



SCOTTISH EXECUTIVE

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10 July 2006

Dear Consultee

CONSULTATION ON DRAFT SCOTTISH PLANNING POLICY (SPP) 6: RENEWABLE ENERGY

1. I enclose a copy of consultative draft revised planning policies on renewable energy and invite your comments on this document

Background

2. The draft guidance has been prepared in consultation with the Environmental Advisory Forum for Renewable Energy. Papers of Forum meetings are available on the Executive's website at www.scotland.gov.uk/Topics/Planning/About/OtherInfo. Strategic environmental assessment has been undertaken as part of the preparation of draft SPP 6. The Environmental Report that sets out the findings of the SEA is available at www.scotland.gov.uk/Topics/Planning/About/Consultations.

Responding to this consultation paper

3. Comments should be sent, **before 6 October 2006**, to:

draftSPP6@scotland.gsi.gov.uk

or to:

Sandra Carey
Scottish Executive Development Department
Planning Division
Area 2-H
Victoria Quay
Edinburgh
EH6 6QQ



4. Draft SPP 6 seeks views on a number of specific issues. However, comments on any aspect of the guidance, and the Environmental Report, are welcome. To aid our analysis of responses, we would be grateful if you could clearly indicate, where relevant, the paragraphs to which your comments relate. This consultation, and all other Scottish Executive consultation exercises, can be viewed online on the consultation web pages of the Scottish Executive website at www.scotland.gov.uk/consultations. You can telephone Freephone 0800 77 1234 to find out where your nearest public internet access point is.

5. The Scottish Executive now has an email alert system for consultations. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SEconsult complements, but in no way replaces Scottish Executive distribution lists, and is designed to allow stakeholders to keep up to date with all Scottish Executive consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. You can register at **SEconsult**: <http://www.scotland.gov.uk/consultations/seconsult.aspx>.

Handling your response

6. We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. **Please complete and return the Respondee Information Form enclosed with this consultation paper as this will ensure that we treat your response appropriately.** If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

7. All respondents should be aware that the Scottish Executive are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

8. Where respondents have given permission for their response to be made public, their responses will be made available in the Scottish Executive Library within 20 working days of the closing date and on the [Scottish Executive consultation](http://www.scotland.gov.uk/consultations) web pages by 17 November 2006. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library or placing them on the website. You can arrange to view responses by contacting the Scottish Executive Library on 0131 244 4565. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

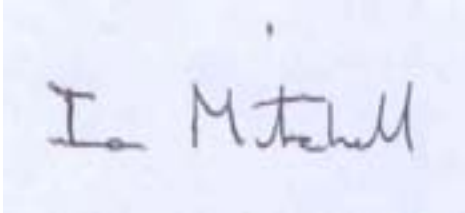
9. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on the contents of the finalised regulations. We aim to issue a report on this consultation process late 2006/early 2007. This will be published on the Executive's website at www.scotland.gov.uk/Topics/Planning/About/Consultations

Comments and complaints

10. If you have any comments about how this consultation exercise has been conducted, please send them to:

Ben Train
Scottish Executive Development Department
Planning Division
Area 2-H
Victoria Quay
Edinburgh
EH6 6QQ

Yours sincerely

A photograph of a handwritten signature in blue ink on a light-colored background. The signature reads "Ian Mitchell".

IAN MITCHELL

RESPONDEE INFORMATION FORM

Please complete the details below and attach it with your response. This will help ensure we handle your response appropriately:

Name:

Postal Address:

Consultation title: DRAFT SPP 6: RENEWABLE ENERGY

1. Are you responding as: (please tick one box)

- (a) an individual (go to 2a/b)
(b) **on behalf of** a group or organisation (go to 2c)

2a. INDIVIDUALS: Do you agree to your response being made available to the public (in SE library and/or on SE website)?

- Yes (go to 2b below)
No, not at all

2b. Where *confidentiality is not requested*, we will make your response available to the public on the following basis (please tick one of the following boxes)

- Yes, make my response, name and address all available
Yes, make my response available, but not my name or address
Yes, make my response and name available, but not my address

2c ON BEHALF OF GROUPS OR ORGANISATIONS:

Your name and address as respondees *will be* made available to the public (in the SE library and/or on SE website). Are you content for your response to be made available also?

- Yes
No

3. We will share your response internally with other SE policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future for consultation or research purposes?

- Yes
No

THE SCOTTISH EXECUTIVE CONSULTATION PROCESS

Consultation is an essential and important aspect of Scottish Executive working methods. Given the wide-ranging areas of work of the Scottish Executive, there are many varied types of consultation. However, in general, Scottish Executive consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Executive encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Executive consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Executive web site enabling a wider audience to access the paper and submit their responses¹. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Executive library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Executive consultation papers and related publications (eg, analysis of response reports) can be accessed at: [Scottish Executive consultations](http://www.scotland.gov.uk/consultations) (<http://www.scotland.gov.uk/consultations>)

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

¹ <http://www.scotland.gov.uk/consultations>



SCOTTISH EXECUTIVE
Development Department

Scottish Planning Policy

SPP 6

Renewable Energy: Consultation Draft

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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 this is by no means a cap. The importance of using clean and sustainable energy from renewable sources will continue to increase as a result of the need to tackle climate change and ensure secure and diverse energy supplies.

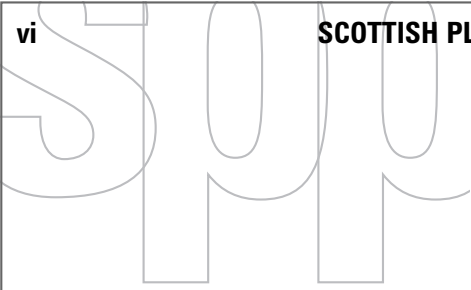
The Scottish Ministers will continue to support the full range of renewable generation technologies, including micro-renewables, to enable Scotland to realise its considerable renewable energy potential.

The planning framework set out in this SPP will help ensure the delivery of renewable energy targets as well as facilitating 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 both 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 the continuing growth of all renewable technologies by guiding developments to appropriate locations. In particular, plans should be used to identify those areas likely to be suitable for wind farm developments.

Planning authorities should also use the development plan process to quantify the potential of their areas to accommodate renewable energy developments taking account of the issues set out in this SPP. An area's potential to accommodate renewable energy developments should be expressed as a local contribution and be quantified in megawatts.

Existing legislative powers, and those proposed in the Planning Bill, will ensure that local policies take account of this SPP.



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 policies for renewable energy developments 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 onshore electricity generation schemes under Section 36 of the Electricity Act 1989.

SUPPORTING RENEWABLE ENERGY

2. The Scottish Ministers are fully committed to increasing the amount of electricity generated from renewable energy sources. This commitment recognises the ability of renewable energy to contribute to secure and diverse energy supplies; tackle the causes of climate change; 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*. 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.
3. Renewable generating capacity already installed, plus consented capacity not yet built, is likely to be sufficient to meet the Executive's 2010 target assuming, as seems likely, that the bulk of the consented capacity is operational by 2010. The intention of this SPP is to facilitate successful achievement of the 2020 target, and beyond, in an environmentally acceptable manner. 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. In considering their contribution to national targets, planning authorities should take into account the Executive's expectation that during the currency of this SPP sufficient developments should be consented, at minimum, to enable achievement of the 2020 target. Despite the 2 to 3 years needed to construct and commission projects following consent, this should still allow Scotland to meet its 40% renewable generation target several years ahead of 2020.
4. 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 biomass is also a proven technology which can 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.

5. The Scottish Ministers are also keen to see a major increase in the small-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 small to medium scale biomass heating plants for businesses, public buildings and community/housing schemes.

SUSTAINABLE DEVELOPMENT

6. The promotion of renewable energy as a means of reducing carbon emissions forms an important part of Scotland's efforts to tackle climate change. *Choosing Our Future: Scotland's Sustainable Development Strategy*¹ sets out the national and international context that drives the Scottish Executive's sustainable development and climate change agendas. The Strategy highlights, as key priorities: the need to protect natural heritage and other resources for the long term; and the need to change the way Scotland generates and uses energy – by a range of measures including reducing greenhouse gas emissions, maximising its considerable renewable energy potential and taking action to reduce carbon dioxide emissions at a domestic or business level.

MODERNISING PLANNING

7. 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. Proposals for modernisation reinforce the primacy of development plans so that development takes place in the context of a long-term and inclusive vision for the future. Effective development planning should provide a framework which makes positive provision for sustainable development in a way that takes account of the relationship between economic, social and environmental priorities.

SPP PRINCIPLES

8. The policies in this SPP recognise that future renewable generation technologies, the electricity market generally and transmission grid availability in particular may develop in ways that cannot be foreseen. The intention is to review the position

¹ Scottish Executive, December 2005, ISBN 0-7559-4851-3

regularly. In the first instance, the focus should be on facilitating early progress towards national targets in a way that guides and co-ordinates development so that full consideration is given to those projects that can most effectively contribute to these targets, both in terms of environmental acceptability and grid connectivity whilst, at the same time, recognising that new distribution and transmission networks can be developed to harness Scotland's renewables potential.

9. 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 growing and new technologies;
 - recognising the importance of fully engaging with local communities at all stages of the planning process;
 - guiding development to appropriate sites; and
 - ensuring that environmental, economic and social benefits are fully exploited;

while at the same time:

- meeting international and national statutory obligations to protect designated areas, species and habitats of natural heritage interest and the historic environment from inappropriate forms of development; and
- minimising impacts on local natural heritage, communities, tourism, recreation and aviation interests.

SITE SELECTION

10. Planning authorities should use the development plan process to set the framework for considering proposals for all renewable energy developments in their areas. This framework should in particular include the identification of areas of search for onshore wind farm developments. The identification process should be informed by an assessment of the area's potential to provide a realistic contribution to Scotland's 2020 target and beyond. This SPP sets out the considerations that should be taken into account when taking forward this work.

LOCAL COMMUNITIES AND RENEWABLE ENERGY

11. 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 especially 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 enables people to form opinions founded on the best possible information and transparency. Planning authorities and developers should work closely with local

communities at all stages of the planning process. Public concern or support, based on relevant planning matters, will be one of a number of material considerations that should be taken into account when considering proposals.

12. There is potential, particularly in rural areas, for communities to invest in ownership of renewable energy projects or to develop their own local projects. Small scale wind farms, such as those proposed by local communities, may be able to supply electricity to the local distribution network and therefore avoid the need to use grid capacity 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 a revenue for investment in a community's development. 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 policies which encourage and support communities in developing such initiatives.
13. Community Trust Funds are often voluntarily provided by some commercial developers to communities in the vicinity of renewable energy developments. These can be used to fund a variety of projects, including energy conservation initiatives, within the local community. Community wind farm projects can also provide local communities, as a whole, with opportunities to invest in projects with local long term environmental, social and/or economic benefits. Planning 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. The presence or absence of such schemes should not be taken into account when assessing whether a specific proposal is acceptable in planning terms.

ECONOMIC BENEFITS

14. *A Partnership for a Better Scotland*² 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*³ sets out how this priority should be delivered through sustainable economic development.
15. The Scottish Ministers believe that a thriving renewables industry in Scotland has the potential to enhance Scotland's manufacturing capacity, to develop new

2 Scottish Executive, May 2003

3 Scottish Executive, June 2005. ISBN 0-7559-45840

indigenous industries, particularly in rural areas, and to provide significant export opportunities. The planning system has a key role in supporting Scotland's economic competitiveness and employment market. The scope for developments to contribute to local or national economic development priorities should be a material consideration when considering policies and decisions, particularly when local impacts can be satisfactorily mitigated.

SPATIAL POLICIES

16. The role of the development plan process should be to ensure that an area's renewable energy potential is realised in the context of a long-term and inclusive vision for the future and that proposals are guided to appropriate locations, taking account of other planning priorities.
17. In the short term, 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 will need to be given to other issues, including the need to address cumulative impacts. The development plan process should be used to guide developers to broad areas of search where wind farm proposals are likely to be considered appropriate taking account of the renewable energy resources in the area, natural heritage interests and existing, planned and possible future grid availability. Plans should also identify those areas where wind farm developments should be avoided in line with the policies set out in this SPP.
18. It is a matter for individual planning authorities to consider whether to adopt a similar approach for technologies other than onshore wind or to use broad criteria to guide future development. The latter approach may also, exceptionally, be adopted for onshore wind farms where there is limited potential within an area and it is more appropriate for a developer to demonstrate the viability and acceptability of a particular location for development.

LOCATIONAL CONSIDERATIONS FOR WIND FARMS

19. Planning authorities should use the development plan process to consider an area's potential for accommodating all forms of renewable energy technologies. This assessment should recognise and complement other local policy priorities and objectives. The suitability of local landscapes will be dependent on the scale and type of project proposed. When identifying broad areas of search where wind farm proposals are likely to be considered appropriate, planning authorities should take account of the locational considerations set out in paragraphs 20 to 35.



NATURAL HERITAGE

20. The Executive is committed to safeguarding and, where possible, enhancing Scotland's natural heritage. *NPPG 14: Natural Heritage* sets out the policy on how to assess development proposals showing due concern for the natural heritage. Guidance is provided on the approach to be adopted in relation to protecting those aspects of the natural heritage which are of international and national importance and the wider natural heritage. Further advice is given in *Planning Advice Note 60: Planning for Natural Heritage*. Following the passage of the Nature Conservation (Scotland) Act 2004, all public bodies now have a biodiversity duty which includes having special regard for those species and habitats on the Scottish Biodiversity List.
21. A primary role of the planning system is to guide development to appropriate locations. Scotland has considerable renewables potential and planning authorities should seek to facilitate the meeting of national targets away from areas where development would conflict with the policies set out in NPPG 14 if it is likely that unacceptable impacts on such interests cannot be satisfactorily mitigated. Areas designated for their international and national natural heritage value are identified at Annex A. Planning authorities may also, with appropriate justification, identify and protect other areas designated for their local natural heritage value. While these areas may be important locally, the level of protection is not as high as that afforded to internationally or nationally designated sites. In applying renewable energy policies to local designations, planning authorities should ensure that policies avoid unreasonable restrictions on the ability of an area to contribute to national targets.
22. Planning authorities should not impose additional zones of protection around areas designated for their landscape value. However, the potential impact of proposals on such areas may be a material consideration to be taken into account when determining planning applications. Such impacts should be considered as part of the planning application process.

HISTORIC ENVIRONMENT

23. The Executive is also 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 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. Development plan policies should set out the criteria for protecting, conserving and enhancing the historic environment.

GREEN BELTS

24. Wind farm developments should only be permitted if they are compatible with the roles and functions of green belts as set out in *SPP 21: Green Belts*. Where 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, and only if no other suitable site is available.

TOURISM AND RECREATIONAL INTERESTS

25. Tourism is an important element in the economic, social, environmental and cultural well-being of Scotland. Sustainable tourism supports many small businesses and remote rural and island communities and it is the beauty of our landscape which draws many of our visitors. There is as yet no conclusive evidence about the impact of wind farm development on tourism – while some people express concerns about the effects of wind farms on the landscape, others see them as attractive additions to the landscape that provide visible evidence of our commitment to sustainable development. Areas which have been designated for their scenic importance (such as National Parks and National Scenic Areas) are covered by other policies in this SPP. When considering development plan policies, the balance between renewable energy requirements and the impact on tourism will therefore need to be carefully assessed, and to assist with this process the Scottish Executive is undertaking further research on the impact of wind farms on tourism, which will be published later this year. The findings will be reflected in the final version of the SPP.

AVIATION AND DEFENCE INTERESTS

26. Development plan policies must take account of possible adverse effects on airport operation, flight activity, aviation and defence radar and seismological recording. *SEDD Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosive Storage Areas* sets out the formal consultation procedures that are in place to ensure that air and defence interests are properly safeguarded. *Wind Energy and Aviation Interests: Interim Guidelines* have also been prepared jointly by the Department of Trade and Industry, the Ministry of Defence, the Civil Aviation Authority and the British Wind Energy Association to ensure that all those involved in renewable energy and aviation have a better understanding of issues of mutual interest. The guidelines also provide relevant contact details. The Executive will shortly introduce formal procedures for ensuring that the Ministry of Defence is consulted on planning applications for most wind turbines, including variation to permissions but excluding micro-renewables. These arrangements will be confirmed in the finalised SPP.
27. Whilst development plan policies can take account of these constraints, policies should recognise that their existence need not inhibit development and it can be possible for developers to bring forward proposals that address potential impacts. The existence of such constraints should not therefore be used to

restrict development unless aviation and defence authorities indicate that individual proposals raise concerns that will be insurmountable. The relevant bodies should be consulted when preparing development plan policies.

COMMUNITIES

28. When preparing development plans, planning authorities may judge that zones around communities should be introduced as a mechanism to steer developments to sites where impacts on local communities are likely to be considered acceptable. If doing so, planning authorities should take account of local topography and ensure that distances do not impose unreasonable restrictions on development. Any such zone will also need to recognise the differing scale and impacts of renewable energy developments and should not prevent small scale developments close to, or within, communities, including those in an urban setting. As a general rule, the Scottish Ministers would support a separation distance of 1.5 km between the edge of a town or village and large-scale wind farm developments so long as policies recognise that specific proposals may still be acceptable within specified distances if sited and designed so as to avoid unacceptable impacts on communities.

Consultation question: The Scottish Executive is minded to specify in the finalised policy that “large-scale wind farms” in this context are all wind farm developments over 20 megawatts. Views are sought on whether this is the most appropriate level and what distance from communities would be acceptable for spatial policies in development plans.

CUMULATIVE IMPACTS

29. Development plan policies should recognise the impact of existing developments on the landscape of an area and the extent to which development may become a significant or defining characteristic of the landscape. Cumulative effects may arise where two or more developments are visible from the same point, or are visible shortly after each other along the same journey. However, the fact that one development might be seen from another need not in itself be a reason to regard the cumulative effect as unacceptable.
30. Cumulative effects requiring consideration may also include those on habitats, where several windfarms impact on similar habitats, or on species, where several windfarms individually may impact upon the same regional species population.
31. Scottish Natural Heritage has issued guidance which sets out general principles on how to assess the cumulative effects of wind farms. This guidance should be taken into account by planning authorities when reaching a view on the capacity of particular locations in their areas for future development. Authorities may preclude further development in particular areas if it is likely that this would lead to unacceptable cumulative impacts which could not be adequately mitigated.

WIND RESOURCE

- 32 The process of identifying broad areas of search should also take account of an area's potential to accommodate a viable wind farm project. Through the development planning process, planning authorities should consider, in consultation with the wind farm industry, issues such as wind speed, access, ground suitability and economic viability. Planning authorities should in turn seek to ensure that any broad areas of search have the potential to be developed within the period covered by the development plan.

ELECTRICITY GRID

33. The provision of adequate infrastructure is required to ensure the effective transfer of electricity from generating source to markets. Upgrade of the electricity grid is likely if Scotland is to realise fully its renewable energy potential. Decisions on investment in new infrastructure are a matter for the relevant transmission owners, Scottish Hydro-Electric Transmission Ltd (SHETL) and Scottish Power Transmission Limited (SPTL), in tandem with the system operator (National Grid Company) and the industry regulator (Ofgem).
34. Planning authorities should take account of grid capacity when identifying broad areas of search including the potential of areas to accommodate wind farms where there is not yet grid capacity. An important part of this process should be to consider how best to make best use of existing and planned grid capacity (see paragraph 35). Views should also be sought from transmission owners on the feasibility of building new or upgraded grid capacity in the area and how such capacity can best be accommodated in line with the responsibility of transmission owners to minimise environmental impacts when considering the need for new grid infrastructure. This should better enable development to be guided to locations that minimise the secondary environmental impacts associated with grid connections, including those within other local authority boundaries, whilst enabling those authorities, such as the Islands Councils, with limited grid capacity to plan effectively for the future. Further information on grid is given in paragraph 43.
35. Given Scottish Ministers' commitment to the 2020 renewables energy target, planning authorities should give full consideration to developments that can be accommodated within existing and planned grid upgrades (see paragraph 43). In this way, the Executive hopes to facilitate the early achievement of its 2020 target. This approach should not preclude consideration of further potential grid upgrades where these could provide a contribution in excess of the 6GW target. The Scottish Executive has commissioned a study into the interaction of renewable generation with the electricity grid. This study should help better inform the setting of further such targets beyond those set for 2020.



BIOMASS

36. 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 would provide a further option to support both expansion of the biomass sector and opportunities for local diversification into feedstock production.
37. 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. In all cases, plans should confirm that the development of new biomass energy plants will be supported subject to local landscape, built and cultural heritage, amenity (including public health and safety), environmental and transportation issues being satisfactorily addressed.

OTHER TECHNOLOGIES

38. *Planning Advice Note 45: Renewable Energy Technologies* 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.

LOCAL CONTRIBUTIONS

39. Planning authorities should use the development plan process to assess the potential development opportunities in their area for renewable energy technologies and, in the case of wind farms, allocate broad areas of search. This process should take account of the capacity of the environment to accommodate renewable energy developments and reflect existing, planned, and future potential grid capacity. Planning authorities should then quantify the possible potential of their areas to accommodate all forms of renewable energy developments. Offshore renewable generation projects are not covered by the land-use planning system. However, local assessments should reflect what might be expected to be achieved from offshore renewables (whether wind, wave or tidal based) closest to where electricity might be likely to come ashore. This process will enable planning authorities to set local contributions which should be expressed in terms of megawatts. Local contributions should not take

account of micro-renewable technologies, as these are small in scale and in some circumstances do not require planning permission.

40. Planning authorities should set out the capacity that individual broad areas of search might reasonably make to the local contribution. This should be expressed as an amount or as a range of megawatts of renewable generation capacity. Authorities should also give an indication of the size of the development proposals they expect to see, for example some broad areas of search may be more suited to a large scale wind farm whereas others may be more suited to a number of smaller proposals.
41. Local contributions should be reviewed regularly and revised to reflect changes to an area's renewable energy resource potential, the capacity of the environment to accommodate further renewable energy development, and provision or planned provision of new grid capacity. The fact that contributions set out in the development plan have been achieved should not be used in itself as a reason for refusing planning permission for further renewable energy projects.

CONSULTATION ON LOCAL CONTRIBUTIONS

42. Local contributions, and subsequent revisions, should be considered in consultation with neighbouring authorities, the industry, grid owners, local communities, other relevant stakeholders and the Executive's Energy Consents Unit. This process should help inform each authority's realistic contribution to national policies, taking into account grid capacity and other constraints, such as environmental designations and landscape capacity. This should enable authorities to plan for their areas with a more complete understanding and assessment of the extent and range of renewables development proposals in, and around, a given area, and to allow a better informed assessment of their likely individual and cumulative impact, including the implications for grid upgrades.
43. A key element of discussions on local contributions should be to ensure that planning authorities, working together, give full consideration to the potential of making best use of existing and approved grid infrastructure. In their report *Scotland's Renewable Energy Potential: Realising the 2020 Target*⁴ the Future Generation Group of the Forum for Renewable Energy Development in Scotland provided details of how the transmission system may evolve, taking account of the four upgrades that have received approval in principle from Ofgem. Further details are given at Annex B. These upgrades have still to receive the necessary development consents. The report concluded that up to 4.8 GW of installed renewable capacity, over and above renewable generation capacity installed and consented at that point, could be achieved from these four transmission upgrades for which Ofgem has already proposed a funding mechanism. It also acknowledged that further upgrades may be required and the report explored possible options for the future. Currently (June 2006), consented renewable energy developments total 3.7GW. If all of these proceed, then a further 2.3GW

4 Scottish Executive, June 2005. ISBN 0-7559-47215

of consented projects would take the total to 6GW. This 2.3GW could readily be accommodated within the likely available Scottish grid capacity of circa 4GW should these four Ofgem approved grid upgrades be consented and built.

MICRO-RENEWABLES

44. Micro-renewables can make a valuable contribution towards achieving a low carbon economy, tackling the problems of climate change and fuel poverty and ensuring a reliable energy supply for the future. The Scottish Executive will publish its first Energy Efficiency Strategy for Scotland later this year. Linked to the strategy, and reflecting a holistic approach, the Executive will set out a range of measures to help cut energy-related emissions arising from the heating and lighting of buildings. These measures will also include promoting an increased uptake of micro-renewables.
45. Advice on the development of on-site renewable energy generation is provided in the Annex to PAN 45. This includes advice on the issues to be taken into account when considering the installation of micro-renewables on existing buildings. It is likely that most proposals for micro-wind turbines will require planning permission although other technologies, such as solar panels and biomass, may be exempt depending on the circumstances of the case. An important part of the Executive's modernising planning agenda is to consider whether existing permitted development rights for minor developments, including micro-renewables, are appropriate. A general review of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 is currently underway. The Executive is positively considering how we use permitted development rights for micro-renewables. In the meantime, development plan policies should encourage and support micro-renewables proposals that satisfactorily address broad criteria, including appropriate environmental safeguards.
46. The Executive wants development plan policy to recognise the importance of micro-renewables. For new developments, policies should recognise the importance of ensuring that developers fully consider options for micro-renewable technologies as part of a range of energy efficiency measures to be included in new residential, commercial or industrial developments. Development plan policies should ensure that any requirement to generate on-site renewable energy to reduce predicted annual CO₂ emissions – whether electricity or in, for example, the form of local heat – is applied to developments where the installation of renewable energy generation equipment is viable given the type of development proposed, its location, and design.

Consultation question: The Scottish Executive is minded to require planning authorities to ensure that certain new developments include on-site renewable energy equipment which will reduce predicted annual CO₂ emissions by a given percentage. We would welcome views on adopting 10% as a minimum policy standard; on the developments it should apply to; and the manner of its implementation.

DEVELOPMENT PLANNING

47. Local plan (and, in future, local development plan) policies should be updated as soon as possible to reflect the policies in this SPP. In all cases, policies should:
- support the Scottish Ministers' commitment to renewable energy and provide positively for its development;
 - establish a local contribution for renewable energy in the area;
 - identify broad areas of search for onshore wind farms where projects will be supported subject to specific proposals satisfactorily addressing all other material considerations;
 - indicate areas or sites where it is judged that proposals for wind farm developments should be avoided because of their natural heritage value or where development would result in unacceptable cumulative impacts;
 - confirm that, in all other instances, proposals will be judged on their merits and, in addition, developers will need to demonstrate that there are no suitable opportunities to develop within broad areas of search;
 - guide developers on the broad criteria to be considered for all development proposals, including those falling outwith broad areas of search;
 - include policies which support wider application of smaller scale renewable technologies, such as community, household and microgeneration projects; and
 - provide a clear development management framework.
48. Where such updating is likely to be delayed, e.g. where the local plan is recent and no other aspects require updating, planning authorities should either prepare an alteration to the plan or supplementary planning guidance to provide an interim basis for efficient and consistent decision making. Planning authorities should incorporate any non-statutory policies, including established capacities, into their local plans at the next update. Legislative provisions are available to the Scottish Ministers to ensure that development plan policies reflect the guidance in this SPP. Where there is existing supplementary planning guidance, it should be revised in the light of this SPP.
49. Both the development plan and any supplementary planning guidance must satisfy the requirements of Strategic Environmental Assessment (SEA) and should consider the likely environmental impacts of setting a range of contributions in the area. This process should also examine the environmental impacts associated with new or upgraded grid infrastructure.
50. Some planning authorities may have already progressed work that identifies areas of search for wind farms in their development plans. Such areas should be used in determining proposals until such time as those areas are updated



through either the development plan process or supplementary planning guidance. Where there are currently no areas of search, the normal criteria-based approach in development plans, the policies in this SPP and all other material considerations should be taken into account when assessing renewable energy proposals. Planning authorities should continue to determine those applications that are, or come, before them ahead of revised local policies being put in place.

51. Legislation currently before the Scottish Parliament will put in place revised arrangements for preparing development plans. The Executive's proposals would introduce a requirement for the preparation of local development plans throughout Scotland and strategic development plans for only the four largest city regions. The intention will be for local development plans to set out local policies for renewable energy and to consider appropriate contributions at that level. Proposed new procedures for mandatory examinations of all development plans where objections have not been withdrawn will help to 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.
52. Future alterations to renewable energy policies should be prepared where necessary to take account of progress towards identified local contributions. The Executive's modernising planning policies propose that all local development plans will have to be replaced within 5 years of the date of adoption of the previous plan. This ensures that development plans provide an up-to-date vision for development in the area. Renewable energy policies, including established capacities, should be reviewed in this context.

DEVELOPMENT MANAGEMENT

53. 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 is no up-to-date development plan policies in place.

PRE-APPLICATION CONSIDERATIONS

54. An efficient, reliable and consistent planning application process can help promote developer and community confidence in the planning system. Pre-application discussions 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. Under Planning Bill proposals, and in order to build consensus early, some applicants will be required to undertake pre-application consultation with local communities and submit a report of consultation alongside the planning application. These are

considered to be appropriate for major developments; proposals for developments that require an Environmental Impact Assessment; and proposals for developments defined as large scale “Bad Neighbour” developments which represent a significant departure from the development plan. Developers and communities can then consider issues where it is desirable to make changes. The appropriateness of consultation would be assessed by the planning authority and, if appropriate, the Scottish Executive Inquiry Reporters Unit.

55. Environmental Impact Assessments will be required for projects where the development falls into a category within the scope of the Environmental Impact Assessment (Scotland) Regulations 1999. Further guidance is set out in SEDD Circular 15/1999. Proposals that fall to be authorised under sections 36 & 37 of the Electricity Act 1989, will be considered under the Electricity Works (Assessment of Environmental Effects) (Scotland) Regulations 2000.
56. Close public involvement at the pre-application and EIA stage is recommended since affected communities may have local knowledge of the issues that may subsequently need to be addressed and will wish to be consulted on project proposals and be kept apprised on progress with the application. This should also ensure a better public understanding of the likely environmental effects of the project and how these will be mitigated. Developers in partnership with statutory consultees and determining authorities should allow sufficient time for the preparation and submission of an Environmental Statement, particularly if more complex or seasonal issues are likely to be raised. Planning authorities and statutory consultees should also recognise their key role in this process by providing timely, appropriate and considered scoping information.
57. Planning authorities should ensure that, where relevant, applicants adequately consider 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. Such impacts may arise as a result of:
 - an existing wind farm development and a proposed extension to that development;
 - proposals for more than one wind farm development within an area;
 - proposal(s) for new wind farm development(s) in an area with one or more existing development(s);
 - any combination of the above.
58. In assessing cumulative effects, account should be taken of schemes within the vicinity that have been built, those which have permissions and those that are currently the subject of undetermined applications.
59. Developers should undertake a risk assessment setting out how all health and safety risks will be addressed, including those to members of the public. Technologies, such as wind turbines, are designed to operate to high standards.

However, like most other engineering products, good risk management in relation to maintenance and design should be put in place to set performance standards, with the overall aim of controlling or eliminating risks. The minimum desirable distance between developments and occupied buildings, calculated on the basis of expected noise levels and visual impact, will be greater than that necessary to meet safety requirements.

60. The level of assessment needed will be directly related to the size and scale of the proposed renewable energy development and its location. For example, the blade length of a small scale wind turbine may be no more than 2 metres. The difference in scale leads to the visual and other impacts being significantly less. 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 be less onerous for smaller projects than that required for other larger proposals.

ENVIRONMENTAL, SOCIAL AND ECONOMIC BENEFITS

61. 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 reasonably be secured by way of a planning condition or planning agreement.

GRID CONNECTION

62. 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. However, whether or not a scheme has a reserved connection should not be taken into account in the determination process although available capacity on the grid to accommodate a project should be a material planning consideration.

CONSIDERING APPLICATIONS

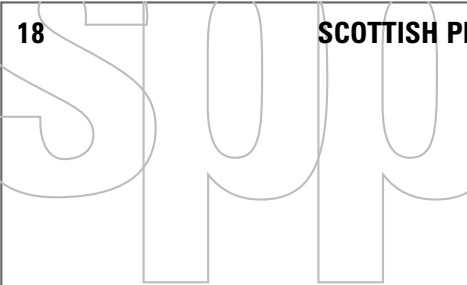
63. Consideration of the significance of any adverse impacts of a renewable generation proposal should have regard to the projected benefits of the proposal in terms of the scale of its contribution to addressing climate change through its contribution to the Scottish Executive's targets for renewable energy. A relevant consideration should be whether such a scale of renewables contribution could be realised with fewer or lesser impacts in a different location or through several, smaller projects. 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.

64. Where valid planning concerns have been raised as part of the pre-application considerations, the applicant will need to show how these can be overcome or how any detrimental environmental effects can be mitigated, where appropriate advancing any material arguments which might outweigh objections to the proposed development.
65. It is common practice for temporary consents of 20 or 25 years to be issued for wind farm developments. Planning authorities should include appropriate conditions for the decommissioning of renewable energy developments – particularly wind farms – and their restoration when they reach the end of their design life, 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.
66. *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

67. Enquires about the content of this SPP should be addressed to Ian Mitchell (0131 244 7062) Scottish Executive Planning Division 3, Room 2-H, Victoria Quay, Edinburgh, EH6 6QQ, 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/



ANNEX A

NATIONAL AND INTERNATIONAL NATURAL HERITAGE AREAS

-  Natural Heritage Designations
-  National Park



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ANNEX B

KEY OFGEM APPROVED GRID UPGRADES

The following lists the key upgrades currently approved by Ofgem:

- Beaully - Denny (involving works in SHETL and SPTL areas - primarily upgrade along existing route)
- Sloy (involving works in SHETL and SPTL areas - primarily upgrades to the substation)
- South-West Scotland (involving works in SPTL area - primarily new network)
- The Scotland- England interconnector (involving works in SPTL and NGC areas - upgrade of infrastructure)

These key upgrades, along with further local reinforcements, could allow the connection of up to 6.3GW of generation capacity depending on the locations of consented generation schemes. The capacity would be created across the two transmission areas as follows:

- up to 2.3GW in the SHETL area; and
- up to 4.0GW in the SPTL area.

As of June 2006, consented renewable energy developments total 3.7GW. If these all proceed, then a further 2.3GW of consented projects would take the total to 6GW. This 2.3GW could readily be accommodated within the likely available Scottish grid capacity of circa 4GW should these four upgrades be consented and built.

STOP