

## 4 Planning Policy

### 4.1 Introduction

A review of relevant national and local planning policies, as well as wider energy policies will be undertaken. This will include a review of existing planning applications that may be pertinent to the proposed development. Policies related to individual disciplines will be examined within the relevant technical chapters. A separate Planning Statement will be prepared in addition to the ES, which will consider the compatibility of the proposed development with planning policies.

### 4.2 Methods

The planning system plays a key role in protecting and improving the natural and built environments, public health and safety, and amenity. This Chapter will aim to summarise the national, regional and local planning policy guidance and development plan policies (including adopted and emerging development plan policies) that are relevant to the proposed High Clachaig Wind Farm. The Planning Statement will review and appraise the proposed development against the relevant planning policies.

This Chapter will identify and summarise relevant policies which provide a useful context to the EIA. For example it identifies planning policies which help to determine the sensitivity of the environment and receptors.

The proposed development will be assessed through identification of local planning policies and strategies applicable to the proposed development via a review of documents and consultations with Argyll and Bute Council and other statutory consultees.

The policies and plans which will be consulted as part of the assessment are outlined below. These policies and plans reflect the current direction of the UK and Scottish Government's objectives for accommodating wind turbine development.

### 4.3 National Planning Policy

#### 4.3.1 UK & Scottish Renewable Energy Policy

In 2009, the EU directive on the promotion of the use of energy from renewable sources (Directive 2009/28/EC) came into force which requires member state countries to produce a pre-agreed proportion of energy consumption from renewable sources. The EU as a whole adopted a target of at least 20% of total energy to be generated from renewable energy sources by 2020. As part of this commitment, by 2020 the UK is obliged to increase its share of energy from renewable sources to 15% (EU Member States have differentiated targets).

Renewable energy forms a major element of the UK's approach to combating climate change and reducing carbon emissions. Whilst energy is a devolved matter for the Scottish Government, UK policy provides an important context and in some instances may form a material consideration

A number of policy and advice papers are relevant to the wind farm proposals, including:

- UK Government's Renewable Energy Strategy (RES);
- UK Renewable Energy Roadmap (2011);
- Beyond Copenhagen: The UK Government's International Climate Change Action Plan (2010);
- The UK Low Carbon Transition Plan: National Strategy for Climate and Energy (2009);
- The UK Renewable Energy Strategy (2009);
- The 2007 Energy White Paper: Meeting the Energy Challenge (2007);
- Planning White Paper: Planning for a Sustainable Future (2007);

- The Stern Review: Review of the Economics of Climate Change (2006);
- The Energy Review: The Energy Challenge (2006); and
- Environment White Paper: Securing the Future – UK Government Sustainable Development Strategy (2005).

#### 4.3.2 Scottish Planning Policy

The Planning System in Scotland requires that applications for renewable energy developments that have capacity to generate less than 50MW of electricity are made to and determined by the local planning authority, in this case, Argyll and Bute Council, as outlined in Section 1.3.

In the case of material considerations, there are legal, policy and advice documents including:

- National Planning Framework 2 (NPF2);
- Scottish Planning Policy (SPP);
- Planning Advice Notes (PANs);
- Specific Advice Sheets including “Onshore wind turbines” (updated May 02, 2012); and
- Planning, Energy and Climate Change Acts and Bills.

#### 4.3.3 National Planning Framework 2 (NPF2)

*National Planning Framework 2* was published in December 2008 and set out a vision to guide development in Scotland up to 2030. Whilst it is not prescriptive, NPF2 will form a material consideration when determining the outcome of planning applications and appeals and as such will be a consideration in determining the application for the proposed wind farm.

With specific reference to energy and tackling the problem of climate change, NPF2 recognises that the Scottish Government has set a target of sourcing 50% of the electricity generated in Scotland from renewable energy sources by 2020 and is committed to working towards deriving 20% of total energy use from renewable sources by 2020, although these targets have since been superseded by the commitment made under Scottish Planning Policy detailed below.

#### 4.3.4 Scottish Planning Policy (SPP)

*Scottish Planning Policy* (SPP) was published in early 2010; it is a focused statement of national planning policy which replaces the previous series of detailed SPPs and National Planning Policy Guidelines (NPPGs). The new SPP provides information on the planning process and the determination of planning applications. More specifically, it sets out a number of concise planning policies which will be relevant to the proposed development, including those which set out protection of landscape and natural heritage, historic environment and flood risk management. Scottish Government Policy is to generate the equivalent of 100% of Scotland's gross annual electricity consumption and the equivalent of 11% of Scotland's heat demand to be met from renewable sources and a further 500MW of community and locally-owned renewable energy by 2020. *Scottish Planning Policy* supports the installation of a wide range of renewable energy technologies to help achieve these targets.

#### 4.3.5 Planning Advice Notes (PANs) and Specific Advice Sheets

Planning Advices Notes (PANs) and Specific Advice Sheets set out detailed advice from the Scottish Government in relation to a number of planning issues. Relevant Planning Advices Notes (PANs) and Specific Advice potentially include the following:

- PAN 58 Environmental Impact Assessment;

- PAN 60 Planning for Natural Heritage;
- PAN 65 Planning and Open Space;
- PAN 68 Design Statements;
- PAN 75 Planning for Transport;
- PAN 79 Water and Drainage;
- PAN 3/10 Community Engagement;
- PAN 1/2011 Planning and Noise;
- PAN 2/2011 Planning and Archaeology;
- Specific Advice Sheet: On Shore Wind Turbines;

#### 4.3.6 Scottish Forestry Strategy

The Scottish Forestry Strategy was published in 2006 and outlines the framework for taking forestry forward through the first half of this century and beyond. It was produced after a review of the previous strategy which was published in 2000. The Strategy is supported by the Scottish Forestry Implementation Plan 2013 – 2016 which outlines directions for realising the Strategy's vision at this time.

#### 4.3.7 Policy on Control of Woodland Removal

This Policy was published in 2009 in support of the Scottish Forestry Strategy and provides policy direction on woodland removal in Scotland.

### 4.4 Regional and Local Development Planning Policy

#### 4.4.1 Argyll and Bute Structure Plan

The Argyll and Bute Structure Plan was approved in November 2002 and sets out the strategic planning policy framework for the whole of Argyll and Bute within which more detailed Local Plan policies have been developed. It sets out a development control strategy and includes a number of strategic and development control policies and recommendations, covering a range of topics including renewable energy that are relevant to the development of the proposed High Clachaig Wind Farm; these include the following:

- Policy Strat SI 1 Sustainable Development;
- Rec SI 4 Renewable Energy Investment;
- Strat DC 2 Development within the Countryside Around Settlements;
- Strat DC 4 Development in Rural Opportunity Areas
- Strat DC 5 Development in Sensitive Countryside;
- Strat DC 7 Nature Conservation and Development Control;
- Strat DC 8 Landscape and Development Control;
- Strat DC 9 Historic Environment and Development Control;
- Strat DC 10 Flooding and Land Erosion;
- Strat DC FW 2 Development Impact on Woodland;
- Strat RE 1 Wind Farm/Wind Turbine Development;
- Prop UTW 1 Utility-Related Development; and

- Prop Trans 1 – Development Control, Transport and Access;

#### 4.4.2 Argyll and Bute Local Plan

The *Local Plan* was adopted by the Argyll and Bute Council on 6 August 2009. The Local Plan provides the local planning framework for the local authority (excluding Loch Lomond and Trossachs National Parks) against which planning applications are assessed.

Policies potentially relevant to the proposed High Clachaig Wind Farm within the Local Plan include:

- Policy LP ENV 1 Development Impact on the General Environment;
- Policy LP ENV 2 Development Impact on Biodiversity (i.e. biological diversity);
- Policy LP ENV 3 Development Impact on European and Ramsar Sites;
- Policy LP ENV 4 Management of Sites;
- Policy LP ENV 5 Development Impact on Sites of Special Scientific Interest (SSSIs);
- Policy LP ENV 6 Development Impact on Habitats and Species;
- Policy LP ENV 7 Development Impact on Trees/Woodland;
- Policy LP ENV 8 Development Impact on Local Nature Conservation Sites;
- Policy LP ENV 9 Development Impact on National Scenic Areas (NSAs);
- Policy LP ENV 10 Development Impact on Areas of Panoramic Quality;
- Policy LP ENV 11 Development Impact on Historic Gardens and Designed Landscapes;
- Policy LP ENV 12 Water Quality and Environment;
- Policy LP ENV 13a Development Impact on Listed Buildings;
- Policy LP ENV 14 Development in Conservation Areas and Special Built Environment Areas;
- Policy LP ENV 16 Development Impact on Scheduled Ancient Monuments;
- Policy LP ENV 17 Development Impact on Sites of Archaeological Importance;
- Policy LP ENV 19 Development Setting, Layout and Design;
- Policy LP CST 1 Coastal Development on the Developed Coast (Settlements and Countryside Around Settlements);
- Policy LP TOUR 1 Tourist Facilities and Accommodation, including Static and Touring Caravans;
- Policy LP MIN 1 Safeguarding of Mineral Resources;
- Policy LP SERV 8 Flooding and Land Erosion – The Risk Framework for Development;
- Policy LP TRAN 1 Public Access and Rights of Way;
- Policy LP TRAN 4 New and Existing, Public Roads and Private Access Regimes;
- Policy LP TRAN 5 Off-Site Highway Improvements;
- Policy LP TRAN 7 Safeguarding of Airports;
- Policy LP REC 2 Safeguarding of Recreational Land and Important Open Spaces; and
- Policy LP REN 1 – Wind Farms and Wind Turbines.

#### 4.4.3 Argyll and Bute Local Development Plan

The Local Development Plan (LDP) is an updated and combined version of the Structure Plan and Local Plan that will eventually replace these two documents. The first formal stage in the preparation of the Local Development Plan was the preparation and consultation on a Main Issues Report (MIR). The MIR was prepared and the initial consultation was undertaken during the summer of 2011. The MIR is designed to get people's views on possible policy direction and how land in Argyll and Bute is used for planning purposes. It identifies further on-shore wind farm development as a key issue and the need to undertake a landscape capacity study in order to identify the sensitivities of the landscape to accommodate wind energy projects, the identification of broad areas of search and an assessment of cumulative impacts.

An additional consultation document on sites to be included in the LDP was published in the summer of 2012. These sites have been identified following analysis of responses to the MIR and the Future Development Sites submissions received prior to the MIR. It is intended that the inclusion of sites for a range of different uses will add capacity in the LDP in terms of housing, community and economic opportunities during the five year period covered by the LDP.

The plan itself will set out planning policy on how land will be used across the whole of Argyll and Bute, (excluding the Loch Lomond and Trossachs National Park). A draft version of the Local Development Plan was published in February 2013 and was subject to a period of consultation, which ended in April 2013. The Proposed Local Development Plan outlines the policies and associated supplementary guidance which provide details of the mechanism for the delivery of these policies. Draft policies contained in this document which are relevant to the proposed development are as follows:

- Policy LDP DM1 – Development within the Development Management Zones;
- Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment;
- Policy LDP 5 – Supporting the Sustainable Growth of Our Economy;
- Policy LDP 6 – Supporting the Sustainable Growth of Renewables;
- Policy LDP 8 – Supporting the Strength of Our Communities;
- Policy LDP 9 – Development Setting, Layout and Design;
- Policy LDP 10 – Maximising our Resources and Reducing Our Consumption; and
- Policy LDP 11 – Improving Our Connectivity and Infrastructure.

Regard will be had to any updated LDP policy documents and adopted policies as these emerge whilst the EIA is being undertaken and will be referenced in the ES.

#### 4.4.4 Argyll and Bute Renewable Energy Action Plan (REAP) 2010 - 2013

The REAP was developed by the Argyll and Bute Community Planning Partnership and outlines the area's vision and framework for renewable energy development. The report describes the local authority's objective to be a key player in delivering a sustainable and secure energy supply.

One of their key objectives is the implementation of infrastructure investment in terms of upgrading existing transmission network and their port and transport infrastructure.

#### 4.4.5 Argyll and Bute Council Woodland Forestry Strategy

This planning policy document, published in 2011, presents the vision of how the forestry industry can contribute to the economy, communities and the environment of Argyll and Bute over the next 20 years. The Strategy is

supplementary planning guidance to the Local Development Plan and integrates with other supplementary planning guidance.

#### 4.5 References

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Argyll and Bute Council (May 2011) *Local Development Plan Council Main Issues Report (MIR) May 2011*. Accessed online at [http://www.argyll-bute.gov.uk/sites/default/files/MIR%20Final%20Final%20Final%20Report%20Resized\\_0.pdf](http://www.argyll-bute.gov.uk/sites/default/files/MIR%20Final%20Final%20Final%20Report%20Resized_0.pdf)

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