

6. PLANNING POLICY CONTEXT

6.1 Introduction

- 6.1.1 This chapter identifies the relevant planning policy considerations for the proposed development, including reference to national, regional and local policies as well as other material considerations.
- 6.1.2 It is important to note that this chapter does not include an assessment of the proposed development's compliance with the policy framework. Further details of the planning decision making framework, and extent to which the proposed development satisfies this framework, are included within the Planning Statement. The Planning Statement has been submitted as part of the application package, but does not form part of the EIA Report.

Legislative Background

- 6.1.3 The application is categorised as a 'Schedule 2' development under the Electricity Works (Environmental Impact Assessment (Scotland) Regulations 2017 (the EIA Regulations).

National Planning Framework

- 6.1.4 The National Planning Framework 3 (NPF3) was laid in the Scottish Parliament on 23 June 2014 and is currently under review. This framework sets out a long term vision for the development of Scotland, with a focus on supporting sustainable economic growth and the transition to a low carbon economy. NPF3 is the spatial framework that informs development and investment decisions of the Scottish Government and guides Scotland's spatial development over the next 20 to 30 years. The central vision is set out over four key aspects; a successful, sustainable place; a low carbon place; a natural, resilient place; and a connected place. Paragraph 1.3 explains that the spatial strategy of the framework supports this vision by identifying '*where there will be opportunities for growth and regeneration, investment in the low carbon economy, environmental enhancement and improved connections across the country.*'
- 6.1.5 In setting out strategic development priorities to support the Scottish Government's central purpose of promoting sustainable economic growth, the NPF3 seeks to encourage a greener Scotland. A key aim of the framework is that '*Natural and cultural assets are respected, they are improving in condition and represent a sustainable economic, environmental and social resource for the nation. Our environment and infrastructure have become more resilient to the impacts of climate change*' (Paragraph 1.2).
- 6.1.6 NPF3 is committed to achieving a low carbon place and seeks to achieve at least an 80% reduction in greenhouse gas emissions by 2050. Additionally, NPF3 aims to reduce the total final energy demand by 12% by 2020. Within this, the target is for 30% of overall energy demand (heat, transport and electricity) to be from renewables by 2020, including generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015.
- 6.1.7 Paragraph 3.23 of NPF3 states the Scottish Government's position that '*Onshore wind will continue to make a significant contribution to diversification of energy supplies*', but notes the role of SPP in setting out the approach to preparing spatial frameworks which will guide wind farm development to appropriate locations. It also states the Scottish Government's position that wind farms should be avoided in National Parks and National Scenic Areas. In line with reduction of social and spatial inequalities in Scotland, NPF3 aims to achieve at least 500 MW of renewable energy in community and local ownership by 2020 and work to secure greater benefits from commercial-scale developments.

Scottish Planning Policy (SPP) – June 2014

6.1.8 Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers’ priorities for the operation of the planning system and for the development and use of land.

6.1.9 This document sets out four planning outcomes which explains how planning should support the vision of the Scottish Government:

- A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places;
- 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;
- A more connected place – supporting better transport and digital connectivity.

6.1.10 The principal and relevant subject policies contained in the consolidated SPP are listed in table 6.1.

Subject	SPP Paragraph	Summary
Sustainability	Paragraphs 24 - 35	<p>The SPP’s central purpose is to focus government and public services on creating a more successful country through increasing sustainable economic growth.</p> <p>This can be achieved through the planning system by supporting economically, environmentally and socially sustainable places and responding to economic issues, challenges and opportunities.</p> <p>SPP states that policies and decisions should be guided by a number of key principles. These include the following:</p> <ul style="list-style-type: none"> • supporting delivery of energy infrastructure; • supporting climate change mitigation and adaptation including taking account of flood risk activity; • protecting, enhancing and promoting access to cultural heritage, including the historic environment; • protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and • avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
Placemaking	Paragraphs 36-57	<p>Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. Planning should take every opportunity to create high quality places by taking a design-led approach through the joint consideration of the relationships between higher quality places. Placemaking is supported through, amongst others, optimising the use of existing resources, using land within or adjacent to settlements for a mix of uses, developing brownfield land and locating development where investment in growth or improvement would have most benefit.</p>
Promoting Rural Development	Paragraphs 74-91	<ul style="list-style-type: none"> • Promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces. • encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and • support an integrated approach to coastal planning

Table 6.1: Scottish Planning Policy (SPP) (June 2014)

Subject	SPP Paragraph	Summary
Valuing the Historic Environment	Paragraphs 135-151	Recognises that the historic environment is a key cultural and economic asset which planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places. Planning authorities should safeguard designated and non-designated historic environments including individual assets such as scheduled monuments and archaeological resources; related settings and the wider cultural landscape. The Government's Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment guidance note series, both published by Historic Scotland, should also be taken into account for development.
Delivering Heat and Electricity	Paragraphs 152-174	Sets out the Scottish Ministers' commitment to increasing the amount of electricity generated from renewable sources. The targets for 2020 are: for 30% of overall energy demand from renewable sources; 11% of heat demand from renewable sources; and the equivalent of 100% of electricity demand from renewable sources. SPP paragraphs 161 – 166 which relate specifically to onshore wind developments are discussed in more detail in paragraphs 17-19 of this chapter. <i>The SPP states that 'Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.'</i>
Valuing the Natural Environment	Paragraphs 193 - 218	Indicates that planning authorities should conserve and enhance international, national and locally designated sites and protected species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities. Plans should address potential effects of development on the natural environment and authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur.
Flood Risk and Drainage	Paragraphs 254-268	Sets out a precautionary approach to flood risk from all sources by safeguarding flood storage and conveying capacity. Planning authorities are required to take into account probability of flooding and associated risks when determining planning applications and preparing development plans, and developers should take flood risk into account prior to committing to development.
Promoting Sustainable Transport and Active Travel	Paragraphs 269 – 291	Sets out the planning policy on sustainable transport to optimise the use of existing infrastructure and reduce the need to travel by providing safe and convenient opportunities for walking, cycling and travel by public transport. Development plans and development management decisions should also take account of the implications of development proposals on traffic, patterns of travel and road safety.

6.1.11 SPP states at 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% of electricity demand from renewable sources by 2020.

6.1.12 Paragraph 155 of the SPP advises that development plans should seek to ensure that an area's full potential for renewable energy is achieved, giving due regard to relevant environmental, community and cumulative impact considerations. Paragraph 156 states that strategic development plans should support national priorities and address cross boundary issues.

6.1.13 Onshore wind is discussed in paragraphs 161 to 166 and advises that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities.

6.1.14 Table 1 sets out three groups:

- Group 1 contains areas where wind farms will not be accepted, i.e. National Parks and National Scenic Areas;
- Group 2 lists areas of significant protection such as those that will cause environmental or visual impacts; and
- Group 3 includes sites that would be acceptable for wind farms subject to detailed consideration against identified policy criteria.

SPP advises that proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms. Consideration will be given to the following (list not exhaustive):

- landscape and visual impacts, including effects on wild land;
- the scale of contribution to renewable energy generation targets;
- effects on the natural heritage, including birds;
- impacts on aviation and defence interests and seismological recording;
- effects on hydrology, the water environment and flood risk; and
- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

Development Plan Framework

6.1.15 The development lies wholly within the Argyll and Bute area. The adopted development plan comprises the Argyll and Bute Local Development Plan – 26th March 2015.

6.1.16 The Local Development Plan (LDP) takes account of projected changes in our population, our economic circumstances and opportunities, our transport and infrastructure needs, our housing needs, the impacts of climate change, the need to protect and enhance our outstanding natural, built and cultural heritage and the overarching need to improve our quality of life for workers, residents and visitors to our area.

6.1.17 The LDP provides a list of key objectives with the overall vision for Argyll and Bute to be economically successful, outward looking, highly adaptable and enjoying an outstanding natural and historic environment. The key objectives for the Council include:

- *“Key Objective D - To support the continued diversification and sustainable growth of Argyll and Bute’s economy with a particular focus on our sustainable assets in terms of renewables, tourism, forestry, food and drink, including agriculture, fishing, aquaculture and whisky production;*
- *Key Objective E – That we can successfully accommodate sustainable economic growth without harming our outstanding environment; and*
- *Key Objective I - To address the impacts of climate change in everything we do and reduce our carbon footprint.”*

6.1.18 In terms of renewable energy and development, the Council notes at paragraph 4.1.7 that the LDP supports renewable energy related development in accordance with national and local planning guidance.

6.1.19 Policy LDP 6 is in respect of supporting the sustainable growth of renewables and states:

“The Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses. A spatial framework for wind farms and wind turbine developments over 50 metres high in line with Scottish Planning Policy will be prepared as Supplementary Guidance.”

This will identify:

- Areas where wind farms will not be acceptable.
- Areas of significant protection.
- Areas which may have potential for wind farm development.

All applications for wind turbine developments will be assessed against the following criteria:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- The scale of contribution to renewable energy generation targets.
- Effect on greenhouse gas emissions.

Cumulative impacts arising from all of the considerations below:

- Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.
- Landscape and visual impacts, including effects on wild land.
- Effects on the natural heritage, including birds.
- Impacts on carbon rich soils, using the carbon calculator.
- Public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF.
- Impacts on the historic environment, including scheduled monuments, listed buildings and their settings.
- Impacts on tourism and recreation.
- Impacts on aviation and defence interests and seismological recording.
- Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.
- Impacts on road traffic.
- Impacts on adjacent trunk roads.
- Effects on hydrology, the water environment and flood risk.
- The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.
- Opportunities for energy storage.
- The need for a robust planning obligation to ensure that operators achieve site restoration.

6.1.20 Further information and detail on matters relating to the growth of renewables. A spatial framework for onshore wind energy developments will be provided in Supplementary Guidance.

6.1.21 The Council also notes in paragraph 4.5.1 that: *“The Council is keen to ensure that Argyll and Bute continues to make a positive contribution to meeting the Scottish Government’s targets for renewable energy generation.”*

6.1.22 The other policies of note are as follows in Table 6.2:

Table 6.2: LDP Policies	
Policy	Summary
LDP DM1 – Development within the Development Management Zones	<p>The proposed development is situated within LDP designated areas ‘Countryside Zone’ and ‘Very Sensitive Countryside.’ Policy LDP DM1 parts (E) and (F) are therefore applicable:</p> <p>Part (E) gives encouragement to sustainable forms of development within the Countryside Zone up to small scale on appropriate sites, including the open countryside as well as small scale infill, rounding off, redevelopment and change of use of existing buildings. Large scale development may be supported if it accords with an Area Capacity Evaluation (ACE). There is a presumption against development that seeks to extend an existing settlement into the Countryside Zone. Part (F) (i) notes that development within Very Sensitive Countryside will be encouraged if it is renewable energy related.</p>
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment	<p>Policy LDP 3 provides an overarching aim for protection, conservation and enhancement of the environment, through giving full consideration to UK and European conservation legislation (e.g. the Habitats Directive and Wildlife and Countryside Act). For all development management zones Argyll and Bute Council will assess applications for planning permission with the aim of protecting, conserving and where possible enhancing the built, human and natural environment.</p> <p>The proposed development is also expected to be consistent with all other LDP policies and Supplementary Guidance (SG) where relevant. Policies that support LDP 3 (provided within the SG) and are relevant to the proposed development include:</p> <ul style="list-style-type: none"> • SG LDP ENV 1 – Development Impact on Habitats, Species and Biodiversity (i.e. biological diversity). • SG LDP ENV 2 – Development Impact on European Sites. • SG LDP ENV 4 – Development Impact on Sites of Special Scientific Interest (SSSIs). • SG LDP ENV 6 – Development Impact on Trees/Woodland. • SG LDP ENV 7 – Water Quality and the Environment. • SG LDP ENV 11 – Protection of Soil and Peat Resources. • SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs). • SG LDP ENV 14 – Landscape. • SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments. • SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance.
LDP 5- Supporting the Sustainable Growth of Our Economy	<p>Argyll and Bute Council will support the development of new industry and business which helps deliver sustainable economic growth throughout our area by:-</p> <ul style="list-style-type: none"> • taking full account of the economic benefits of any proposed development; • ensuring that the different spatial needs and locational requirements of the various sectors and scales • of business are able to be met within the context of the settlement and spatial strategy; • focussing regeneration activity and promoting environmental enhancement; and by • safeguarding existing industrial and business areas for employment uses. <p>Argyll and Bute Council will give particular priority to new business and industry development in our business allocations, established business and industry areas and economically fragile areas.</p> <p>Further information and detail will be provided in Supplementary Guidance in relation to support for business and industry, including the main potential growth sectors of marine and coastal, tourism, renewables and forestry developments.</p>

Table 6.2: LDP Policies	
Policy	Summary
LDP STRAT 1 – Sustainable Development	<p>In preparing new development proposals, developers should seek to demonstrate the following sustainable development principles, which the planning authority will also use in deciding whether or not to grant planning permission:</p> <ul style="list-style-type: none"> a) Maximise the opportunity for local community benefit; b) Make efficient use of vacant and/or derelict land including appropriate buildings; c) Support existing communities and maximise the use of existing infrastructure and services; d) Maximise the opportunities for sustainable forms of design including minimising waste, reducing our carbon footprint and increasing energy efficiency; e) Avoid the use of locally important good quality agricultural land; f) Utilise public transport corridors and active travel networks; g) Avoid the loss of important recreational and amenity open space; h) Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources; i) Respect the landscape character of an area and the setting and character of settlements; j) Avoid places with significant risk of flooding, tidal inundation, coastal erosion or ground instability; and k) Avoid having significant adverse impacts on land, air and water environment.
LDP 9 - Development Setting, Layout and Design	<p>The Council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the following criteria:</p> <p>Development Setting</p> <p>(A) Development shall be sited and positioned so as to pay regard to the context within which it is located.</p> <p>Development Layout and Density</p> <p>(B) Development layout and density shall effectively integrate with the urban, suburban or countryside setting of the development. Layouts shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with poor quality or inappropriate layouts or densities including over development and overshadowing of sites shall be resisted.</p> <p>Development Design</p> <p>(C) The design of developments and structures shall be compatible with the surroundings. Particular attention shall be given to massing, form and design details within sensitive locations such as National Scenic Areas, Areas of Panoramic Quality, Greenbelt, Very Sensitive Countryside, Sensitive Countryside, Conservation Areas, Special Built Environment Areas, Historic Landscapes and Archaeologically Sensitive Areas, Historic Gardens and Designed Landscapes and the settings of listed buildings and Scheduled Ancient Monuments. Within such locations, the quality of design will require to be higher than in other less sensitive locations and, where appropriate, be in accordance with the guidance set out in “New Design in Historic Settings” produced by Historic Scotland, Architecture and Place, Architecture and Design Scotland.</p> <p>(D) The design of buildings shall be suitably adapted to meet the reasonable expectations for special needs groups.</p> <p>(E) The design of shopfronts/adverts shall be compatible with their surroundings with particular care take with regard to size, use of materials, colour and cumulative impacts where applicable.</p> <p>Energy efficient design and sustainable building practice is strongly encouraged. Further information and detail will be provided in Supplementary Guidance in relation to sustainable siting and design, and to shopfront and advertising design principles.</p>

Table 6.2: LDP Policies	
Policy	Summary
LDP 10 – Maximising our Resources and Reducing our Consumption	<p>The Council will support all development proposals that seek to maximise our resources and reduce consumption and where these accord with the following:</p> <ul style="list-style-type: none"> • The settlement strategy; • Sustainable design principles; • Minimising waste and/or contributing to recycling; • Minimising the impact on the water environment both in terms of pollution and abstraction; • Avoiding areas subject to flood risk or erosion; • Minimising the impact on biodiversity and the natural environment; • Safeguarding our mineral resources and minimising the need for extraction; • Avoiding the loss of trees and woodland; • Contributing to renewable energy generation; • Avoiding the disturbance of carbon rich soils; and • Safeguarding our best agricultural land. <p>Further information and detail will be provided in Supplementary Guidance in relation to the following matters: resources and consumption; addressing climate change; minerals; renewable energy; and sustainable design.</p>
LDP 11 – Improving our Connectivity and Infrastructure	<p>Argyll and Bute Council will support all development proposals that seek to maintain and improve our internal and external connectivity and make best use of our existing infrastructure by ensuring that:</p> <ul style="list-style-type: none"> • rights of way and public access are safeguarded; • public access within the development is delivered, as appropriate, ensuring that any special mobility and safety requirements are addressed; • consideration is given to the promotion of access to adjoining areas, in particular to the foreshore, core path network and green network; • integration of the development with existing and potential public transport is taken fully into account; • the proposed development is accessible by a range of modes of transport, including walking, cycling, public transport and car; • an appropriate standard of access is delivered to serve new developments, including off-site highway improvements where appropriate; • maximum and minimum car parking standards are applied; • the location and design of new infrastructure is appropriate; • standards for drainage, sewage, waste water and water supply are applied; and • new telecommunication proposals are encouraged where they comply with the criteria established in SG LDP TEL 1; <p>Further information and details will be provided in Supplementary Guidance in relation to the following matters: transport, including core paths; telecommunications; and infrastructure.</p>

6.2 Supplementary Planning Guidance and Other Policy Documents

Renewable Energy SPG (March 2016)

- 6.2.1 The Council has prepared Supplementary Guidance on Renewable Energy which provides further details on the factors which the Council will take into consideration when determining application for renewable energy related development.
- 6.2.2 The SPG discusses the National Planning Framework 3, SPP and also Policy LDP 6 of the adopted LDP. Furthermore, the SPG also considers the following:

Argyll and Bute Renewable Energy Action Plan

6.2.3 The Council's Renewable Energy Action Plan (REAP) states:

"Argyll and Bute will be at the heart of renewable energy development in Scotland by taking full advantage of its unique and significant mix of indigenous renewable resources and maximising the opportunities for sustainable economic growth for the benefit of its communities and Scotland."

6.2.4 In addition, there are a number of priorities for the REAP to deliver:

- Optimise the development of the Renewable Energy Sector in Argyll and Bute in a manner that promotes sustainable economic development and recognises the need for co-existence with other economic activities, our environment and our communities.
- Work with partners to secure capacity within the transmission network in order to unlock the future potential of our considerable renewable energy assets and provide confidence to investors.
- Assist in the prioritisation and promotion of supporting physical and transport infrastructure investment to enable the growth of the Renewable Energy Sector.
- Foster a partnership approach to securing local socio-economic and community benefit for the communities across Argyll and Bute.

Argyll and Bute Economic Development Action Plan

6.2.5 The aims of the REAP are reflected in the Council's Economic Development Action Plan which seeks to promote:

- creation of higher value jobs and incomes;
- private and public inward investment;
- sustainable economic benefits in more peripheral, remote and fragile communities;
- community benefit funds that promote local development; and
- economic benefits to businesses and households through the generation and consumption of renewable energy.

Wind Energy Developments

6.2.6 The Argyll and Bute Spatial Framework for onshore wind energy developments has been produced in accordance with Groups 1 to 3 outlined in SPP.

6.2.7 The proposed development is predominantly within group 3, with a small area of group 2 mapped on the southern side of the existing Tangy I and Tangy II wind farm, designated as such due to the likely presence of class 1 priority peatland habitat¹. Mitigation proposals to address the potential for significant effects on peatland habitats are provided in Appendix 5.1 (Construction Environmental Management Plan), Chapter 10 (Ecology and Nature Conservation) and Appendix 11.2 (Peat Management Plan).

Planning (Scotland) Bill

6.2.8 The Planning (Scotland) Bill was introduced to Parliament on 4 December 2017. The purpose of the Bill is to strengthen the planning system's contribution to inclusive growth and empowering communities.

Scottish Energy Strategy

6.2.9 The Scottish Energy Strategy was published in December 2017 and sets out the Scottish Government's vision for the future energy system in Scotland.

6.2.10 The Strategy sets two new targets for the Scottish energy system by 2030:

¹ URL: http://map.environment.gov.scot/Soil_maps/?layer=10 (accessed 20/08/2018)

- The equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; and
- An increase by 30% in the productivity of energy use across the Scottish economy.

6.2.11 Scotland's energy priorities to 2050 is built around six priorities which includes renewable and low carbon solutions. The Strategy notes that 54% of Scotland's electricity needs were met from renewables in 2016.

6.2.12 Page 81 of the strategy notes that: "*onshore wind is another key component of the big industrial opportunity that renewables create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, generating more than £3 billion in turnover in 2015.*"

6.3 References

Argyll and Bute Council (2015). Local Development Plan.

Argyll and Bute Council (2016). Supplementary Planning Guidance.

Scottish Government (2014). National Planning Framework 3 A Plan for Scotland: Ambition, Opportunity, Place. Scottish Government.

Scottish Government (2014). Scottish Planning Policy. Scottish Government.

Scottish Government (2017). Planning (Scotland) Bill. Scottish Government.

Scottish Government (2017). Scottish Energy Strategy: The future of energy in Scotland.