

Response by the Scottish Council for National Parks to Scottish Planning Policy SPP 6 Renewable Energy: Consultation Draft.

Preface

The Scottish Council for National Parks (SCNP) was formed originally in 1943 and operated until 1967, when it was stood down as a result of the setting up of the Countryside Commission for Scotland. It was reconstituted in 1990 following the publication of the CCS's report on the 'Mountain Areas of Scotland' for Government, which recommended the creation of National Parks in Scotland. The SCNP's primary aim is to promote the protection, enhancement and enjoyment of nationally outstanding areas that are National Parks, or are appropriate to be designated as such, or are of sufficient merit to warrant special protection. This is manifest in our support for good stewardship of the country's best environmental assets and encouragement of sustainable methods of development, particularly within areas of national park potential. SCNP is a recognised Scottish Charity.

Introduction

1. The Scottish Council for National Parks (SCNP) is glad to have the opportunity to comment on the Scottish Executive's consultation paper on *SPP 6 Renewable Energy: Consultation Draft*. SCNP supports the Scottish Executive's efforts to secure renewable energy and the contribution this will make to reducing the ingredients for global warming. **The Council also supports the principle of protecting Scotland's landscapes and their associated wildlife that are so important for quality of life and tourism.** Council is concerned that up to now, the renewables effort has been very much developer-led rather than plan-led in terms of location. This is particularly the case for windfarms with a consequent threat to the quality of Scotland's landscapes and sensitive habitats and hence to the economy. The present document appears to be trying to address this problem and to make the process more plan-led. This is to be welcomed but unfortunately, the lack of clarity and apparent equivocation which marred NPPG 6 is still present in this consultation draft and **we are not convinced that SSP 6 achieves the required balance, as it gives the impression of being heavily weighted in favour of renewable energy with an over-emphasis on wind energy at the expense of sources which can have more benign environmental impacts.**

Targets

2. SCNP fully supports the idea that provision for renewable energy development and wind farms in particular should be guided by the Development Plan. However, the target of 18 per cent of electricity generated in Scotland coming from renewable sources by 2010, rising to 40 per cent by 2020 seems to be entirely arbitrary. We consider it is essential that the environmental capacity of landscapes to accept renewable energy developments without unacceptable damage must be properly evaluated [Landscape Character Assessment: Topic Paper 6 Techniques and Criteria for judging capacity and sensitivity: Scottish Natural Heritage & Countryside Agency 2004]. It is also made clear (paragraph 3) that this figure should not be regarded as a cap on development. The consequence is that whilst Planning Authorities are required to make provision for renewable energy developments in their Development Plans, they do not know what is being required of them quantitatively. This means that whilst they may well show potential and preferred areas for renewable energy developments and windfarms in particular, the wind farm industry will still feel free to submit applications in sensitive locations, argue that such locations meet their technical requirements and that the preferred areas are not available to them.

3. SCNP also supports the Executive's wish to see the 2020 target being met by a range of

renewable technologies. There are clearly disadvantages in putting too much emphasis on a single type of renewable eg windfarms, which require complete back-up to cover for when there is either insufficient or too much wind available. Without such back up, energy supply would be intermittent. Council can also see merit in greater emphasis being placed upon well proven hydro technologies using both large and small schemes and in increasing the small-scale production of heat and electricity from renewable sources. On balance we believe there are less adverse impacts upon the environment from hydro energy than from wind energy - this is based upon our own experience and the material contained in PAN 45 and SNH's *Guidelines on the Environmental Impacts of Windfarms and small scale Hydroelectric Schemes*.

Sustainable Development.

4. Council welcomes the emphasis placed on the need to protect natural heritage and other resources for the long-term. The definition of what natural heritage should be protected should be widely drawn particularly with so many areas worthy of National Park status but not yet designated. **What is needed is a reasonable and impartial balance between the need to develop renewable energy facilities and the need to protect the character and quality of landscapes, especially those valued by people such as, National Parks, NSAs, Natura 2000 Sites, SSSIs, Areas of Great Landscape Value and Regional Parks.**

Modernising Planning and SPP principles.

5. Council is concerned that windfarm projects greater than 50 megawatts output are submitted under the Electricity Act and treated as power stations. It is contended that the Electricity Act was never intended to be used in this way. If guidance at a national level is clear and unequivocal there should be no need to treat such applications differently from the rest of the planning system.

6. The guidance set out in paragraph 9 is generally supported but it should be made clear that *"ensuring that environmental economic and social benefits are fully exploited"* is not intended to cover situations where windfarm and other developers attempt, in effect, to bribe local communities into agreeing to proposals that are contrary to policy with promises of financial and other benefits which have nothing to do with the planning issues involved. It has been generally accepted for many years that offers of financial incentives should not be taken into account when coming to planning decisions. The fourth principle could benefit by adding *'consistent with the Development Plan.'*

7. Regional Parks are now under threat from major wind farm developments. Scotland's three Regional Parks are described by the Scottish Executive as *Areas of Great Landscape Value* and yet are not considered worthy of mention in the draft SPP. When Regional Parks were first put forward by the former Countryside Commission for Scotland they were seen as meeting the needs of substantial populations for formal and informal recreation across local government boundaries. As such, they are of larger than local significance, and their designation requires the approval of Scottish Ministers. In Council's view they should be protected in just the same way as National Parks and National Scenic Areas. In this respect the draft SPP is even weaker than the document it is intended to replace.

8. We consider strongly that the 4th principle [page 3 Para 9] should seek a better balance between the contribution that renewables make to reducing carbon emissions and the protection of the environment. We suggest that the 4th principle is revised along the following lines: *'seeking a reasonable balance between reducing carbon emissions that also have economic and social benefits and the protection of the environment as set out in the*

5th and 6th principles'. We believe that this would more closely conform with SNH's policy on renewable energy that stresses '*...it is important to note that schemes are carefully scrutinised for any adverse natural heritage impacts and that the broader environmental benefits of renewable energy are not regarded as sufficient to outweigh significant potential damage to more localised natural heritage interest* [our underline]'. We also suggest that the 5th principle includes a reference to the National Parks [Scotland] Act 2000, because of its requirement for National Park Authorities to use the 'Sandford Principle' at Section 9[6].

Site selection.

9. Paragraph 10 should make it clear to the industry that the Development Plan has primacy. As such, wind farm developers should receive guidance that if they wish to pursue proposals that fall outside the Development Plan, they will have to demonstrate that their proposal is of overriding importance in the national interest. This should go some way to ensuring that the enormous waste of time, money and resources by both the public and private sectors under the current process might be avoided in the future to everyone's benefit.

Local Communities and Renewable Energy.

10. Council agrees that community participation is especially important in planning for renewable energy. The process, however, should not be used to try to persuade the community that something that they believe to be fundamentally wrong should be allowed. Our experience has been that wind farm developers often present their proposals in ways which, whilst not necessarily untruthful, can be misleading. It should be made clear that there is no such thing as a *community* wind farm in the sense that the electricity generated is used solely within that community. The public should be aware that all electricity generated by wind farms goes to the National Grid and as such is not supplying their homes with electricity thought of as being 'free'. In practice, the National Grid pays nearly four times as much for electricity generated by wind farms compared with more traditional power stations. We particularly welcome the clarification that the presence or absence of financial incentives offered by prospective developers should not be taken into account when assessing whether a specific proposal is acceptable in planning terms (paragraph 13).

ECONOMIC BENEFITS

11. We are concerned that the sentence Page 5 Para 15: '*The planning system has a key role in supporting Scotland's economic competitiveness and employment market*' could undermine the impartiality and objectivity of the planning system and give the impression that it is strongly biased in favour of development. This impression continues in paragraph 16 – '*The role of the Development Plan process is to ensure [our underline] that an area's renewable energy potential is realised....*'

Spatial policies.

12. Council welcomes the guidance that the Development Plan should identify those areas where wind farm development should be avoided. SPP 6 should go further and indicate that where this has been done, Scottish Ministers will respect that judgement. Council welcomes the recognition that '*increasingly, careful consideration will need to be given to cumulative impacts*'.

Locational Considerations for wind farms.

13. Whilst it is correct to say that the suitability of local landscapes will be dependent on the scale and type of project proposed, it is also true that many of the proposals coming forward now are for wind farms with larger turbines many of which are over 400 ft high. It is unrealistic to believe that such schemes can be hidden from view when the reality is that

they can be seen for 20 miles or more.

14. What is needed is a range of specific criteria designed to identify locations where the impacts of renewable energy technologies, especially windfarms, are likely to be acceptable. Conversely such an approach would also indicate locations where renewable energy technologies would not be acceptable. In addition, it is essential to stress the importance of high quality design for all elements as well as mitigation techniques to minimise adverse impacts and we urge that new detailed guidance is produced. Such advice could draw on the well proven techniques of forest design that have a close affinity with the problems of fitting windfarms satisfactorily into the landscape.

Natural Heritage.

15. Where there is a conflict between important natural heritage and wind farm developments, the Sandford principle should apply, thereby ensuring that irreversible damage is not inflicted on the environment. For the avoidance of doubt, Annex A must indicate which designations it includes. For example, we consider that the following designations should be specified:

International – SPA, SAC, Ramsar sites, World Heritage sites, Natura 2000 sites and sites designated under the European Convention for Landscapes

National – NP, NSA, NNR, SSSI, AGLV and Regional Parks.

16. The SNH guidelines on renewable energy includes AGLVs as valued landscapes, while Regional Parks were the centrepiece of the former Countryside Commission for Scotland's policy 'A Park System for Scotland'. Regional Parks were designated for their combination of high landscape quality and recreation opportunities for the public. For these reasons, **we strongly recommend that both these designations should be included within Annex A.**

17. Page 6 Para 21 – last sentence; Para 22 2nd sentence

We consider that the material in these sentences contradicts SNH Policy guidance on renewable energy e.g. '*.....the broader environmental benefits of renewable energy are not regarded as sufficient to outweigh significant potential damage to more localised natural heritage interest*'. Surely '*...the potential impact of proposals on such areas will [not may] be a material consideration...*'.

18. Page 6 Para 22 – 1st sentence

The identification '*...of additional zones of protection...*' could well be a legitimate consequence of determining areas '*...where windfarm developments should be avoided...*' [Para 17 last sentence].

Historic environment.

19. Council welcomes the commitment to the historic environment in the consultation draft.

Green belts.

20. Council welcomes the protection of green belts which are the immediate green lungs and access to countryside for most of Scotland's population. They make a substantial contribution to quality of life and are already under severe pressure from developments of all kinds. Hence, we are concerned about the guidance that wind farms may be appropriate in exceptional circumstances. It beggars belief that no other site would be available bearing in mind that all energy from commercial windfarms is fed into the grid. 'Get out' clauses of this kind are wholly inappropriate and should be struck out of SPP 6.

Tourism and recreational interests.

21. Tourism is now one of Scotland's most important growth industries if not the most important. It employs large numbers of people (145,000 FTEs) and whilst it is claimed that there is as yet no conclusive evidence about the impact of windfarm developments on tourism (paragraph 25) it would be astonishing if tourists able to choose between visiting magnificent landscapes and sensitive ecosystems with or without windfarms actually chose those with windfarms. It is equally astonishing that with so many examples in Britain and Europe, that the necessary research has not been done. The danger is that when the damage to our tourism industry becomes apparent, it will be too late to reverse the situation. This is a clear failure of the approach adopted to date and conflicts with the promotion of Eco-Tourism being advocated by the Minister, Patricia Ferguson MSP.

22. Council would emphasise again that there are many areas in Scotland which are worthy of National Park status. The current draft SPP does not recognize that many of these areas could meet the technical requirements for a successful wind farm but do untold damage to the future prospects for National Park status and therefore, lose the enormous investment from tourism in such areas. Neither are Regional Parks mentioned in this context and yet they are clearly of larger than local significance and some have national and international designations in terms of the quality of their environment and habitats. This issue needs to be addressed with clarity when the SPP is finally produced.

Aviation and defence interests.

23. The safety of aviation whether civil or military is of paramount importance and should not be put at risk by over-reliance on new technologies which are unproven. In Council's view, planning authorities should consult with the appropriate departments when preparing Development Plans, in order to ensure that preferred areas for wind farm developments do not include sites which threaten aviation safety. There appears to be a non sequitur between 1st sentence [26] '*...development plan policies must take account of..... [aviation interests]*' and 1st sentence [27] '*...development plan policies can take account of...*'. This SPP persistently appears to undermine the components of other interests in order to facilitate windfarm developments as exemplified in Para 27. It is difficult not to come to the conclusion that this SPP seeks to give carte blanche for wind farm developments virtually anywhere in Scotland.

Communities.

24. In Council's view, a separation distance of 1.5 kilometres between the edge of a town or village and large scale wind farm development is not adequate. As mentioned earlier, most wind farm proposals are now for a substantial number of turbines with heights up 125 metres (410 feet). In such circumstances, it is encouraging to developers (para. 28) that policy should recognize that specific proposals may still be acceptable within specified distances if sited and designed so as to avoid unacceptable impacts on communities. The likelihood of this being achieved within 1.5 kilometres is so unlikely as to be irrelevant. Glasgow and the Clyde Valley Structure Plan Committee has adopted a distance of 3 kilometres and in Council's view this is much more realistic. Both SNH guidance and PAN 45 indicate that windfarms will be a dominant feature up to 2 km distance and 'relatively' prominent up to 5 km. Even at this distance however, we should not lose sight of the fact that health impacts of living in close proximity to a wind farm are as yet not properly researched or understood. In such circumstances, a precautionary approach would be wise.

25. In response to the question at the end of para 28, Council would accept that windfarms over 20 megawatts will inevitably be large-scale windfarms. We would emphasise however, that this would not justify all such applications being made to the Scottish Executive rather

than the local planning authority. For the layperson, reference to a scale of megawatts is not a helpful indicator of size. More meaningful would be a range of indicators e.g. the number of turbines and their size, the extent of the windfarm [hectares], visibility range, etc

Cumulative Impacts.

26. There are already developments built which can be seen from a wide area. This totally alters the character of the landscape to its detriment because the sheer size and numbers of turbines makes the outcome inevitable. Areas such as the Kintyre peninsula, the eastern boundary of the Loch Lomond and Trossachs National Park and the threat posed to the Clyde Muirshiel Regional Park with several schemes impacting on a proposed SPA and SSSI, are just a few examples. Wind farm developers are pursuing such sensitive areas because current guidance at a national level is unclear and equivocal. It is important that the SPP stresses that cumulative impacts include all adverse impacts, not just those from windfarms. Moreover, not only must these be assessed, but techniques for the avoidance of these impacts must also be demonstrated. And here we reiterate our call for more detailed guidance to assist this process.

Wind Resource.

27. The advice given in paragraph 32 is clearly sensible but has in fact been standard practice by many planning authorities for over a decade. It is the lack of adequate advice at a national level which has created our current difficulties.

Electricity grid.

28. It has been apparent for some time now that parts of the electricity grid are not adequate for the task and that major renewal will be required. Just as the location of renewable energy developments requires a plan-led approach, so does the renewal and possible extension of the National Grid. The grid lines already go through some sensitive areas and the new grid seems likely to be using more intrusive towers etc. In such circumstances, it seems totally inappropriate to leave the process in hands of the electricity companies rather than have a plan-led approach which would create a balance between the technical requirements of the industry and essential environmental protection in the interests of society as a whole.

29. Council therefore welcomes the Scottish Executive's commissioning of a study into the interaction of renewable generation and the electricity grid but would wish this study to be as widely drawn as possible to include environmental and habitat considerations. Similarly, many of these problems could be overcome if transmission lines were placed underground, especially in sensitive areas and/or to avoid cumulative impacts. We consider that the Scottish Executive must, as a matter of urgency, commission research into improving the technologies for undergrounding transmission lines that could reduce costs and give serious consideration to providing financial incentives to encourage private investment into resolving this problem.

Biomass.

30. Council generally welcomes the paragraphs on biomass but is concerned that the advice is 'thin'. With so much land allegedly uneconomic for agricultural production, there is surely the opportunity to provide biomass fuels thus generating employment and opportunities for habitat creation. This is a further example of where the over-emphasis on wind energy seems to have caused other potential technologies to be neglected. The design of energy crops must conform to the requirements of the UK Forestry Standards.

31. Page 10 Para 37 2nd sentence

Where are the '*specified broad criteria*' for development to be found?

Local contributions.

31. In the same way that we have created all kinds of difficulties by allowing land-based renewable energy developments and windfarms in particular to be developer-led, we could create similar difficulties with offshore for renewables (whether wind, wave or tidal based). Whilst the lay public may be attracted by the idea of windfarms being offshore, we need to be aware of the damage that we might be doing to the sea bed, coral etc. Out of sight should not mean out of mind. Similarly, the location of wave or tidal based technologies should be plan-led to avoid the danger of ruining many areas of wonderful coastline some of which are under consideration to be designated as Marine and Coastal National Parks.

Consultation on local contributions.

32. Council notes the content of this section but would draw attention to paragraph 43 which refers to ensuring that planning authorities give full consideration to the potential of making best use of existing grid infrastructure. There are places such as the Clyde Muirshiel Regional Park where there is under-used grid infrastructure due to the non-use of the Inverkip oil-fired power station. This together with the necessary wind resource and government subsidies has drawn the windfarm industry into making proposals which would destroy the Regional Park, the proposed SPA and SSSI. The context within which existing infrastructure was provided, the changed circumstances of our modern society and its greater environmental awareness, should always be taken into account if we are to reach judgements which are sustainable and long term.

Micro renewables.

33. Council generally welcomes the Scottish Executive's support for micro renewables but we are not aware of any public consultation on the Executive's review of permitted development rights. As with any new technology, there can be unfortunate environmental consequences if not handled properly. With greater experience, design standards for new technologies improve, often becoming smaller, neater and less obtrusive. In the past, with such things as satellite dishes, we have made mistakes which have done unnecessary environmental damage. We should learn from these mistakes and not repeat them with micro renewables.

34. It is not possible to respond to your consultation questions under this section in a rational manner. No evidence has been put forward to suggest that 10% is achievable given appropriate priority and effort. Council supports the principle but would wish for more detailed information on its realization. In terms of the types of development to which onsite renewables should apply, different types of equipment will be more suited to different circumstances. For example; - micro turbines may not be suited to installation on listed buildings or within Conservation Areas/World Heritage sites, but may be more acceptable in rural areas; - solar panels with lesser impacts may be easier to install in sensitive locations; - heat pumps [underground] may be easier to use in a wide variety of locations; - etc. We suggest that the Executive offers further proposals along these lines for consultation. On the question of how it should be implemented, it is worth considering incentives to firms researching and developing the technology and giving grants to individuals to encourage take-up. Developers should not be given financial incentives because, in a market led situation, they will get their reward in the selling/letting price.

Development planning and management.

35. Council generally welcomes the sections of the draft SPP on development planning and development management. However, it will be important in drafting conditions for temporary consents (para 65) for Planning Authorities to be very precise about what is meant by site restoration. Windfarms require the construction of substantial concrete foundations, access

roads to every turbine, and substantial underground cabling. The removal of such items could be extremely disruptive of the habitat (assuming that it has recovered from the original construction) and yet may be necessary where the future use of the site may be agriculture or forestry, the most likely after uses. We have the following comments on paras. 47 and 48:
1st bullet: Suggest rephrasing to – *‘support the Scottish Ministers’ commitment to renewable energy and facilitate its development in balance with the protection of important natural and cultural heritage interests, especially in designated areas’.*

3rd bullet: Last line after *‘material considerations’* suggest Add *‘especially natural and cultural heritage interests’*

6th bullet: What are the *‘broad criteria’* ?

7th bullet: Second line after *‘projects’* Add *‘subject to acceptable visual impacts commensurate with the sensitivity of the subject and location’*

Page 13 Para 48 penultimate sentence

Is it appropriate for the Executive to include this apparent threat to local authorities in a SPP?

Page 17 Para 64

Whilst welcoming the confirmation of the primacy of the Development Plan in para. 53, para 64 seems to be guiding prospective developers on how best to advance their applications. In Council’s view this is inappropriate in an SPP.

Conclusion.

36. In Council’s view, there is much in this draft SPP which is worthy of support and it will go some way to redress the harm created by the previous developer-led approach by the introduction of a much-needed plan-led alternative. However, it lacks conviction in its protection of important landscapes and habitats because of the large number of ‘get-out’ clauses which will encourage development interests to continue pursuing applications in sensitive areas. The draft seems to be the product of a struggle between those seeking a rational, plan-led approach and those gung-ho for development.

37. In the absence of guidance at a national level on targets for local planning authority areas, some have produced their own renewable strategies. Scottish Ministers will be aware of that proposed by Highland Council, which, in its original form, was capable of meeting the whole of Scotland’s renewable target within its own area but at considerable environmental cost. If a similar approach were to be adopted by all planning authorities, the cumulative impact would be devastating, as would the impact on our economy through the destruction of one of its most important industries, tourism.

38. It seems apparent that, with good planning, the 2020 renewables target can be achieved without doing irreversible damage to important designated areas such as National Parks, NSAs, Regional Parks, Special Protection Areas, Special Areas of Conservation, SSSIs, Ramsar sites etc. Council would urge the Scottish Executive to make clear in the final SPP 6 that the development of wind farms and other major industrial structures in such areas, is neither necessary, desirable nor supportable.