

PLANNING COMMITTEE REPORT

5 JUNE 2018

CHAIRMAN: Cllr Dennis Smith



SUBJECT:

Supplementary Planning Document for Solar Photovoltaic (PV) Developments in the Landscape

RECOMMENDATION:

The Committee is recommended to accept that:

- public consultation has been carried out appropriately;
- no changes are required; and
- the Supplementary Planning Document (SPD) should be adopted by Executive.

1. REASON FOR REPORT

- 1.1. To ensure that the public consultation has been carried out in accordance with the recommended procedures and that any issues raised have been satisfactorily addressed.

2. BACKGROUND

- 2.1. Teignbridge District Council has prepared a draft SPD on Solar PV Development in the Landscape. Paper copies were provided to Members prior to 19 December Planning Committee meeting and the document can be viewed using the following link <https://www.teignbridge.gov.uk/media/6365/solar-pv-spd.pdf>
- 2.2. The draft SPD was approved for public consultation at the 19th December Planning Committee meeting.

3. STATEMENT OF PUBLIC PARTICIPATION

- 3.1. The Council has engaged in public consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and Teignbridge District Council Statement of Community Involvement 2011.
- 3.2. Public consultation was carried out for 6 weeks from Friday 9 February until 12pm on Friday 23 March 2018.
- 3.3. The Statement of Public Participation (Appendix 1) sets out: how the consultation was carried out; who was consulted; a summary of responses; and how issues raised have been addressed.

- 3.4. Consultees included: statutory consultees; parish councils; organisations interested in landscape conservation; and organisations interested in the design and development of solar PV sites.
- 3.5. Summary of consultation comments and responses:
- There were a total of four respondents including: Natural England; Devon County Council Historic Environment Team; and two individuals.
 - All respondents are supportive of the need for the SPD;
 - Concern is raised by Devon County Council Historic Environment Team that the SPD does not show consideration to the historic environment. The Council appreciates these concerns, however the intended scope of the SPD is to consider landscape issues only and not the whole range of other planning issues such as ecology, agricultural land use / productivity, glint / glare, hydrology and historic environment. The SPD does however, consider historic landscape. The need to include consideration of the historic environment is therefore considered unnecessary.
 - An opinion was expressed by an individual respondent suggesting that solar development should first be located on brown field land before being allowed to develop on green field sites. The Council appreciates the suggestion, however it would point out that the scope of the SPD is not to dictate where development should be located but instead to identify relative landscape sensitivity to solar development and the implications for cumulative development.
- 3.6. It is judged that all comments received should be noted, however it is considered that there is no justifiable need to amend the SPD.

Appendix 1

Statement of Public Participation - Draft Solar PV Development in Teignbridge District Supplementary Planning Document (SPD)

Purpose of the statement

Teignbridge District Council has prepared a draft SPD on Solar PV Development in Teignbridge District. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and Teignbridge District Council Statement of Community Involvement 2011, the Council has engaged in public consultation. This statement explains:

- how the consultation was carried out;
- who was consulted;
- a summary of their responses; and
- how issues raised have been addressed.

Consultation

The draft SPD was approved for public consultation at the 19th December Planning Committee meeting. Public consultation was carried out for 6 weeks from Friday 9 February until 12pm on Friday 23 March 2018.

Those consulted included: statutory consultees; parish councils; planning/landscape consultants/agents involved in developing renewable energy schemes; organisations interested in landscape conservation; and trade organisations representing the renewable energy industry. Please see Annex A for the consultation letter and Annex B for a full list of those consulted.

The consultation was also promoted via the council's website.

The table below lists the respondents, their comments and how the issues raised have been addressed.

Statutory Consultees	
Respondent	Devon County Council Historic Environment Team
Comments	<p>There is no consideration in the SPD of the direct impact of solar photovoltaic upon sites that contain heritage assets with archaeological interest, i.e. sites that contain below-ground archaeological deposits that will be affected by construction works associated with solar photovoltaic developments.</p> <p>Solar photovoltaic sites can occupy large areas within landscapes known to contain prehistoric, Romano-British and medieval activity, and the presence of heritage assets with archaeological interest may only be determined through the use of non-intrusive geophysical survey and, if required, intrusive archaeological field</p>

	<p>evaluation. The results of this type of work have resulted in several solar photovoltaic development sites in the county being re-designed to avoid or minimise the below-ground impact of their construction.</p> <p>The document should include reference to Local Plan Policy EN5 Heritage Assets which is worded to “protect and enhance the area’s heritage, consideration of development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset, including Scheduled Monuments, Listed Buildings, Conservation Areas, Historic Parks and Gardens, other archaeological sites and other assets on the Register of Local Assets, particularly those of national importance.” As such, any solar photovoltaic development proposals should include a consideration and understanding of the archaeological potential of a proposed development site and appropriately mitigate any impact in accordance with supporting text in para 5.16 that states: “The policy will act with Policy S2 to ensure that new development takes full account of historic and heritage assets affected by it.”</p>
<p>How these issues have been addressed</p>	<ul style="list-style-type: none"> ● As set out in the document, the SPD focuses on the potential landscape issues associated with solar PV development. It does not provide guidance on the wider range of other planning issues that may need to be considered as part of the preparation and determination of planning applications, such as: <ul style="list-style-type: none"> ○ Ecology ○ Historic environment ○ Hydrology ○ Traffic and transport ○ Noise and vibration ○ Socio-economic activities (e.g. tourism) ○ Agricultural land use / productivity ○ Glint and glare. ● However the document does provide guidance on historic landscape character sensitivity - the aspect of historic environment that crosses over with landscape - referencing Teignbridge Landscape Character Assessment, Devon Landscape Character Assessment; Devon HLC as sources of evidence. ● It is not considered appropriate to add all Local Plan policies that are of relevance to Solar SPD development, doing so would require the inclusion of a very large number of policies, as the document focusses on landscape issues it is reasonable to only include reference to landscape policies within the Local Plan.

Respondent	Natural England
Comments	<ul style="list-style-type: none"> • The SPD was welcomed. • Raised no objections; • Encouraged the Council to develop guidance to address other issues associated with PV development and in particular biodiversity.
How these issues have been addressed	Comments noted, however no action necessary
Individual Consultees	
Respondent	David Bailey
Comments	<ul style="list-style-type: none"> • Raised no objections; but stated that, • Solar PV development should not be primarily located in rural landscapes. This not only presents a visual impairment, but also takes away valuable potential farmland and can also lead to ecological impairment. Solar PV developments are vital as a form of renewable energy in order to combat dangerous climate change. However, first and foremost brown field sites must be given for their location, such as supermarket and office roofs.
How these issues have been addressed	Comments noted, however no action necessary
Respondent	Philip Nierop
Comments	Raised no objections.
How these issues have been addressed	No action necessary

Annex A. Consultation Letter

Public Consultation on the Draft Solar PV Development in Teignbridge District

From **Friday 9 February until 12pm on Friday 23 March 2018** we will consult on a draft Solar PV Development in Teignbridge District Supplementary Planning Document (SPD).

The document will help to provide detail advice on how to assess landscape impacts of solar PV development. In its final form it will be adopted as a Supplementary Planning Document.

You can see the draft Solar PV Development in Teignbridge District (SPD) and its supporting documents as follows:

- Online at www.teignbridge.gov.uk/solarpv
- At the council's Forde House offices, Brunel Road, Newton Abbot during office hours Monday – Friday 9am – 4pm
- At public libraries in Newton Abbot, Dawlish, Teignmouth, Kingsteignton, Kingskerswell and Bovey Tracey.

Please let us have your comments by completing the online survey at **www.teignbridge.gov.uk/liveconsultations** - this is the easiest and fastest way for you to respond.

You can also comment by e-mail at DesignandHeritage@Teignbridge.gov.uk but please make sure you include:

- Your postal address
- Which part of the draft Teignbridge Design Guide and/or supporting documents you are interested in
- What changes to the document(s) you want to see

Letters can also be submitted, or you can request a printed response form from us.

Send your written responses to: Planning Consultations, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX

Nick Davies
Business Manager - Strategic Place

Annex B. Full list of those consulted

Consultees:	
Natural England	
Environment Agency	
Historic England	
Devon County Council	
Western Power	
National Grid	
Teignbridge Parish and Town Councils	
Dartmoor National Park Authority	
National Trust	
Solar Trade Association Greencoat House, Francis Street, SW1P 1DH	
British Photovoltaic association 2nd Floor Berkeley Square House, Berkeley Square, London W1J 6BD	
Renewable Energy Association 6 Spring House, Graphite Square, Vauxhall Walk, London SE11 5EE	
Planning/landscape consultants/agents	Arups
	Alder King
	Strategic Land Partnerships
	WYG
	Kirkwells
	PCL Planning
	RPS Planning
	Peter Brett Associates
	Turley
	Arnold White Estates LTD
	DLP Planning
	Barton Wilmore
	Parsons Brinckerhoff
Synergy PHR	
RSPB	
Friends of the Earth	
Campaign to Protect Rural England (CPRE) Devon Branch	
Dartmoor Preservation Society	
NFU	
Country Land and Business Association	
Land Agents	Savills Smith Gore
	Stags
	Sawdye and Harris
	Jackson-Stops and Staff
	Rendells
	Nance Kivell
	Fulfords Land and Planning Services
	Greenslade Taylor Hunt
	Connells Land and Planning
Humberts	