

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

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 The consultation response and any proposed amendments to the draft guidance are reported to the Community Services Committee at its meeting on 10 September 2013

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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- 1.3 The draft guidance notes are appended to this report as Appendix 1.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 THE DRAFT GUIDANCE NOTES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

Corporate priorities engaged:	All
Statutory powers:	Planning and Compulsory Purchase Act 2004 The Town and Country Planning (Local Planning) (England) Regulations 2012 National Planning Policy Framework 2012
Considerations of equality and human rights:	Consultation on the draft interim guidance will be open to all groups
Biodiversity considerations:	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.
Sustainability considerations:	The draft guidance notes and SWDCEP evidence base respond directly to the need to address the environmental, economic and societal impacts of energy use
Crime and disorder implications:	No impact
Background papers:	National Planning Policy Framework Renewable Energy Policies for West Devon Community Services Committee 30 April 2013
Appendices attached:	Appendix 1: 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

of the Dartmoor National Park) – Interim Planning Guidance for Solar Arrays Requiring Planning Permission

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

1D Installing Solar PV or Solar Thermal Panels in West Devon (Outside of the Dartmoor National Park) – A Guide for Householders

Appendix 2:

South West Devon Strategic Energy Study:
The Evidence Base: Executive Summary

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

Direction of travel symbols ↓ ↑ ⇄