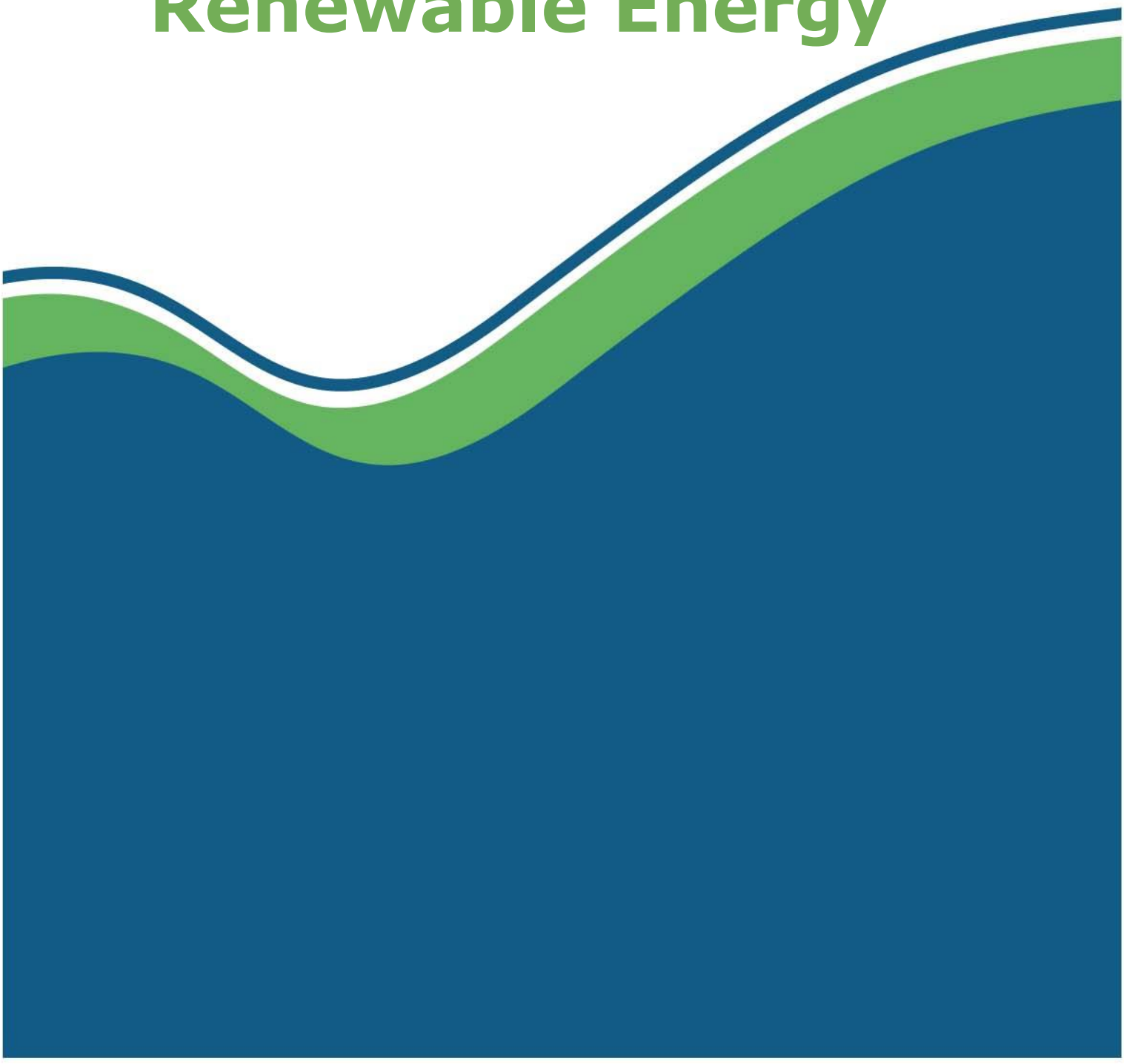
Scotland's 4th National Planning Framework has recently been published. This document is therefore being reviewed and updated to reflect the new policies. You can still find useful and relevant information here but be aware that some parts may be out of date and our responses to planning applications may not match the information set out here.

Planning Background Paper

Renewable Energy



SCOTTISH ENVIRONMENT PROTECTION AGENCY	Identifier:	LUPS-BP-GU2c(iii) Renewable Energy
Land Use Planning System **SEPA Guidance**	Pages:	19
	Issue no:	Version 2
	Issue date:	Feb 2018
Background Paper on Renewable Energy		

Update Summary

Version	*Description*
Version 1	First issue – Development Plan Considerations
Version 2	Second issue – update to Unconventional Onshore Oil and Gas

Notes

This document outlines SEPA's position on land use planning and Renewable Energy. It is based on SEPA's interpretation of national planning policy and duties and requirements under relevant legislation.

This document is uncontrolled if printed. Always refer to the online document for accurate and up-to-date information.

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Why we comment on this topic

1. **SEPA's statutory purpose under the Regulatory Reform (Scotland) Act 2014** is to protect and improve the environment, including managing natural resources in a sustainable way and also to contribute to improving the health and wellbeing of the people of Scotland and to the achievement of sustainable economic growth.

2. We have duties under the Public Bodies Climate Change (Scotland) Act 2009, with the Public Bodies Climate Change Act Guidance 2011 setting out how we are to comply with these duties.

3. We assist the delivery of the Scottish Government's national and planning outcomes by providing environmental advice in relation to development plans and proposals across Scotland on Renewable Energy. As set out in the table, the advice we provide also directly contributes to achieving two of our corporate outcomes.

<table>
<tr><th colspan="6">Renewable Energy</th></tr>
<tr><th colspan="6">Scottish Government National Outcomes</th></tr>
<tr><td rowspan="2">National Planning</td><td>Outcomes

(relevant to Renewable Energy)</td><td colspan="2">A low carbon place – reducing our carbon emissions and adapting to climate change.</td><td colspan="2">A natural, resilient place - helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.</td><td>A successful sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed sustainable places.</td></tr>
<tr><td>Policy Principles</td><td>Transformational change to a low carbon economy consistent with national objectives / targets.</td><td>Electricity generation from renewable energy technologies.</td><td>Guide development to appropriate locations.</td><td colspan="2">Reduce emissions & energy use in new buildings & infrastructure.</td></tr>
<tr><td rowspan="4">SEPA</td><td>Purpose</td><td colspan="5">Protecting and improving the environment (including managing resources in a sustainable way). As long as it is not inconsistent with the above we will also contributes to (a) improving the health and well being of people in Scotland, and (b) achieving sustainable economic growth.</td></tr>
<tr><td>Corporate Outcomes

(relevant to Renewable Energy)</td><td colspan="2">Scotland's environment is understood and SEPA is an influential and respected authority - sound understanding of the environment, the services it provides, the way it is impacted by climate change and human activity, and the effects it can have on human health and wellbeing.</td><td colspan="3">Champion sustainable resource use and management of all resources and explain the environmental, social and economic benefits - We will work with Government and other partners to develop the necessary policies, regulatory framework, incentives and clear information to encourage citizens, public authorities and businesses to choose the most sustainable and resource-efficient products and services.</td></tr>
<tr><td>Position Statement</td><td colspan="5">Energy Position Statement
Interim Position Statement on Planning, Energy and Climate Change</td></tr>
<tr><td>Planning Objectives</td><td colspan="2">Promote a pattern of development which helps to reduce greenhouse gas emissions, facilitate climate change adaption and realise Scottish Government targets for</td><td>Support national priorities to mitigate and adapt to climate change and to deliver energy</td><td colspan="2">Support appropriately located and scaled electricity generating installations that minimise greenhouse gas emissions, optimise energy</td></tr>
</table>

		climate change and energy.	policy.	productivity, avid adverse offsite impacts/ energy losses through heat recovery and use.	
	Planning Guidance	Development Plan Guidance	Development Management Guidance	Background Paper	Standing Advice

4. We assist the delivery of the Scottish Governments national and planning outcomes by providing environmental advice in relation to development plans and proposals across Scotland on Renewable Energy. As set out in the table, the advice we provide also directly contributes to achieving two of our corporate outcomes.

5. To fulfil our statutory purpose we must be able to plan, monitor and report on our work. We focus our efforts on working towards four outcomes for Scotland:

   (i) Scotland's environment is protected and improving;

   - Scotland is enjoying the economic and social benefits of a good quality environment, with businesses, communities and individuals all taking responsibility for reducing their environmental impacts. We protect the environment, communities and human health by practising world class environmental regulation, implementing legislation proportionately and rewarding good performance while taking tough action against those who fail to meet acceptable standards. Our activity is targeted towards tackling specific environmental problems through problem-solving projects, adopting innovative methods and partnerships, and working with key industry sectors.

   - We deliver important environmental services for Scotland including air quality monitoring, flood warning, flood risk management, river basin management and emergency response.

   (ii) Scotland's environment is understood and SEPA is an influential and respected authority;

   - Scotland has a sound understanding of the environment, the resources and services it provides, the way it is impacted by climate change and human activity, and the effects it can have on human health and wellbeing. There is a co-ordinated approach to the monitoring of, and reporting on, Scotland's environment, which makes it easy for businesses, individuals and the academic community to obtain information, advice and guidance. The information and advice we provide is trusted.

   - International legislation ensures a high level of environmental protection for Scotland. Policy makers in the EU, UK and Scotland have a good understanding of the issues affecting our environment.

   (iii) Scotland is preparing for a sustainable future and is taking steps to limit climate change;

   - Scotland is developing in a way which is environmentally sustainable, taking advantage of the economic benefits presented by a move to a low carbon economy and greater use of renewable energy sources. Resources are managed and used more sustainably and waste is managed as a resource.

   - More materials are recycled and landfilling has been virtually eliminated. The environmental and economic benefits of more sustainable resource use and waste

minimisation are understood, along with the need to choose low carbon products and services.

Within this outcome the following strategic objectives are identified that are particularly relevant to this topic area:

- Champion sustainable resource use and management of all resources and explain the environmental, social and economic benefits - We will work with Government and other partners to develop the necessary policies, regulatory framework, incentives and clear information to encourage citizens, public authorities and businesses to choose the most sustainable and resource-efficient products and services.

- Scotland has taken significant steps to tackle climate change. Collaborative efforts across society are reducing greenhouse gas emissions, supported by changes to behaviours. Statutory targets to reduce greenhouse gases are being met through policies and proposals across all sectors and energy production is decarbonising. Communities are more resilient to the impacts of climate change with key areas of risk and vulnerability addressed.

- Scotland is sustainably managing the use of resources, taking advantage of economic benefits presented by resource efficiency and the move to a low carbon economy. Our ecosystems are protected and the value of our resources to the economy and society is recognised. We are moving to a more circular economy where materials and products are kept in use for as long as possible.

(iv)SEPA is a high performance organisation.

- We are a flexible, responsive and innovative organisation, doing a better job and providing best value for taxpayers and charge payers, confirming our position as a world class environment protection agency. We work in partnership with public, private and third sector organisations to deliver high-quality, customer-focused services. We seek every opportunity to reduce the environmental impact of our activities.

Statutory Context

6. We have a duty under the Town and Country Planning (Scotland) Act 1997 and Planning etc (Scotland) Act 2006 to provide comments to Local Planning Authority consultations on proposed Strategic and Local Development Plans and planning applications for major waste and energy related proposals.

7. The provision and promotion of renewable energy advice through our Planning Service accords with the following statutory requirements within the table below.

Statute	Relevant Sections	Our Advice
Town and Country Planning (Scotland) Act 1997 and Planning etc (Scotland) Act 2006	Sections 4 and 15-18 - Town and Country Planning (Scotland) Act 1997. Section 2 - Planning etc (Scotland) Act 2006.	Requirements to prepare Strategic and Local Development Plans under the aforementioned legislation ensures that SEPA are routinely consulted on Strategic and Local Development Plans to assess the acceptability of renewable energy related strategic planning policy framework(s).

Development Management Procedure (Scotland) Regulations 2013	Schedule 5 – Consultation by the Planning Authority.	Local Planning Authorities have a statutory duty to consult SEPA as a statutory consultee for various waste related development proposals to ensure adequate consideration of any potential environmental impacts.
The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011	Part 4 (Sections 14, 15, 19) - Preparation of Environmental Statements Part 5 (Section 19) Publicity & Procedures on Submission of Environmental Statements	Local Planning Authorities have a statutory duty to consult SEPA as a consultation body for various development proposals requiring consideration under EIA Screening / Scoping or where application proposals are supported by an Environmental Statement.
Climate Change (Scotland) Act 2009	Part 4 - Public Body Duties	To ensure that we exercise our planning advisory role in the way best calculated to contribute the delivery of national greenhouse gas emission reduction targets.

Policy Context

8. SEPA supports the development of renewable energy and other low carbon technologies where appropriately scaled and located and where the potential environmental impacts are minimised and adequately mitigated. The delivery of a range of renewable energy technologies is needed to support the delivery of climate change targets, security of supply and a wide range of the potential benefits. The issues that we would want to be considered in delivering renewable energy targets through development plans are covered in our guidance on soils, the water environment, flood risk, air quality and sustainable resource use (including heat networks). The technologies that are particularly affected by our development plan guidance are highlighted below.

Technology	**Relevant development plan guidance table for cross reference**
Wind	Soils, water environment
Hydro	Soils, water environment, flood risk
Biomass	Air quality, sustainable resource use (district heating), zero waste
Geothermal/Water source heat	Sustainable resource use (district heating), water environment

9. The Climate Change (Scotland) Act 2009 requires reductions in Scotland's greenhouse gas emissions of at least 42% by 2020 and 80% by 2050 from a 1990 baseline. Under Section 44(1) of the Act, SEPA has a duty to act:

   (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act;
   (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;
   (c) in a way that it considers is most sustainable.

10. The European Union has set a target across all member states for a 20% cut in greenhouse gas emissions, and committed to increasing this to 30%.

11. In 2009 the Scottish Government published the Renewables Action Plan 2009-11 which set out the framework for action in renewable energy and renewable heat. The Scottish Government's 2020 Routemap for Renewable Energy in Scotland (2011) updates and expands on the Renewables Action Plan. The Routemap sets out the commitments made towards renewable energy in our Climate Change (Scotland) Act 2009 – the generation of an equivalent of 100% of electricity demand from renewable sources by 2020, along with at least 11% renewable heat. (page 9). It is important to note that the Routemap is clear that the target for electricity generation does not mean that Scotland will be dependent on renewables to generate 100% of electricity, but that the equivalent of 100% of the electricity demand will be generated by renewables.

12. In addition to these commitments, the Routemap (paragraph 1.1.3) explains that "The displacement of fossil fuel heat and power generation by renewables is key to reducing our carbon emissions. Our Climate Change Act sets world leading targets for at least a 42% cut in greenhouse gas emissions by 2020 and at least an 80% reduction in 2050…".

13. An update to the Routemap was published in 2013 which states (paragraph 1.2, page 5) that "*…in 2012 renewable sources delivered 40.3% of gross electricity consumption – up from 36.2% in 2011 (see figure 1). Renewable electricity generation in Scotland made up approximately 36% of total UK renewable generation in 2012*."

14. The Scottish Government's Online Renewables Planning Advice provides specific advice for a range of renewable technology, including but not limited to onshore and offshore windfarms, hydro schemes, woody biomass, landfill gas, energy from waste, anaerobic digestion, deep geothermal, photovoltaic arrays. The advice outlines the key issues that should be considered at development plan and development management stages. The Scottish Government recognises the important role of the planning system in supporting the move to a low carbon economy and a broad mix of energy generation installations and supply infrastructure at appropriate locations.

15. The National Planning Framework 3 (NPF) was published in 2014 and sets out the national strategy and vision for Scotland's development over the next 20 to 30 years.

16. NPF3 National Planning Outcomes which consideration and incorporation of this issue into Development Plans would contribute towards are:

- a successful sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed sustainable places
- a **low carbon place** – helping to reduce our carbon emissions and adapt to climate change, and supporting the transition to a low carbon place

17. Paragraph 2.7 states that "Emerging technologies for renewable energy… are changing our understanding of what constitutes a sustainable community. We must ensure that development facilitates adaptation to climate change, reduces resource consumption and lowers greenhouse gas emissions."

18. Scottish Planning Policy (SPP), published in June 2014, provides the policy principles for renewable energy, stating in paragraph 154 that:

"*The planning system should:*

- *Support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving:*
  - *30% of overall energy demand from renewable sources by 2020;*
  - *11% of heat demand from renewable sources by 2020; and*

- *The equivalent of 100% electricity demand from renewable sources by 2020.*

- *Support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks.*

19. SPP (paragraph 154) states that "The planning system should…support the development of a diverse range of electricity generation from renewable energy technologies…" and (in paragraph 155) that "Development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations."

20. We state in Our Climate Challenge 2014/2018 that "*SEPA will strongly support Scottish efforts on climate* change *and help Scotland's move to a low carbon, resilient and sustainable country in a way that also protects and improves the environment, human health and well being…"* and (in page 14) that "*…Renewable energy is a major opportunity for Scotland, and we have an advisory role, for example through the planning process, to help ensure the environment is protected while maximising opportunities for low carbon energy solutions.*"

21. SEPA's Energy Position Statement explains SEPA's energy remit, and (in paragraph 2.1) that "*SEPA has a pivotal role in delivering climate change priorities – through a combination of regulating, informing and influencing – in order to drive Scotland into a lower carbon future. SEPA also has an interest in the environmental consequences of energy decisions, and regulates or acts as a statutory consultee for major energy developments."*

22. Our key position statements relating to energy are set out in this document, with section 5.3 clarifying our role in relation to renewable energy generation. Paragraph 5.3.4 states that "*SEPA supports the development of renewable energy production, where it contributes to tackling climate change, and supports local, secure supply where it provides economic benefits – commensurate with any environmental impact, provided that this is within the context of reducing overall energy demand through increased efficiency."*

23. Our Interim Position Statement on Planning, Energy and Climate Change clarifies how we intend to engage with the planning system on energy and climate change issues, and the role the Planning Service will take in this engagement. Paragraph 7 of this document states that:

"By engaging in climate change and energy issues through our Planning Service we will:

- Support national priorities to mitigate and adapt to climate change and to deliver energy policy where they interface with our remit;
- Help planning authorities better understand and take account of appropriate climate change mitigation and adaptation measures; and
- Support delivery of the strategic priorities for energy…as recognised in the National Planning Framework 2 and development plans."

Other energy and minerals issues

The following section clarifies our approach to other energy and minerals matters through our planning advice.

Fossil Fuels, Carbon Capture and Storage and Unconventional Gas

24. We do not comment at development plan stage on technological issues related to fossil fuels, Carbon Capture and Storage or unconventional gas. We consider that the key point in which we add value to these issues is at development management stage. Our main involvement with regards to these activities is usually through our regulatory role. The regulatory issues relating to such energy proposals will be addressed through the development management process insofar as they relate to our interests.

25. With regards to onshore unconventional gas, including coal bed methane, shale gas and fracking, In October 2017 the Minister for Business, Innovation and Energy confirmed that the moratorium on Onshore Unconventional Oil and Gas, put in place in 2015, will continue indefinitely. The moratorium states that any planning applications connected to Onshore Unconventional Oil and Gas will be referred to Scottish Ministers. The vote in Scottish Parliament led to an agreement that the Scottish Government will not support planning applications associated with unconventional oil and gas development in Scotland.

26. Further detail and guidance will be provided by the Scottish Government in the forthcoming revised National Planning Framework.

27. With these strong positions being taken by Scottish Ministers and their intention not to support planning applications associated with Onshore Unconventional Oil and Gas, SEPA will no longer make comment to Development Plan consultations regarding Onshore Unconventional Oil and Gas.

Minerals

28. For some development plan authorities, we will require identification of areas of search where minerals workings are most likely to be acceptable during the plan period. Areas of search and policies relating to mineral workings should be consistent with our guidance relating to air, water and soils ensuring that there are no significant negative impacts on such issues insofar as they relate to our interests. For minerals proposals the development plan should require the submission of a restoration and aftercare plan.

29. The justification for this is to ensure that proposals do not have an unacceptable impact on, and give due regard to, the water environment, flood risk, soils and peatlands and air quality.

30. SPP (paragraph 235) builds on this position, stipulating that:
"The planning system should… secure the sustainable restoration of sites to beneficial afteruse after working has ceased."

31. SPP (paragraph 23) goes on to state that:

"Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development. Plans should set out the factors that specific proposals will need to address, including:

- *Disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water*
- *Effects on natural heritage, habitats and the historic environment*
- *Restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability)".*

32. In addition, the following guidance, prepared by SNH and RSPB, may be useful for planning authorities and links can be provided to them if appropriate:

- http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/geology-and-minerals-guidance/
- http://www.snh.org.uk/publications/on-line/advisorynotes/41/41.htm
- http://www.rspb.org.uk/forprofessionals/policy/planning/mineralsplanning.aspx

33. Finally, the British Geological Survey also identified the following link to a 'Mineral's Resource Maps' for relevant areas within Scotland:

- http://www.bgs.ac.uk/mineralsuk/planning/resource.html#scotland

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How we comment on this topic

34. Our role is to encourage responsible authorities to explore opportunities to enhance the potential deliverability of renewable energy technologies within Strategic and Local Development Plans.

35. Our position on this issue is presented within our consultation comments to Planning Authorities on Development Plans. Within these responses we seek to ensure that Development Plans encourage the provision of renewable energy facilities to help achieve, and comply with targets, to reduce carbon-based emissions within the context of Scotland's overarching planning policy framework on renewable energy.

36. This document seeks to provide concise, consistent and robust advice on the approach that we should take when considering renewable energy issues through development plan consultations.

SEPA's overarching objectives in providing advice to planning authorities on Renewable Energy related matters are:

- The promotion of a positive planning framework for delivery of Scotland's renewable energy targets.
- Minimising negative environmental impact of renewable energy developments insofar as they relate to our interests.

37. SEPA supports the development of renewable energy and other low carbon technologies where appropriately scaled and located and where the potential environmental impacts are minimised and adequately mitigated. The delivery of a range of renewable energy technologies is needed to support the delivery of climate change targets, security of supply and a wide range of the potential benefits. The issues that we would want to be considered in delivering renewable energy targets through development plans are covered in our guidance on soils, the water environment, flood risk, air quality and sustainable resource use (including heat networks). The technologies that are particularly affected by our development plan guidance are highlighted below.

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Geothermal/Water source heat	Sustainable resource use (district heating), water environment

38. This background paper provides the context and justification for the advice contained in the guidance notes. It also explains how our requirements and recommendations can be achieved.

39. Our approach to Renewable Energy is set out in the following documents.

- SEPA Position Statement on Energy
- SEPA Interim Position Statement on Planning, Energy and Climate Change

- SEPA's Development Plan Guidance: Sustainable Resource Use and Energy (LUPS-DP-GU2-C)

40. Separate planning guidance (below) has been prepared by SEPA in relation to onshore wind farms and should be referred to for development plans issues and/or development proposals relating to such facilities:

- Land Use Planning System SEPA Guidance Note 4 - Planning Guidance on On-shore Windfarm Developments

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Development Plans

41. When SEPA are consulted on a development plan we must assess whether the plan will support the provision of sustainable renewable energy objectives and the realisation of Scottish Government targets to reduce green-house gas emissions and provide sustainable opportunities for the provision of low-carbon energy generation technologies.

42. Our assessment on this issue should be based LUPS-DP-GU2c Development Plan Guidance: Sustainable Resource Use and Energy. The following section of the background paper supports the implementation of this guidance through the provision of further advice on how the guidance can be implemented and the justification for our requirements and recommendations.

43. Useful documents referred to in the justifications for this topic area listed below:

- National Planning Framework 3 NPF3.
- Scottish Planning Policy
  - Renewable Energy priorities: paragraphs 152–174)
  - Promoting Responsible Extraction of Resources Priorities: paragraph 235-239)
- Scottish Government Draft Electricity Generation Policy Statement 2010: Scotland – A Low Carbon Society.
- Scottish Government Hydro Policy Statement – Balancing the Benefits of Renewables Generation and Protection of Water Environment
- Energy in Scotland 2014
- Climate Change Delivery Plan 2009
- 2020 Routemap for Renewable Energy in Scotland
- Energy Efficiency Action Plan
- Energy Efficiency Directive

SEPA:

- SEPA's Energy Position Statement
- SEPA's Interim Position Statement on Planning, Energy and Climate Change

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SDP Requirement 1: Positive Policy Framework

LDP Requirement 1: Positive Policy Framework

Strategic and Local Development Plans: Positive Policy Framework

1. A positive policy framework to facilitate renewable energy developments in appropriate locations in line with SPP. Where appropriate, this may include biomass, windfarm, hydro, district heating and solar energy developments.

2. The policy framework or spatial strategy reflects local circumstances that take into account peat and carbon rich soils, forestry, water environment and other issues that fall within our remit, including management of waste from development.

Context

National	Planning outcome(s)	A low carbon place – reducing our carbon emissions and adapting to climate change.		A natural, resilient place - helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.	
	Planning principle(s)	Transformational change to a low carbon economy consistent with national objectives / targets.	Electricity generation from renewable energy technologies.	Guide development to appropriate locations.	Reduce emissions & energy use in new buildings & infrastructure.
SEPA	Planning objective(s)	Promote a pattern of development which helps to reduce Scotland's greenhouse gas emissions.	Support national priorities to mitigate and adapt to climate change and to deliver energy policy.	Support appropriately located and scaled electricity generating installations.	

How this can be achieved

44. Requirements to ensure the implementation of strategic renewable energy priorities with SDPs and LDPs are identified above. The following approaches can be implemented in order to achieve these requirements:

- Ensure strategic renewable energy priorities are included within SDP and LDP policy framework objectives (i.e. strategic objectives SPP paragraphs 152 – 174, NPF3 and the Scottish Government Policy Statement on Energy 2010).
- The inclusion of renewable energy policies which supports the delivery of renewable and low/zero carbon energy. This should not be limited or restricted solely to windfarms, as a wide range of technologies fall within the definition of renewable energy.
- A 'positive policy framework' should include policies referring to all renewable energy technologies being appropriate within the development plan area, or policies which do not restrict certain renewable technologies (eg avoid the inclusion of policies that solely refer to wind).
- Policies should be flexible enough to be applied to a full range of renewable and low/zero carbon technologies if the policy text is not explicit on the breadth of technologies intended to be covered.
- A 'positive policy framework' for renewable energy may also include:
  - Identification, through policy wording or map locations, of areas that the planning authority considers appropriate for renewable and/or low-carbon energy facilities;

- Policy wording that supports the delivery of district heating and heat networks with reference to renewable sources for heat being appropriate and encouraged by the authority; and

- Policy wording that supports decentralised energy facilities (as this issue may not be found in a specific renewable energy policy).

- The creation of a policy framework or spatial strategy written to reflect the local circumstances.

Justification

45. We expect development plans to incorporate a positive policy framework that will enable (and encourage) renewable energy proposals to be developed within the development plan area. The Scottish Government supports renewables as energy sources, and in order to enable delivery of the Government targets (as explored in the policy context above), Development Plans must provide a supportive environment for this. Development Plans should therefore recognise the role of decentralised and local renewable or low-carbon sources of heat and power.

46. In policy terms this position is supported by a strong planning policy framework. At the national level, NPF3 (paragraph 3.4) emphasises our historic reliance on hydropower as a source of clean energy and its ability to release *'untapped potential'* that could potentially sustain electricity demand for up to 25% of Scotland's households.

47. This position is further strengthened by SPP. Specifically, SPP (paragraph 161) indicates that Development Plans should provide specific assessment criteria for the assessment of wind farm developments, extensions and/or repowering of such facilities being mindful of the scale and potential environmental, social and economic impacts to the surrounding area.

48. Building on this requirement, SPP (paragraph 162) requires collaboration between Strategic and Local Development Authorities in identifying strategic wind farm approaches. This should assist the assessment of 'potential capacity' and to identify areas with the greatest potential for expansion of such facilities. It should also help identify the potential for cross-boundary development opportunities.

49. SPP (paragraph 163) re-emphasises the importance of SPP in setting the strategic context for wind farm developments. It indicates that a strategic approach should be implemented within LDPs (in line with SPP guidelines) when preparing windfarm spatial frameworks. This should ensure consistency at the national level with regards to planning for windfarm developments and allow for more 'detailed' constraints to be identified at the development management stage.

50. SPP (paragraph 167) extends on this position, requiring that Development Plans identify land with the ability to accommodate renewable electricity generation including wind farms, hydro-electricity (river or tidal flows) and/or energy storage projects.

51. Critically, SPP (paragraph 169) identifies that the suitability of such projects will be dependant on a range of determining issues including: the scale of the proposed development; cumulative impact; land characteristics; potential environmental impacts; effects on the water environment; hydrology; flood risk; and various social impacts including net community benefit, amenity impacts including (nose, visual, residential) etc.

SDP Recommendation 1: Renewable Energy Supplementary Guidance

LDP Recommendation 1: Renewable Energy Supplementary Guidance

Strategic and Local Development Plans: Renewable Energy Supplementary Guidance.

1. The preparation of Supplementary Guidance on Renewable Energy to consider in more detail the implications of the location and siting of different technologies on issues that relate to our interests such as soils, water environment, waste and heat networks.

Context

<table>
<tr><td rowspan="2">National</td><td>Planning outcome(s)</td><td colspan="2">A low carbon place – reducing our carbon emissions and adapting to climate change.</td><td colspan="2">A natural, resilient place - helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.</td></tr>
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</table>

How can this be achieved

52. The ability to provide developers with greater certainty and policy direction in relation to renewable energy facilities is an important consideration for Local Planning Authorities. This can be achieved through:

- The preparation of Supplementary Guidance on Renewable Energy which will seek to provide assistance on the location, type and siting of renewable energy facilities within the Plan area.

53. In terms of Hydroelectric schemes:

- Development Plans should encourage such proposals to be sited and designed appropriately to avoid individual and cumulative adverse impacts on the water environment.
- Development plans should identify suitable and unsuitable areas of search for hydropower proposals and/or a criteria based policy providing guidance on where hydropower proposals can be located.

Justification

54. The policy framework should assist developers in identifying suitable locations for renewable energy projects. In addition to a ‘positive approach’ to the production of renewable energy policies, it is important that such policies include a presumption against development which will have a significant detrimental impact on sensitive receptors.

<u>Windfarms:</u>

55. In terms of windfarm developments, Development Plans and/or Supplementary Guidance should ensure that areas considered appropriate for windfarm proposals demonstrate that they will not have an unacceptable impact on, and give due regard to:

- carbon balance;
- soils and peatlands;
- the water environment;
- flood risk; and
- forestry and any tree material cleared to facilitate development insofar as they relate to our interests.

56. This will give developers clear upfront guidance on issues relevant to us so they can factor this into their site choice. We would also expect that the identification of areas potentially suitable for wind farm development (either in the development plan or supplementary planning guidance) are informed by the above factors, where appropriate.

57. SPP (paragraphs 161–174) provides guidance and expectations from the Scottish Government regarding scope of Spatial Frameworks for windfarms, and we provide no further comment or requirements in this regard. Table 1 of SPP sets out the designations and interests that should be taken into account when developing a Spatial Framework, particularly **Group 1: Areas where wind farms will not be acceptable and Group 2: Areas of significant protection.**

58. SEPA, SNH, FCS and the windfarm industry have worked together to produce Good practice during wind farm construction. The document provides guidance to prospective windfarm operators, planning authorities and other interested parties on pollution prevention, nature conservation, landscape, hydrological and related issues. SEPA and the windfarm industry have worked together to produce Guidance on the assessment of peat volumes, reuse of excavated peat and minimisation of waste

Hydropower:

59. As outlined above, SEPA supports the development of renewable energy in Scotland, including hydropower, notwithstanding that even small hydropower schemes have the potential to adversely affect the water environment. SEPA aims to ensure that an appropriate balance between promoting hydropower and protecting the water environment and other water users is always achieved. Detailed guidance relating to the water environment is provided below.

60. The Scottish Government Policy Statement January 2010 notes the valuable contribution that hydropower generation can make to electricity generation targets within Scotland, notwithstanding that the implementation of adequate mitigation measures is required to protect the water environment from significant detrimental impacts.

61. National Development Status has been given to hydropower with National Planning Framework 3 which identifies new and expanded pumped storage facilities throughout Scotland including at Cruachan in Argyll.

62. In this regard, NPF3 (paragraph 3.4) indicates the importance of this hydro scheme, and other facilities, in achieving renewable electricity generation given the historic importance of hydropower as a clean energy source. Paragraph 3.30 further strengthens this position. Accordingly, hydroelectric power is identified as a key asset in the north of Scotland with many opportunities to introduce new 'run on river' hydroelectric developments. It is also

acknowledged that the increasing capacity of pumped storage hydroelectric schemes could enable the realisation of ambitious targets for Scotland's renewable energy capacity. The hydroelectric Scheme at Cruachan is identified as a critical opportunity to increase capacity and achieve this goal. As such, it is explicitly categorised as a national development within NPF3.

63. SEPA's position on hydropower developments accords with the Scottish Ministers Hydro Policy Statement which was issued in January 2010 and which sets out the Scottish Government's objectives in relation to achieving the right balance between the protection of the water environment and renewable energy generation. Scottish Government has online Hydro guidance and this together with SEPA run of river hydro guidance may also be of use in considering potential hydro proposals in development plans.

64. SEPA has direct duties arising from specific legislation and general duties or responsibilities under the Environment Act 1995. SEPA regulates water activities, including abstraction for hydro power and for cooling water under the Water Environment (Controlled Activities)(Scotland) Regulations 2010. The reason we comment at development plan stage to ensure as early as possible proposed hydro power developments that make an important contribution to renewables targets and minimise the cumulative impact on the water environment. Of key relevance is the potential for cumulative impacts across water catchment and development plans provide an opportunity to identify and address these.

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