

Interim Edinburgh and South East Scotland  
STRATEGIC DEVELOPMENT PLAN  
*Joint Committee*



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**SCOTTISH GOVERNMENT REQUEST FOR THE PREPARATION OF SUPPLEMENTARY PLANNING GUIDANCE ON WINDFARMS**

**Report by: Director Strategic Services, Midlothian Council**

**Contact Officer: Janice Long, Midlothian Lothian Council**

**1 INTRODUCTION**

1.1 This report is to inform the Committee about the content of a letter sent to all planning authorities regarding the Scottish Government's desire for the preparation of locational strategies for windfarm development and offering support for this work to be carried out in the short term.

**2 BACKGROUND**

2.1 On 11 September 2007, Jim Mackinnon, Chief Planner for the Scottish Government, wrote to local authorities advising them of the need to update planning policies and prepare spatial frameworks to provide a sound basis for assessing proposals for the establishment of windfarms. A copy of the letter is appended to this report.

2.2 The advice contained in the letter follows soon after the publication of SPP 6: *Renewable Energy* (March 2007) and is in amplification of a response given by Stewart Stevenson, Minister for Transport, Infrastructure and Climate Change to a Parliamentary Question raised by John Lamont, MSP for Roxburgh and Berwickshire. The question related to expediting the decision-making processes for windfarm developments through the preparation of locational strategies and planning guidance.

2.3 Local authorities are urged to implement the provisions of SPP 6 by preparing such strategies in the form of supplementary planning guidance (SPG) until such time as they can be incorporated into the 'new-style development plans' required under the terms of the Planning etc. (Scotland) Act 2006. Although the letter does not specify whether the

locational strategies should be addressed at strategic or local development plan level, it emphasises the benefits of collaborating with neighbouring authorities with respect to the spatial framework element of the SPG and recommends using the mechanisms already in place for structure planning. It is accepted that any such strategy would have a strategic as well as a local dimension and would benefit from consideration in the context of the Strategic Development Plan area.

- 2.4 The letter confirms the commitment given in the planning modernisation agenda to full community engagement and the importance of community involvement in the process of preparing the SPG, including the locational element. Local concerns are to be given appropriate consideration 'within the overall national context' for wind energy. This phrase reflects the difficulties of reconciling national and local considerations. The general tenor of the letter emphasises the Government's commitment, at national level, to increasing the generation of energy from renewable sources, particularly wind.
- 2.5 To assist with implementing this task in early course, the Scottish Ministers are appointing a consultant to provide support and good practice advice which will be available for around one year. Furthermore, they will be issuing guidance on the preparation of the SPG in the Autumn.
- 2.6 It is not clear how this forthcoming guidance might relate to SPP 6 which already contains guidance on spatial frameworks for windfarms over 20 megawatts, or to PAN 45 *Renewable Energy Technologies* which provides additional advice on key issues for consideration when preparing development plan policies and determining planning applications. There is some concern that the layers of Government planning policy guidance which are emerging on this topic will provide considerable scope for debate at inquiry on its interpretation.
- 2.7 Finally, it is worth noting that the letter acknowledges that this new advice will require some authorities to review and possibly amend recently agreed policies. All six Councils comprising the Interim Joint Committee have up-to-date development plans and some have local plans only recently subject to public inquiry or currently at inquiry. Although the timing of this advice is unhelpful in this regard, there are always difficulties with new national planning policy guidance being issued too late for incorporation into current plans.
- 2.8 There is no mechanism provided by the Planning etc. (Scotland) Act 2006 for promoting development plan alterations either at strategic or local level and this is presumably the reason why SPG is proposed. Alterations could only be considered for plans already approved or adopted; any such alteration would have to be advanced ahead of the secondary legislation which will bring the provisions of the new Act into force, and there is no longer any provision for an abbreviated procedure. The Strategic Environmental Assessment and full consultation requirements make a speedy alteration unlikely.

### **3 PROPOSED RESPONSE**

- 3.1 It is proposed to respond to this letter on behalf of the Interim Joint Committee welcoming the offer of consultancy support, given that this task is to be taken forward in the short term, but highlighting the issues raised in this report.
- 3.2 There would be merit in establishing a short-life officer working group to review the current development plan policy frameworks for windfarm development across the Strategic Development Plan area and the research work already completed to help inform such policies. Consideration can then be given to the best means of drawing up a locational strategy as an appropriate response to the Scottish Government's agenda. This could form the basis for SPG in advance of the preparation of the Strategic Development Plan and local development plans.

## **4 RECOMMENDATION**

4.1 It is recommended that the Committee:

- a. notes the terms of the Scottish Government's letter with respect to the preparation of supplementary planning guidance on windfarm development;
- b. welcomes the offer of consultancy advice but expresses some concern about the production of a further layer of national planning policy guidance; and
- c. notes the intention to establish an officer working group to consider and report back on an appropriate response in the context of the forthcoming Strategic Development Plan for Edinburgh and South East Scotland.



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### **Windfarms – Support for the Preparation of Supplementary Planning Guidance**

As you will be well aware, developers continue to put forward proposals for the establishment of windfarms. Up-to-date planning policies and spatial frameworks are needed urgently so that specific applications can be fully considered in the light of national and local issues.

Earlier this year Scottish Planning Policy (SPP) 6 Renewable Energy was published. It set out a national strategic approach to the preparation of policies and spatial frameworks by planning authorities. On 14 August the Scottish Government, in answer to a Parliamentary Question, set out its approach to planning for renewable energy and I attach the question and answer for your information.

The government wants local authorities urgently to take forward the provisions of the SPP by engaging with communities and other parties in the preparation of locational strategies for windfarms. In view of the modernisation agenda, these should be prepared as supplementary planning guidance (SPG) until they can be incorporated into new-style development plans. This approach will enable local concerns to be given due weight within the overall national context and with the full involvement of local communities. I realise that for a number of authorities this will mean reviewing and if necessary amending recently agreed policies.

I am therefore writing to inform you about the support and guidance we will be putting in place to assist authorities with this task. Firstly, we intend to appoint an experienced consultant to offer you support and advice, to be a source of general information and of good practice. We will be looking to the consultant to come forward with a package of measures which may include: answering specific questions, commenting on drafts, workshops and a website. The Scottish Ministers have exceptionally decided to provide this special support over a period of about a year because of the urgent need to prepare the SPG. Secondly, we will be preparing guidance on the preparation of SPG which we expect to issue in the Autumn.

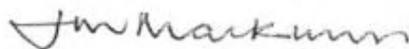


I do not however want you to postpone work until the new guidance and the Executive's consultant are in place. The new guidance will not change the policy set out in SPP6 and Annex A already describes the key elements of spatial frameworks.

There are likely to be advantages in collaboration between authorities, particularly in preparing the spatial framework element of the SPG where issues cross administrative boundaries. I would encourage all authorities to consider the benefits of working together and where possible to use established mechanisms such as those in place for structure planning and the National Parks.

In conclusion, the commitment to increasing the amount of electricity generated from renewable energy sources, particularly wind, is a vital part of the response to climate change and promoting sustainable development. Up to date policies and spatial frameworks are an essential component of the planned response as set out in SPP6.

Yours sincerely



**JAMES G MACKINNON**

**John Lamont (Roxburgh and Berwickshire) (Con):** To ask the Scottish Executive whether it will draw up a locational strategy and accompanying planning guidance for onshore wind development for local authorities, investors and third parties to expedite the decision-making process.

(S3W-2360)

**Stewart Stevenson:** The government believes that Scottish Planning Policy (SPP)6 – Renewable Energy provides a sound national policy context for addressing onshore wind development. We want to see the SPP's provisions taken forward urgently, with local authorities engaging with communities and other parties in the preparation of locational strategies in the form of supplementary planning guidance. These local frameworks should provide greater certainty for developers and local communities and speed up the decision making process. We see this approach as striking the right balance between national and local responsibilities.

It is likely that authorities will have to review and update their existing policy and we believe there is also scope for authorities to work collaboratively. To assist the authorities at a time when they are addressing the challenges of delivering a modernised planning system, we shall make available a source of expert advice and issue national guidance on the preparation of the supplementary planning guidance. The chief planner will therefore be writing to planning authorities in the near future.

SPP6 states in its opening paragraphs the energy policy target of 40% of electricity generated from renewable sources by 2020 and notes that this is not a cap. This government has ambitions for a balanced approach to renewable energy encompassing a range of measures which extend beyond that. The SPP6 provides for a planned approach to delivering the target through setting the overall policy for preparing spatial frameworks, including the safeguarding of areas designated for their national and international natural heritage value and greenbelts. It gives a clear role to local authorities and national park authorities in relation to local interests and designated areas, in the identification of broad areas of search and in setting policy criteria which accord with the SPP.