

**Teignbridge District Council  
Executive Committee 2<sup>nd</sup> November 2021  
Part i**

**Local Plan 2020-2040; Consultation on Renewable Energy, Gypsy & Traveller sites and small residential sites**

**Purpose of Report**

To resolve to publish the *Draft Local Plan 2020-2040 (part 3)* and its associated documents for public consultation

**Recommendation(s)**

The Executive RESOLVES to:

- 1. Publish for public consultation the documents listed below for an eight week period in accordance with the Statement of Community Involvement 2019 (and 2020 update):**
  - a) Draft Local Plan 2020-2040 (Part 3) *'Renewable Energy, Gypsy and Traveller and small residential site options (Appendix A);***
  - b) Strategic Environmental Assessment/Sustainability Appraisal Stage B (Appendix B);**
  - c) Habitat Regulations Assessment Screening (Appendix C);**
- 2. Grant delegated authority to the Head of Place and Commercial Services to make minor amendments to the above documents and associated mapping to enable accurate publication and consultation.**

**Financial Implications**

See section 6.1.

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**Legal Implications**

There are no specific legal Implications arising from this report save for the matters referred to at Paragraph 6.2 – 6.7.

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**Risk Assessment**

See section 6.8 – 6.9

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## Environmental / Climate Change Implications

The environmental impacts associated with recommendations supporting renewable energy policies are covered in Section 6.10 of this report. Provisions for gypsy and traveller site options and small residential site options are subject to national policy, however, environmental mitigations associated with these potential developments will need to align with relevant sustainability policies under the new local plan.

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## Executive Member

Portfolio Holder for Planning, Cllr Gary Taylor

## Appendices

- A. Draft Local Plan Consultation 2020-2040 (Part 3)
- B. Stage B Strategic Environmental Assessment/Sustainability Appraisal Report and appendices
- C. HRA Screening Report
- D. Engagement Plan
- E. Equality Impact Assessment

Please use the following link to access the Appendices B and C;

<https://www.teignbridge.gov.uk/planning/local-plans-and-policy/executive-committee-2nd-november-2021/>

## 1. Introduction / Background

- 1.1 This report is seeking authority to publish for public consultation the third substantive consultation on the draft local plan in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation proposes policies and sites for renewable energy, a gypsy and traveller site option, and small residential site options, and follows the part 1 (policies) and part 2 (site options for residential, employment & school) which were consulted upon in March 2020 and June 2021 respectively. Following this consultation, the Council will review the responses and begin preparation of a 'proposed submission' local plan which brings together both policies and proposed sites into a single document.
- 1.2 The purpose of this consultation is threefold. Firstly, the consultation proposes strong measures to tackle climate change through policies and site options for wind and solar renewable energy generation. Secondly, a gypsy and traveller site option is proposed following an extensive search process which resulted in just 1 suitable site coming forward. Thirdly, a number of small residential site options are set out, to ensure sufficient options are available to meet the national policy requirement for 10% of the housing target be on small sites.

## 2. Renewable Energy

- 2.1 The renewable energy chapter is based on the Low Carbon Report produced for the Council by the Centre for Energy and the Environment (Exeter University). The consultation proposes two draft policies and 27 wind turbine site options, based on where the viable wind resource lies.
- 2.2 The process for assessing site options has been robust and has involved discussions with in-house conservation specialists, external representatives from renewable energy companies and the Sustainability Appraisal and Habitat Regulation Assessment process. Landowners will be written to prior to the consultation.
- 2.3 The consultation proposes that Teignbridge allocates suitable wind site options and adopts policies (alongside reviewed policies consulted upon in 'Part 1') to maximise the contribution the district can make in tackling climate change. The anticipated increase in electricity demand over the plan period (through electric vehicles and air source heat pumps), will only be beneficial if they run on low carbon electricity generated through wind and solar power, which Teignbridge can play its part in generating and enabling.

### **3. Gypsy and Traveller sites**

- 3.1 Teignbridge carried out a call for sites and undertook a thorough assessment to try and maximise gypsy and traveller site options. Unfortunately, this resulted in only one site with a willing landowner coming forward.
- 3.2 The evidence for the number of pitches required is currently being produced and will be necessary for the next stage of the Local Plan process ('proposed submission' next summer). If the number of pitches required exceeds the capacity of the option site (or if the option site is rejected following public consultation), other policy approaches will be required to ensure the Council complies with national policy requirements to meet the needs of the gypsy and traveller community.

### **4. Residential small sites**

- 4.1 The National Planning Policy Framework (NPPF) requires that 10% of the Council's housing target is allocated on small sites of up to 1 hectare. This equates to approximately 75 homes per annum, or approximately 3 small sites per year (over the plan period). In order to meet this requirement, the proposed submission Local Plan will need sufficient site options.
- 4.2 The consultation proposes a further 24 small site options, many of which may be required to meet the target. Where option sites are larger than 1 ha, we envisage limiting the development to 1 ha of built development, with the balance as green infrastructure.
- 4.3 Following this Local Plan consultation and the previous consultations, the responses and evidence will be used to inform the final development distribution strategy and preferred site options to be taken forward into the 'proposed submission' plan.
- 4.4 All the sites submitted have been assessed using the Housing and economic land availability assessment (HELAA) methodology, which has been specially adapted for the assessment of small residential sites from the Part 2 approach used for larger strategic sites, in order to determine their suitability and deliverability. Deliverable options, in particular those in locations close to existing defined settlements, have been included in this consultation as site options. In some cases, the small residential site options may suggest alternative locations for growth that do not wholly accord with the draft spatial distribution strategy set out in the Part 2

consultation. The Council will listen to the consultation responses in considering whether these sites proceed to the next stage.

## 5. Consultation arrangements

- 5.1 This is the fourth consultation since the beginning of the local plan review preparation, with previous stages being consultations on 'Issues', 'Policies' (part 1), 'Site Options' (part 2), and this stage being part 3. The two previous consultations were both predominantly web-based during the global pandemic and have proven successful.
- 5.2 The site options (part 2) consultation in June – August 2021 reached 50,000 people via TDC social media. Multiple articles were published in physical local press and the residents' newsletter. Approximately 4740 responses were received, which will help to shape the 'proposed submission' plan.
- 5.3 We will build on the success and learning of previous 'virtual' consultations and the online user experience. This will include improved mapping via *StoryMaps* and a questionnaire (*Firmstep*) that will allow respondents to review their response text in paragraphs and save their progress.
- 5.4 The physical versions of the documents will again be distributed to all town and parish Councils (who are encouraged to make them available), all libraries and at Forde House. Copies will be available for purchase at cost price.
- 5.5 The consultation will take place over an 8 week period starting in November.
- 5.6 It is important to note that the consultation responses made to Parts 1 and 2 of the previous draft local plan consultations, alongside this consultation, will all be analysed and inform the preparation of the next draft plan. The Member Local Plan Working Group (LPWG) has been kept informed, but their involvement will need to increase as we move to preparing the Proposed Submission version of the Local Plan.

## 6. Implications, Risk Management and Climate Change Impact

### Financial

- 6.1 There are no financial implications arising from this report. The costs of preparing the Local Plan are covered within the existing Spatial Planning base budget. The majority of these costs are associated with procuring evidence and examination of the plan.

### Legal

- 6.2 The Planning and Compulsory Purchase (PCP) Act 2004 requires that Local Planning Authorities prepare development plans (which includes the Local Plan) for their area. These plans must identify the strategic priorities and have policies to manage the use of land. Planning applications, by law, must be determined in accordance with the adopted development plan (unless material considerations indicate otherwise).
- 6.3 The 2004 PCP Act (19(1A)) also requires that development plans must include policies designed to secure that the development and use of land contribute to the mitigation of, and to the adaptation to, climate change.
- 6.4 The Local Plan must also comply with the National Planning Policy Framework which requires sufficient land is made available to meet the development needs of the district, including those as determined by the Government's standard housing target calculation method.

- 6.5 This consultation comprises part of the Regulation 18 stage (of the Town and Country Planning (England) Local Planning Regulations 2012). The Council's Local Development Scheme does not specify this stage in the published timetable. The next key milestone is proposed submission in July 2022.
- 6.6 Under relevant legislation, Local Plans must be accompanied by a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). These very similar requirements are integrated into one document/process. SA/SEA considers the effects of the plan on the environment, people and the economy, considers reasonable alternatives, proposes measures to mitigate harmful effects, and proposes monitoring measures. In this way sustainability considerations are considered in plan preparation. SA/SEA is an iterative process and a 'Stage B' report is provided at Appendix B.
- 6.7 A Habitats Regulation Assessment (HRA) Screening has been prepared as an initial examination of the proposed site options. A full Appropriate Assessment will follow as the plan progresses. The HRA Screening is provided at Appendix C.

## Risks

- 6.8 Failing to consult on the proposed site options and policies would introduce a series of risks into the Local Plan review process, in particular;
- 6.8.1 Failure to consult on wind site options at an early stage, including the SA/SEA process which determines the overall approach to renewable energy generation. This could be introduced at a later stage but would not be in keeping with best practice.
  - 6.8.2 Poor progress in identifying sufficient gypsy and traveller sites as required. Whilst there is a chance that the one site identified may be found unsuitable following the consultation process, and it may not accommodate the full need, the consultation does demonstrate the thorough process the Council has gone through to identify sites.
  - 6.8.3 Potential that insufficient small residential sites options have been consulted upon, risking failure to comply with the NPPF.
- 6.9 Going ahead with the consultation does present a minor risk of public 'consultation fatigue'. The subject matter contained in the consultation document may also draw both positive and negative comments.

## Environmental / Climate Change Impact

- 6.10 The consultation sets out options for policies and sites which could support renewable energy generation infrastructure. These policies and sites could have both significant positive and negative impacts. The positive impacts would be a significant contribution to mitigating climate change by generating much more renewable (low carbon) electricity over the medium to long term. The potential negative impacts are set out in the documents and relate to the landscape, wildlife, heritage buildings and other issues, during the lifetime of developments, particularly any wind turbines.

## 7. Alternative Options

- 7.1 The alternative option to publishing this consultation is to continue onto the next stage of proposed submission in July 2022. This is not advised, as the objective of this consultation is to help identify key issues, problems and opportunities through comments from stakeholders and the public, before beginning preparation of the proposed submission.

## **8. Conclusion**

- 8.1 The publication of this consultation continues the Council's progress in reviewing the Local Plan within the timetable set out in the Council's Local Development Scheme, working towards the next stage in July 2022.
- 8.2 This draft Local Plan consultation recommended to the Executive has been developed with robust assessments and environmental appraisals, in accordance with national policy requirements and with engagement with relevant groups including Dartmoor National Park and renewable energy specialists.
- 8.3 The Draft Plan and associated documents are considered to provide all the necessary information required in order to enable a meaningful consultation with the community and stakeholders.