91	93	96	97	98	99	100	98	97	96	95	94	92	90	86	82	77	72	70	74	79	83	87	90	91	93	94	94	94	93	91	88	83	80	76	73	70	60	65	69	73	77	80	83	86	87	87	87	88	87	85	82	78	74	71	67	63	80	59	63	66	70	72	75	78	79	79	79	79	79	78	75	72	68	64	61	56	90	50	56	60	64	66	68	69	70	71	72	72	71	70	67	66	60	57	54	50
90	41	49	54	58	59	60	61	61	63	65	65	63	62	59	60	52	50	47	44																																																																																																																																										

Solar installations can take a number of forms:

- Integrated into buildings and other structures. South facing sloping roofs are ideal, with panels mounted on frames that sit on the roof structure. Photovoltaic systems can also be integrated into the fabric of the building, in the form of photovoltaic roof tiles or as part of a building

façade. As technology advances the use of solar films and coatings may also become more commonplace.

Small scale solar installations for dwellings can usually be fitted without the need for planning permission. A separate information leaflet for householders gives guidance on the need for planning permission and other consents.

Large scale arrays can also be fitted to buildings. Examples exist of installations on the roofs of commercial, agricultural, community and school buildings.

- Arrays of solar panels erected where the energy generation shares land with another use eg panels erected over car parks
- Arrays of solar panels erected on open land, which is either previously developed eg a redundant air field or industrial land, or a green field site – usually agricultural land.

The availability of sunlight in Devon, plus the financial incentive of the feed in tariff, means free standing arrays, or solar farms, are becoming more common in rural settings and an attractive investment for farmers wishing to diversify their sources of income.

## 2.2 Installation Size and Components

A free standing solar array will comprise the solar panels themselves and other ancillary technology such as inverters (to convert direct current into alternating current for the grid), substations, transformers and a control room. There may also be a requirement for security fencing, lighting and measures to secure good access for construction and occasional servicing. The panels will be mounted on frames, typically 3-4m above ground, to maximize solar capture. Some arrays are designed to include tracking systems that keep the panels orientated to the sun during daylight hours.

This guidance note is mainly aimed at those solar PV installations that require planning permission and where the level of energy generation is likely to be above 4kW. As a rule of thumb a ground mounted solar PV array of 5MW will require approximately 12-15Ha of open land.

In terms of scale, guidance commissioned by the Devon Landscape Policy Officers Group<sup>1</sup> makes the following distinctions:

Very small arrays	<1 Ha
Small	>1-5Ha
Medium	>5-10Ha
Large	>10-15Ha
Very large	15Ha+

<sup>1</sup> [http://www.devon.gov.uk/index/environmentplanning/natural\\_environment/landscape/landscape-policy-guidance.htm](http://www.devon.gov.uk/index/environmentplanning/natural_environment/landscape/landscape-policy-guidance.htm)

## 2.3 Feed in Tariffs and ROCs

To stimulate renewable energy generation the Energy Act 2008 paved the way for the introduction of Feed in Tariffs (FITs). Payments are made for each kWh of energy generated over a 20 year period and are index linked, giving a financial incentive for developers of renewable energy. Tariff levels are subject to change, depending on the uptake of the technology. Tariff tables and eligibility dates for applications to the scheme are published on the [ofgem](#) web site.

Developers may use the Renewables Obligation to aid financing of large scale solar installations. The RO requires licensed UK electricity suppliers to source a specified proportion of the electricity they provide to customers from eligible renewable sources. This proportion (known as the 'obligation') is set each year and has increased annually. More information can be found on [this link](#)

## 3 The Location of Solar PV Arrays: Initial Site Selection

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### 3.1 The Importance of Early Discussions

The National Planning Policy Framework sets out that Councils should approve planning applications for renewable energy development (unless there are over-riding material considerations) if the impacts can be made acceptable.

Sections 3 and 4 of the guidance set out many of the issues a planning application will need to address. The Council is keen to pro-actively engage with developers; each planning application will need to be treated on a site by site basis, as well as conforming to planning policy. The Council emphasises the importance of early discussions to give an opportunity to identify the likely issues and factors relevant to a proposal, set out how impacts should be evidenced, the way in which evidence can be drawn together into reports (a design and access statement for example) and how it should be presented.

Further information and links to the Council's pre-application process, and a table setting out the type of information likely to be required can be found in section 6 of the guidance.

### 3.2 Grid Connection

Solar development will need to be located within reach of a grid connection with sufficient capacity to accept the exported energy from the installation. The capacity of the grid to accept the energy generated will depend on the existing network infrastructure and the current use of the system. Early discussion with the Distribution Network Owner (DNO) is recommended as the necessary steps for grid connection may take as long as twelve months for more complex schemes. Information on the [application process](#) for connection to the National Grid can be found on the National Grid website.

### 3.3 Road Access and Rail Infrastructure

Much of West Devon is very rural in nature and the road network is characterised by numerous small roads and lanes where carriageway width, gradient and the twisty nature of roads may combine to make access to sites extremely difficult for HGVs. Access to fields for construction, maintenance and de-

commissioning of facilities may require the creation or widening of new accesses to accommodate large vehicles and plant. The closer a site is to the principal route network the less likely it is that additional costs will be incurred improving site access. A Construction Management Plan may be required to manage potential impacts, if road access is an issue.

The transport of solar panels to a location may require heavily loaded, large vehicles. Before abnormal loads can be moved, prior notification must be sought from the Highway Authority and permission given. The County Council, as Highway Authority, defines abnormal loads as those exceeding a gross weight of 40 tonnes. Notification can be given using the [on-line notification form](#)

The movement of construction traffic can have consequences for other infrastructure, such as railway corridors and associated bridges, crossings and structures. Where proposed sites are close to railway corridors and/or routes cross railway infrastructure, developers should consult Network Rail for a view about likely impacts and whether permission is required to cross bridges and other infrastructure.

### **3.4 Flood Risk**

The Environment Agency is the main body with responsibility for managing flood risk from main rivers, the sea and large raised reservoirs. The County Council has responsibility for managing local flood risk from ordinary watercourses, surface run-off and groundwater. Developers are advised to consult with agencies at an early stage and use published maps and resources, such as strategic flood risk assessments to initially screen proposed sites for flood risk.

Paragraph 103 of the NPPF requires that a site-specific Flood Risk Assessment should be submitted with planning applications for all sites greater than 1 ha in Flood Zone 1 or for sites of any size within Flood Zones 2 or 3. Guidance on the content of Flood Risk Assessments is contained in the [Technical Guidance](#) to the NPPF (March 2012)

### **3.5 Agricultural Land**

Agricultural land is a resource of national importance recognising the need for flexibility to respond to changing markets(eg for biofuels, new crops) and the issue of food security . The National Planning Policy Framework asks Local Authorities to take into account the economic and other benefits of the best and most versatile agricultural land (grades 1, 2 and 3a) when making decisions. In view of this, renewable energy development on the best and most versatile land should be avoided where possible. Where proposals on land holdings with good quality land come forward, preference should be given to developing land of lower quality where this is possible, provided this does not result in other unacceptable environmental impacts (on wildlife habitat, for example).

Further information about the agricultural land classification system can be found in the Natural England technical advice note [TIN049](#)

### **3.6 Other Strategic Environmental Assets**

Initial site selection will be conditioned by the nature of topography and the availability of roofs or slopes that have the best solar intensity. The best roofs and slopes will generally be south facing.

The environment of West Devon is an important asset underpinning the unique character of the District and supporting the tourism economy. While planning policy guidance does not completely rule out solar development in environmentally sensitive areas, proposals are likely to be less contentious if they can avoid them. The [magic](#) interactive map service brings together environmental information from across Government and provides a useful screening tool.

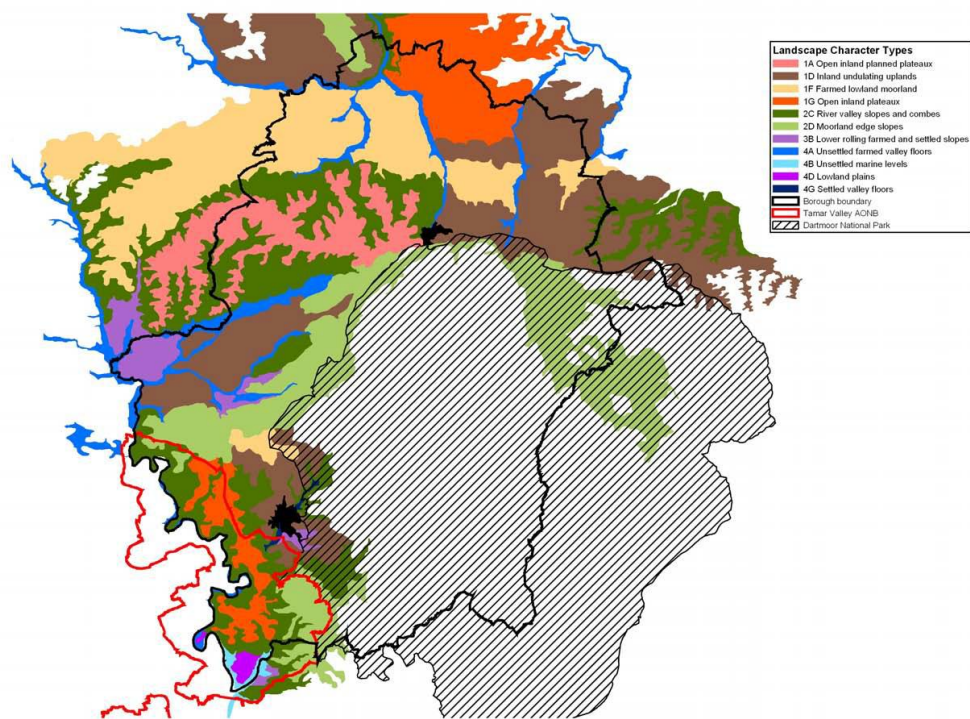
West Devon has a number of sites designated for their importance for habitats and protected species. These comprise:

- Areas of international importance: The Culm Special Area of Conservation; the Plymouth Sound and Estuaries Special Area of Conservation; and the Tamar Estuaries Complex Special Protection Area
- 36 nationally important Sites of Special Scientific Interest (22 in the Dartmoor National Park)
- Numerous locally important County Wildlife Sites and Nature Reserves

Certain species and their habitats are legally protected. Details of [protected species and relevant legislation](#) can be found on the Natural England web site.

To help with the targeting of landscape scale conservation, the [South West Nature Map](#) has been developed by Biodiversity South West in liaison with many regional and local experts. This map highlights Strategic Nature Areas, which are important for both the conservation and expansion of important habitat types. The map can be used to target large-scale projects within the wider countryside.

Landscape character is a factual description of the features of a landscape and its overall appearance. It also describes the quality and condition of that landscape (eg “undisturbed” or “heavily influenced by development”). An understanding of landscape character and condition informs the sensitivity of the area to different forms of development. The map below shows the Landscape Character Types in West Devon and [description](#) and further information is available on the Devon County Council website. Further information about County wide work to assess landscape character, evaluate its significance and guidelines for management can be found on the [Devon County Council website](#)



Different Landscape Character Types will have different sensitivities to development. Natural England has highlighted the following landscape character sensitivities:

Factor	Increased chance that solar parks can be accommodated in the landscape	Reduced chance that solar parks can be accommodated in the landscape
Landform (also related to visual factors such as elevation and viewing angle)	Absence of strong topographical variety. Featureless, convex or flat	Presence of strong topographical variety or distinctive landform features
Landscape pattern and complexity	Simple, regular or uniform	Complex, rugged and irregular
Settlement and man made influence	Presence of contemporary structures, for example, utility, infrastructure or industrial elements. Presence of roads and tracks in the landscape	Absence of modern development, presence of small scale, historic or vernacular settlement, roads and tracks
Inter-visibility with adjacent landscapes	Little inter-visibility with adjacent sensitive landscapes or viewpoints	Strong inter-visibility with sensitive landscapes. Forms an important part of a view from sensitive viewpoints
Perceptual aspects (sense of remoteness, tranquility)	Close to visible signs of human activity and development	Physically or perceptually remote, peaceful or tranquil

Source: Natural England Technical Information Note TIN101 'Solar parks: maximizing environmental benefits'

Further information on landscape sensitivity is included in the [Devon Landscape Policy Group landscape guidance](#)



More information on areas designated for their environmental value is given in the sections on Biodiversity and Landscape, with links to relevant maps.

In addition to landscape character areas there are a number of statutory landscape designations in West Devon. They are Dartmoor National Park and the Tamar Valley Area of Outstanding Natural Beauty (AONB). These designations are made for specific purposes, as set out below. The National Planning Policy Framework (NPPF) states that great weight should be given to conserving the landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The NPPF also states that planning permission should be refused for major development in these designated areas except in exceptional circumstances where it can be demonstrated they are in the public interest. Proposals outside of those areas, but which also impact on them, should also be given careful consideration, following the principles set out in the overarching [National Policy Statement for Energy \(EN-1\)](#). Core Strategy Strategic Policy 17 makes it clear that planning decisions in these areas (and for proposals outside of them which potentially impact on them) will need to be compatible with the purposes of designation.

The pursuit of sustainable forms of development that secure the economic and social needs of residents within the AONB may be consistent with the purposes of designation. The [Tamar Valley](#) AONB partnership has management plan policy that is supportive of appropriate renewable energy projects.

**The Purposes of National Park Designation:**

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
- To promote opportunities for understanding and enjoyment by the public of the area's special qualities.

When National Parks carry out these purposes they also have a duty to:

- Seek to foster the economic and social well being of local communities within the National Park

**The Purposes of AONB Designation:**

- The primary purpose of the AONB designation is to conserve and enhance natural beauty
- In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social need of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment
- Recreation is an objective of the designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses

## Development Management Principles: Initial Site Selection

**Developers** should:

- Demonstrate they have addressed the issues set out in paragraphs 3.1-3.6, above
- Undertaken preliminary consultation with relevant agencies where appropriate
- Engage in pre-application discussions with the Development Management team at an early stage

**The Development Management Team** will:

- Advise on the availability of published resources and information
- Provide relevant contact details where available

## 4 Assessing the Impacts of Development

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### 4.1 Sustainable Development

The West Devon Core Strategy promotes sustainable development, using a set of overarching principles set out in Strategic Policy 1, Sustainable Development. The Strategic Policy demonstrates the integrated nature of outcomes sought for the Borough. Prospective developers should reflect this policy in their proposals, as well as responding to the more detailed, issue specific policies cross referenced elsewhere in this document.

### 4.2 Environmental Screening

[Environmental Impact Assessment](#) (EIA) is an important procedure for ensuring that the likely effects of significant new development on the environment are fully understood and taken into account before the development is allowed to go ahead. The process is governed by Regulations which prescribe the types of development for which an EIA is required. SolarPV development falls within Schedule 2 of the Regulations, where an EIA must be carried out if the development is likely to have a significant impact on the environment by virtue of its nature. The majority of proposals for solarPV development will not be of sufficient scale or impact to require a formal Environmental Impact Assessment. Developers are advised to consult the Council well in advance of a planning application on the need for an assessment (a 'screening opinion'). A request for a screening opinion must be accompanied by:

- a plan on which the site of the proposed development is identified,;
- a brief description is given of its nature and purpose and of its possible effects on the environment (particularly ecology; visual impact; landscape character and any cumulative effects arising from other existing or planned development).

Regardless of the need for a formal Environmental Impact Assessment, the Council will still require robust information about the environmental impacts of the proposal and appropriate evidence and information to support a planning application. The range of impacts to be addressed and the nature of the information required is set out in more detail below.

The Development Management team can be contacted for advice on 01822 813600 or by [email](#)

### 4.3 Biodiversity and the Natural Environment

The presence of wildlife, protected species and/or important habitats on and around prospective development sites means special care needs to be taken when selecting sites and positioning solar panels. With care opportunities can usually be found to conserve significant wildlife already on site and restore or create habitats. Natural England’s publication [Solar parks: maximising environmental benefits](#) offers advice on integrating a range of environmental benefits into solar development and early discussion with the organization is advised. The RSPB has also published [guidance](#) on solar farms and issues relating to birds and wildlife setting out likely impacts, issues and possible mitigation measures.

Site promoters will need to assess the impact of their proposals on wildlife and habitats. Natural England and other specialist agencies can offer [guidance](#) on the scope and content of wildlife and habitat surveys and the optimal time of year for them to be carried out. Early consultation with Natural England’s [Discretionary Advice Service](#) is advised. Sites features such as hedges, trees and ground cover that provide important habitat should be managed as part of the development process so that they remain as healthy and viable habitat assets for species associated with the site.

A Preliminary Ecological Appraisal (PEA) should be completed as early as possible. A PEA can be completed at any time of the year, and will identify the requirement for any further surveys, some of which can only be undertaken effectively at particular times of the year, and this must be factored in to any plans or proposals for development. The table below is reproduced from Natural England’s guidance.

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers												
Bats (hibernation roosts)												
Bats (summer roosts)												
Bats (foraging/commuting)												
Birds (breeding)												
Birds (overwintering)												
Dormice												
Great Crested Newts Terrestrial												
Great Crested Newts Aquatic												
Invertebrates												
Natterjack Toads												
Otters												
Reptiles												
Water Voles												
White Clawed Crayfish												
Habitats/Vegetation												

Source: Taken by Natural England from the Templates for Biodiversity and Geological Conservation Validation checklists, (Pilot draft), 2007 produced by the Association of Local Government Ecologists

#### Development Management Principles: Biodiversity

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 19: Biodiversity

Developers should:

- Identify any impacts on wildlife and habitats arising from their proposals, initially through a PEA supplemented by further surveys as required
- Check information held at the [Devon Biodiversity Records Centre](#)
- Seek the agreement of Natural England regarding the nature, timing and design of any work to assess impacts
- Identify the presence of species, the potential impacts from the proposal and potential mitigation measures prior to submitting a planning application

The **Development Management** team will:

- Seek opportunities to conserve, enhance and restore habitats where possible, regardless of the designation of sites.

## 4.4 Landscape

### *Landscape Character and Landscape Designations*

The unique character of West Devon is directly related to the nature and quality of its natural environment and landscape. This acts as an important economic driver for the area and is an asset the Council is committed to protecting. Solar PV development has the potential to cause harm to the landscape and a judgement is required on whether or not such impacts are acceptable.

### *The Devon Landscape and Renewable Energy*

The Devon Landscape Policy Officer Group has published [Advice Note 2](#) 'Accommodating Wind and Solar PV Developments in Devon's Landscape'. This provides guidance on minimising harm to the distinctive character and special qualities of Devon's landscape through sensitive siting and design. It offers examples of landscape sensitivity and generic guidance to assessing the suitability of the landscape to accommodate renewable energy development.

### *Landscape and Visual Impact Assessment*

Regardless of whether proposals are located in designated landscape areas, or deemed to require a full EIA, all solar development will require some level of landscape and visual impact assessment, using a methodology that is compatible with that promoted by the Landscape Institute. The Landscape Institute draws a distinction between:

- **Landscape effects assessment:** This deals with changes to the landscape as a resource. It is concerned with issues like protected landscapes, the contribution of landscape character to sense of place and quality of life and the way that change may affect individual components of the landscape; and
- **Visual effects assessment:** This is concerned with how the surroundings of individuals or groups of people may be specifically affected by change in the landscape. This means assessing changes in specific views and in the general visual amenity experienced by particular people in particular places

Landscape and Visual Impacts Assessment will need to take into account all phases of the development: construction (including the impact assessment of any supporting development such as cabling, trackways, plant, ancillary structures); design and colour of turbines; operation; decommissioning and restoration in order to identify the full range of impacts and appropriate mitigating measures if required. The level and detail of assessment will vary, depending on the scale of the proposal, its location, the relationship of the proposal to other development nearby. Further detail of what will be required to support planning decisions is outlined in Section 6 below.

### *Cumulative Impact*

Wherever several proposals come forward in a given area (or are experienced in succession when travelling through an area), even if small in scale, there is the potential for cumulative landscape and visual impact to occur. Cumulative impact is not restricted to large scale commercial solar developments. It may equally occur through the proliferation of small scale schemes, particularly where development appears to be randomly located in the landscape. It is important to consider how a scheme fits with other existing, consented and proposed schemes – including any in neighbouring Local Authorities. While the advice on cumulative impact assessment requirements contained in the [Companion Guide to PPS22](#) is focused on wind turbine development, the information required to make an assessment of cumulative impact will be very similar.

The following advice on designing for multiple developments is drawn from generic guidelines for Devon prepared by Land Use Consultants:

- Aim for similarity of design between schemes that fall in the same type of landscape (in terms of siting, layout, scale, form and relationship to key characteristics) to maintain a simple image and reinforce links between landscape characteristics and design response.
- Ensure the overall 'green hills' character remains in Devon – ensuring PV developments do not dominate.
- If two or more solar PV developments are clearly visible in the same view and appear in the same Landscape Character Type they should appear of similar scale (unless the first development is considered too large for its landscape context) and their design should relate to the underlying landscape in the same way
- Ensure any solar PV development takes account of landscape sensitivity as well as any landscape strategies for solar PV development that may be available.
- It will be important to ensure that solar PV developments do not have a defining influence on the overall experience of the landscape and that some open views devoid of PV developments are maintained within Devon.
- Consider views from settlements when designing multiple solar PV developments – avoid 'surrounding' a settlement.
- Individual solar PV developments should generally appear visually separate unless specifically designed to create the appearance of a single combined development.
- When designing extensions it will be important that scale and appearance of panels are compatible

## Development Management Principles: Landscape and Visual Impact

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 17: Landscape Character; Strategic Policy 18: The Heritage and Historical Character of West Devon

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; Policy PS9: Transmission and Distribution of Electricity

**The Developer** will undertake an assessment of the landscape and visual impacts of their proposal(s) using the following principles:

- Proposals should respect the sensitivity of the Landscape Character Area of which the site is a part using appropriate design, colour and structures sympathetic to it
- Proposals will be accompanied by details outlining the landscape and visual impact of proposals (see table of information requirements in Section 6).
- Natural features that contribute to the landscape character, historic or cultural pattern of land use, and the natural elements that underpin it (such as field boundaries, hedgerows, trees) will be retained wherever possible, and any mitigation measures (such as planting and screening) designed to complement them.

The **Development Management** team will:

- Require information proportionate to the nature of the proposal and the sensitivity of its location
- Plot screening requests and development proposals so that the cumulative effects of development can be identified at an early stage

In undertaking landscape and visual impact assessment, all parties will have regard to:

- Guidance and good practice promoted by the Landscape Institute
- Devon Landscape Policy Group [Advice Note 2](#) , guidance on landscape sensitivity and siting of solar PV developments

## 4.5 Local Amenity

The presence of solar panels may impact on other land uses and users close by. The significance of this will vary, but assessment of local visual impact may be necessary.

Key factors developers will need to consider include:

- Proximity – how far the solar panels are from the property in question
- Screening – where solar panels are screened by vegetation or other buildings their impact is lessened
- Orientation – direct views are considered more likely to cause harm than oblique ones (includes the orientation of the windows of the house, the location and orientation of external amenity areas and the orientation of the approach to the house)
- Spread of development – where the solar panels occupy a significant proportion of the view, this increases impact

- Potential impacts from glint and glare

#### **Development Management Principles: Visual Amenity**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 3: Renewable Energy; Strategic Policy 20: Promoting High Quality Design

[Saved Policy](#) BE17: Potentially polluting activity

**Developers** will be required to identify likely visual impacts on nearby properties, with special reference to dwellings. Where a visual impact assessment (VIA) is required it should consider all aspects of the development including the impact of the panels; ancillary structures; lighting and security measures where relevant. The assessment should:

- Identify those properties within a zone of theoretical visibility where a potential impact on visual amenity may materially affect living conditions
- Provide evidence of a field survey to gather information on the orientation of each property; location of gardens and opportunities for views
- The nature of existing views from the property and its garden
- Views experienced when approaching or departing from the property
- Where there is more than one array consider the interaction between them and the impact on views

**The Development Management** team will:

- Plot EIA screening requests and planning applications for renewable energy development in order to identify possible conflicts with other land users/potential land users

## **4.6 Historic and Cultural Environment**

West Devon has a valuable and varied historic and cultural heritage, known collectively as heritage assets. There are over 2,200 listed buildings, 25 conservation areas, 172Ha of listed parks and gardens as well as a host of scheduled ancient monuments and sites of value for their archaeology. A small area of the Tamar Valley World Heritage Site also falls within West Devon, where the mining heritage and cultural landscape is unique.

Assessing the sensitivity of historic landscapes to solar energy development is covered in Devon Landscape Policy Group [Advice Note 2](#)

Solar development can have impacts of two types: direct site related impacts, usually the result of ground and construction work associated with activities such as trenching, drainage, drilling foundations, access arrangements and heavy plant movements; and, impacts on the setting of historic

and cultural assets, for example, listed buildings, historic parks and gardens and historic field and hedge patterns.

Promoters of development will need to consider the impacts of their proposals on:

- Listed buildings and scheduled ancient monuments
- Conservation Areas
- Archaeological remains – whether scheduled or not
- Historic Parks and Gardens
- Effects on cultural landscapes such as the Tamar Valley, and other traditional features identified through landscape character assessment
- The historic character of towns and villages and their setting within the landscape

Information about the location and nature of historic assets can be found on the [historic environment gateway](#) and from the key contacts listed in Appendix 1.

### **Development Management Principles: Historic and Cultural Heritage**

Most relevant adopted Local Development Plan policies:

[Core Strategy](#) Strategic Policy 17: Landscape Character; Strategic Policy 18: The Heritage and Historical Character of West Devon  
[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; BE5 Important Open Space Within Settlements; Policies BE7-10 Archaeology

**Developers** will need to assess the impact of development on heritage assets, whether formally designated or not.

- Proposals should clearly indicate the location of known heritage assets within the zone of theoretical visibility of the proposal; proposals should respect the heritage sensitivity of the site and its setting using appropriate design, colour and structures sympathetic to it
- Where archaeological remains exist or are suspected, or where there are nearby listed buildings, conservation areas, scheduled monuments, world heritage site or listed park or garden, assessment of impact will be required
- Where impacts are acceptable and development proceeds, care should be taken to screen and protect heritage assets during construction, maintenance and decommissioning activities
- Natural features that contribute to the landscape character, historic or cultural pattern of land use, and the natural elements that underpin it (such as field boundaries, hedgerows, trees) will be retained wherever possible, and any mitigation measures (such as planting and screening) designed to complement them.

Early consultation with the Local Authority Conservation Officer is advised

The **Development Management** team will:



- Plot wind solar PV screening requests and development proposals so that the effects of development (including any cumulative effects) can be identified at an early stage

## 4.7 Site Detail

### *Solar Panels*

To fully judge the impact arising from a solar array, the Local Planning Authority requires detail concerning the nature of the technology to be installed and its properties.

- The size and specification of the panels to be erected
- The nature and design of supporting structures (including colour and finish)
- The total height of panel and supporting frame
- The orientation angle of the panels
- Details of any tracking mechanisms to be utilised
- An assessment of potential glint and glare from panels and supporting structures and the likely lines of reflection, in relation to the trajectory of the sun

### *Soils, Ground Works and Drainage*

Disturbance to soils and ground works associated with construction (for example, trenching, cable laying, movement of construction traffic) can disrupt the ecology of the site, affect drainage and alter the appearance in a way that is detrimental to landscape character. Site leveling and ground works should be kept to a minimum.

Following de-commissioning of a solar array former farm land should be restored to agricultural use or where previously a brownfield or commercial site, restored to enable some acceptable alternative use. Measures taken to secure the frames supporting the panels will need to take account of this, using fixtures that enable the ground to be fully restored. Pile driven or screw anchored bases are likely to be more appropriate than concrete, unless there are archaeologically sensitive assets below the surface.

Large scale solar PV arrays and ancillary development can affect site drainage and surface water run off. Buildings, hard standings and rainfall draining from solar panels can also speed up the rate of surface water run-off and concentrate it on particular areas. There is the potential for new drainage patterns to be established and for soil erosion to occur. Many drainage issues can be overcome by use of swales\ infiltration trenches. The Environment Agency normally recommends a swale (of approximately 2m wide and 0.3m deep) is built half way down a site (in each field) and at the bottom of the site to collect and store surface water run off. Swales should follow natural site contours.

The impact of development on existing streams and watercourses should be carefully evaluated. All streams, watercourses, wells and bore holes on the site should be identified prior to development, and an assessment made of the likely impact on them. Culverting existing watercourses and/or drainage ditches should be avoided. Where culverting is for access is unavoidable it should be demonstrated that

no reasonable alternatives exist and the culverting should be a temporary measure during the construction period..

The Local Planning Authority will support the use of Sustainable Urban Drainage systems (SUDS) where additional drainage infrastructure is required. Devon County Council is responsible for managing local flood risk in Devon from surface water, ordinary watercourses and groundwater. Further information can be found on the County Council's [local flood risk management](#) web site pages.

### **Development Management Principles: Soils, Ground Works and Drainage**

Most relevant Local Development Plan policies:

[Core Strategy](#) Strategic Policy 21: Flooding

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; Policy BE17: Potentially Polluting Activity

**Developers** will be required to:

- Minimise disturbance to soils during construction, operation and maintenance of solar arrays
- Undertake early survey work to identify all water sources, wells, boreholes, streams etc. and assess their vulnerability to development. Measures to protect and/or enhance water sources and drainage systems should be included with any planning application.
- Seek to minimise the creation of permanent tracks and hard standing; the installation should be capable of being serviced by agricultural vehicles or 4WD
- Manage operations that require the movement and/or storage of soil within the site so that the resources can be re-used in site restoration following construction. Details of soil movement and storage and proposals for restoration of the site should be included with any planning application
- Use pile or screw driven anchorages for panels, unless circumstances indicate otherwise
- Provide an assessment of potential impacts on drainage and surface water run off. Advice should be sought from the Environment Agency regarding the need for flood risk assessment.

### ***Land Management***

Ideally, land developed for solar arrays should be retained in some form of active agricultural use, or use that fits the landscape character of the area. This will necessitate attention to the density, spacing and height of solar panels, so that land between rows can be successfully managed and sufficient height is given to enable some continuing agricultural use to occur eg grazing by sheep or poultry. This will help prevent vegetation between the panels from becoming overgrown and is a more sustainable alternative to mulching or plastic to suppress growth. Existing pasture and ground cover should be retained wherever possible, to minimize disturbance to the site. Where solar panels are de-commissioned,

attention should be given to measures to conserve and enhance its environmental value as part of restoration.

The existing vegetation cover of the site is important for wildlife, hydrology, agriculture and ground cover. Care will need to be taken to ensure hedgerows and trees do not grow to sufficient size during the lifetime of the development to overshadow the solar panels and reduce their efficiency. Panels should not be located where they are likely to require the felling of trees and hedgerows, either at the start of development or during the operational lifetime of the scheme. Panels will therefore need to be set back from hedgerows and trees so that this does not happen. A buffer zone will also provide access for hedgerow management.

Existing hedges, trees and woodlands can be enhanced to improve screening and security.

### **Development Management Principles: Land Management**

Most relevant Local Development Plan policies:

[Core Strategy](#) Strategic Policy 21: Flooding

[Saved Policy](#) NE10: Protection of the Countryside and Other Open Spaces; Policy BE17: Potentially Polluting Activity

#### **Developers will:**

- Design for some form of continuing agricultural use as part of solar array development, unless the nature of the site precludes this. Where the use of land beneath panels cannot be secured for agriculture, biodiversity/habitat enhancement will be the primary objective.
- Avoid loss of vegetation and important field boundaries, hedges, trees etc. and put in place a management plan to control vegetation growth in a manner sympathetic to landscape character
- Identify a buffer zone between hedge rows and solar panels, to allow access for hedgerow management.

#### **The Development Management Team will:**

- Ensure through appropriate planning conditions that the site will be restored to agricultural use (if formally farm land) or other appropriate use following de-commissioning

### ***Fencing and Security Measures***

Some form of fencing is likely to be required to secure and insure the site. It is important that the visual impact of fencing is kept to a minimum and respects the field pattern and rural context of which it is a part, for example, by avoiding sub division of fields. It should be designed to take advantage of natural features such as hedgerows that can both screen fencing and re-inforce security. The opportunity to create new hedgerow and natural boundary features as part of security arrangements should be explored, using native species and local materials. Where new fencing is required, open link fencing is preferred, so that views across the landscape can be maintained. The height of fencing should be minimized, to a level consistent with security and compatible with other natural features in and around the site. The aim will be to avoid introducing fencing that protrudes above other landscape features.

The design and permeability of fencing will need to be sensitive to wildlife movement and installation of special features such as badger gates may be necessary.

The use of permanent security lighting and CCTV is discouraged, particularly in those “dark sky” areas that are characteristic of rural areas. Lighting that is deemed necessary should be located to minimize light pollution and should use passive infra red technology that triggers lighting only when required.

### **Development Management Principles: Security and Fencing**

Most relevant Development Plan policies:

[Core Strategy](#): Strategic Policy 20: Promoting High Quality Design

[Saved Policy](#): NE10: Protection of the Countryside and Other Open Spaces; Policy BE10: Potentially Polluting Activity

**Developers will:**

- Ensure that the impact of fencing and security measures on landscape and wildlife is minimized, both as part of construction (eg site compounds for plant, machinery) and operation.
- Provide elevations and sufficient detail to determine the impact of fencing and security measures on the landscape and visual amenity.
- Provide an inventory of lighting and surveillance equipment, including details of the technology employed and proposed mode of operation.

### ***Ancillary Development***

It is important that housing for invertors and other buildings, such as control rooms is kept to a minimum and is sensitively located. Buildings should be located in a manner that respects the topography of the site, avoiding locations with undue prominence and taking advantage of existing screening and site features. Ancillary buildings should be designed to reflect their (usually) rural location and landscape setting, making use of natural materials in construction.

### **Development Management Principles: Ancillary Development**

Most relevant Development Plan policies:

[Core Strategy](#): Strategic Policy 20: Promoting High Quality Design

[Saved Policy](#): NE10: Protection of the Countryside and Other Open Spaces

**Developers** should ensure the scale and design of ancillary development reflects the landscape character of the location and is unobtrusively located within the site. Natural materials should be used in construction wherever possible.

## 5 Community Issues

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### 5.1 Community Engagement

The 'community' is likely to be made up of many different interest groups, which will come together for a whole variety of reasons. There will be community groups representative of small towns and villages, as well as community groups brought together by shared interests in a topic or issue. Community groups will also vary in their organisation, capacity and knowledge of formal decision making processes. The Council is keen to ensure that all types of group are able to make their views known effectively and good opportunities are provided for this. As a matter of good practice the community should be engaged before a planning application is submitted

Effective dialogue about solar PV proposals between developers, the local authority, stakeholders, local communities, interest groups and statutory consultees is essential to tease out issues of concern and discuss options for mitigation and provision of any benefits to the local area. The scale of public engagement required will vary according to the scale of the proposal and the controversy any proposal is likely to generate. Prospective developers of commercial scale schemes need to be aware of the time required for effective engagement and allow sufficient time in their project planning to allow for responses.

### 5.2 Community Benefits

The Government is currently consulting on the nature of community engagement and community benefits. This section of the guidance will be updated once the Government's response is available.

Solar PV development has an impact on the local environment and communities. Schemes should be acceptable not only in land use terms but also have clear and direct benefits for those who live and work in the area. The Council will seek to secure benefits for communities affected by large scale renewable energy development. Local benefits can take a number of forms, from goodwill funding (lump sum payments; annual revenue payments) to agreed actions (benefits in kind; community equity stakeholding; local contracting). Other community benefits may be negotiated as part of the planning application process, for example, site conservation and habitat creation; improved footpath or bridleway access; educational visits; planting and woodland enhancement. In order to establish appropriate local benefits, the developer needs to be able to identify community representatives with whom to undertake discussions and negotiations. The Council will facilitate this dialogue where possible and will encourage all prospective renewable energy developers to enter into an agreement with the local community early in the process. It is for the community to decide on the appropriate benefits it wishes to pursue and to ensure that arrangements are in place to safeguard the management and disbursement of any financial contribution(s).

## Development Management Principles: Community Engagement and Community Benefits

The **developer** will:

- Identify the community(ies) affected by proposals
- Plan for effective community engagement to address community concerns, identify mitigation measures and the nature of community benefits

The **Development Management** team will:

- Facilitate negotiation to secure benefits for communities affected by commercial solar PV development
- Where proposals are likely to generate local controversy seek the commitment of developers to prepare a community engagement plan, identifying key stages in the development and the steps to be taken at each stage to engage those affected

### 5.3 Community Schemes

There is the opportunity for communities to bring forward their own renewable energy generating proposals and there is considerable interest in renewable energy schemes. Community owned

#### Community Ownership Models Cooperative Share Offers

A developer offers the project for cooperative investment at the construction stage. The offer could be for the entire project, a share of the entire project, or for 1 or more panels in a larger project. Investors receive a rate of return over the project's life, plus the return of their capital at the end of the project. This model only benefits those able to invest.

#### Social Enterprise Models

The project is community initiated and involved in the development process. If a small project it may be owned and managed by the community. A larger project is likely to be managed and owned by a specialist social enterprise company for the benefit of the community. Profits must be allocated to a stated social cause such as carbon reduction and sustainability initiatives. The project can be funded by grants, cooperative share offer, commercial loans or a combination of these

generation can extend the benefits of renewable energy to households in the form of cheaper energy; revenue streams; employment and has the benefit of retaining the wealth generated by the investment within the local community. Many community groups are already working on energy related activities, pursuing behaviour change, demand reduction and energy efficiency measures in addition to promoting renewable energy.

The Authority is keen to assist community renewable energy and demand reduction schemes wherever possible, particularly in the context of Neighbourhood Plans and Community Plans. These plans are a vehicle for local discussion and involvement in

projects and can be used to find sites for renewable energy development acceptable to most of the community. The Council and other partners are working through the South West Devon Community Energy Partnership to help support, coordinate and promote local energy related community projects. Case studies, advice and links to community organisations can be found on the South West Devon Community Energy Partnership [web site](#) and the web site for the SEACS<sup>2</sup> project.

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<sup>2</sup> Sustainable Energy Across the Common Space: A European funded project bringing together partners in Devon, Dorset, Wiltshire and France to address energy issues



## 6 The Planning Application Process

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### 6.1 Pre Application Discussions

Potential developers are strongly advised to discuss their proposals with the Local Planning Authority before submitting a planning application. Pre-application enquiries and discussions will require a location plan, an indication of the scale of the proposal, the estimated generating capacity, the height of the panels and the boundary treatment. This will enable planning officers to:

- Indicate if there are any sensitive site features that need to be taken into account
- Provide information on the supporting material that will be required with any planning application
- Identify what consultation will be required; and
- Discuss how the application will be managed, and the likely length of time to reach a decision

Pre-application discussions can avoid delay to planning applications, clarify matters that will need to be considered and advise on sources of information, for example:

- By giving an informal opinion on the likelihood of an EIA being required.
- Advice on the up to date policy context
- Key contacts and consultees; information the Local Authority holds
- Flush out important issues at an early stage

Prospective developers should read the [pre-application advice](#) located on the Local Authority's web site. There is no charge for an initial scoping meeting with officers. If a prospective applicant decides to continue with the pre-application service then the relevant fee must be submitted, along with any plans or information agreed with officers at the scoping meeting.

### 6.2 Decision Making

Planning decisions are made in one of two ways:

- Planning officers will prepare reports setting out the positive and negative impacts arising from development, with a recommendation for granting, or refusing, planning permission. This is then taken before the Development Management Committee for Councillors to determine.
- A decision is delegated to a Planning Officer, in accordance with a scheme of delegation.

Both decision making routes will include extensive consultation with stakeholders, statutory consultees and other interested parties.

In some circumstances individual may address the Development Management Committee. The arrangements for this are set out on the Council's web site.



### 6.3 Making a Planning Application

Planning applications can be made either in person at the Local Planning Authority, or on line via the [planning portal](#). Registration of the planning application will depend on whether all the information required by the planning authority is submitted with it. This checking of submitted information will occur during the validation process.

**The assessment processes that are required for most free standing solar PV development means that the Local Planning Authority will only accept full planning applications for this type of development.**

### 6.4 Planning Application Fees

A planning application for a small domestic solar PV array in a garden or on a house will be treated as householder application falling within Category 6 - *The enlargement, improvement or other alteration of existing dwellinghouses* or 7 - *The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for the purposes ancillary to the dwellinghouse* of the Fees Regulations. In these cases the fee for the submission of a planning application will be a flat rate of £172.

Larger non domestic solar PV arrays will normally be regarded as category 5 operations for fee purposes -*The erection, alteration or replacement of plant or machinery* . The planning application fee for a single non domestic solar array, or multiple solar arrays, can be calculated by combining the area of land over which the panels relate with the area of the footprint of any ancillary structures and associated engineering works (such as underground cable).

On a site of no more than five hectares, for example, a planning application fee of £385 would be charged for each 0.1 hectare of land (or part thereof) Using land within the perimeter of a solar array for agriculture would not require planning permission for change to a mixed use.

On sites larger than 5 hectares a fixed planning application fee of £19,049 is payable with an additional £115 for each 0.1 hectares (or part thereof) in excess of the first 5 hectares, subject to a maximum total of £250,000.

Planning application fees are subject to change. While efforts will be made to ensure the content of this guidance is up to date, applicants are advised to check relevant fees on the [planning portal](#).

### 6.5 Planning Application: Accompanying Information

The information that must accompany the planning application is set out below. This information is necessary to allow the Local Planning Authority to fully and effectively assess the likely impact of the development during construction, operation and de-commissioning.

The lifespan of solar panels and the fact that feed in tariff is payable for 20 years means the Local Planning Authority will treat applications for solar arrays as temporary development and will use planning conditions to limit the duration of the permission and to secure site restoration after de-commissioning.

A planning application must be accompanied by the following core information:

- A location plan (1:1250) The area(s) of land requiring planning permission should be outlined in a red line. Land within the control or ownership of the applicant should be outlined in blue.
- A site plan (1:500): Details of: the make of panels, generating capacity, physical size, supporting structures and any tracking devices used to orientate panels to the sun.
- Elevation(s) of panel(s) and details of their levels
- Details of any ancillary works (access, construction details) or buildings proposed, including elevations
- Design and access statement (where required)
- A supporting statement
- Fencing specification and details (where applicable); details of security lighting and any other measures
- Details of grid connection
- When an EIA is required, an Environmental Statement with necessary information shall be submitted. Where an EIA is not required, any information identified as part of the screening decision
- An ecological assessment
- A landscape and visual impact assessment
- A historic environment statement
- Transport and construction management plan
- A vegetation management plan
- Surface water management plan (where required)

### Minimum Information Requirements: Assessment of Impacts

This table is included for general guidance only. The precise detail of information required may differ according to the siting and location of solar panels; for example, if EIA is deemed necessary for relatively small scale development by virtue of likely impacts.

Impact	Very Small	Small	Medium	Large	Very Large
	Less than 1Ha	1-5Ha	>5-10Ha	>10-15Ha	15Ha+
Residential Visual Amenity	<p>Grid reference of location.</p> <p>The number, make and design of panel; height of proposed supporting frame and security measures; distance of array to curtilage of nearest properties and location of those properties</p> <p>May require assessment of potential glint and glare</p>	<p>Grid reference of location.</p> <p>The number, make and design of panel; height of proposed supporting frame and security measures; distance of array to curtilage of nearest properties and location of those properties</p> <p>May require assessment of potential glint and glare</p>	<p>Grid reference of location.</p> <p>The number, make and design of panel; height of proposed supporting frame and security measures; distance of array to curtilage of nearest properties and location of those properties; orientation of properties and aspects from which the panels can be viewed</p> <p>Assessment of potential glint and glare</p>	<p>Grid reference of location.</p> <p>The number, make and design of panel; height of proposed supporting frame and security measures; distance of array to curtilage of nearest properties and location of those properties; orientation of properties and aspects from which the panels can be viewed</p> <p>Assessment of potential glint and glare</p>	<p>Grid reference of location.</p> <p>The number, make and design of panel; height of proposed supporting frame and security measures; distance of array to curtilage of nearest properties and location of those properties; orientation of properties and aspects from which the panels can be viewed</p> <p>Assessment of potential glint and glare</p>
Biodiversity/Habitat	<p>Identification of natural site features and protected habitats and species present.</p> <p>May require a PEA to establish biodiversity impacts of proposal if site sensitive</p> <p>Potential impacts and mitigation/enhancement measures to be supplied with application</p>	<p>A PEA required and further surveys as necessary</p> <p>Potential impacts and mitigation/enhancement measures to be supplied with application</p>	<p>A PEA required and further surveys as necessary</p> <p>Potential impacts and mitigation/enhancement measures to be supplied with application</p>	<p>A PEA required and further surveys as necessary</p> <p>Potential impacts and mitigation/enhancement measures to be supplied with application</p>	<p>A PEA required and further surveys as necessary</p> <p>Potential impacts and mitigation/enhancement measures to be supplied with application</p>
Landscape and Visual Impact	<p>Information on the landscape character area and the impact of the proposal and any ancillary development on the key characteristics of it</p> <p>Details of design, mountings</p>	<p>Information on the landscape character area and the impact of the proposal and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of</p>	<p>Information on the landscape character area and the impact of the proposal and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of</p>	<p>Information on the landscape character area and the impact of the proposal and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of</p>	<p>Information on the landscape character area and the impact of the proposal and any ancillary development on the key characteristics of it (including assessment of the cumulative impact of</p>

Impact	Impact				
	Very Small Less than 1Ha	Small 1-5Ha	Medium >5-10Ha	Large >10-15Ha	Very Large 15Ha+
	and colour (of both) Elevations and materials for ancillary structures	development)  Identification of a zone of theoretical visibility and photomontages from agreed viewpoints may be necessary  Details of design and colour of, mountings and support structures Elevations and materials for ancillary structures	development);  identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of design, and colour of mountings and support structures. Elevations and materials for ancillary structures	development);  identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of design, and colour of mountings and support structures. Elevations and materials for ancillary structures	development);  identification of a zone of theoretical visibility; photomontages from agreed viewpoints  Details of design, and colour of mountings and support structures. Elevations and materials for ancillary structures
Soils, Hydrology & Land Management	Search to indicate if site in a flood risk zone. Identification of key water sources, bore holes etc  Assessment of impact on surface water run-off and mitigation/management measures  Vegetation management plan	Search to indicate if site in a flood risk zone. Identification of key water sources, bore holes etc  Assessment of impact on surface water run-off and mitigation/management measures  Vegetation management plan	Search to indicate if site in a flood risk zone. Identification of key water sources, bore holes etc and measures to protect them Outline of management processes for movement and/or storage of soils on site  Assessment of impact on surface water run-off and mitigation/management measures  Vegetation management plan	Search to indicate if site in a flood risk zone. Identification of key water sources, bore holes etc and measures to protect them Outline of management processes for movement and/or storage of soils on site  Assessment of impact on surface water run-off and mitigation/management measures  Vegetation management plan	Search to indicate if site in a flood risk zone. Identification of key water sources, bore holes etc and measures to protect them Outline of management processes for movement and/or storage of soils on site  Assessment of impact on surface water run-off and mitigation/management measures  Vegetation management plan
Historic and Cultural Heritage	The site location map to identify known heritage assets and identify likely impacts Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts Desktop archaeological assessment may be required where deposits are known or suspected.	The site location map to identify known heritage assets and identify likely impacts Desktop archaeological assessment may be required where deposits are known or suspected.
Highway Access	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain panels	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain panels	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain panels Traffic management plan showing delivery routes to reach site	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain panels Traffic management plan showing delivery routes to reach site	Details of site access, routes and types/numbers of vehicle movements to install, construct and maintain panels Traffic management plan showing delivery routes to reach site

## Key Contacts

Advice on improving energy efficiency in the home	<a href="http://www.westdevon.gov.uk/article/2974/Energy-Efficiency--Renewable-Energy">http://www.westdevon.gov.uk/article/2974/Energy-Efficiency--Renewable-Energy</a>	01822 813600
Development Management	<a href="http://www.westdevon.gov.uk/article/3548/Planning">http://www.westdevon.gov.uk/article/3548/Planning</a>	01822 813600
Planning Policy	<a href="mailto:Sw-strategicplanning@swdevon.gov.uk">Sw-strategicplanning@swdevon.gov.uk</a>	01822 813600
Building Control	<a href="http://www.teignbridge.gov.uk/dbcp/index.aspx?articleid=11686">http://www.teignbridge.gov.uk/dbcp/index.aspx?articleid=11686</a>	01626 215793

## Glossary of Terms

Amenity	Quality that makes living conditions pleasant or agreeable
Biodiversity	Term used to describe the variety of life on earth – a convenient contraction of ‘biology’ and ‘diversity’
Cumulative impact	Additional changes caused by a proposed development in conjunction with other similar developments or as the combined effect of a set of developments, taken together
Development Management	The Local Authority service that manages development through advice on proposals and planning applications
Kilowatt (kW)	One thousand Watts of electricity
Kilowatt-hour (kWh)	One thousand Watt-hours
Landscape Assessment	An assessment that examines changes to the landscape as a resource and the way in which change affects different components of the landscape
Local Plan	A plan that sets out where development can happen in the District (for the area outside of the Dartmoor National Park, which has its own plan)
National Planning Policy Framework	A document published in March 2012 setting out the Government’s policies for planning, which Local Authorities must follow
Megawatt (MW)	One million Watts of electricity
Photovoltaic Panel/Cell	Device formed of materials capable of converting sunlight directly into electricity (direct current)
Renewable Energy	Energy generated from sources that are naturally replenished, such as wind and solar power, geothermal, hydropower and biomass
Supplementary Planning Document	A document that gives more detailed interpretation of a policy in a Local Plan
Sustainable	Term used to describe decisions or actions that meet the needs of today without compromising resources for the future
Visual Impact Assessment	Assessment that makes a judgement about the how the surroundings of individuals or groups of people may be affected by change in the landscape
Watt	The electrical unit of power
Zone of Visual Influence (ZVI)	The ZVI is shown on a map and indicates the locations from which installations can be seen



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# **Micro Scale Wind Turbines and Permitted Development**

## **A Guide for Property Owners in West Devon**

(Outside the Dartmoor National Park)



**West Devon  
Borough  
Council**



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# 1 Introduction

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The Government has set targets to increase the amount of energy generated from renewable sources. Local Authorities, through their role in supporting communities and granting planning permission, are expected to play a role in this. More small scale generation of heat and power is being encouraged.

This guide is designed to help householders understand the issues surrounding wind turbine development, and to offer guidance on when installations require planning permission or other consents. The guidance is for residents in West Devon, but outside of the Dartmoor National Park.

## 2 Getting Started

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### 2.1 Domestic Wind Turbines



There are two main types of domestic wind turbines – roof mounted directly onto the building, or free standing, mast mounted systems. Other forms of technology are available and the advice in this leaflet may change as new technologies emerge. Roof mounted turbines are often smaller than mast mounted systems and are typically around 1-2kW in size. Mast mounted turbines tend to be more effective and are generally 2.5kW-50kW in size.



### 2.2 Choosing Your Site

The amount of energy you can generate will depend on the wind speed. For a domestic wind turbine to be viable will require average wind speeds at least 5m/sec, in an area free from obstacles that might create turbulence or slow air movement.

Factors to consider:

- Are you in a windy area?
- Is the area free from other buildings, trees or obstructions that might cause turbulence?
- Is your property structurally suited to installation of a turbine?



The most important factor determining the location of a wind turbine is wind speed. The UK has one of the best wind resources in Europe. There are a number of on-line resources (see overleaf) that will give an indication of whether your location is windy enough for a turbine. It may be necessary to follow this up with more detailed monitoring, as wind speed is highly

dependant on ground conditions, topography and land form and measurement over a period of time may be required to accurately evaluate site potential.

The [Annual Mean Wind Speed Map](#) and wind speed data can be downloaded from the Department of Climate Change and Energy website. The met office also provides a ['virtual met mast'](#) wind data service. Further information on [wind resource potential](#) and energy density is also available from the renewable energy agency RegenSW.

It is also important to consider at an early stage what the impact of your proposal may be on your neighbours and to seek advice about the need for planning permission or other consents. Before installing a domestic wind turbine it is important to make sure your home is as energy efficient as possible. That way you will get the most from your investment.

Before installing a wind turbine it is advisable to think about the way you use energy and the energy saving measures you could install first. This is a more cost effective way of reducing energy bills in the first instance and reflects the 'Energy Hierarchy' – reduce demand for energy; use energy efficiently; use low carbon or renewable sources of energy. Further information about this can be found from the links given at the end of this document.

### **3 Financial Incentives**

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To stimulate renewable energy generation at home, the Government has introduced the Feed in Tariff (FiT). This pays householders for every KWh of electricity generated, regardless of whether it is used in the home or not, and also gives a payment for electricity exported to the grid. Payments are made for a 20 year period and are index linked. Tariff tables and eligibility dates for applications to the scheme are published on the [ofgem](#) web site.

To qualify for the feed-in-tariff scheme the installer and products used must both be certified under the [Microgeneration Certification Scheme](#) (MCS).

### **4 Do I Need Planning Permission or Other Consents?**

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In some cases it is possible to install domestic wind turbines without the need for planning permission, so long as certain criteria are met. This is termed "permitted development". Permitted Development Rights derive from a general planning permission granted not by the Local Authority, but by Parliamentary legislation. The information in section 4.1 offers general advice; as there are many terms and conditions that apply to Permitted Development legislation you are strongly advised to contact the Council to seek confirmation your proposals can proceed without a planning application.

## 4.1 Wind Turbine: Building Mounted

The tables below are sourced from the [Planning Portal](#). **ALL** of the criteria below must be met:

- Permitted development rights for building mounted wind turbines apply only to installations on detached houses (not blocks of flats) and other detached buildings within the boundaries of a house or block of flats. A block of flats must consist wholly of flats (e.g. should not also contain commercial premises).
- Development is permitted only if the building mounted wind turbine installation complies with the [Microgeneration Certification Scheme Planning Standards](#) or equivalent standards. [Read more about the scheme.](#)
- [An Aviation Safeguarding Tool](#) can be used to check whether the installation will be on safeguarded land. The installation must not be sited on safeguarded land.
- Only the first installation of any wind turbine would be permitted development, and only if there is no existing air source heat pump at the property. Additional wind turbines or air source heat pumps at the same property requires an application for planning permission.
- No part (including blades) of the building mounted wind turbine should protrude more than three metres above the highest part of the roof (excluding the chimney) or exceed an overall height (including building, hub and blade) of 15 metres, whichever is the lesser.
- The distance between ground level and the lowest part of any wind turbine blade must not be less than five metres.
- No part of the building mounted wind turbine (including blades) must be within five metres of any boundary.
- The swept area of any building mounted wind turbine blade must be no more than 3.8 square metres.
- In Conservation Areas, an installation is not permitted if the building mounted wind turbine would be on a wall or roof slope which fronts a highway.
- Permitted development rights do not apply to a turbine within the curtilage of a Listed Building or within a site designated as a Scheduled Monument or on designated land\* other than Conservation Areas.

In addition, the following conditions must also be met. The wind turbine must :

- use non-reflective materials on blades.
- be removed as soon as reasonably practicable when no longer needed for microgeneration.
- be sited, so far as practicable, to minimise its effect on the external appearance of the building and its effect on the amenity of the area.

*\* Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, and World Heritage Sites.*

**You are advised to check with West Devon Borough Council whether all of these limits and conditions will be met.**

## 4.2 Wind Turbine: Stand Alone

The installation, alteration or replacement of a stand alone (not building mounted) wind turbine within the boundaries of a house or block of flats can be considered to be permitted development, not needing an application for planning permission, provided **ALL** the limits and conditions listed below are met.

A block of flats must consist wholly of flats (e.g. should not also contain commercial premises).

Limits to be met:

- Development is permitted only if the stand alone wind turbine installation complies with the [Microgeneration Certification Scheme Planning Standards](#) or equivalent standards. [Read more about the scheme.](#)

- The [Aviation Safeguarding Tool](#) can be used to check whether the installation will be on safeguarded land. The installation must not be sited on safeguarded land.
- Only the first installation of any wind turbine would be permitted development, and only if there is no existing air source heat pump at the property. Additional wind turbines or air source heat pumps at the same property requires an application for planning permission.
- The highest part of the stand alone wind turbine must not exceed 11.1 metres.
- The distance between ground level and the lowest part of any wind turbine blade must not be less than five metres.
- An installation is not permitted if any part of the stand alone wind turbine (including blades) would be in a position which is less than a distance equivalent to the overall height of the turbine (including blades) plus 10 per cent of its height when measured from any point along the property boundary.
- The swept area of any stand alone wind turbine blade must be no more than 3.8 square metres.
- In Conservation Areas, development would not be permitted if the stand alone wind turbine would be installed so that it is nearer to any highway which bounds the curtilage (garden or grounds) of the house or block of flats than the part of the house or block of flats which is nearest to that highway.
- Permitted development rights do not apply to a turbine within the curtilage of a Listed Building or within a site designated as a Scheduled Monument or on designated land\* other than Conservation Areas.

In addition, the following conditions must also be met. The wind turbine must:

- use non-reflective materials on blades.
- be removed as soon as reasonably practicable when no longer needed for microgeneration.
- be sited, so far as is practicable, to minimise its effect on the external appearance of the building and its effect on the amenity of the area.

*\* Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, and World Heritage Sites.*

**You advised to check with West Devon Borough Council whether all of these limits and conditions will be met.**

It is advisable to check the need for planning permission with the [Development Management team](#) at the Council offices, particularly if you live in a listed building, conservation area or World Heritage Site (see key contacts at the end of this document).

If your property is a listed building, you will require **listed building consent** before equipment is installed. This will be in addition to any planning permission that may be needed. English Heritage has published useful [guidance](#) on micro wind generation and traditional buildings.

Even if your wind turbine does not require planning permission, **Building Regulations** will normally apply, to ensure the building can cope with the loading and stress a wind turbine may produce. Building Regulation approval may also be required for other aspects of the work such as electrical installation. The [Devon Building Control](#) partnership can offer advice.

## 5 Other Considerations

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### 5.1 Removal of Permitted Development Rights

You will need to check if there are any conditions attached to a property, perhaps as part of an original planning permission. Planning conditions and other mechanisms are sometimes used to remove permitted development rights from properties. In addition many areas designated for their landscape, conservation or wildlife/habitat value do not automatically have Permitted Development Rights.

You can check with the Development Management team (contact details below).

### 5.2 The Surrounding Environment

West Devon is well known for its high quality environment and much of the District is designated for its landscape or special environmental qualities. Domestic scale wind turbines could potentially impact on these special qualities, particularly in the Areas of Outstanding Natural Beauty that cover 38% of the District and more locally where the nature and quality of the built environment underpins the character of villages and the rural areas .

Living in an area designated for its environmental value need not prevent investment in domestic installations. It will however be important to ensure that the special qualities that underpin the designation are not compromised, while allowing for development that supports sustainable living in the area. This will mean making sure you take steps to consider the impact of your proposals on the area and the design, colour and siting of wind turbines is sympathetic to its surroundings. Some basic guidance is given below.

#### Wind Turbine: Building Mounted

A wind turbine can affect the setting and appearance of a building. This is particularly important if a structure is a listed building or is located in a conservation area or village where traditional building form predominates. The amount of energy a turbine will generate will depend on how high it projects above the building; in general the higher the turbine is above the roof, the greater the power output (height restrictions apply if a turbine is being erected as permitted development – see above).

Turbines are best fixed to gable end walls. Chimneys are not generally built to a standard to withstand the stress and loading of a turbine, and are best avoided, especially in older buildings. To minimise damage to buildings, fixing brackets should use the minimum number of fixing holes.

Noise is not usually an issue with domestic turbines, but you are advised to consult with neighbours to inform them of your plans and to take their concerns into account when deciding on your turbine's location and position.

The presence of wildlife in and around buildings also needs to be considered if you are thinking of a building mounted installation. Many birds are species of conservation concern and some are protected by National and European legislation. Retrofitting renewable energy devices can result in loss of nest sites for birds and affect roost/maternity sites for bats. Bird strike may also be an issue for roof nesting birds. The RSPB recommends good practice such as carrying out work outside of the



nesting season. Impact on birds should be avoided and specialist advice sought prior to any works. Information on birds and buildings can be obtained from the [the RSPB](#). Further advice is available from [this link](#)

Attention is drawn to the potential for presence of bats within roofspace. If bat/s are discovered during installation of a turbine, work should stop immediately and advice should be sought from a suitably qualified ecologist or from the Bat Helpline (01845 1300 228). Bats are protected by legislation and it is a criminal offence to disturb them or to damage or destroy their breeding sites and roosts.

If your turbine requires planning permission or other consents, the Development Management team will advise on the information and issues that will need to be covered.

### **Wind Turbine: Stand Alone**

Turbines designed to serve a dwelling or small holding are unlikely to have significant landscape and visual impacts. However, it is important to carefully think about:

- **The surroundings:** Take into account the extent to which your turbine may be visible from viewpoints surrounding the site, roads and rights of way approaching the site, and the location of any other properties close to it. Consider siting the turbine where it is not going to be a prominent feature in the landscape or be close to neighbours.
- **Noise:** Noise and other nuisance (such as flicker effects) can sometimes be an issue. Check that the noise generated by your turbine is unlikely to cause a nuisance to neighbours or other users of land. Choose a location that minimises any likely impact.
- **The works that will be needed:** Turbines will need foundations, cabling (and, if connecting to the grid) a grid connection. Access will be required for machinery to excavate the necessary footings and cable trenches. You may wish to minimise the extent of disruption to land and consider how it can be restored while still allowing access for maintenance during its working life and its ultimate removal once it ceases to generate.
- **The impact on the natural environment and wildlife:** Trees, hedges and other natural features are important contributors to 'sense of place' and are also habitat features that support wildlife and provide 'green routes' for animal movement. Removal of vegetation can affect the character of an area, particularly if trees are prominent visual features both from within and outside of the curtilage. Consequently, felling or lopping trees needs careful consideration. If removing or lopping trees is likely to have minimal impact on the character of the area, check that they are not subject to a tree preservation order. Trees in conservation areas will need consent for felling or lopping.

The advice regarding the impact of proposals on bird life set out for building mounted systems is also applicable to stand alone turbines. Current best advice is that to minimise the potential effects on bats, wind turbines should be sited over 20m from hedgerows, trees and potential bat habitat or roosts (including roosts within buildings). Attention is drawn to the protection of bats and their roosts under the Habitats Regulations.

If your turbine requires planning permission the Council is likely to require a more formal assessment of impact that reflects these issues. The Development Management team can advise on the nature and scope of the assessments required.

## 6 If You Think You Need Planning Permission

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If you think you need planning permission for your wind turbine proposals, or are unsure, please contact the Development Management service.

Prior to making a planning application it is important to discuss your ideas with a planning officer. This can help explore options, refine designs and scope the information the officer will need with a planning application. It is common for planning applications to be delayed by the need to collect information after submission. By flushing out potential issues early in the process, delays can be avoided and a better end result achieved. [Pre-application advice](#) is available on the West Devon web site.

### Council Contacts for Further Information (to be added)

Advice on improving energy efficiency in the home		
Development Management		
Building Control		

### Other Sources of Information (to be added)

# **Installing Solar PV or Solar Thermal Panels and Permitted Development**

## **A Guide for Property Owners in West Devon**

(Outside of the Dartmoor National Park)



**West Devon  
Borough  
Council**

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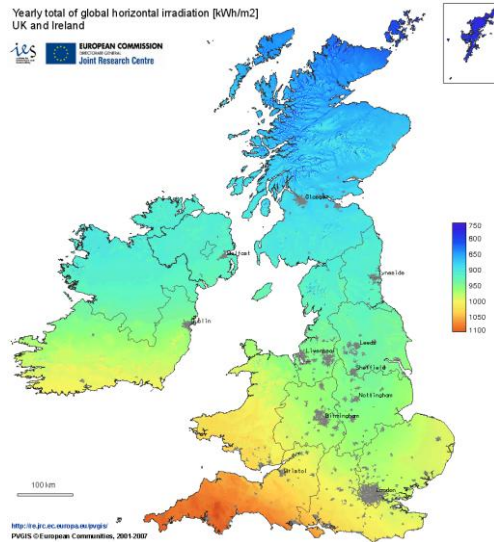
# 1 Introduction

The Government has set targets to increase the amount of energy generated from renewable sources. Local Authorities, through their role in supporting communities and granting planning permission, are expected to play a role in this. More small scale generation of heat and power is being encouraged. Installation of solar pv panels and solar hot water systems is becoming more commonplace.

This guide is designed to help householders decide if their solar energy installations require planning permission or other consents. The guidance is for households resident in West Devon, but outside of the Dartmoor National Park.

# 2 Getting Started

The South West has the best solar resource in the United Kingdom. There are two ways in which the sun's energy can be harnessed for use.



**Solar thermal hot water systems** use roof mounted collectors to capture solar radiation from the sun. They can typically provide about half of domestic hot water requirements over a year. A [full guide](#) to the technology is available from the Energy Saving Trust

**Solar photovoltaic (pv) cells** convert solar energy into electricity which is used to power domestic appliances and is fed into the grid. Further guidance on the technology is available from the [Energy Saving Trust](#). Solar pv systems are made up of panels of about 1.5 square metres which can be bolted together to suit most sizes and shapes of roofs.

Photovoltaic technology can also be integrated into buildings in the form of roof tiles; coatings and films.

TILT degrees	West				South				East										
	90	80	70	60	50	40	30	20	10	0	10	20	30	40	50	60	70	80	90
0	87	88	90	91	92	92	93	93	93	93	93	92	92	91	90	89	87	86	
10	84	87	90	92	94	95	95	96	96	97	97	96	95	94	93	91	89	87	84
20	82	85	90	93	94	96	97	98	99	99	98	97	96	95	93	91	88	84	81
30	78	83	87	91	93	96	97	98	99	100	98	97	96	95	93	89	85	81	78
40	75	79	84	87	92	94	95	96	96	96	96	95	94	92	90	86	82	77	72
50	70	74	79	83	87	90	91	93	94	94	94	93	91	88	83	80	76	73	70
60	65	69	73	77	80	83	86	87	87	87	88	87	85	82	78	74	71	67	63
70	59	63	66	70	72	75	78	79	79	79	79	79	78	75	72	68	64	61	56
80	50	56	60	64	66	68	69	70	71	72	72	71	70	67	66	60	57	54	50
90	41	49	54	58	59	60	61	61	63	65	65	63	62	59	60	52	50	47	44

Before installing a solar system it is **important to make sure your home is as energy efficient as possible.**

That way you will get the most from your investment and are more likely to comply with the necessary energy efficiency ratings required to draw down financial benefits, such as Feed in Tariff.

### 3 Roof Orientation

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The best roofs for solar installations are those with unobstructed south facing aspects, or where the aspect is within 90 degrees of south. Maximum efficiencies are achieved with a southerly orientation and a tilt of about 30 degrees. The roof should be free of shadows thrown by trees, chimneys and other buildings as this will reduce the amount of sunlight reaching the panels. With some installations shadowing affecting one panel will reduce the efficiency of the whole system. The possibility of vegetation growing and preventing light reaching panels during the lifetime of the system should also be taken into account. Other risk factors, such as the possibility of nearby development may also need to be factored in to a decision on location.

### 4 Financial Incentives

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To stimulate renewable energy generation at home, the Government has introduced the Feed in Tariff (FiT). This pays householders for every kWh of electricity generated, regardless of whether it is used in the home or not, and also gives a payment for electricity exported to the grid. Payments are made for a 20 year period and are index linked. Tariff tables and eligibility dates for applications to the scheme are published on the [ofgem](#) web site. To qualify for the FiT scheme installations must meet a range of requirements; for example, the technology must be installed by an accredited installer and the property must reach a minimum energy efficiency rating to qualify for the highest tariff. More details can be found on the [Energy Saving Trust](#) web site.

The Government is currently consulting on proposals for the Renewable Heat Incentive scheme for domestic properties. This would subsidise householders for installation of certified ground and air source heat pumps, biomass boilers and solar thermal panels. The Government's preferred proposal is to introduce tariff based payments over a seven year period. Payments would be made on the basis of a deemed amount of renewable heat generated, taking into account the circumstances of the property, with the rate paid varying according to the type of renewable technology installed.

### 5 Do I Need Planning Permission or Other Consents?

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In some cases it is possible to install solar panels without the need for planning permission, so long as certain criteria are met. This is termed "permitted development". Permitted Development Rights derive from a general planning permission granted not by the Local Authority, but by Parliamentary legislation. The information below (sourced from the [Planning Portal](#)) offers general advice; as there are many terms and conditions that apply to Permitted Development legislation you are strongly advised to contact the Council to seek confirmation your proposals can proceed without a planning application.

## Solar panels mounted on a house or on a building within the grounds of a house

### All the following conditions must be observed:

- Panels on a building should be sited, so far as is practicable, to minimise the effect on the external appearance of the building and the amenity of the area.
- When no longer needed for microgeneration panels should be removed as soon as reasonably practicable.

### All the following limits must be met:

- Panels should not be installed above the highest part of the roof (excluding the chimney) and should project no more than 200mm from the roof slope or wall surface.
- The panels must not be installed on a building that is within the grounds of a listed building.
- The panels must not be installed on a site designated as a scheduled monument.
- **Wall mounted only** - if your property is in a conservation area, or in a World Heritage Site, panels must not be fitted to a wall which fronts a highway.

## Stand alone solar panels within the curtilage of a dwelling but not on a building

### All the following conditions must be observed:

- The panels should be sited, so far as is practicable, to minimise the effect on the amenity of the area.
- When no longer needed for microgeneration panels should be removed as soon as reasonably practicable.

### All the following limits must be met:

- Only the first stand alone solar installation will be permitted development. Further installations will require planning permission.
- No part of the installation should be higher than four metres
- The installation should be at least 5m from the boundary of the property
- The size of the array should be no more than 9 square metres or 3m wide by 3m deep
- Panels should not be installed within boundary of a listed building or a scheduled monument.
- if your property is in a conservation area, or in a World Heritage Site, no part of the solar installation should be nearer to any highway bounding the house than the part of the house that is nearest to that highway.

**Note** - permitted development rights for solar panels are available for both single houses and buildings which consist solely of flats.

If you are a leaseholder you may need to get permission from your landlord, freeholder or management company.

**You are advised to check with West Devon Borough Council whether all of these limits and conditions will be met.**

It is advisable to check the need for planning permission with the [Development Management team](#) at the Council offices, particularly if you live in a listed building, conservation area or World Heritage Site (see key contacts at the end of this document).

If your property is a listed building, you will require **listed building consent** before equipment is installed. This will be in addition to planning permission if all of the criteria above cannot be met. English Heritage has published useful [guidance](#) on small scale solar energy generation and traditional buildings.

In addition to planning and listed building consent, those planning to install roof mounted systems will need to ensure the roof is strong enough to support the equipment. **Building Regulations** may be required to check the adequacy of the roof strength and to advise on any strengthening work required. Building Regulation approval may also be required for other aspects of the work, such as electrical installation.

## 6 Other Considerations

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### 6.1 The Removal of Permitted Development Rights

You will need to check if there are any conditions attached to a property, perhaps as part of an original planning permission. Planning conditions and other mechanisms are sometimes used to remove permitted development rights from properties. You can check with the Development Management team (contact details below).

### 6.2 The Environment

West Devon is well known for its high quality environment and much of the District is designated for its landscape or special environmental qualities. The installation of solar equipment is development that could potentially impact on these special qualities, particularly in the Areas of Outstanding Natural Beauty that cover 38% of the District.

Living in an area designated for its environmental value need not prevent investment in domestic scale solar installations. It will however be important to ensure that the special qualities that underpin the designation are not compromised, while allowing for development that supports sustainable living in the area. This will mean making sure you take steps to site your solar installation in a way that does not impact on the character of the area and the design, colour and arrangement of panels is kept as simple and uncluttered as possible. Some basic guidance is given below.

Attention is drawn to the potential for presence of bats within roofspaces. If bat/s are discovered before or during installation of panels, work should stop immediately and advice should be sought from a suitably qualified ecologist or from the Bat Helpline (0845 1300 228). It is a criminal offence to deliberately kill, injure or capture bats, or to deliberately disturb them or to damage or destroy their breeding sites and resting places (roosts). On discovering bats, further works may require an European Protected Species Licence to proceed.



The presence of other wildlife in and around buildings also needs to be considered. Many birds are species of conservation concern and some are protected by National and European legislation. Retrofitting renewable energy devices can result in loss of nest sites for birds and affect roost/maternity sites for bats. The RSPB recommends good practice such as carrying out work outside of the nesting season. Impact on birds should be avoided and specialist advice sought prior to any works. Information on birds and buildings can be obtained from the [the RSPB](#). Further advice is available from [this link](#)

### 6.3 Design Considerations

The historic and architectural inheritance of the District contributes to its unique character, appearance and value. Where renewable energy proposals require planning permission or listed building consent, the Development Management team will ensure the nature of proposals, their siting and the materials used, are in keeping with the building and area concerned and the impact is acceptable.

Where planning permission is not required it will still be good practice to have regard to the nature of the panels erected and the impact they may have on the local environment and the amenity of neighbours. The following provides some general guidance:

- The general appearance of a building may be altered by the addition of solar panels. Try to avoid patterns of panel installation that give an unbalanced or cluttered appearance to the roof, taking account of the symmetry and appearance of other neighbouring roofs, the arrangement of windows and other roof features. Where the opportunity arises, joint projects with neighbours may offer better design solutions than two individual projects (and may be cheaper for both householders). The [Transition Totnes](#) website provides an example of a collective purchasing project.
- Take account of the nature of nearby buildings and the materials used in their construction. In many traditional settings the use of panels and frames with low reflective surfaces and anti-glare properties can look better. Similarly, panels and frames with darker surfaces will look less intrusive where slate is the predominant roof material. Generally, darker frames are preferred as they will also result in less contrast with panel colour.
- If an efficient layout of panels is difficult to achieve on the dwelling consider locating panels on an outbuilding or as a small free standing array within the curtilage of the dwelling. Other domestic buildings such as garages, conservatories and workshops can provide alternatives.
- Trees, hedges and other natural features are important contributors to 'sense of place' and are also habitat features that support wildlife and provide 'green routes' for animal movement. Removal of vegetation can affect the character of an area, particularly if trees are prominent visual features both from within and outside of the curtilage. Consequently, felling or lopping trees needs careful consideration. If removing or lopping trees to avoid overshadowing is necessary and is likely to have minimal impact on the character of the area, check that they are not subject to a tree preservation order. Trees in conservation areas will need consent for felling or lopping.

#### 6.4 If You Think You Need Planning Permission

If you think you need planning permission for your solar energy proposals, or are unsure, please contact the Development Management service.

Prior to making a planning application it is important to discuss your ideas with a planning officer. This can help explore options, refine designs and scope the information the officer will need with a planning application. It is common for planning applications to be delayed by the need to collect information after submission. By flushing out potential issues early in the process, delays can be avoided and a better end result achieved. [Pre-application advice](#) is available on the West Devon web site.

#### Council Contacts for Further Information (to be added)

Advice on improving energy efficiency in the home		
Development Management		
Building Control		

#### Other Sources for Further Information (to be added)



## South West Devon Strategic Energy Study: The Evidence Base

D Lash, TA Mitchell, M Wood

Scientist's Report May 2013

### EXECUTIVE SUMMARY

This report comprises an evidence base study, which forms the first stage of a Community Energy Plan for the South West Devon area. It has been produced for the South West Devon Community Energy Partnership (SWD CEP) and has been funded by the *Sustainable Energy Across the Common Space* (SEACS) project. The aim of the SWD CEP is to achieve energy resilience within 10-20 years. The area covered by this evidence base includes the districts of South Hams and West Devon, plus Dartmoor National Park. The area has around 160,000 inhabitants which is projected to rise by 15-20% over the next twenty years. Over this period, the proportion of the population over 65 will increase from one in five to one in three. There are a high proportion of people living in small isolated rural communities. People are generally very happy with living in this area, though there are specific local concerns about the affordability of housing, transport issues such as congestion and a lack of suitable public transport, and a lack of activities for teenagers. Unemployment is low, with the main employment sector varying across the area.

An analysis of current energy use estimates that there is a broadly equal split across the non-domestic, domestic and transport sectors in SW Devon. There are some differences in terms of breakdown in energy use across the different parts of SW Devon, though compared to the national picture the use of non-gas fuels in the homes is higher throughout. This energy consumption results in approximately £0.4 billion being spent on energy in SW Devon – equivalent to about a fifth of the economic output of the area or about 15,000 full time jobs. This is equivalent to about £2,600 per person per year on energy. Unlike when considering energy demand where there was an equal split between domestic, non-domestic and transport, in financial terms over half of the energy spend is on road transport. This is because fuel duty is a significant additional cost. Similarly, when cost is considered electricity becomes relatively more important than other fuels used in buildings such as natural gas or oil.

An estimate was made of the change in energy demand between now and 2022 as a result of both population growth and central government policy. This indicates that overall, energy demand could fall by 13%. Whilst many of the policies which result in this reduction are set by central government, the implementation requires significant action at a local level. In spite of this, it is estimated that the benefits of reductions in energy demand could be more than offset by rises in energy prices, meaning that overall over this period total spending on energy would increase.

There are significant opportunities to reduce energy consumption from buildings. New buildings offer the best potential to deliver high levels of energy efficiency. The building regulations require a minimum level of performance, which is improved upon over time. It would be challenging to require mandatory significant improvements beyond these standards, though encouraging more self-builders could mean that more aspirational standards such as Passivhaus are targeted voluntarily. There are also significant potential opportunities to develop local policy to help ensure "allowable solutions" contributions are used locally. There is much greater potential in tackling existing buildings. The domestic stock in SW Devon is characterised by having a high proportion of homes with solid walls and that are off the gas grid. There are also a high number of large and potentially under-occupied properties. Energy reduction will need to occur through a range of

potential interventions, with the greatest potential from insulating solid walls. There are also large potential longer-term savings if homes could be retrofitted to a standard approaching Passivhaus. Behaviour measures such as purchasing the most efficient domestic appliances or energy saving measures around the house could also save a reasonable amount of energy, at relatively low or no cost. Non-domestic energy use is harder to analyse as it is very dependent on the specific use of a building, though a combination of national policies and pro-active energy management could be expected to lead to reasonable and cost effective reductions in energy use.

Transport is the largest consuming sector of energy in SW Devon. Due to the rural nature of the area, there is a very high dependency on private car use, and for example, most commuting journeys are made by single car drivers. Traditional public transport models are very challenging to implement in rural areas due to low passenger densities and the high level of subsidy required. Going forward, the improving efficiency of vehicles will reduce transport energy use by a modest amount. Savings from other behavioural type measures are potentially very small for the assumptions we have made in this report. There are a number of local schemes in operation, though again their impact at the moment is likely to be small. There is also a lack of detailed local information on people's transport needs. Making more significant reductions in transport energy is likely to require fundamental changes to how people organise their lives across the area, and will only happen if there are attractive alternatives to private car travel.

A review of current assessments of the potential for renewable energy indicates that although a huge step-change in delivery would be required, South West Devon has the natural resources to meet a high proportion of the demand for energy, especially once energy demand is reduced through efficiency measures. Local energy resilience will need to be achieved using a broad mix of technologies, each of which would need to be deployed far more extensively than at present. The technologies with the greatest potential impact are likely to comprise large scale electricity generation, predominantly wind turbines though also PV farms, and building scale renewable heat technologies such as biomass boilers and heat pumps. Each of these technologies has significant barriers to deployment which would need to be resolved.

In overall terms, this evidence base has shown that there is plenty of potential to both reduce energy demand, and to generate more sustainable supplies of energy within the area. Of the opportunities examined here, there is high diversity between the potential measures in terms of impact, cost, number of measures required and whether it is suitable for implementing now or in the longer-term. A series of priority themes and action areas has been identified to take forward to the next steps of the community energy plan. These are:

- **Domestic Retrofit:** Improving the energy efficiency of existing dwellings, generally through fabric measures such as insulation.
- **Domestic behaviour:** Encouraging behaviour measures to reduce energy use in the home, especially around issues of thermal comfort.
- **New Development:** Developing local policy so the benefits of new development are realised in the local area, especially around promoting exemplary self-build projects and the emerging "allowable solutions" policy.
- Reducing energy use from the **non-domestic** sector.
- Reducing **single occupant car travel**.
- **Large Scale Renewable Energy:** Determining the appropriateness of large scale renewable energy generation in SW Devon, and to maximise local benefit where it can be deployed.
- Promoting and implementing **renewable heat technologies** in buildings.
- **Renewable Futures Group:** Keeping abreast of potential opportunities for the area due to new innovations and improvements to emerging technologies.

<b>NAME OF COMMITTEE</b>	<b>Community Services</b>
<b>DATE</b>	<b>25<sup>th</sup> June 2013</b>
<b>REPORT TITLE</b>	<b>Proposal to implement Dog Control Orders in West Devon</b>
<b>Report of</b>	<b>Street Scene Manager</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

This report looks to explore the potential implementation a small number of appropriate Dog Control Orders to cover enforcement throughout West Devon, under the Clean Neighbourhood and Environment Act 2005. This is an exploratory exercise at this stage and does not seek formal endorsement to adopt the new processes. A further report will be brought back to the committee once this initial work has been done.

**Financial implications:**

There would be a cost of approximately £1,500 in order to place legal notices in the local press at the appropriate times during the process. Staff time would be an additional cost mainly relating to time taken to undertake consultation and legal work.

**RECOMMENDATIONS:**

It is recommended that the necessary preliminary work is progressed in order to explore the introduction of appropriate Dog Control Orders across the Borough.

The Council will need to specifically agree to change from using the Dog Fouling of Land Act to the processes set out in the Clean Neighbourhoods & Environment Act 2005.

**Officer contact:**

Cathy Aubertin  
[Cathy.Aubertin@swdevon.gov.uk](mailto:Cathy.Aubertin@swdevon.gov.uk)

**1. BACKGROUND**

- 1.1 West Devon Borough Council employs one part-time Dog Warden who undertakes enforcement under the Dog Fouling of Land Act 1996. His efforts are concentrated entirely in the areas where Town/ Parish Councils make a financial contribution towards his time, and these are:

Bere Ferrers; Chagford; Lifton; Mary Tavy; North Tawton;  
Northlew; South Tawton; Tavistock

## **2. THE CLEAN NEIGHBOURHOOD AND ENVIRONMENT ACT 2005, DOG CONTROL ORDERS**

- 2.1 The Clean Neighbourhood and Environment Act 2005 includes five dog control offences that it is possible to control by Dog Control Orders, and they are:
- Fouling of land by dogs and removal of dog faeces
  - The keeping of dogs on leads
  - Not putting a dog on a lead when directed by an authorised officer
  - The exclusion of dogs from land
  - The number of dogs which a person may take onto any land.
- 2.2 Section 55 of the Act enables Local Authorities or Town and Parish Councils to make orders that apply to offences aimed at the control of dogs to specified land in their area.
- 2.3 Section 57 of the Act provides that Orders may apply to all public land which is open to the air and to which the public are permitted or entitled to have access. There are exemptions to this definition which have been made by the Secretary of State.
- 2.4 Section 59 of the Act allows authorised officers of Local Authority, Town and Parish Councils, and any other authorised person, the right to issue a Fixed Penalty Notice (FPN). In effect, this would allow Town and Parish Councils to authorise their own officers to issue FPNs and, in addition, the Borough Council would be able to authorise officers other than the Dog Warden to issue notices, such as Monitoring Officers and Civil Enforcement Officers.
- 2.5 Section 60 of the Act enables a Local Authority, Town and Parish Councils to specify the amount of fixed penalty in relation to their own Dog Control Orders.
- 2.6 Chagford made early use of the change in legislation and have had a Dog Control Order in place for some time with success.

## **3. THE WAY FORWARD**

- 3.1 It is suggested that officers should report back to Committee with recommendations on the detail of how and where the new Dog Control Orders would be implemented. The basic criteria would start with:
- The offence of failing to remove dog faeces to apply to all public land which is open to the air and to which the public are permitted or entitled to have access.
  - The offence of not keeping a dog on a lead should apply to the main towns, eg Tavistock, Okehampton, North Tawton, Chagford.
  - The offence of permitting a dog to enter land from which dogs are excluded should apply to fenced play parks/ areas and any other land where it could be demonstrated that allowing dogs onto the land would be detrimental to the health and welfare of users.

- 3.2 In order to formulate the Dog Control Orders it is recommended that an informal public consultation event is held, in order to gauge the views of Town and Parishes, before draft Orders are produced.
- 3.3 Once draft Orders are produced, a formal consultation process will follow.
- 3.4 Members may be interested to learn that, during the formal consultation process in respect of Dog Control Orders in South Hams, Dartmoor Commoners and Dartmoor National Park noted that the implementation of the Orders would be more effective if both South Hams and West Devon had Dog Control Orders in place, as moorland is a substantial part of both areas.

#### **4. LEGAL IMPLICATIONS**

- 4.1 The introduction of dog control orders would allow for a consistent approach to dog control throughout the Borough and would replace existing byelaws.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 A cost of approximately £1,500 is required to place legal notices in the local press at the appropriate times during the process. It is intended to fund this from within the Dog Fouling Budget. This year the budget has been established separately so costs can be better monitored, with any variances reported to the Resources Committee quarterly. Staff time would be an additional cost mainly relating to time taken to undertake consultation and legal work.

#### **6. RISK MANAGEMENT**

- 6.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

#### **7. OTHER CONSIDERATIONS**

<b>Corporate priorities engaged:</b>	Community well being; access to services; towards excellence; customer first
<b>Statutory powers:</b>	Clean Neighbourhood and Environment Act 2005
<b>Considerations of equality and human rights:</b>	Not applicable
<b>Biodiversity considerations:</b>	Not applicable
<b>Sustainability considerations:</b>	Not applicable
<b>Crime and disorder implications:</b>	Not applicable
<b>Background papers:</b>	None
<b>Appendices attached:</b>	None

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1.	Residents' reaction	Possible negative reaction to the proposal from residents	3	2	6	↓	Full informal and formal public consultation to be undertaken to allay concerns	C. Aubertin

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 Direction of travel symbols ↓ ↑ ⇄



<b>NAME OF COMMITTEE</b>	<b>Community Services Committee</b>
<b>DATE</b>	<b>25 June 2013</b>
<b>REPORT TITLE</b>	<b>Delegation Of Grounds Maintenance Services To Tavistock Town Council</b>
<b>Report of</b>	<b>Street Care Manager</b>
<b>WARDS AFFECTED</b>	<b>Primarily Tavistock North And South Wards</b>

**Summary of report:**

As an outcome of the Localism Act 2011, Tavistock Town Council applied to deliver parts of the Grounds Maintenance services in Tavistock on land currently maintained by West Devon Borough Council. The works are currently delivered as part of the Council's borough-wide contract with Glendale Grounds Ltd. The Council's Localisation Strategy has been developed as part of a project within the 2015 Transformation Programme and includes mechanisms for allowing services to be delivered or influenced by town and parish councils.

The transfer of work to the Town Council is a new process for the Council, and can be achieved by delegation of a package of work or function. The delegation can be recommended by Committee and then put to Council for a decision.

There is provision in the Glendale contract terms to remove a proportion of work by modification notice.

**Financial implications:**

There should be no direct financial implications, although additional officer time will be needed to administer an additional service provider.

**RECOMMENDATIONS:**

It is recommended that Council be requested to approve the delegation of defined elements of the Grounds Maintenance service function to Tavistock Town Council for the period summer 2013 to March 2015.

**Officer contact:**

Jill Skelton, Street Care Manager  
01822 813654; jskelton@westdevon.gov.uk

## **1. BACKGROUND**

- 1.1 Tavistock Town Council expressed an interest in carrying out some of the Borough Council's functions during sessions held in 2012 to engage local communities in the implications of the Localism Act.
- 1.2 The Borough's tendering process for a new Grounds Maintenance contract was in preparation at the same time as Localism was being introduced, making it possible to include clauses allowing reductions of work during the life of the contract.
- 1.3 The total amount of potential work reduction was capped to make it possible for tenderers to price the contract.
- 1.4 Officers from both councils agreed a package of sites within the town centre where the work is suitable for transfer. In each case, all types grounds work associated with the site would be handed over so that responsibilities remain clear.
- 1.5 All the land involved is owned by West Devon Borough Council. The list of sites is as follows:
  - Kilworthy Park; Meadowlands Leisure Pool; Wharf car park;
  - Bedford car park; Canal Road canal-side; Bank Square;
  - Guildhall toilets area; Chapel Street car park;
  - Russell Street car park; Abbey car park; Brook Street car park
- 1.6 The types of work include grass cutting, hedging, shrubbery maintenance and weed control.
- 1.7 The Glendale contract is initially for two years only, from April 2013 to March 2015 with the possibility of extension. It is proposed that the Service Level Agreement with the Town Council starts in summer 2013 and also ends in March 2015 to allow for review of service provision at that time.

## **2. ISSUES FOR CONSIDERATION**

- 2.1 For this Committee to consider making a recommendation to Council for delegation of a function in line with the Council's Localisation Strategy.

## **3. LEGAL IMPLICATIONS**

- 3.1 Section 101 of the Local Government Act 1972 allows the council to delegate a function to another local authority and a town council would come within this definition. It is the only available option during the course of an existing contract and for works of this value.
- 3.2 This Committee has the power to recommend a delegation of function, which can only be decided finally by the Council.
- 3.3 If approved, an agency agreement will be entered into between the two councils.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There should be no direct financial implications, although there is additional officer time to be absorbed through the need to administer and monitor two contractors instead of one.
- 4.2 The Glendale Grounds Maintenance contract has an annual value of approximately £90,000. A package of suitable works for transfer has been compiled to the value of 10% of the contract value, i.e. approximately £9,000 per year. Work carried out by Tavistock Town Council will be charged at no more than the Glendale price which was subjected to competition as part of the 2012 tender process. Glendale's annual price will be reduced by the same amount, £9,000.
- 4.3 The Service Level Agreement with the Town Council will use the same specification as the Glendale contract, as the minimum standard required.

## 5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

<b>Corporate priorities engaged:</b>	Community Life; Economy; Environment
<b>Statutory powers:</b>	S101(1)(b) LGA 1972
<b>Considerations of equality and human rights:</b>	An Equality Impact Assessment was carried out and there are no implications as a result.
<b>Biodiversity considerations:</b>	Biodiversity impacts are considered as part of the works specification.
<b>Sustainability considerations:</b>	Sustainability is accounted for as part of the works specification.
<b>Crime and disorder implications:</b>	None
<b>Background papers:</b>	None

## STRATEGIC RISKS TEMPLATE

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No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Obligations under the Localism Act 2011.	Opportunity for local delivery of services.	1	1	1	↑	Continue to work with communities that wish to deliver services locally, in line with the Strategy.	J Skelton
2	Service continuity.	Threat to service continuity by failure of the Town Council to deliver the services or to deliver them to a high enough standard.	1	1	1	↓	<p>The Glendale contract terms permit the Council to add works to the contract as well as removing them, by variation notice, and at the same standard rates.</p> <p>This would allow Glendale to take back transferred work if appropriate.</p>	J Skelton
3	Economy of scale.	Removal of work from the WDBC contract erodes economy of scale.	2	3	6	↓	Eventual review of WDBC and SHDC shared grounds maintenance services.	Head of Environment Services
4	Council's management input.	Function being carried out by additional parties fragments the work and increases the Council's management input.	1	3	3	↓	Additional workload to be recognised and reviewed if necessary as part of the Strategy.	Head of Environment Services

## West Devon Borough Council

<b>NAME OF COMMITTEE</b>	<b>Community Services Committee</b>
<b>DATE</b>	<b>25 June 2013</b>
<b>REPORT TITLE</b>	<b>West Devon Borough Council Garden Waste &amp; Leaves Composting Site Contract</b>
<b>REPORT OF</b>	<b>Waste Development &amp; Contracts Manager</b>
<b>WARDS AFFECTED</b>	<b>All West Devon Wards</b>

**Summary of report:**

To give consideration to letting contracts for the composting of West Devon’s household garden waste collections with the potential to include the dedicated leaf sweepings from West Devon and South Hams.

**Financial implications:**

The value of the current agreements for the West Devon works is approximately £115,000.00 per annum, paid from the revenue budget

Given additional permitting and processing costs, charges may increase.

**RECOMMENDATIONS:**

It is recommended that the Community Services Committee:

1. approves the tendering of a new contract for the composting of garden waste with the potential for including West Devon’s and South Ham’s dedicated leaf sweepings dependent upon clarification of Environment Agency guidance;
2. authorises a tender process which facilitates maximum flexibility to secure best value in terms of both the contract period and number of composting sites; and,
3. agrees that any changes considered necessary to the terms as highlighted in this report are delegated to the Head of Environmental Services in consultation with the Chairman and Vice Chairman of the Community Services Committee.

**Officer contact:**

Jane Savage (Waste Development & Contracts Manager)  
 01822 813657  
 jsavage@westdevon.gov.uk

## **1. BACKGROUND**

- 1.1 West Devon Borough Council collects both garden waste from kerbside household collections, and leaf litter which is swept from roads in rural areas. The materials are currently composted by two contractors – Devon Wastes Management and Peter Hocking - at separate on-farm sites within the borough. Agreements for these services have been rolling since October 2004.
- 1.2 South Hams District Council composts leaf sweepings under similar arrangements.
- 1.3 Currently the Councils' are charged a gate fee by the composting organisations based on tonnage.
- 1.4 The waste counts towards the respective Councils' recycling rates and attracts recycling credits from the waste disposal authority.

## **2. THE NEED FOR CHANGE**

- 2.1 Under forthcoming changes to European legislation – End of Waste Criteria for Biowaste - composted material will be required to meet certain standards before it can be classified as 'recycling'. If it is not classified as recycling, it will not count towards the borough's recycling rate and will not attract income from recycling credits. The additional permitting and handling which will be required to meet these standards are likely to incur additional costs from the compost organisations.
- 2.2 The exact timing of the introduction of the changes has been unknown for some time and tendering for these services with this uncertainty would have inevitably incurred greater processing costs than the current arrangements. Exemptions to the contract procedure rules were therefore granted to maintain best value.
- 2.3 The current exemptions expire on 29 November 2013 and cannot be extended further as EU tendering limits have been reached and no exemptions can be granted in these circumstances. An EU tendering process must therefore be commenced.
- 2.4 In addition, recent guidance has been issued by the Environment Agency, which states that dedicated leaf sweepings cannot be classified as 'recyclable' material owing to potential contamination in the final composted product irrespective of treatment. If the guidance is followed, the Council will lose income through recycling credits of around £56,000 and a reduction in the recycling rate of about 6.6%\*. Due to this negative impact, the guidance has been challenged and the Environment Agency is conducting trials to ascertain whether contamination levels are as previously assumed. The Council is taking part in these trials and the results are expected in July 2013.

\*Based on 2011-12 audited figures

## **3. THE WAY FORWARD**

- 3.1 Garden waste and leaf collections are included in the waste contract which runs until April 2017 and, based on 2011-12 figures, together make up about 24% of the Council's recycling rate and attract income via recycling credits. Although requiring slightly different treatment, letting of a contract to compost both materials may result in economies of scale.
- 3.2 For further potential economies of scale, South Hams leaf sweepings could also be included and treated as a separate lot in the bidding process.
- 3.3 In order to compost the material, significant initial capital outlay is required by prospective bidders which will favour longer-term contract periods. In order to secure best value, it is recommended that more detailed market place analysis is carried out by the procurement officer before a contract term is fixed.
- 3.4 Upon completion of the leaf sweeping trials, if the Environment Agency decides to uphold the guidance, then other arrangements should be considered for dedicated leaf sweepings as the current composting treatment may no longer be a viable option for either council. Flexibility is therefore required to remove leaf sweepings from the contract if appropriate

**4. LEGAL IMPLICATIONS**

- 4.1 Contract Procedure Rules 2.1.2 requires officers to take a report to the relevant committee for all contracts over £75,000 to consider whether it is appropriate to retender the contract on the same basis. This report is necessary to enable the Committee to determine the way forward and to ensure continuity of service.
- 4.2 This Committee has the power to deal with contracts for waste services.
- 4.3 The anticipated value of the contract is above the threshold for European tendering rules to apply.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The value of the current agreements for the West Devon works is approximately £115,000.00 per annum, paid from the revenue budget.
- 5.2 Given additional permitting and processing costs, charges may increase.

**6. RISK MANAGEMENT**

- 6.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

**7. OTHER CONSIDERATIONS**

<b>Corporate priorities engaged:</b>	Community Life; Environment; Economy
<b>Statutory powers:</b>	The Environment Protection Act 1990
<b>Considerations of equality and human rights:</b>	Not applicable
<b>Biodiversity considerations:</b>	Not applicable
<b>Sustainability</b>	The contract will allow the Council to

<b>considerations:</b>	continue to its commitment to maintain and improve recycling services
<b>Crime and disorder implications:</b>	Not applicable
<b>Background papers:</b>	None
<b>Appendices</b>	None



## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Tendering of contract	Breach of EU procurement rules	3	1	3	↔	Ensure contract is let within rules or exemption gained due to mitigating circumstances	Waste Development & Contract Manager
2	Changing legislation	Changing legislation may increase cost of service	3	4	12	↑	Ensure we continue to lobby Environment Agency to maintain classification of waste type. Ensure best value tenders are received.	Waste Development & Contract Manager

Direction of travel symbols ↓ ↑ ↔

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# Agenda Item 3

At a Meeting of the **COMMUNITY SERVICES COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park , Drake Road, **TAVISTOCK** on **TUESDAY** the **25<sup>th</sup>** day of **JUNE 2013** at **2.00 pm**.

**Present:**

Cllr R J Oxborough – Chairman	
Cllr R F D Sampson – Vice-Chairman	
Cllr K Ball	Cllr M J R Benson
Cllr K A Clish-Green	Cllr A F Leech
Cllr N Morgan	Cllr M E Morse

**Substitutes:** Cllr R Baldwin Cllr M Ewings

Head of Environmental Services  
Natural Environment & Recreation Manager  
Strategic Planning Officer (RB)  
Strategic Planning Officer (ML)  
Strategic Planning Officer (PW)  
Street Scene Manager  
Street Care Manager  
Committee & Ombudsman Link Officer

**In attendance:**

Cllr W Cann OBE	Cllr T Hill
Cllr D Horn	Cllr J Moody
Cllr P Sanders	

## **CS 1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr D Cloke (Substitute Cllr M Ewings) and from Cllr D E Moyse (Substitute Cllr R Baldwin).

## **CS 2 DECLARATIONS OF INTEREST**

Cllr N Morgan – Minute No CS 5 – Personal – Member of North Tawton Town Council.

Cllr M Ewings – Minute No CS 9 – Personal – Member of Tavistock Town Council.

## **\*CS 3 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 30<sup>th</sup> April 2013, were confirmed and signed by the Chairman as a correct record.

## **CS 4 CONNECT STRATEGY AND PRIORITY ACTION PLAN UPDATE 2013-14**

The Community Manager presented a report (page 3 to the Agenda) on a review carried out in respect of the Connect Partnership and delivery arrangements the result of which being that the priority action plans for Community Life, Environment and Homes had been reviewed and updated to cover the period 2013/2014. They had been incorporated in to one Connect Strategy update document and presented here as Appendix A (page 8 to the Agenda) for the Committee's views and comments. The document incorporated updated action plans for Community Life, Environment and Homes.

The action plans had been developed in consultation with partners and stakeholders and 157 responses to the on-line questionnaire on the priorities. During the review process it was identified that further work was required to shorten the priority action plans to ensure that they were focussed on actions that added value and were realistic and measurable.

It was noted, however, that the Appendix presented with the report was not the most up-to-date version, therefore, it was agreed that the up-to-date version would be circulated to the Committee following this Meeting.

It was **RESOLVED** to **RECOMMEND** that the Connect Strategy annual update for 2013/14, incorporating updated action plans for Community Life, Environment and Homes, be approved and adopted.

**\*CS 5      APPLICATION TO DESIGNATE A NEIGHBOURHOOD PLAN AREA FOR NORTH TAWTON**

The Strategic Planning Officer (RB) presented a report (page 43 to the Agenda) on an application submitted by North Tawton Town Council requesting the Borough council to designate a plan area in respect of preparing a neighbourhood plan. The application had been advertised for six weeks (8<sup>th</sup> April 2013 to 20<sup>th</sup> May 2013) during which time comments were invited about the appropriateness of the proposed designated area but none had been received.

The area covered by the proposed Plan was the whole of the Parish of North Tawton for which North Tawton Town Council was responsible. The project would be controlled by the Planning and Estates Committee of the Town Council supported by a Project Team of 12 broadly balanced between Town Councillors and Residents of the Parish.

The North Tawton Neighbourhood Plan – Application form and Terms of Reference – was presented with the report at Appendix A (page 48 to the Agenda).

The Committee understood that once a neighbourhood plan area had been designated, the Borough Council could apply to Central Government for financial support recognising the Council's costs associated with the preparation of Neighbourhood Plans. Three payment stages were available - £5,000 following designation of a neighbourhood plan area; £5,000 when the local authority publishes the neighbourhood plan prior to examination; and a final payment £20,000 would be made on the successful completion of the examination and any further steps that might be needed for the plan to become a legal document, including a referendum if needed. It was intended that a claim for financial assistance be made by the Council.

It was **RESOLVED** that:

- (i) the North Tawton Plan Area, as described in Appendix A to the report, be approved for the purposes of preparing a Neighbourhood Plan; and,

- (ii) the Committee support an application to central government for financial support to help cover the costs associated with preparing a Neighbourhood Plan.

**Note: Cllr Morgan abstained from voting on Minute CS 5.**

**\*CS 6**

**HATHERLEIGH COMMUNITY PLAN**

The Strategic Planning Officer (ML) presented a report (page 53 to the Agenda) on the Hatherleigh Community Plan. Hatherleigh Town Council had adopted the Community Plan following a year of both public and stakeholder consultation. The Community Plan would provide guidance on future development and community initiatives in the Parish of Hatherleigh.

The Hatherleigh Community Plan had not been appended to the officer's report as it was not the content that the Committee was being asked to approve but the process by which the plan had been undertaken. The Plan was available to view on both the Hatherleigh Town Council's web site at [www.hatherleightowncouncil.org.uk](http://www.hatherleightowncouncil.org.uk) and on the Borough Council's web site at [www.westdevon.gov.uk/article/3686/Community-Plans](http://www.westdevon.gov.uk/article/3686/Community-Plans). An assessment of the Hatherleigh Community Plan, however, was presented as Appendix A to the officer's report.

The Hatherleigh Plan-It Group had carried out an extensive consultation with all strands of the community to achieve a good understanding of the issues and aspirations of the local residents and businesses. The Committee noted that this plan was not a 'neighbourhood plan' and, therefore, did not carry statutory weight, however, it would be used as a material consideration in the determination of relevant applications.

It was **RESOLVED** that the Hatherleigh Community Plan be used as a material planning consideration when determining relevant applications for development in the area covered by the plan.

**\*CS 7**

**INTERIM PLANNING GUIDANCE FOR RENEWABLE ENERGY**

Arising from Minute No CS 52 – 2012/2013, the Strategic Planning Officer (PW) presented a report (page 58 to the Agenda) on a draft Interim Planning Guidance for wind and solar energy development proposed for consultation. Four documents made up the Interim Planning Guidance comprising Appendix 1A "On Shore Wind Turbines in West Devon" (page 64 to the Agenda); Appendix 1B "Solar Arrays in West Devon" (page 102 to the Agenda); Appendix 1C "Micro Scale Wind Turbines and Permitted Development – A Guide for Property Owners in West Devon" (page 135 to the Agenda); and, Appendix 1D "Installing Solar PV or Solar Thermal Panels and Permitted Development – A Guide for Property Owners in West Devon (page 145 to the Agenda).

The draft interim guidance notes had been prepared with a view to:

- (i) highlight the nature of issues prospective developers would need to address;
- (ii) detail the methodologies to be used in assessing impacts;

- (iii) raise awareness of the relevant adopted Core Strategy policies;
- (iv) guide readers to other advice and information; and,
- (v) set out the respective roles of both the developer and the Development Management service.

A further document presented with the report was the South West Devon Strategic Energy Study: the Evidence Base Executive Summary (Appendix 2: page 153 to the Agenda) which provided energy related information useful to a number of the Council's service areas. The evidence base provided an overview of renewable energy resources in West Devon and would provide a context for Local Plan options, consultation and discussion about the extent to which it was appropriate to exploit that resource.

It was proposed that the four interim documents be subjected to a 4 week public consultation exercise with a follow-up report being presented to a future meeting of the Committee.

It was **RESOLVED** that:

1. the draft Interim Planning Guidance presented as Appendices 1A to 1D be approved for the purposes of public consultation; and,
2. the response to the public consultation and any proposed amendments to the draft guidance be reported back to this Committee at its next meeting on Tuesday 10<sup>th</sup> September 2013.

**\*CS 8**

### **PROPOSAL TO IMPLEMENT DOG CONTROL ORDERS IN WEST DEVON**

The Street Scene Manager presented a report (page 155 to the Agenda) on a proposal to consider introducing a small number of appropriate Dog Control Orders to cover enforcement throughout the Borough under the Clean Neighbourhood and Environment Act 2005. At the present time this proposal was exploratory and did not seek a formal endorsement to adopt new processes.

Currently the Council employed a part-time Dog Warden who could take appropriate action under the Dog Fouling of Land Act 1996, whose activities were restricted to those Towns/Parishes who made a financial contribution to the service. It was being proposed that officers investigate the benefits of adopting the Clean Neighbourhood and Environment Act 2005 Dog Control Orders which would provide Borough-wide control measures and also enable other officers of the Council to support the work currently carried out by the Dog Warden.

The Committee was further advised that to do this it would be necessary to specifically agree to change from using the Dog Fouling of Land Act to the processes set out in the Clean Neighbourhood and Environment Act 2005 with a potential cost to the Council of £1,500 to comply with the legal requirements of such a change.

It was **RESOLVED** that officers be instructed to carry out the necessary preliminary work in order to explore the introduction of appropriate Dog Control Orders across the Borough.

**CS 9 DELEGATION OF GROUNDS MAINTENANCE SERVICES TO TAVISTOCK TOWN COUNCIL**

The Street Care Manager presented a report (page 159 to the Agenda) on a proposal to transfer some grounds maintenance tasks currently carried by the Council's contractors to Tavistock Town Council under the auspices of the Localism Act 2011. The Council's current Borough-wide contract for grounds maintenance contained a provision for the transfer of tasks to Town and Parish Councils supported through the Council's Localisation Strategy.

The Council's current contract came into operation in April 2013 and would run for a two year period to March 2015 with the possibility of an extension. It was being proposed that the Service Level Agreement with Tavistock Town Council would begin in the summer 2013 to end in March 2015 to allow for a review of service provision at that time.

There would be no direct financial implications for the Council although officer time would be needed to administer the additional service provider.

It was **RESOLVED** to **RECOMMEND** that Council be requested to approve the delegation of defined elements of the Grounds Maintenance service function to Tavistock Town Council for the period summer 2013 to March 2015.

**Note: Cllr Ewings abstained from voting on Minute CS 9.**

**\*CS 10 WEST DEVON BOROUGH COUNCIL GARDEN WASTE & LEAVES COMPOSTING SITE CONTRACT**

The Waste Development & Contract Manager presented a report (page 163 to the Agenda) seeking the Committee's approval to let contracts for the composting of West Devon's household garden waste with the potential to include the dedicated leaf sweepings from both West Devon and the South Hams.

The Borough Council currently collected both garden waste from kerbside household collections and leaf litter swept from roads in rural areas. The collected material was, at present, composted by two contractors at separate on-farm sites. Agreements for these services have been rolling forward since October 2004.

Forthcoming changes to European legislation – End of Waste Criteria for Biowaste – composted material would be required to meet certain standards before it could be classified as recycling. To not reach this standard would mean the waste not being classified as recycling and, as such, would not attract recycling credits for the Council.

It was **RESOLVED** that the Committee authorised:

- (i) the tendering of a new contract for the composting of garden waste with the potential to include both West Devon's and South Hams' dedicated leaf sweepings dependent upon clarification of Environmental Agency guidance;
- (ii) a tendering process which facilitated maximum flexibility to secure best value in terms of both contract period and number of composting sites; and,
- (iii) that any changes considered necessary to the terms as highlighted in the officer's report be delegated to the Head of Environmental Services in consultation with the Chairman and Vice-Chairman of this Committee.

(The Meeting terminated at 3.50 pm.)