

Chapter 6 Landscape and Renewable Energy

6.1 The importance of Devon's landscape was apparent from our initial tours of the county. The need to protect it was emphasised during the examination, not only for its own sake, but for the significant role it plays in Devon's economy by attracting businesses and tourists to the area.

6.2 The importance of the environment in the south west is recognised in RPG 10, which identifies the environment as a key strength. RPG 10 also identifies the need to address the issue of accommodating development to meet the social and economic objectives of the region, while ensuring that the environmental resources of the area are maintained and enhanced. This crucial relationship between two often conflicting issues is one that we see as vital for the plan to tackle. The policies and proposals within this chapter should aim to ensure that "conservation and development can be compatible"¹.

6.3 Policy EN1 of RPG 10 recognises the need for policies and proposals in plans to not only protect and conserve but also to enhance the landscape, biodiversity and environmental features and characteristics. We dealt with this in Chapter 2 when we looked at the plan's aims and objectives, and emphasise its importance again here.

6.4 The first part of this chapter considers the issues that were raised from Matter DSP4/1. The second part of this chapter considers the issues that were raised relating to renewable energy during the lively discussion of Matter DSP4/2.

Overview

6.5 We welcome the plan's "two-pronged approach" to landscape character and landscape designation, which uses both an analysis of the landscape and its features, and the designation of policy areas.

6.6 In our view character assessment can lead to a more pro-active approach to landscape protection and enhancement than simply using the protectionist policy designation that has been traditionally adopted. Nevertheless, we consider that it important to maintain the policy designation approach, in accordance with national and regional guidance. There should, however, be clearer guidance within the explanatory text to policy CO1 explaining the relationship between the two approaches.

6.7 It was argued² that, as landscape character areas will be cross administrative boundaries, the plan must give district councils clear policy

¹ PPG9 paragraph 3.

² In the Stax (Pinhoe) Ltd statement for Matter DSP4/1.

guidance on this issue. We agree, and we recommend accordingly. There will also be a need for district councils to work together to identify the characteristics of areas, and the ways in which they can be maintained and improved. Again this is reflected in our recommendation.

Landscape Character and Local Distinctiveness

Matter DSP4/1; policy CO1

Landscape Character Zones

6.8 We heard that the Devon landscape consists of many different characteristics, with each individual area combining to give the county its unique landscape character. The landscape character zones identified on Map 9 provide general information on the broad character areas. The issue we considered was whether policy CO1, together with Map 9, provides enough guidance for local planning authorities to produce their own, more detailed policies in local plans.

6.9 It was argued³ that it would be useful for the plan to contain a condensed summary of the features and characteristics for each of the identified zones. We agree⁴, however, that the zones identified in the plan are appropriate to the county level, giving more detail than the national level, but not refining the landscape in such detail that the strategic nature of the policy is lost. Moreover, given the general nature of the character areas, we do not consider that it is appropriate to provide a summary of the features and characteristics within the plan, as this would be more usefully defined in further detail at a local level.

6.10 Within policy CO1 the plan has emphasised the broad nature of the character areas on Map 9, and the importance of local planning authorities carrying out further detailed analysis of locally important features and landscape details to include within their local plans.

6.11 A change of the wording of policy CO1 was suggested⁵ during the discussion and in the written submissions with the aim to provide a broad strategy within the Plan instead of including detailed proposals. However, we do not consider that such a form of wording would give enough guidance to local planning authorities in producing more detailed landscape assessment. Producing local assessment is considered vital to this whole process, and therefore we do not recommend further modifications the policy.

³ By the Government Office for the South West.

⁴ With the Joint Structure Plan Authorities.

⁵ By the Country Land and Business Association statement for Matter DSP4/1, paragraph 5.

6.12 It was argued that Zone 25⁶ on Map 9 should be changed to two discrete landscape character zones. However, we agree⁷ that, as the zones are taken directly from *The Devon Landscape*⁸, it would be inconsistent for the plan to include different zones from those identified in the source data. We are not in a position to recommend detailed changes to any zone. Rather, we recommend that within the explanatory text there is reference to the source document of this information⁹, and the information provided within it.

6.13 We noted that the policy CO1 describes Map 9 as illustrating “Devon’s Landscape Character Areas”, whereas the title of the map is “Landscape Character Zones”. We recommend consistency in these titles.

Recommendation 6.1

Modify policy CO1 in accordance with the pre-examination changes.

Recommendation 6.2

Add to the explanatory text within paragraphs 4.6-4.9:

- (i) clearer guidance on the relationship between the landscape character area approach and the policy designation approach;
- (ii) the need for district councils to work closely together to produce policy frameworks which are cross-border;
- (iii) a reference to the source document for Map 9, and the relevant information that this document contains;
- (iv) the importance of the biodiversity within Devon’s landscapes, and the link between policy CO1 and CO9; and
- (v) consistency in the titles of the Landscape Character Zones.

⁶ See Teignbridge District Council statement for Matter DSP4/1.

⁷ With the Joint Structure Plan Authorities.

⁸ *The Devon Landscape – an appraisal of Devon’s landscape at the beginning of the 21st century*, Devon County Council, 2002.

⁹ *Ibid.*

Landscape Policy Areas

Matter DSP4/1; policy CO4 and CO5

Areas of Great Landscape Value

6.14 Policy CO4 and the supporting text identify Areas of Great Landscape Value¹⁰ and the additional policy protection that these areas will be afforded. Some participants¹¹ were unconvinced that there is a need for this additional designation, given the advice in paragraph 4.16 of PPG7.

6.15 We consider, however, that there is ample justification for the designations, given the particularly outstanding quality of the Devon landscape. In our view¹² the plan making authorities should continue with the development of the character approach to landscape protection which, once fully developed, could replace the Area of Great Landscape Value designations. For the present time, however, these designations afford the areas of locally significant landscape additional protection against inappropriate development, and we have no doubt that they have an important role to play.

6.16 No review of the Areas of Great Landscape Value has been undertaken and there is a need to provide links between the designations and the landscape character zones. We noted at the examination that there is inconsistency between the explanatory text and policy CO4: should local plans “define” or “refine” the Areas of Great Landscape Value boundaries? We consider that it is for local plans to re-examine and define the boundaries of the areas. This work could also offer the opportunity to include recent work on the landscape characteristics of the areas which are considered important to protect and enhance.

6.17 We agree¹³ that policy CO4 is unduly restrictive to potential developments in these areas, affording the locally designated Areas of Great Landscape Value as much, if not more, protection than the nationally designated Areas of Outstanding Natural Beauty. Any development proposal in these areas should be judged on their individual merits, and their potential impact on the character of the landscape. We therefore recommend accordingly.

¹⁰ We note that originally Areas of Great Landscape Value were national designations, (dating from 1948), of local definition. For further information see Lewis Keeble’s *The principles and practice of town and country planning*. London: Estates Gazette Ltd, 1952. In this respect, PPG7 has its planning history wrong!

¹¹ CLBA and Eagle Investments.

¹² And that of the Government Office for the South West.

¹³ With the view put forward by the National Farmers Union in their statement for Matter 4/1.

6.18 It was argued at the examination that there are anomalies between Map 10 and Map 5¹⁴. It was pointed out that areas shown on Map 5 as areas of “Strategic Landscape and Development Constraint” do not have any landscape policy designation on Map 10. Whilst Map 5 is diagrammatic, outlining only the strategic areas, we consider that, within its scale, it could usefully be made more accurate to avoid confusion between the two maps.

6.19 Given our other recommendations within this report (for example, the deletion of areas of economic activity and the priority area for rural regeneration), the Joint Structure Plan Authorities should consider whether Map 5 serves any useful purpose, and, if not, consider deleting it from the plan.

Recommendation 6.3

- (i) Modify policy CO4 by deleting the sentence “New development should therefore only be provided for where it would be limited in scale and visual impact”.
- (ii) Consider deleting Map 5, but if it is retained, modify it to reflect areas of strategic landscape and development constraint more accurately.

The coast

6.20 It was argued¹⁵ that policy CO5 has been watered down by the pre-examination change to replace the word “permitted” by “provided for”. We acknowledge that this change is proposed in the light of the advice in PPG12¹⁶ that structure plans should concentrate on providing a strategic framework rather than detailed development control policies¹⁷.

6.21 We recognise the importance of the need to protect the Devon coastline, and this is reinforced by the various designations that cover the majority of the coastlines both in the north and south of the county. We do not consider that the re-wording of the policy as proposed in the pre-examination changes weakens the policy, nor its core aim of protecting the character and appearance of the coast. We conclude that these designations, together with policy CO5 as amended, provide adequate protection for this highly valued feature. The pre-examination change is therefore considered acceptable, and we recommend accordingly.

¹⁴ By Mr Beardmore, representing Eagle Investments.

¹⁵ By Mr Watts representing the Devon Conservation Forum.

¹⁶ PPG12, paragraph 3.7.

¹⁷ *Pre-Examination in Public Changes to the Deposit Draft (January 2003)*, Reason for proposed change to Policy CO5.

Recommendation 6.4

Modify policy CO4 in accordance with the pre-examination changes.

Biodiversity

Matter DSP4/1; policy CO9

6.22 We heard¹⁸ that there was a need for greater connection between the landscape character designations and the maintenance and enhancement of biodiversity. We agree with this view that there is a greater need for connection between these two topics. Maintaining biodiversity is vital to ensure that a “Hollow Landscape”¹⁹ does not occur. We recommend that the explanatory text include details on the ways in which Biodiversity Action Plans link to the work carried out on the Landscape Character Zones, and the relationship between policy CO9 and CO1. Likewise, there should be explanatory text included within the Landscape Character and Local Distinctiveness section highlighting the importance of maintaining and improving biodiversity within the varied landscapes in Devon.

6.23 We heard representations²⁰ that there was no need to include both Maps 9 and 11 within the plan, and that one should therefore be deleted. We find that having the two maps containing similar areas confuses the plan. As we have endorsed the inclusion and the approach of landscape character zones, we feel that the additional inclusion of the Map 11 showing the English Nature’s Natural Areas is confusing and reduces the impact of Map 9 and the information it contains.

6.24 Map 11 is not directly linked to any particular policy or proposal within the plan, and is included for information only. We consider that to improve the clarity of the plan Map 11 should be deleted. The reference to English Nature’s Natural Areas Initiative should remain within the explanatory text, with an additional indication as to how this can inform the planning process.

Recommendation 6.5

Delete Map 11 from the plan.

Recommendation 6.6

Add to the explanatory text within paragraphs 4.44-4.48:

¹⁸ Oral evidence from Ms K Haddrell of the Government Office for the South West.

¹⁹ *Ibid.*

²⁰ From the written statement by the Government Office for the South West.

- (i) an indication of the ways in which Biodiversity Action Plans can link to the work carried out on the Landscape Character Zones, and
- (iii) the relationship between policies CO1 and CO9; and
- (iii) an indication of the ways in which English Nature's Natural Areas Initiative can inform the planning process.

Renewable Energy

Matter DSP4/2; policy CO12

Renewable energy developments

6.25 It became clear to us from the discussion of this matter that over the plan period there will be a need to generate an increased percentage of the country's energy needs from renewable sources. The plan therefore has to lead the way in setting achievable targets for its own area. In doing so there is a need for the plan to contain guidance in how the various, often conflicting, issues can be weighed against each other to achieve attainable targets.

6.26 Just after the discussion was held into Matter DSP4/2 the Department of Trade and Industry announced proposals for the second round of leasing for offshore windfarm development²¹. Although there are no sites proposed within the first and second rounds off the coast of the south west, this demonstrates the Government's commitment to the use of renewable energy, and to reaching the goals set out in the Energy White Paper.

6.27 To achieve future national energy goals²² there is a need for the plan to set local targets that will be realistically obtainable, and produce stringent guidance on ways in which they can be achieved. Several participants²³ suggested that there was a need to set the policy within the wider context. We agree that there should be some inclusion of this within the explanatory text, setting out the reasons why there is a need for renewable energy, and the background to the target.

6.28 We noted the inclusion of the regional target of 11-15% in the policy from the Terence O'Rourke Study²⁴, which is also included in policy RE 6 of RPG 10. This target should be adjusted within the policy to reflect the county's own sub

²¹ On 14 July 2003 the Secretary of State for Trade and Industry, asked The Crown Estate to invite windfarm developers to tender for sites in the second round of leasing for offshore windfarm development.

²² Energy White Paper, *Our energy future — creating a low carbon environment*, February 2003.

²³ Including the North Devon Friends of the Earth.

²⁴ *Renewable energy assessment and targets for the south west*, February 2001.

regional target once the work currently being undertaken by Revision 2010²⁵ is completed.

6.29 Concerns were raised²⁶ over whether the regional target can be achieved. We acknowledge the need in Devon for the local authorities to work together to try and reach this target. The national and regional targets set for renewable energy generation may well give the impression of a “top-down approach” but the important element is how these targets are distributed throughout the local level.

6.30 The plan should highlight this need for joint working between the local planning authorities and interested parties to achieve the targets, whilst respecting the other considerations such as the most appropriate form of renewable energy development for individual areas, and potential impact on landscape character and neighbouring properties. This could be achieved by the production of a countywide action plan on renewable energy, which would have the status of supplementary planning guidance. It is recommended that this need for close co-operation between districts be included within the explanatory text.

Recommendation 6.7

Add to the explanatory text within paragraphs 4.59-4.65:

- (i) the importance of the need for renewable energy generation, set within the wider national and international context, including the targets and aims of the Energy White Paper; and
- (ii) a paragraph highlighting the importance of joint working between the local planning authorities and interested parties and the commitment to producing supplementary planning guidance in the form of a countywide action plan for renewable energy.

Policy structure

6.31 It was argued²⁷ that policy CO12 was not positive enough in its approach to renewable energy developments. We consider, however, that the policy should enable decisions to be made which strike an acceptable balance between the need for renewable energy developments, and the protection of the landscape and the environs of the local residents, and we recommend accordingly.

²⁵ Revision 2010 is a project funded by the Government Office for the South West in partnership with the South West Regional Assembly which will “provide technical support and a process of stakeholder engagement aimed at identifying the opportunities, implications and constraints for sub regional renewable electricity targets in the South West.” *Revision 2010: Empowering the region.*

²⁶ Particularly by Torridge District Council in their statement for Matter 4/2.

²⁷ By, among others, Devon Wind Power Ltd.

6.32 We heard²⁸ of the harm that wind turbines can have on many peoples' appreciation of the of the landscape. There were conflicting views over whether wind turbines could have an impact on the tourism industry, as many people visit Devon because of its unspoilt countryside²⁹. We do not consider the affect on tourism to be a major restriction to wind turbine developments, however, as the policy provides protection for the qualities and special features of the landscape, ensuring that these issues will be looked at when proposals are considered. We consider that the policy we recommend provides adequate protection for the protection of the landscape.

6.33 There was considerable debate on the types of renewable energy development which would be acceptable in Devon. We heard arguments³⁰ that renewable energy could be produced using a variety of different resources and technologies. We consider that a realistic approach must be taken to the types of technologies that will be available during the plan period and which will enable the challenging target for renewable energy to be met.

6.34 Participants considered that all types of technologies will be required to meet the targets but, as the timescale is tight, there was a particular need to promote the developments that used existing, mature technologies³¹. In contrast it was argued that technologies such as off shore turbines could not be relied in as they are in the early stages of development and are therefore unlikely to reach the specific production targets within the timescale³². This view has been enhanced by the ministerial announcement that does not propose any off shore wind turbine development within the south west region in its first two rounds of leasing.

6.35 Questions were raised by the panel as to whether the policy set out the different technologies in priority order. Although the Joint Structure Plan Authorities responded that they are not, we are concerned that the numbering of the technologies in the policy gives the impression that they are. We also note that in the pre-examination changes, wind to energy generation within the area of search has moved from first to fifth position on the list, plainly giving the impression that it is of lower priority.

6.36 As we have said earlier, there will be a need for all types of technologies to be developed to reach the targets set. We believe that if the policy appears to give a higher priority to certain technologies, it could harm the development of other technologies of apparently lower priority. We therefore recommend that the list of five priorities be removed from the policy, and included as bullet points

²⁸ From among others Mr C Dryden representing North Devon District Council, and Mr P Hadden.

²⁹ Oral evidence of the National Trust.

³⁰ From the Joint Structure Plan Authorities.

³¹ Oral evidence from Friends of the Earth.

³² Oral evidence from National Wind Power.

(unnumbered) within the explanatory text as examples of the different types of renewable energy technologies that may be acceptable.

6.37 We consider that the final sub paragraph of policy CO12 in the pre-examination changes is unnecessary. This paragraph is needlessly negative in its approach to wind to energy developments. All the designated areas stated in the paragraph have their own policy within the plan that will protect them from adverse developments, and other policies within the plan will ensure that developments should respect the character of the landscape.

Recommendation 6.8

- (i) Do not modify policy CO12 in accordance with the pre-examination changes.
- (ii) Remove the list of five priorities from the policy, and put them within the explanatory text, with an explanation that they are listed in no particular priority order. To reinforce this, the numbering should be removed and replaced with bullet points.
- (iii) Delete the last sub paragraph of policy CO12.
- (iv) Modify the remainder of policy CO12 along the following lines:

“Provision should be made for renewable energy developments, including offshore developments, to contribute towards the regional target of 11-15% of electricity production from renewable sources by 2010, subject to the consideration of their impact upon the qualities and special features of the landscape and upon the conditions of those living or working nearby.”

Area of search

6.38 We are not convinced that the area of search indicated on the key diagram shows the most appropriate area that could have the capacity for strategic windfarm developments. It is useful, though, in highlighting the need for renewable energy solutions on the main key diagram. However, there must be reference to the area of search within policy CO12. In addition, the explanatory text must state clearly why this area of search may have the greatest scope for on-shore wind to energy developments; that is identifying the areas which have sufficient wind speeds whilst avoiding of designated landscape areas.

6.39 Concerns were raised³³ over restrictions in the area of search from Ministry of Defence sites. This possible restriction on the development of wind

³³ By National Wind Power, Devon Wind Power and Regen SW in particular.

turbines in the area will need to be considered when proposals for turbines came forward. We do not have sufficient evidence to consider that it would stop the development of wind farms in this area to such an extent to make the area of search designation meaningless.

6.40 We heard arguments about whether specific areas should or should not be included within the area of search. However, we consider that the district planning authorities should define their own areas where renewable energy developments may be suitably located within the context set by this plan. It was argued³⁴ that the area north of Barnstaple and south of Ilfracombe should be included in the area of search. We heard no convincing evidence to the contrary, and we see no reason to doubt that this area meets the same criteria as the other parts of the area of search. We therefore recommend accordingly.

6.41 We heard from various participants that the area of search should not exclude other developments outside of the area, particularly small-scale community projects³⁵. In our view the explanatory text should explain that other sites outside of this area of search will be considered if they prove to be suitable.

6.42 Following PPG22³⁶ the plan should remind each local planning authority to draw up its own area of search, defining areas that may be suitable for renewable energy developments using a criteria based approach. This task should be carried out in co-operation with the relevant renewable energy organisations and industry bodies.

Recommendation 6.9

- (i) Modify the area of search identified on the Key Diagram to include the area north of Barnstaple and south of Ilfracombe not covered by landscape designations.
- (ii) Further modify policy CO12 to include a reference to the area of search.

Recommendation 6.10

Add to the explanatory text within paragraph 4.65:

- (i) a clearer justification of the area of search as the area with the greatest potential for on-shore wind to energy development at a strategic scale;

³⁴ By Devon Wind Power.

³⁵ Oral evidence of the Government Office for the South West.

³⁶ PPG22, paragraph 25.

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- (ii) an explanation that other sites outside of the area of search will be considered for on-shore wind to energy developments if they prove to be suitable; and
 - (iii) a recommendation that each local planning authority draws up its own area of search within their district.

Priority area for rural regeneration

6.43 Chapter 4 of our report includes our recommendation for the deletion of the designated priority area of rural regeneration. We do not consider that there is a need give priority to an area for the development associated with biomass and energy crop based generation. This particular area through mid and north Devon may be the most appropriate area for the development of this type of technology but this should be left for producers, developers and district authorities to determine. We therefore recommend that the reference to any priority area for biomass and energy crop generation be deleted from both the policy and explanatory text.

Recommendation 6.11

Remove the reference to the priority area for rural regeneration within policy CO12, the explanatory text, and any other reference to it within the plan.

Policy CO11

6.44 Policy CO11 was briefly mentioned during the discussion of Matter DSP4/2. Although the energy consumption of individual buildings is not largely a land use planning matter, it was acknowledged that the plan should take a positive role in promoting energy efficiency within the design of new development. We consider that policy CO11 and its supporting explanatory text sufficiently highlights the opportunities available in developments to conserve energy resources, and would not recommend any modification to the text or policy.