



6 RENEWABLE ENERGY





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SPP 6

Renewable Energy

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PLANNING SERIES:

- **Scottish Planning Policies (SPPs)** provide statements of Scottish Executive policy on nationally important land use and other planning matters, supported where appropriate by a locational framework.
- **Circulars**, which also provide statements of Scottish Executive policy, contain guidance on policy implementation through legislative or procedural change.
- **Planning Advice Notes (PANs)** provide advice on good practice and other relevant information.

Statements of Scottish Executive policy contained in SPPs and Circulars may be material considerations to be taken into account in development plan preparation and development management.

Existing National Planning Policy Guidelines (NPPGs) have continued relevance to decision making, until such time as they are replaced by a SPP. The term SPP should be interpreted as including NPPGs.

Statements of Scottish Executive location-specific planning policy, for example the West Edinburgh Planning Framework, have the same status in decision making as SPPs.

The National Planning Framework sets out the strategy for Scotland's long-term spatial development. It has the same status as SPPs and provides a national context for development plans and planning decisions and the ongoing programmes of the Scottish Executive, public agencies and local government.

Important Note: In the interests of brevity and conciseness, Scottish Planning Policies do not repeat policy across thematic boundaries. Each SPP takes account of the general policy in SPP1 and highlights the other SPPs where links to other related policy will be found. The whole series of SPPs should be taken as an integral policy suite and read together.

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SUMMARY

The Scottish Ministers have set a target of generating 40% (since quantified as 6GW) of Scotland's electricity from renewable sources by 2020 and confirmed that this target should not be regarded as a cap. The importance of using clean and sustainable energy from renewable sources will continue to increase as a result of global imperatives to tackle climate change and the need to ensure secure and diverse energy supplies.

The Scottish Ministers will continue to support the full range of renewable generation technologies, including microrenewables, to enable Scotland to realise its considerable renewable energy potential.

The planning framework set out in this SPP will help ensure the delivery of renewable energy targets as well as supporting the development of a viable renewables industry in Scotland. The development of existing and new technologies has the potential to provide significant opportunities for Scotland to enhance its manufacturing capacity with associated economic and employment benefits. Such benefits, which may accrue locally or nationally, should be fully taken into account when considering planning applications.

This SPP sets out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when preparing development plans and determining planning applications. Planning authorities should use the development plan process to support and encourage the continued growth of all renewable technologies. In particular, plans should set out a spatial approach for considering wind farm proposals over 20 megawatts.

Spatial policies should not be used to restrict development on sites where the technology can operate efficiently and environmental and other impacts can be addressed. In all instances, development plans should provide clarity on the criteria that should be met to enable development to take place in a satisfactory manner. Plans should, however, use spatial policies to afford significant protection to areas designated for their national or international natural heritage value; green belts and those areas where further development would result in unacceptable cumulative impacts.

Planning authorities should revise their development plans to take account of this SPP. In the meantime, they should continue to determine those applications that are, or come, before them ahead of revised local policies being put in place.



INTRODUCTION

1. This SPP sets out the national planning policies for renewable energy developments that planning authorities should consider when preparing development plans and when determining planning applications. It identifies the issues that Scottish Ministers will take into account when considering renewable energy policies in development plans, and when considering applications for planning permission which come before them on appeal or call-in. The policies in this SPP will also be applied to the authorisation of on-shore electricity generation schemes under Section 36 of the Electricity Act 1989.

SUSTAINABLE DEVELOPMENT

2. *Choosing Our Future: Scotland's Sustainable Development Strategy*¹ sets out the national and international context that drives the Scottish Executive's sustainable development agenda. The Strategy highlights, as key priorities, the need to protect and manage our natural resources for the long term; the need to protect the historic environment; the need to change the way Scotland generates and uses energy with a view to reducing greenhouse gas emissions and maximising our considerable renewable energy potential. The Planning etc (Scotland) Act 2006² introduces a new duty that requires that functions relating to the preparation of the National Planning Framework and development planning should be exercisable with the objective of contributing to sustainable development.

CLIMATE CHANGE

3. The statutory guidance being prepared by the Executive under Section 3E (3) of the Planning Act will confirm that the need to tackle climate change should be seen as the principle challenge of sustainable development. *Changing Our Ways: Scotland's Climate Change Programme*³ sets out the Executive's agenda for taking forward this work. The programme commits Scotland to an ambitious target for reducing greenhouse gas emissions and puts in place a framework to help reduce Scotland's vulnerability to the effects of climate change. Planning policies have a significant role to play in addressing the need to help mitigate the effects of climate change.

¹ Scottish Executive, ISBN 0-7559-4851-3

² The Stationery Office, ISBN 10: 0105901075

³ Scottish Executive, ISBN: 0-7559-4984-6



SUPPORTING RENEWABLE ENERGY

4. The Scottish Ministers' commitment to increasing the amount of electricity generated from renewable energy sources is a vital part of the response to sustainable development and climate change imperatives. This commitment also recognises the ability of renewable energy to contribute to secure and diverse energy supplies and its potential to support economic growth. The Executive's strategy for renewable energy is set out in *Securing a Renewable Future: Scotland's Renewable Energy*.⁴ This confirms a target of 18% of electricity generated in Scotland coming from renewable sources by 2010, rising to 40% by 2020. Progress towards these targets is being driven by the Renewables Obligation (Scotland) which obliges electricity suppliers to provide an increasing proportion of their electricity generated from eligible renewable sources.
5. The Executive's 2010 target has been met. The intention of this SPP is to facilitate successful achievement of the 2020 target, and beyond. In 2005, the Scottish Ministers re-confirmed the 2020 target, quantifying it as 6 GigaWatts (GW) of installed renewables capacity, and confirmed that this figure should not be regarded as a cap on development. The Executive's expectation is that during the currency of this SPP sufficient developments should be consented, at minimum, to enable achievement of the 2020 target several years ahead of schedule.
6. The Executive's policy is that its 2020 target should be met by a range of renewable technologies. Hydro and onshore wind power are currently making the most significant contribution. This is expected to continue although these technologies will increasingly operate as part of a renewables mix as other technologies come on line. Biomass is also a proven technology which will contribute to current targets. Other technologies may have the potential to contribute more significantly to the overall generation mix in the longer term. This will include energy from waste and landfill gas and technologies not covered by the land-use planning system, such as offshore wind, wave and tidal. The Executive will continue to support these renewable energy technologies, working through the Forum for Renewable Energy Development Scotland and in discussion with key stakeholder groups.
7. The Scottish Ministers are also keen to see a major increase in the smaller-scale production of heat and electricity from renewable sources. While much of the forecasted activity in this sector may take place at a domestic level (through micro wind turbines, woodchip boilers, heat pumps and solar heating), there is also significant potential for decentralised energy supply systems and small, medium and large scale biomass heating plants for businesses, public buildings and community/housing schemes. Some of these issues will be considered in more detail in the Renewable Heat Strategy for Scotland, which is due for publication at the end of 2007

⁴ Scottish Executive, ISBN 0-7559-0766-3

THE NATURAL AND HISTORIC ENVIRONMENT

8. Support for renewable energy developments and the need to protect and enhance Scotland's natural and historic environment must be regarded as compatible goals if an effective response is to be made to the challenges of sustainable development and climate change. The planning system has a significant role to play in resolving conflicts so that progress towards the 2020 target continues to be made in a way that affords appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy development.
9. *National Planning Policy Guideline 14: Natural Heritage* sets out the policies that must be taken into account when considering the impact of development on the natural heritage. The guidance confirms that Scotland has a wide range of natural heritage assets which are protected and cared for in a variety of ways. At an international level, Scotland has specific obligations to fulfil in terms of European Directives. There are also national and local considerations in terms of species, habitats and landscapes.
10. *It's in Your Hands: A Strategy for the Conservation and Enhancement of Biodiversity in Scotland*⁵ sets out a vision for the future of Scotland's biodiversity giving a 25 year framework to conserve and enhance biodiversity for the health, enjoyment and well-being of the people of Scotland in the context of the EU commitment to "protect and restore the functioning of natural systems and to halt the loss of biodiversity". The Nature Conservation (Scotland) Act 2004 places a statutory duty on all public bodies to further biodiversity while exercising any of their functions. Planning plays a key role in fulfilling this duty and in ensuring that the natural environment remains a key contributor to the sustainability of human activity and to the quality of life.
11. The UK Government has also signed and ratified the European Landscape Convention (ELC). The ELC is a Council of Europe treaty whose purpose is to promote landscape protection, management and planning. It is not binding in the same way as European Directives. However, in ratifying the ELC, the UK Government has signalled its intention to promote the good management of all landscapes. The Executive does not regard the ELC as establishing a new protection regime but rather a contextual statement giving coherence to policies on a range of issues which are already in place.
12. The Executive is committed to safeguarding and, where appropriate, enhancing Scotland's historic environment. *NPPG 5: Archaeology and Planning* and *NPPG 18: Planning and the Historic Environment* set out national planning policies for the appropriate protection of scheduled monuments and other archaeological sites and their settings, World Heritage sites, listed buildings and their settings, gardens and designed landscapes and conservation areas. Together they provide guidance on the relative weight which attaches to the protection of different

⁵ Scottish Executive, ISBN 0-7559-4120-9

types and categories of site from international to local in accordance with the particular requirements of heritage legislation. *PAN 42 Archaeology and the Scheduled Monument Procedures* provides more detailed advice on those specific issues.

MODERNISING PLANNING

13. The Executive is modernising Scotland's planning system in response to its 2003 Partnership Agreement commitment to improve the planning system, strengthen involvement of communities, speed up decisions, reflect local views better and allow quicker investment decisions. The provisions of the Planning etc (Scotland) Act 2006 reinforce the primacy of development plans so that development takes place in the context of a long-term and inclusive vision for the future. The intention of this SPP is to put in place policies that support the role of the development plan in providing clear guidance on the relevant issues that should be taken into account when determining all renewable energy proposals in the area.

NATIONAL PLANNING FRAMEWORK

14. The National Planning Framework⁶ provides a statement of the Executive's strategic development priorities and is a key element of the reform package for the planning system. The Framework confirms the importance of renewable energy to Scotland's energy mix and highlights the key improvements to the electricity transmission system that are needed to facilitate development. The 2nd National Planning Framework will set out a spatial strategy for the period to 2030 and identify developments of national importance to the delivery of that strategy. Economy, sustainability, communities and connectivity have been identified as key themes for the development of NPF 2.

PUBLIC PARTICIPATION

15. The Scottish Ministers attach considerable importance to public participation in the planning process. This is a major theme in the ongoing modernisation of the planning system. Community participation is important in planning for renewable energy. It can help provide an opportunity to engage local people actively in the development of schemes; to address concerns about possible impacts; and to explain the wider benefits of renewable energy. This encourages transparency and enables people to form opinions founded on the best possible information. Planning authorities and developers should work closely with local communities

⁶ Scottish Executive, ISBN 0-7559-4195-0

at all stages of the planning process. Further advice can be found in Planning Advice Note (PAN) 81 on Community Engagement. Representations received from the public, based on relevant planning matters, will be one of a number of material considerations that should be taken into account when considering proposals.

SPP PRINCIPLES

16. The policies in this SPP recognise that future renewable generation technologies, the electricity market and transmission grid availability may develop in ways that cannot be foreseen. The intention is to review the position regularly. In the first instance, the focus should be on facilitating early progress towards national targets in an environmentally acceptable way whilst, at the same time, recognising that new distribution and transmission networks need to be developed to harness Scotland's renewables potential.
17. The Scottish Ministers expect planning authorities to make positive provision for renewable energy developments by:
 - supporting a diverse range of renewable energy technologies including encouraging the development of emerging and new technologies;
 - recognising the importance of fully engaging with local communities and other stakeholders at all stages of the planning process;
 - guiding development to appropriate locations and providing clarity on the issues that will be taken into account when assessing specific proposals; and
 - maximising environmental, economic and social benefits;

while at the same time:

- meeting international and national statutory obligations to protect designated areas, species and habitats and protecting the historic environment from inappropriate forms of development; and
- ensuring impacts on local communities and other interests are satisfactorily addressed. Such interests will vary from technology to technology. Further guidance is given in the following paragraphs.

LOCAL COMMUNITIES AND RENEWABLE ENERGY

18. There is potential, particularly in rural areas, for communities to invest in ownership of renewable energy projects or to develop their own local projects for local benefit. Small scale wind farms, such as those proposed by local communities, may be able to supply electricity to the local distribution network and more widely on the transmission network. The Highlands and Islands Community Energy Company (HICEC) is able to assist community groups develop renewable energy projects designed to generate and use renewable energy for their long term and collective benefit. Further details are available at www.hie.co.uk/community-energy.html. The Scottish Community and Householder Renewables Initiative is funded by the Scottish Executive and managed jointly by the Energy Saving Trust and HICEC to provide grants, advice and project support to assist the development of new community and household renewable schemes in Scotland. Further details are available at www.est.org.uk/schri. Planning authorities should put in place positive policies to enable communities to develop such initiatives in an environmentally acceptable manner.
19. A range of benefits are often voluntarily provided by some commercial developers to communities in the vicinity of renewable energy developments. These can include Community Trust Funds which support a variety of projects, including energy conservation initiatives, within the local community or opportunities for local communities, as a whole, to invest in developments with local long term environmental, social and/or economic benefits. Local authorities may facilitate and encourage such initiatives so long as it is recognised that any benefit, including mechanisms for negotiating with communities, is offered entirely at the discretion of the developer. Benefits that cannot be considered material in planning terms should not be taken into account when assessing whether a specific proposal is acceptable. .

ECONOMIC BENEFITS

20. *A Partnership for a Better Scotland*⁷ confirms that the top priority of the Scottish Executive is to grow Scotland's economy. This includes the start up and growth of Scottish business, encouraging and supporting key manufacturing industries and supporting innovation and technology transfer to grow high value and high skills businesses with the potential for expansion. *Going for Green Growth: a Green Jobs Strategy for Scotland*⁸ sets out how this priority should be delivered through sustainable economic development.
21. The Scottish Ministers believe that a thriving renewables industry in Scotland has the potential to develop new indigenous industries, particularly in rural areas; to provide significant export opportunities and to enhance Scotland's

⁷ Scottish Executive, May 2003

⁸ Scottish Executive, ISBN 0-7559-45840

manufacturing capacity. The planning system has a key role in supporting Scotland's economic competitiveness and employment market. The scope for developments to contribute to national or local economic development priorities should be a material consideration when considering policies and decisions.

GUIDING RENEWABLE ENERGY DEVELOPMENTS

PROVIDING GREATER CERTAINTY

22. Planning authorities should use the development plan process to set the framework for considering proposals for all renewable energy developments in their areas. Plans should support the development of all technologies, regardless of scale, whilst ensuring that an area's renewable energy potential is realised in a way that is compatible with other development plan policies and objectives. Plans should also ensure that individual proposals are assessed against clear policies so that clarity is provided to the industry, local communities and others on the potential for the development of renewable technologies throughout the area. This should be done, where appropriate, through spatial policies supported by broad criteria identifying the issues that must be satisfactorily addressed to enable development to take place.

WIND FARMS

23. During the lifetime of this SPP, onshore wind power is likely to make the most substantial contribution towards meeting renewable targets. Scotland has considerable potential to accommodate this technology in the landscape although, increasingly, careful consideration must be given to the need to address cumulative impacts. Development plans should set out a spatial framework, supported by broad criteria, for the consideration of wind farm proposals over 20 megawatts. Annex A sets out the considerations that should be taken into account when undertaking this work. This framework should not be used to put in place a sequential approach to determining applications.
24. The extent to which considerations set out in Annex A are relevant to proposals below 20 megawatts will be dependent on the scale of development proposed, whilst recognising that the design and location of any development must reflect the scale and character of the landscape. This should be recognised in development plans but the existence of natural heritage designations and other constraints should not be incompatible with the need to encourage smaller-scale wind developments, particularly community and decentralised energy schemes or those within urban and industrial settings.
25. In all instances, applications should be assessed in relation to criteria based policies to provide clarity on the issues that must be addressed to enable development to take place. This criteria will vary depending on the scale of development and its relationship to the characteristics of the surrounding area but are likely to include impacts on landscapes and the historic environment;

ecology (including birds), biodiversity and nature conservation; the water environment, communities; aviation; telecommunications; noise; shadow flicker; and any cumulative impacts that are likely to arise.

BIOMASS

26. The Executive is keen to see the potential biomass resource in Scotland contributing to a diverse range of renewables. The Biomass Action Plan for Scotland sets out a co-ordinated programme for the development of the biomass sector. The location of biomass plants is likely to be determined by a number of factors related to the economic costs of transporting supply materials from source; the availability of feedstock during the year; the location of the end user; and the scale of the plant. In certain locations, there will already be an adequate supply of feedstock from managed woodlands and secondary sawmill products which can be accessed for fuel immediately. In other areas, the growing of energy crops and the expansion of other woodland types would provide further options to support both expansion of the biomass sector and opportunities for local diversification into feedstock production.
27. Planning authorities should consider the extent to which there are opportunities through development plan policies to identify sites appropriate for new biomass plants in those areas where there are either existing long-term secure resources or new opportunities available to harness local resources. However, such policies should recognise that the identification of sites should not exclude development outwith these areas so long as they satisfactorily address specified broad criteria. This criteria is likely to include impacts on the natural heritage, landscape, built and cultural heritage, amenity (including public health and safety), environmental and transportation issues.

HYDRO

28. The scope for new hydro-electric schemes in Scotland is likely to be limited. However, there may be an increasing number of proposals for small scale run-of-river projects and, together with the continuing refurbishment of existing large schemes, this should ensure that hydro continues to play an important part in Scotland's renewable energy mix. Development plans should confirm that issues such as impacts on the natural and cultural heritage, water regimes, fisheries, aquatic habitats and species and cumulative impacts must be adequately addressed by applicants.

ENERGY FROM WASTE

29. The National Waste Plan, published in 2003, is based on a hierarchy setting out priorities for waste management. This confirms that waste should only be considered for energy recovery once prevention, including reuse, and recycling and composting options have been realised. There is a variety of technologies that can be used for waste treatment which either generate energy from waste directly or indirectly through incineration or process waste into a fuel which can be used elsewhere.

30. Planning authorities should have regard to the Area Waste Plans drawn up for their area and to other waste management proposals put forward by local authorities to move away from landfill. The location of new facilities will be dependent on the source of waste used and likely to be more appropriately developed within industrial/brownfield sites close to the electricity grid or other potential users. A development plan policy framework should support the identification of sites or provide criteria against which planning applications for new waste management development will be assessed. Separate pollution controls are in place covering these developments so development plan policies should restrict broad criteria to land use and locational factors.

FURTHER ADVICE

31. *Planning Advice Note 45: Renewable Energy Technologies (revised 2002)* provides additional advice on the key issues associated with the main renewable technologies, which planning authorities should consider when preparing development plan policies and determining planning applications.

CONSULTATION

32. Development plan policies should be prepared in consultation with Scottish Natural Heritage, Historic Scotland, the Scottish Environment Protection Agency, the renewables industry, aviation and telecommunication interests, grid owners, local communities, neighbouring authorities, the Executive's Energy Consents Unit and others who will be able to offer valuable advice to enable planning authorities to assess the potential of their areas to provide positively for renewable energy developments.

LOW AND ZERO CARBON DEVELOPMENTS

ROLE OF THE PLANNING SYSTEM

33. In March 2007, the Executive published '*Achieving a Low Carbon Future*'⁹, the first Energy Efficiency and Microgeneration Strategy for Scotland. This sets out the substantial steps that the Executive is already taking and its proposed way forward to ensure that energy efficiency and microgeneration make an increased contribution to sustainable development, climate change and energy objectives. A key role of the planning system will be to support a move towards new low and zero carbon developments through the use of energy efficient, microgenerating and decentralised renewable energy systems so that carbon reductions are considered and secured at the design stage of projects.

BUILDING STANDARDS

34. The Scottish Building Standards Agency report *Sustainable Development Policy into Practice – New Buildings* describes the Executive's progress in furthering the sustainable development of new buildings, both domestic and

⁹ Scottish Executive, ISBN 978 0 7559 1493 7

non-domestic. Whilst sustainability of new buildings is already required to a certain extent by current building regulations, this issue is further developed by amendments to the standards, for example, on access, energy, drying washing, heating and ventilation, which will come into force in 2007. These changes to the energy standards, combined with the outcome of future reviews, will continue to improve the energy performance of new buildings and give encouragement to the incorporation of low or zero carbon technologies.

CONSIDERING OPPORTUNITIES

35. The planning system already supports the delivery of sustainable development in new buildings through locational, siting and design considerations. In addition, development plans must include policies on the provision of low carbon and renewable sources of energy which complement the increasingly high levels of energy efficiency required by building regulations. Advice on the range of on-site renewable energy generation technologies is provided in Annex A to PAN 45.

TARGETS

36. Development plans should set out local policies on the provision of on-site low carbon and renewable sources of energy in new developments. Policies should ensure that, in all instances, opportunities for incorporating these technologies are fully explored by developers as part of the planning application process. The expectation should be that all future applications proposing development with a total cumulative floorspace of 500 sq metres or more should incorporate on-site zero and low carbon equipment contributing at least an extra 15% reduction in CO₂ emissions beyond the 2007 building regulations carbon dioxide emissions standard. The intention is for national targets to increase through the Action Plan that will be prepared to implement the Energy Efficiency and Microgeneration Strategy. In the meantime, the development plan process should be used to consider whether local circumstances justify going beyond 15%; below the 500 sq metres threshold; and whether higher standards can be secured for particular developments, including the potential for decentralised energy supply systems based on renewable and low-carbon energy.
37. Applications should only be exempt from targets where developers are able to demonstrate that technical constraints exist. In such circumstances, policies should ensure that developers meeting targets are not disadvantaged by securing from the applicant, by agreement, equivalent carbon savings elsewhere in the area.

PERMITTED DEVELOPMENT

38. The Executive is also positively considering extending permitted development rights so that more microgeneration equipment can be installed on existing buildings without the need to obtain planning permission. Research has been undertaken on the scope for doing so and public consultation will be undertaken later this year on the need to change existing legislative provisions. In the meantime, development plan policies should encourage and support microgeneration proposals on existing buildings that satisfactorily address broad criteria, including appropriate environmental and amenity safeguards and the requirements of building regulations.

DEVELOPMENT PLANNING

39. In updating development plan policies, authorities should reflect the policies in this SPP. Policies in all cases should:
- support the Scottish Ministers' commitment to renewable energy and provide positively for its development;
 - identify broad areas of search where projects for wind farms above 20 megawatts will be supported subject to specific proposals satisfactorily addressing all other material considerations;
 - indicate areas that will be given significant protection from wind farms over 20 megawatts because of the existence of national and international natural heritage or green belt designations or where development would result in unacceptable cumulative impacts;
 - guide developers on the broad criteria to be considered for all renewable energy development proposals, including any additional criteria that will apply to areas where identifiable constraints exist;
 - include policies which support wider application of medium and smaller scale renewable technologies, such as decentralised energy supply systems, community, household and microgeneration projects; and
 - provide a clear development management framework.
40. Some planning authorities may have already progressed work that identifies broad areas of search for wind farms in their development plans. Such areas should provide a steer to developers on acceptable locations but their existence should not be used to rule out development elsewhere if it can be accommodated in a manner consistent with the approach set out in this SPP. Planning authorities should continue to determine those applications that are, or come, before them ahead of revised local policies being put in place.
41. Where opportunities exists, planning authorities should either update local policies ahead of transitional arrangements for development planning being brought forward under powers in the 2006 Planning Act or produce supplementary planning guidance to provide an interim basis for efficient and consistent decision making. Planning authorities should incorporate any non-statutory policies into their plans in due course.
42. The 2006 Planning Act introduced a requirement for the preparation of local development plans throughout Scotland and strategic development plans for only the four largest city regions. It will be a matter for relevant planning authorities to consider how to take forward the requirements in this SPP in these plans. New procedures are being introduced for the mandatory examinations of all development plans where objections have not been

withdrawn. This will help ensure that objections are dealt with independently and transparently and that the adopted or approved plan has been thoroughly tested against the policies set out in this SPP.

43. In future, all development plans will be reviewed every 5 years so that they provide an up-to-date vision for development in the area. Renewable energy policies should be reviewed in this context.

STRATEGIC ENVIRONMENTAL ASSESSMENT

44. The SEA process should be used to identify and assess the environmental effects of development plans so that these effects can be taken into account before the plan is approved or adopted. The Scottish Executive's SEA Tool Kit (2006) provides further guidance on the SEA process, including SEA templates. SEA covers a wide range of environmental issues and, when considering renewable energy policies, planning authorities will require to balance these with wider economic and social factors in drawing up development plans. When doing so, the likely environmental effects of any new grid infrastructure required to accommodate renewable energy developments should be taken into account as far as possible as part of the SEA process, so that appropriate spatial or criteria based policies can be developed to take account of the overall effects of implementing the plan. SEA can also play a key role in highlighting and characterising cumulative, secondary and synergistic effects of numerous renewable energy schemes and their associated infrastructure, at an early stage in the planning process. Environmental Impact Assessments that are subsequently undertaken should take the findings of these strategic level assessments into account. The issues that should be included in the SEA of development plans will be set out in the post-adoption SEA statement accompanying this SPP.

DEVELOPMENT MANAGEMENT

45. Decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. Relevant and up-to-date development plans, which contain positive policies on renewable energy developments, are therefore important for enabling effective and consistent handling of planning applications. This SPP will also be an important material consideration, particularly where there are no up-to-date development plan policies in place.

PRE-APPLICATION CONSIDERATIONS

46. An efficient, reliable and consistent planning application process can help promote developer and community confidence in the planning system.

Pre-application discussions with planning authorities are strongly recommended and the intention should be for planning authorities to be explicit in setting out what information and supporting documentation should be included in a planning application. The Scottish Executive's Energy Consents Unit is currently revising, in consultation with consultees, its scoping opinion guidance. This will set out many of the issues that will need to be addressed in Environment Statements required under Section 36 of the Electricity Act 1989.

47. The provisions of the Planning etc (Scotland) Act 2006 require some applicants to undertake pre-application consultation with local communities and submit a report of consultation alongside the planning application. This is intended to allow developers and communities to consider where changes to the proposal can be made. Once the provisions are fully in force, compliance with any requirement for pre-application consultation with communities will be considered by the planning authority and, in cases which come before them, by the Scottish Ministers.

ENVIRONMENTAL IMPACT ASSESSMENT

48. Environmental Impact Assessments (EIA) may be required for projects where the developments falls into a category within the scope of the Environmental Impact Assessment (Scotland) Regulations 1999¹⁰. Further guidance is set out in SEDD Circular 15/1999 and supplementary advice included in *Planning Advice Note 58: Environmental Impact Assessment*. Proposals under sections 36 of the Electricity Act 1989 will be considered under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000. Applicants should use the assessment process to demonstrate the appropriateness of the chosen location for accommodating development. This will be particularly important where development is proposed outwith broad areas of search identified in development plans.
49. The level of assessment needed will be directly related to the size and scale of the proposed renewable energy development and its location. The reduction in scale of proposals may lead to the visual and other impacts being significantly lower. Consequently, the information sought by planning authorities from a developer should be tailored to the scale of the proposal and the sensitivity of the location and should generally be less onerous for smaller projects than that required for larger proposals.

PEAT

50. The reduction of carbon emissions is a key objective of renewables energy policy. In some instances, soil disturbance may lead to the release of carbon stored in soils, thus potentially contributing to greenhouse gas emissions. This is of particular relevance for soils rich in carbon, like peat. Developments should therefore be designed to minimise soil disturbance when building and maintaining roads and tracks, turbine bases and other infrastructure to ensure that the carbon balance savings of the scheme are maximised. Where relevant,

¹⁰ SSI 1/1999, as amended

applicants will be expected to provide geotechnical and hydrological information in support of applications, identifying the presence of peat at each site, including the risk of landslide connected to any development work. Further guidance is provided in the Executive's *Peat Landslide Hazard and Risk Assessment* at www.scotland.gov.uk/161862

CUMULATIVE IMPACTS

51. Planning authorities should ensure that, where relevant, applicants adequately address the cumulative impact that their proposal would have on the area. This will apply primarily to larger scale developments although it should be recognised that smaller community developments may also contribute to a cumulative effect, particularly if poorly sited. In reaching decisions on individual applications, planning authorities should take account of those projects in the vicinity that have been built, those which have permissions and those that are currently the subject of valid but undetermined applications. Where relevant, the views of neighbouring authorities should be taken into account. Decisions should not be unreasonably delayed because other schemes in the area are at a less advanced stage in the consideration process and, in such circumstances, the weight that planning authorities should attach to undetermined applications should reflect their position in the application process.

ENVIRONMENTAL, SOCIAL AND ECONOMIC BENEFITS

52. Applications should include details of the environmental, social and economic benefits that will arise from the project, both locally and nationally, including the overall number of jobs and economic activity associated with the procurement, construction and operation of the development. Planning authorities should consider whether any such benefits could or should be secured by way of a planning condition or planning agreement.

GRID INFORMATION

53. General information on the availability of transmission capacity is publicly available in the Seven Year Statement published by the National Grid Companies (NGC). Specific information about the availability of capacity for a particular development is discussed in detail between the Transmission System Operator (NGC), the relevant Transmission Owner (SHETL or SPTL) and the developer once an application is made for connection to the transmission system. Developers may wish to provide a statement of the likely grid connection with their application. Available capacity on the grid to accommodate a project should be a material planning consideration. However, it should not be the sole determining factor, particularly where upgrade or installation of the grid is required to enable development in those areas where considerable renewable energy potential exists.

CONSIDERING APPLICATIONS

54. Consideration of the significance of any adverse impacts of a renewable generation proposal should have regard to the projected benefits of the proposal in terms of the scale of its contribution to the Scottish Executive's targets for renewable energy. Projects making a small contribution to renewables targets should not be dismissed as of little benefit, as they may have the potential to make a significant contribution cumulatively, although unacceptable impacts should be satisfactorily mitigated. In all instances, the integrity of national and international designations should not be compromised.
55. Where valid concerns have been raised as part of the planning process, the applicant will need to demonstrate how these can be overcome or how any detrimental environmental effects can be minimised, where appropriate advancing any material arguments which might outweigh objections to the proposed development.
56. It is common practice for temporary consents of 20 or 25 years to be issued for some renewable energy developments. Planning authorities should include appropriate conditions for the decommissioning of renewable energy developments, including their ancillary infrastructure, when they reach the end of their life and the restoration of the environment, taking into account any proposed after-use of the site. In addition, planning authorities should ensure that sufficient finance is set aside to enable operators to meet their restoration obligations. An authority should satisfy itself that this finance is secured irrespective of whether the developer or operator of the development is still in business at the end of the consent period, and may for example require financial guarantees, binding against the developer or operator and any successors in title, by way of a Section 75 planning agreement, as part of the approval of planning permission to ensure that restoration will be fully achieved.
57. SODD Circular 4/1998 The Use of Conditions in Planning Permissions sets out policy and guidance on the use of conditions in planning permissions. An addendum to circular 4/1998 sets out model conditions. Additionally, SODD Circular 12/1996 Town and Country Planning (Scotland) Act 1972: Planning Agreements covers the use of planning agreements.

CONTACT

58. Enquires about the content of this SPP should be addressed to Ian Mitchell, Scottish Executive Planning Division 3, Room 2-H, Victoria Quay, Edinburgh, EH6 6QQ, (0131 244 7062) or by e-mail to ian.d.mitchell@scotland.gsi.gov.uk. This SPP, and other SPPs, PANs and a list of circulars can be viewed on the Scottish Executive web-site at www.scotland.gov.uk/planning/

SPATIAL FRAMEWORK FOR WIND FARMS OVER 20 MEGAWATTS

1. It is important that up-to-date development plans provide clarity to developers and communities alike on the support to be provided for renewable energy developments. For onshore wind farm developments over 20 megawatts in size, development plans should set out:
 - a) those broad areas of search where proposals are likely to be supported subject to specific proposals satisfactorily addressing all other material considerations;
 - b) those areas that can be afforded significant protection through spatial policies; and
 - c) the criteria to be followed in the remainder of the plan area where the approach will be to consider applications on their merits, against clear criteria and mindful of the support given in this policy to the promotion of renewable energy developments.
2. Delivery of revised spatial and criteria-based policies must be part of a comprehensive and inclusive process which takes account of views of all stakeholders including community and developer interests.
3. Development plan policies should be based on the principle that wind farms should be accommodated where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily. The circumstances in which spatial policies must be used to identify areas that will be afforded significant protection are:

Areas designated for their national or international natural heritage value

NPPG 14: Natural Heritage provides guidance on the approach to be adopted in relation to protecting sites of national and international importance including those protected in compliance with European Directives. Further advice is given in *Planning Advice Note 60: Planning for Natural Heritage*. Planning authorities should identify and protect areas designated for their international and national heritage value in their development plans. Policies should seek to facilitate the meeting of national targets away from these locations in recognition of the strength of protection afforded to them by law.

Green Belts

SPP 21: Green Belts confirms there is a strong presumption against inappropriate development in green belts. If a proposed use would not normally be consistent with green belt designation, it may still be considered appropriate in exceptional circumstances, either as a national priority or to meet an

established need but only if no other suitable site is available. If relevant, planning authorities should consider the appropriateness of wind farm developments through the development plan process to allow for wide publicity and engagement.

Cumulative impacts

Development plans should identify those areas where there are existing wind farm developments and set out, in relation to the scale and proximity of further development, the critical factors which are likely to present an eventual limit to development. Consideration may need to be given to whether, in some instances, such limits have already been reached and, if this is the case, planning authorities should use spatial policies to identify the extent of those areas which will be afforded significant protection from further development.

4. Elsewhere, development plan policies should recognise that the existence of constraints should not, in themselves, lead to blanket restrictions on development. Where constraints exist, policies should ensure that individual proposals are still assessed within the context of a “plan-led” approach so that developers, the public and other interested parties are provided with a clear understanding of the extent of constraint and the factors that must be satisfactorily addressed to enable development to take place. Such criteria should be consistent with other development plan policies and supported, where appropriate, by spatial policies identifying the area to which the criteria applies. The circumstances in which this approach should be used include:

Historic environment

Development plan policies should set out how development can be accommodated without damaging the character of the historic environment. Further guidance is given on the relative weight which attaches to the protection of different types and categories of site in *NPPG 5: Archaeology and Planning* and *NPPG 18: Planning and the Historic Environment*. *PAN 42 Archaeology and the Scheduled Monument Procedures* provides more detailed advice.

Areas designated for their regional and local natural heritage value

Planning authorities should identify areas designated for their regional and local natural heritage value in their development plans. *NPPG 14* confirms that such areas are important although the level of protection afforded to them should not be as high as that given to internationally or nationally designated sites. Planning authorities should use appropriate criteria to ensure that proposals satisfactorily address any impacts on the particular interest that a regional or local designation is intended to protect. In some instances, such designated areas may represent those places most valued for their scenic character within a local authority area. This leads to a higher value being placed on them and, in such circumstances, a more cautious approach to development may be confirmed through criteria based policies. In doing so, planning authorities should ensure that policies do not unreasonably restrict the ability of the plan area to contribute to national targets.



Tourism and recreational interests

Tourism is an important element in the economic, social, environmental and cultural well-being of Scotland. The beauty of Scotland's landscape attracts many visitors and sustainable tourism supports many small businesses and remote rural and island communities. Those areas which have been designated for their scenic importance are covered by other policies in this SPP. When considering development plan policies, views on whether there are other locations where there is likely to be particular sensitivities requiring carefully consideration should be sought from tourism and recreational bodies in the area and, if appropriate, broad criteria should be set out to ensure that wind farm developments are not incompatible with tourism and recreational interests.

Communities

Broad criteria should be used to set out the considerations that developers should address in relation to local communities. These should ensure that proposals are not permitted if they would have a significant long term detrimental impact on the amenity of people living nearby. When considering spatial policies, planning authorities may consider it helpful to introduce zones around communities as a means of guiding developments to broad areas of search where visual impacts are likely to be less of a constraint. *PAN 45* confirms that development up to 2 km is likely to be a prominent feature in an open landscape. The Scottish Ministers would support this as a separation distance between turbines and the edge of cities, towns and villages so long as policies recognise that this approach is being adopted solely as a mechanism for steering proposals to broad areas of search and, within this distance, proposals will continue to be judged on a case-by-case basis.

Buffer zones

Planning authorities should not impose additional zones of protection around areas designated for their landscape or ecological value including sites of national and international importance. However, the potential impact of proposals on such areas may be a material consideration to be taken into account when determining planning applications. Where there are potential significant effects on a Natura 2000 site the competent authority will require to undertake an appropriate assessment under the Habitats Regulations.

Aviation and defence interests

Development plan policies should, following consultation with the relevant bodies, take account of the need to address impacts on airport operation, flight activity, aviation and defence radar and seismological recording and confirm that it is a matter for developers to address these impacts through discussion with the relevant bodies. Planning authorities should undertake consultation with the relevant bodies when considering applications to ensure that impacts have been satisfactorily addressed.

Broadcasting installations

Development plans should take into account the location of radio and television broadcasting installations within the area and include criteria to ensure that the protection or re-provision of transmission links is maintained. Where applicable, applicants should consult with network owners to ensure that no material impact will occur, or alternatively that a technical solution is available and will be provided as part of the scheme.

Outwith protected and potentially constrained areas

5. The above process should enable planning authorities to identify those areas where there are no significant constraints on development. This should be reflected in the criteria set out in development plans. There may be scope to consider whether these areas can be further refined to provide developers, communities and other interested parties with a stronger steer towards broad areas of search where development is favoured. The issues that should be considered include:

Other natural heritage interests

There may be locations within the plan area that, although not formally designated, include habitats or landscape characteristics that are considered to be more sensitive to development than others. These areas should not be afforded the same protection as designated sites. However, in line with Article 10 of the Habitats Directive and the European Landscape Convention, it may be appropriate, particularly where significant development opportunities exist elsewhere in the area, to use the development plan process to steer development to other sites that are considered within the area to be more suitable for development.

Project viability

Planning authorities should consider, in consultation with the wind farm industry, issues such as wind speed, site access, ground suitability and other key environmental factors which could impact on development. This should ensure that broad areas of search are capable of accommodating a viable wind farm project.

Grid

Planning authorities may consider steering developments to areas where existing and approved grid capacity can be maximised and wind farm developments are likely to be able to be accommodated. This is intended to facilitate early achievement of the Executive's 2020 target. However, policies should also recognise that upgrade of the grid is essential if Scotland is to realise fully its renewable energy ambitions. Grid constraints should not, therefore, be used to exclude the identification or safeguarding of appropriate broad areas of search where renewable energy potential exists and there is likely to be developer interest in bringing forward proposals.





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