

Report to: **Strategic Planning Committee**



Date of Meeting: 15 July 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## **Renewable energy generation policies**

### **Report summary:**

This report seeks direction from committee on policies in the new local plan specifically around the issue of renewable energy generation – wind and solar farms. Policies consulted on in the draft plan were fit for purpose for that stage of plan making work but they now need refinement going forward and depending on how we progress them it may be a requirement that we buy in specialist consultancy advice to undertake technical assessment in support of proposed approaches. Through this report, whilst we do set out recommendations, we seek instruction from members on how they would like to progress with plan policy.

### **Is the proposed decision in accordance with:**

Budget                      Yes  No

Policy Framework      Yes  No

### **Recommendation:**

That Committee agree to continue with the currently proposed approach for solar and wind farm development with sites that are technically suitable for these developments identified in the plan but with a criteria-based policy applied to ensure that they are acceptable in terms of impacts on the landscape, heritage assets and other planning considerations.

### **Reason for recommendation:**

To seek agreement from committee to inform on work going forward

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Tourism, Sports, Leisure and Culture

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Medium Risk;

**Links to background information**

Links to background documents are contained in the body of this report.

**Link to Council Plan**

Priorities (check which apply)

- Better homes and communities for all
  - A greener East Devon
  - A resilient economy
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## **1. Draft local plan policy**

- 1.1 The draft local plan [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](#) under Regulation 18 of [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](#) contained policies detailed below that we major on in this report and that we seek clarity on in respect of future work and progress:
- Strategic policy 30 - Suitable areas for solar energy development
  - Strategic policy 31 - Suitable areas for wind energy development
- 1.2 Depending on the approach that committee wish to see policy take there may be a need to commission further technical advice and support from an outside specialist consultancy. We would also highlight that we briefly comment on other carbon emission related matters in this paper.
- 1.3 The content of this committee report can be usefully read alongside the consultation feedback report that was produced in response to the draft plan consultation – see: [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](#)
- 1.4 It should be noted that in this paper we discuss larger or commercial scale installations rather than small scale domestic developments, for example solar panels on the roofs of houses. In this report we draw on work that South West Energy and Environment Group (SWEEG) produced for Exeter City Council [ogjd5xnk4igekjq6m0v.pdf \(cloudinary.com\)](#)

## **2. On-shore windfarms and solar energy generation**

- 2.1 In recent years, in England, there have been very few significant onshore wind farms built. Many commentators point to the previous draft of the NPPF, requiring lack of

local objections to proposals, for them to be allowed to go ahead. This resulted in it being extremely challenging to gain planning permission leading to a situation where very few wind farm companies or providers were willing to pursue schemes. This is despite the fact that on-shore wind farms generate some of the cheapest renewable energy.

- 2.2 Off-shore wind farms (those out at sea) typically fall beyond local planning authority boundaries and therefore control and there have been significant off-shore developments in recent years. However off-shore wind farms can be far more costly and complex to develop and operate than on-shore equivalents.
- 2.3 Recent changes to the NPPF have gone some way to be more accommodating of on-shore wind energy developments. But to be fully pro-active in encouraging on-shore provision (should this be seen as desirable) the local plan should be explicit in planning for them and identify appropriate areas on maps for their location.
- 2.4 Paragraph 160 of the NPPF [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426122/nppf-2019-07-20.pdf) advises *“To help increase the use and supply of renewable and low carbon energy and heat, plans should:*
- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);*
  - b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and*
  - c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”*
- 2.5 There is, therefore, encouragement for renewable installations but not a requirement. Paragraph 163 - item b) determination of planning applications has Footnote 58 that advises *“..... a planning application for wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan or a supplementary planning document; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support.”*
- 2.6 The NPPF does not state that windfarms must be planned for, there is an option therefore to not make provision in or through planning policy.
- 2.7 In draft local plan policy, Strategies 30 and 31, we have policy that identifies areas that may potentially be suitable and potentially appropriate for wind and solar farms. Through work undertaken by SWEEG [UoE-2020-Low-Carbon-and-Climate-Change-GESP-report-net-zero-draft-120320.pdf](https://www.sweeeg.co.uk/wp-content/uploads/2020/07/UoE-2020-Low-Carbon-and-Climate-Change-GESP-report-net-zero-draft-120320.pdf) we have assessments of technical suitability land areas, based on wind speeds, sunlight levels and connections to the grid, that

may be suitable for wind and solar farm development. This was overlaid with a mapping exercise that identified and excluded potentially sensitive areas, and buffers around them, for example land in National Landscapes (formerly AONBs), to identify potential suitable locations for development. These areas were shown on the draft local plan Policies Map and Strategies 30 and 31 then have quite demanding policy tests that need to be met to allow for development to come forward in the identified areas.

- 2.8 The policy approach in the draft plan is similar to Policy S14: Renewable Energy in the recently adopted Central Lincolnshire local plan [Local Plan for adoption Approved by Committee.pdf \(n-kesteven.gov.uk\)](#) Though it does not go as far as some local plan policies go in respect of more formally and rigorously assessing sites, and then have far less stringent criteria based tests to allow for development to go ahead. We would highlight that Historic England have raised concerns around our policy approach and have inferred that more detailed assessment of identified areas may be appropriate.
- 2.9 To go down the route of being more explicit in allowing wind and solar farms in defined areas shown on the Policies Map may require more landscape and other sensitivity testing to refine boundary lines. Teignbridge District Council have done this in their emerging local plan but to achieve this they have done so on the strength of detailed landscape sensitivity assessment work (see for example - [Wind Turbine Sites in Teignbridge](#)). To do something similar could require a costly commission and may take some time to complete. This does not seem proportionate in the case of East Devon particularly in relation to wind farm development as few opportunities exist to bring forward viable wind farm development in the district. Furthermore even under such a policy approach there are significant uncertainties that planning permissions would or could be granted for schemes. The NPPF still requires community engagement and “*community support*” for wind farm development to go ahead. This does not mean that there are no objections to a proposal though some commentators suggest this test still remains very challenging and is quite likely to stifle many possible applications. Matters have changed little, it is suggested by some, from previous NPPF requirements and they suggest there will remain very major challenges, potentially making it not worth starting to pursue schemes, for prospective developers.
- 2.10 Should committee be of the view that a more proactive and positive policy approach to wind farm development is desirable in East Devon then we would seek clarity on this matter and would wish to appoint specialist consultants to undertake assessment. Members instructions are sought.
- 2.11 The NPPF is not specific in respect of local plan defining locations for solar farms or solar arrays. Strategic Policy 31 of the draft local plan provides for their consideration and is considered appropriate, subject to minor refinement officers may recommend at a later date for inclusion in the plan.
- 2.12 It is worth highlighting that whilst there was some positive feedback in draft plan consultation to wind farms and solar farms there were concerns raised about the nature and scale of impacts that development may have. Smaller scale, especially

domestic installations, were generally seen more favourably than bigger developments.

### **3. Other climate emergency policies in the local plan**

- 3.1 Although majoring on wind and solar energy we touch on other policy matters as set out in the draft plan below – noting that a separate report to committee addresses matters relating to Strategic Policy 28 - Net-zero carbon development and Strategic policy 34 - Embodied energy – so reference is not included here.
- 3.2 **Strategic Policy 27 – Climate emergency** – this is an overarching strategic policy that sets out a broad approach to addressing the East Devon target to become carbon neutral by 2040. Refinements but not major changes are likely to be appropriate.
- 3.3 **Strategic Policy 29 - Promoting renewables and zero carbon energy** - this is also something of a generic overarching policy and it may be reasonable to look at removal of the policy from the plan and incorporating relevant parts in other plan policies. Noting, however, that there is policy reference to limitations on non-renewable energy generation developments.
- 3.4 **Strategic Policy 32 – Energy storage** - Energy storage technologies (including battery storage) allow surplus electricity to be stored as other forms of energy until it is required when it can be re-released as electricity. Policy addresses new developments but it is recognised that larger scale facilities can be challenging to accommodate and there have been issue around whether the energy stored should be from renewable sources only or if it should include non-renewable generation. Policy 32 – Energy Storage, we suggest, strikes a broadly appropriate balance for consideration of proposals for energy storage facilities.
- 3.5 **Strategic Policy 33 – Heat networks** - Strategic heat networks are created from systems where a central plant or plants will generate heat and this will then be distributed along pipe networks. Policy addresses these considerations and along similar lines the SWEEG report for Exeter, that is referenced in this report, refers to **Local energy networks** which can provide potential for energy supplies that may avoid use of the national grid and can provide for specific defined areas or locations. Sometimes they can be achieved through local ownership, drawing on renewables or ‘waste’ heat or energy from say industrial activities. These will warrant further investigation in plan making. We have a district heat network already operating in the district within Cranbrook and the enterprise zone and there are opportunities for a network to serve the proposed second new community as well.

### **Financial implications:**

There are no direct financial implications raised in the report.

### **Legal implications:**

There are no legal implications requiring comment.