

Our Plan – Formal consultation

This document contains various policies extracted from the draft Local Plan document 'Our Plan' approved by West Devon Borough Council on 20th January. Shorter policies are incorporated into the text *and shown in this font*, longer policies are set out in Annex 1 to this paper.

Policy OP2: Sustainable Development

Our Plan will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

It will always work proactively with applicants and stakeholders jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the development plan will be approved without delay, unless material considerations indicate otherwise.

Comment:

There should be no unnecessary delay in the consideration of any planning application, whether sustainable or not. Presumably, applications for sustainable development will still be subject to the normal consultation process. This paragraph suggests a 'fast track' approach to the consideration of applications for sustainable development.

If that is to happen, then that process should be made clear. If it is not, then the paragraph should be removed, as it gives a misleading impression.

Policy OP3: Meeting Future Development Needs

Policy OP5: Minimum Planned Requirements

These policies indicate that wherever possible, new development should be provided in the most 'sustainable' locations to ensure that people have the opportunity to access important local services and facilities within easy reach.

This requirement lies at the heart of the NPPF and means development should:

a) be located in places where there is good access to services and facilities or where new facilities can be provided;

b) protect our most sensitive environments and the character and beauty of them;

OP3 also states that:

In addition to the local centres, there are a handful of main villages which currently support some basic services, including a primary school and other facilities for

communities to meet, interact and enjoy various activities. Some of these places have small shops and post office services which are important and valued.

Comment:

The Parish Council accepts that 'sustainable' development is an essential and desirable aim and that there is no simple test for sustainability. It also acknowledges the efforts of the Borough Council to adopt a tiered approach to what constitutes an appropriate level of development in communities outside main towns and local centres.

However, the Parish Council considers that the requirement to achieve a minimum of 20 houses in Milton Abbot, as set out in OP5, has not achieved the right balance between making a necessary contribution to meeting local housing needs and meeting the criteria in a) and b) above, given the lack of facilities in Milton Abbot, the size of the village and the impact that 20 new homes would have on the historic setting of the village centre. It therefore suggests that Policy OP5 be amended to set a minimum target of 15 houses in Milton Abbot.

Policy OP18: Area of Employment Opportunity – Strawberry Farm Fields, Lifton

Land at Strawberry Farm Fields is allocated in Our Plan for employment development in accordance with any Neighbourhood Development Plan prepared for the area.

Comment:

Whilst it is, of course, a matter for Lifton Parish Council to consider as far as this particular site is concerned, the development of facilities that increase employment opportunities outside main centres is generally welcomed, provided there are appropriate safeguards against any adverse effects of such development on surrounding areas.

Both Lifton and Chillaton are increasingly affected by HGVs in transit either to local destinations or, via the A30, to more distant locations. Both villages have inadequate means of providing pedestrian safety or dealing with traffic conflicts made worse by these large vehicles. The unclassified rural road network between them is also unable to accommodate these vehicles safely at all points. Some HGVs transiting these villages are also likely to go through the historic centre of Tavistock.

The availability of a trunk road with connections to major distributor roads, immediately adjacent to this site, creates a viable alternative for HGVs that might otherwise use unsuitable rural routes.

The Borough Council is therefore requested to explore the potential for imposing a condition on any planning permission granted for the use of this site, or through any associated agreement made in connection with its development, requiring HGVs servicing premises therein to transit via the A30 trunk road.

Policy OP20: Managing Development in Our Main Towns, Local Centres and Main Villages

Policy OP21: Managing Development in Smaller Villages, Hamlets and the Open Countryside

These policies, set out in Annex 1 below, contain detailed measures aimed at allowing very small scale development in rural areas, where it meets a defined local need and other criteria.

Comment:

These proposals are supported as practical measures to enable local needs to be met within a framework that provides suitable safeguards against unwarranted development.

Policy OP 29: Neighbourhood and Village shopping

The Borough Council will continue to support the development of proposals, through Community and Neighbourhood Planning processes, for retail development that would support clearly identified local needs and which are consistent with this plan.

The change of use of shops, post offices and public houses serving the local community to other uses will be supported, where it can be demonstrated there is no significant harm to the level of service locally and where there is no reasonable prospect of the business continuing.

Comment:

There is no point in forcing redundant business premises to remain in limbo, when it is clear that they cannot be sold to another operator. However, the Parish Council does feel that there should be a more objective test of future viability than 'no reasonable prospect' of the business continuing and proposes that the following words be added:

'as evidenced by the failure of the owner to achieve a sale of the premises for the business use concerned at or below the market value, for a period of 12 months, despite the professional marketing of the property throughout that period.'

Policy OP30: Inclusive Communities

This policy, set out in Annex 1 below, contains measures that will enable new development to cater for the variety of local needs that are likely to arise in rural communities.

Comment:

This policy is welcomed as a practical reflection of the variety of local housing need likely to be found in rural parishes.

Policy OP37: Nationally Protected Landscapes

Policy OP38: Landscape Character

These policies are set out in Annex 1 below.

Comment:

Within West Devon, the existence of landscapes that are of national importance and have statutory protection is always going to increase pressure on the remaining areas of the Borough, many of which contain landscapes of considerable cultural, social and economic value.

The Borough Council has identified various landscape character types [LCTs] outside protected areas and does attach a value to them, that is reflected in various aspects of its policies. Our Plan's range of policies, each with a desirable outcome, may conflict with one another where development is proposed in sensitive locations. The resolution of that conflict

is normally determined by the merits of the proposal, the relevance of any objections, the gains offered and any adverse impacts arising from their delivery.

However, given the quality and vulnerability of the landscapes outside protected areas of the Borough and their importance in various ways to the communities concerned, the Parish Council does not consider that the Borough Council has provided sufficiently robust and objective measures to assist in resolving the competing merits of wind turbines and solar farms and the landscapes in which it is often proposed that they are located.

That failure is not reflected in the efforts of some other local planning authorities in the south west and elsewhere, that have carried out Landscape Sensitivity Assessments of the various LCTs in their areas, with particular regard to the impact of wind turbines and solar farms.

Residents in West Devon living outside of statutorily protected landscapes will not gain any degree of confidence from Our Plan, as to the likelihood or not of an RE development being built near them. Applicants will also have to continue to take an expensive gamble when seeking planning permission.

The Parish Council therefore seeks an open review of this policy, with the aim of ensuring that it properly reflects the value of non-statutorily protected landscapes and makes reference to Landscape Sensitivity Assessments for the various LCTs concerned.

If such an open review is not forthcoming, then the Parish Council will formally object to the omission of Landscape Sensitivity Assessments from Policy OP38 because of the inadequate degree of protection for non-statutorily protected landscapes it currently provides.

Policy OP47: New Development and Sustainable Energy

All new development (domestic, commercial, extensions, conversions) will be expected to contribute to lowering carbon emissions.

Carbon emissions should be reduced in accordance with national standards and the 'energy hierarchy' set out below:

- Reducing the energy load of the development by good layout, orientation and design to maximise natural heating, cooling and lighting*
- Maximising the energy efficiency of fabric (Regulated emissions)*
- On site low carbon or renewable energy systems*
- Carbon reductions through off site measures (allowable solutions)*

Developers will be expected to demonstrate how their proposals have responded to the energy hierarchy and estimate the expected level of emissions from regulated sources attributable to the development, with the aim of achieving the highest carbon savings possible (in so far as compatible with site viability).

Pending the introduction of zero carbon standards, all development should aim to supply at least 10% of the energy required from renewable or low carbon sources.*

**Low carbon sources of power can include wind, solar and hydro power*

Comment:

This policy is supported, but it is unclear whether failure to meet the Borough Council's 'expectations' carries any sanctions. The Parish Council appreciates that the Borough Council can only operate within the provisions of relevant statutes, but would like to see

either the substitution of 'required' for 'expected' if that is possible, or if not, an indication of the consequences if the Borough Council's expectations are not met.

Policy OP48: Renewable and Low Carbon Energy (including heat)

This policy is set out in Annex 1 below.

Comment:

The Parish Council's comments in relation to Policy OP38 apply to this policy as well, in that it does not contain any reference to an objective assessment of the impact of RE developments on LCTs.

It is also weak and subjective insofar as any assessment of the impact on residential amenity is concerned. The outcome of the application of the proposed residential amenity assessment *by an RE developer* will be another subjective debate, where parish councils and residents groups are pitted against consultants employed by that developer.

There needs to be a simple test of the effect on residential amenity, e.g. an acceptable distance of a dwelling from a turbine, determined by the high of the blade tip and offset by any screening or masking effect. A distance test has already been adopted by an authority with remarkably similar circumstances to West Devon and their local plan has been approved by a Government Inspector.

The Parish Council therefore seeks an open review of the means by which an objective test of the impact of wind turbine development on residential amenity can be incorporated into Policy OP48

If such an open review is not forthcoming, then the Parish Council will formally object to the omission of such a test from this policy.