

16 Planning Policy

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16 Planning Policy

16.1 Introduction

16.1.1 This chapter sets out the planning and energy policy context relevant to the Proposed Development. The approach focuses upon the policies from the Statutory Development Plan, national planning policy and guidance and other material considerations, which are of most relevance to the EIA process.

16.1.2 A detailed examination of policy and the Proposed Development’s accordance with the relevant policy framework is provided within the “Planning Statement”, which is submitted with the planning application but does not form part of this EIA Report.

16.2 The Statutory Development Plan

16.2.1 Under the terms of the Planning Act and associated regulations, Councils are required to prepare, and keep up to date, a Statutory Development Plan. The Development Plan provides the land use planning policy framework for the Planning Authority’s administrative area. For the Proposed Development, at the time of writing, the statutory Development Plan comprises the North Ayrshire Local Development Plan 2019 and Supplementary Guidance ‘Trees and Development’.

16.1.1 The LDP contains a ‘Vision’ for the plan area, which is that the “*North Ayrshire Community Planning Partnership Vision is that every person in North Ayrshire is valued and should have the best opportunities to live their life to their full potential.*”

The plan sets out a spatial strategy for towns and villages, the countryside, coast and for supporting development. The spatial strategy for the countryside identifies in principle support for renewable energy development, including wind turbines, and within the ‘supporting development’ spatial strategy, development will be supported such environmental impacts be satisfactorily addressed.

16.2.2 The LDP contains a spatial strategy for Wind Energy development, which it notes reflects the constraints set out in table 1 of Scottish Planning Policy (SPP). The Proposed Development site is largely Class 3 ‘Areas with potential for wind farm development’ with some areas of Class 2 ‘Areas of significant protection’, which, as set out within this EIA Report, have been suitably addressed by design .

16.2.3 The development assessment policies that have been found to have some relevance to the Proposed Development are set out in Table 5.1 below:

Table 16.1 – Relevant LDP Policies

| Policy Name | Policy Quote |
|---|---|
| Strategic Policy 2 : Placemaking | Our Place making policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments. |
| Policy 9 : Preserving and Enhancing our Conservation Areas | Development within or adjacent to a Conservation Area, that preserves or enhances its character and appearance, and is consistent with any relevant Conservation Area Appraisal or Management Plan, will be supported providing it can be demonstrated that it retains appropriate scale, proportion, |

| Policy Name | Policy Quote |
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| | <p>siting, massing, design, and use of materials whilst not inhibiting high quality innovative design.</p> <p>There is a presumption against the demolition of unlisted buildings that contribute positively towards the character and appearance of a Conservation Area. Proposals will only be supported in the following exceptional circumstances:</p> <p>i) The proposal is accompanied by a suitable redevelopment of the site which contributes positively toward the character and appearance of the Conservation Area. Such proposals should also include interim landscaping or sensitive screening of the site.</p> <p>We will also expect proposals to be accompanied by an implementation timetable and where the redevelopment period is considered to be excessive the demolition will generally be resisted.</p> <p>AND</p> <p>ii) A competent assessment of the building’s contribution to the Conservation Area has concluded that there is little or no value in the building’s retention; and</p> <ul style="list-style-type: none"> • The repair or reuse of the building is not economically viable; or • The demolition of the building is essential to delivering significant benefits to the wider community economically, socially or environmentally. <p>Works to trees within Conservation Areas will be supported where they are:</p> <ul style="list-style-type: none"> • Part of an agreed scheme of tree management; or • Required on the grounds of safety or nuisance; or • Directed towards trees which are not of a material value to the conservation area (i.e. the trees are small, self-seeded saplings; or not otherwise visible to the public/neighbours – they are remotely located; or fast growing tree species such as conifers, leylandii etc.); <p>or</p> <ul style="list-style-type: none"> • In association with a wider development proposal which would enhance the amenity of the conservation area overall – including one where suitable replacement trees can be accommodated. |
| <p>Policy 11 : Historic Gardens and Designed Landscapes</p> | <p>We will promote the development of Landscape Management Plans that seek to prioritise the preservation and enhancement of our Historic Gardens and Designed Landscapes by supporting applications for the Landscape Management Plan Grants Scheme (or similar) to ensure that these important assets are managed appropriately.</p> <p>We will only support development proposals affecting Historic Gardens and Designed Landscapes and their setting when they are in line with Landscape Management Plans or otherwise preserves and enhances</p> |

| Policy Name | Policy Quote |
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| | <p>their importance. Development proposals should also seek to preserve important vistas to, from or within the Historic Garden and Designed Landscape.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Gardens and Designed Landscapes can be fragile and are easily damaged or lost if not properly managed. We also recognise that these landscapes are dynamic and change is inevitable. Change may also be desirable where proposals preserve and enhance the Inventory of Designed Landscapes.</p> </div> |
| Policy 12 : Scheduled Monuments | <p>Where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Development proposals directly affecting Scheduled Monuments will require Scheduled Monument Consent from Historic Environment Scotland.</p> |
| Policy 14 : Green and Blue Infrastructure | <p>All proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats which make up our green and blue infrastructure (including open space), ensuring no unacceptable adverse environmental impacts occur.</p> <p>Green and blue infrastructure should be multi-functional, accessible and integral to its local circumstances. For example, Sustainable Urban Drainage Systems (SuDS) have the potential to play a key role in the delivery of meaningful blue and green infrastructure, providing amenity and improving biodiversity as well as providing a sustainable flood risk solution. We will require details of the proposed arrangements for the long-term management and maintenance of green infrastructure, and associated water features, to form a key part of any proposal.</p> <p>Our Open Space Strategy (2016-2026) highlights the need for an audit which identifies valued and functional green and blue infrastructure or open space capable of being brought into use to meet local needs. We will support the temporary use of unused or underused land as green infrastructure including where it consists of advanced structure planting to create landscape frameworks for future development. Support will be given to proposals which seek to enhance biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats. We will also support proposals that are in accordance with the vision and outcomes of the Central Scotland Green Network as well as those of the Garnock Connections Project.</p> |
| Policy 15 : Landscape and Seascape | <p>We will support development that protects and/or enhances our landscape/seascape character, avoiding unacceptable adverse impacts on our designated and non-designated landscape areas and features. In particular, we will consider the following:</p> <p>a) National Scenic Areas Development that affects the North Arran National Scenic Area including the need to protect existing sport and recreation interests, will only be supported where:</p> <p>i) the objectives of the designation and the overall integrity of the area will not be compromised; or</p> |

| Policy Name | Policy Quote |
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| | <p>ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.</p> <p>b) Special Landscape Areas We will only support development which affects Special Landscape Areas where it would not have an unacceptable impact on their special character, qualities and setting.</p> <p>c) Wild Land We will only support development within Wild Land areas where any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p> <p>d) Local Landscape Features Where appropriate, development should take into consideration its individual and cumulative impacts on landscape features, including:</p> <ul style="list-style-type: none"> i) patterns of woodlands, fields, hedgerows and trees; ii) lochs, ponds, watercourses, wetlands, the coast and wider seascape; iii) settlement setting, including approaches to settlements; iv) the setting of green network corridors, such as important transport routes and the cycle and footpath network; v) historic, natural and recreational features of interest, skylines and hill features, including important views to, from and within them. <p>For all development with the potential to have an impact on either Landscape Character or Landscape features (including their setting), appropriate mitigation measures should be considered as part of any planning application. Where there is potential for development to result in significant adverse landscape/visual impact, a landscape and visual impact assessment (LVIA) will be required. The Ayrshire Landscape Character Assessment (SNH,1998) and North Ayrshire Settlement Development Strategy (Entec, 2008) provide further information on designations such as Local Landscape Character Areas and the Potential Limit of Development Expansion areas as shown on the map on page 81 and on our online proposals map. These landscape assessment documents, and any new or updated landscape assessments, will be key considerations in determining whether development proposals would be acceptable within the landscape.</p> |
| <p>Policy 16 : Protection of our Designated Sites</p> | <p>We will support development which would not have an unacceptable adverse effect on our valuable natural environment as defined by the following legislative and planning designations;</p> <p>a) Nature Conservation Sites of International Importance Where an assessment is unable to conclude that a development will not adversely affect the integrity of a site, development will only be permitted where there are no alternative solutions; there are imperative reasons of overriding public interest; and suitable compensatory measures are provided to ensure that the overall coherence of the Natura Network is protected.</p> <p>b) Nature Conservation Sites of National Importance Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of</p> |

| Policy Name | Policy Quote |
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| | <p>the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.</p> <p>c) Nature Conservation Sites of Local Importance Development adversely affecting Local Nature Reserves or Local Nature Conservation Sites will generally not be permitted unless it can be demonstrated the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social, environmental or economic benefits of local importance.</p> <p>d) Marine Protected Areas Development likely to have an adverse effect on the protected features of South Arran MPA will not be supported. Proposals are also required to consult with the Clyde Marine Planning Partnership (CMPP).</p> <p>e) Biodiversity Action Plan Habitats and Species Development adversely affecting priority habitats or species set out in the North Ayrshire Local Biodiversity Action Plan will not be permitted unless it can be demonstrated the impacts are clearly outweighed by social or economic benefits of local importance.</p> <p>f) Protected Species Development likely to have an unacceptable adverse effect on;</p> <p>i) European Protected Species (see Schedules 2 & 4 of the Habitats Regulations 1994 (as amended) for definition); Birds, Animals and Plants listed on Schedules 1, 5 and 8 (respectively) of the Wildlife and Countryside Act 1981 (as amended); or badgers, will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.</p> <p>ii) The Scottish Biodiversity List (SBL) of animals, plants and habitats that Scottish Ministers considered to be of principle importance for biodiversity conservation in Scotland.</p> |
| <p>Policy 17 : Clyde Muirshiel Regional Park</p> | <p>Proposals that affect Clyde Muirshiel Regional Park must have regard to the Park’s statutory purpose of providing recreational access to the countryside. Proposals should also take account of wider objectives as set out in relevant management plans and strategies, namely to:</p> <ul style="list-style-type: none"> • Provide visitors of all ages and abilities the opportunity for quality recreation. Using its unique assets the Park will facilitate a high quality programme of leisure activities which contribute to the health agenda • Ensure the Park is an increasingly popular and productive venue for formal and informal education and outdoor learning. More people will participate in learning opportunities and will develop a better appreciation of the area’s natural and cultural heritage • Ensure the Park is an attractive and ecologically important visitor destination with increased biodiversity value. The Park embraces opportunities for positive environmental change. |

| Policy Name | Policy Quote |
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| <p>Policy 18 : Forestry, Woodland, Trees and Hedgerows</p> | <p>Development proposals will only be supported when it would not result in the loss or deterioration of an ancient or long established plantation or semi-natural woodland unless there are overriding public benefits from the development that outweigh the loss of the woodland habitat.</p> <p>Where development includes the removal of woodland, the Scottish Government’s Control of Woodland Policy and the current Ayrshire and Arran Woodland Strategy including relevant compensatory planting requirements will be taken into account.</p> <p>Where the loss of trees, hedgerows or woodlands of merit is unavoidable and compensatory planting is required, replacement trees should be of a similar scale and massing to the loss or if smaller there should be additional tree planting committed to ensure a net gain is achieved. We will also expect developers to engage with Forestry Commission Scotland.</p> <p>We recognise that trees and woodlands are an important yet dynamic part of our landscape. In recognition of this where a tree (or group of trees) is of significant value to public amenity or where they strongly contribute to the character of a Conservation Area we may consider promoting a formal Tree Preservation Order (TPO). We will normally only do this when there is a clear, pressing and immediate threat to a valuable tree (or group of trees) – not as a matter of course and not in conflict with good arboricultural practice and management.</p> <p>In the case of works to trees covered by a tree preservation order we will support management schemes and maintenance works that adhere to good arboricultural practice.</p> <p>Generally, we will support proposals for dedicated timber export facilities as well as timber export developments that are combined with other marine based activities on Arran where there are no unacceptable adverse environmental impacts and align with our Placemaking policy. Proposals should also align with Policy 28: Transport as an Economic Driver.</p> <p>Supplementary Guidance: Trees and Development provides guidance on information required to be submitted as part of planning applications involving tree works as well as matters to consider when designing and constructing development to minimise impacts on trees.</p> |
| <p>Policy 22 : Water Environment Quality</p> | <p>We will support development that helps achieve the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits.</p> <p>Development will be required to ensure no unacceptable adverse impact on the water environment by:</p> <p>a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);</p> |

| Policy Name | Policy Quote | | | | | | | | | | |
|---|---|---|--|--------------|----|--------|---------|----------|----------|------|------|
| | <p>b) Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and</p> <p>c) Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain may only be justified if the applicant can demonstrate that:</p> <ul style="list-style-type: none"> • No other practical option exists that would allow the watercourse to remain open; and • The proposed development is of overriding public interest. <p>We support connection to public sewerage systems in the first instance but recognise that wastewater solutions must be affordable and delivered at the most appropriate scale and that in many cases septic tank systems can be the most sensible solution for a household or small community (this also might be bespoke for our island communities). We will consider the cumulative impact of such solutions and support a preference for community solutions.</p> <p>Development should ensure that appropriately sized buffer strips are maintained between the built and water environments.</p> <table border="1" data-bbox="684 1104 1355 1339"> <thead> <tr> <th data-bbox="687 1104 991 1205">Indicative Width of watercourse (top of bank)</th> <th data-bbox="991 1104 1351 1205">Indicative Width of buffer strip (either side)</th> </tr> </thead> <tbody> <tr> <td data-bbox="687 1205 991 1236">Less than 1m</td> <td data-bbox="991 1205 1351 1236">6m</td> </tr> <tr> <td data-bbox="687 1236 991 1267">1 – 5m</td> <td data-bbox="991 1236 1351 1267">6 – 12m</td> </tr> <tr> <td data-bbox="687 1267 991 1299">15 – 15m</td> <td data-bbox="991 1267 1351 1299">12 – 20m</td> </tr> <tr> <td data-bbox="687 1299 991 1339">15m+</td> <td data-bbox="991 1299 1351 1339">20m+</td> </tr> </tbody> </table> | Indicative Width of watercourse (top of bank) | Indicative Width of buffer strip (either side) | Less than 1m | 6m | 1 – 5m | 6 – 12m | 15 – 15m | 12 – 20m | 15m+ | 20m+ |
| Indicative Width of watercourse (top of bank) | Indicative Width of buffer strip (either side) | | | | | | | | | | |
| Less than 1m | 6m | | | | | | | | | | |
| 1 – 5m | 6 – 12m | | | | | | | | | | |
| 15 – 15m | 12 – 20m | | | | | | | | | | |
| 15m+ | 20m+ | | | | | | | | | | |
| <p>Policy 29 : Energy Infrastructure Development</p> | <p>We will support development proposals for energy infrastructure development, including wind, solar, tidal, cropping and other renewable sources, where they will contribute positively to our transition to a low carbon economy and have no unacceptable adverse environmental impacts, taking into consideration (including cumulatively) the following:</p> <p>Environmental</p> <ul style="list-style-type: none"> • Communities and individual dwellings – including visual impact, residential amenity, noise and shadow flicker; • Water quality; • Landscape – including avoiding unacceptable adverse impacts on our landscape designations; • Effects on the natural heritage – including birds; • Carbon rich soils including peat; • Impacts on the historic environment – including scheduled monuments, listed buildings and their settings. <p>Community</p> <ul style="list-style-type: none"> • Establishing the use of the site for energy infrastructure development; | | | | | | | | | | |

| Policy Name | Policy Quote |
|-------------|---|
| | <ul style="list-style-type: none"> • providing a net economic impact – including socio-economic benefits such as employment, associated business and supply chain opportunities; • Scale of contribution to renewable energy generation targets; • Public access – including impact on long distance walking and cycling routes and scenic routes identified in the National Planning Framework; • Impacts on tourism and recreation; • Specific locational opportunities for energy storage/generation. <p>Public Safety</p> <ul style="list-style-type: none"> • Greenhouse gas emissions; • Aviation and defence interests and seismological recording; • Telecommunications and broadcasting installations – particularly ensuring that transmission links are not compromised; radio telemetry interference and below ground assets; • Road traffic and adjacent trunk roads; • Effects on hydrology, the water environment and flood risk including drinking water quality and quantity (to both the public and private water supplies); • Decommissioning of developments – including ancillary infrastructure, and site restoration and aftercare. <p>Proposals should include redundancy plans which will demonstrate how apparatus will be timeously removed as reasonably soon as the approved scheme ceases operation.</p> <p>There may be a requirement for financial bonds to ensure that decommissioning can be achieved. Taking into consideration the above, proposals for wind turbine developments should accord with the Spatial Framework (as mapped) and consider the current Landscape Capacity Study for Wind Farm Development in North Ayrshire.</p> <p>This study will be used as a point of reference for assessing all wind energy proposals including definitions of what small to large scale entails.</p> <p>Buildings: Low and Zero Carbon Generating Technology</p> <p>Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies.</p> <p>A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan. This requirement will not apply to:</p> <ol style="list-style-type: none"> 1. Alterations and extensions to buildings 2. Change of use or conversion of buildings 3. Ancillary buildings that stand alone and cover an area less than 50 square metres 4. Buildings which will not be heated or cooled, other than by heating provided solely for frost protection. 5. Buildings which have an intended life of less than two years. |

| Policy Name | Policy Quote |
|---|---|
| <p>Policy 34 : Protecting Peatland and Carbon Rich Soils</p> | <p>We will take a precautionary approach to development affecting peat or carbon-rich soils (shown on the SNH Carbon Rich Soils and Peat map and indicated on the mini-map opposite).</p> <p>We will only support development where there is no viable alternative and it has been demonstrated, for example, through the submission of a peat survey and management plan, that mitigation measures can be implemented to minimise carbon emissions (by minimising the draining or disturbance of the peatland) and that the economic and social benefit of the development outweigh any potential detrimental effect on the environment.</p> <p>Proposals for commercial peatland will only be supported in areas suffering historic, significant damage through human activity, where the conservation value is low and restoration is impossible.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Definitions of the Classes of Carbon Rich Soils Class 1: All vegetation cover indicates priority peatland habitats – and – All soils are carbon rich soils and deep peat</p> <p>Class 2: Most of the vegetation cover indicates priority peatland habitats – and – All soils are carbon rich soil and deep peat</p> <p>Class 3: Vegetation cover does not indicate priority peatland habitat but is associated with wet and acidic soil types – and – Most soils are carbon rich soils, with some areas of deep peat</p> <p>Class 4: Area unlikely to be associated with peatland habitats or wet and acidic soils – and – Area unlikely to include carbon rich soils</p> <p>Class 5: Vegetation cover does not indicate peatland habitat – and – All soils are carbon rich soil and deep peat.</p> </div> |

16.3 Material Considerations

16.3.1 This section sets out relevant material considerations, namely:

- The National Planning Framework 3;
- Scottish Planning Policy;
- Planning Advice Notes;
- Landscape Capacity for Wind Energy in North Ayrshire 2018;
- The Renewable Energy Policy Framework; and
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

The National Planning Framework 3

16.3.2 Scotland’s third National Planning Framework (NPF3) was published by the Scottish Government on 23rd June 2014. NPF3 is a long-term strategy for Scotland and is the spatial expression of the Government’s Economic Strategy and plans for development and investment in infrastructure.

Together, NPF3 and Scottish Planning Policy (referred to below) applied at the strategic and local levels, are intended to help the planning system deliver the Government’s vision and outcomes for Scotland and to contribute to the Government’s central purpose.

- 16.3.3 NPF3 sets out a vision for Scotland. One of the key messages is the opportunity of achieving a low carbon place and this is addressed in Chapter 3. This is also a “subject policy” in Scottish Planning Policy. Paragraph 3.1 explains that planning will play a key role in delivering on the commitments set out in delivering ‘Low Carbon Scotland: The Scottish Government’s Proposals and Policies’. It adds:

“the priorities identified in this spatial strategy set a clear direction of travel which is consistent with our world leading climate legislation”.

- 16.3.4 NPF3 notes the Government’s ambition “to achieve at least an 80% reduction of greenhouse gas emissions by 2020”. Paragraph 3.8 also sets out an overall aim to meet at least 30% of overall energy demand from renewables by 2020 which includes generating the equivalent of a least 100% of gross electricity consumption from renewables.

Scottish Planning Policy

- 16.3.5 ‘Scottish Planning Policy’ (SPP) is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed and is a material consideration.

- 16.3.6 The SPP refers to ‘Outcomes’ as they relate to the Scottish Government’s ‘Purpose’ *“of creating a more successful country, with opportunities for all of Scotland to flourish through increasing sustainable economic growth....”.*

- 16.3.7 The SPP at Paragraph 27 states that it *“introduces a presumption in favour of development that contributes to sustainable development”* and states that *“the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost”.*

SPP Subject Policies – A Low Carbon Place

- 16.3.8 SPP addresses ‘A Low Carbon Place’ as a ‘subject policy’ on page 36 and refers to ‘delivering electricity’. Paragraph 152 refers to the NPF context and states that NPF3 is clear that planning must facilitate the transition to a low carbon economy and help to deliver the aims of the Scottish Government.

- 16.3.9 In terms of ‘Policy Principles’, Paragraph 154 states 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;*
- *The equivalent of 100% of 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;

Guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed.”

Onshore Wind

- 16.3.10 Onshore wind is specifically addressed at Paragraph 161 et seq of SPP. Detailed guidance is provided for Planning Authorities with regard to the preparation of spatial frameworks for onshore wind development, and it makes it clear that proposals for onshore wind turbine development should continue to be determined whilst spatial frameworks and local policies are being prepared and updated. It makes it clear at Paragraph 166 that moratoria on determining onshore wind development are not appropriate.

Development Management for Energy Infrastructure Developments

- 16.3.11 In terms of development management, paragraph 169 of SPP set out that: *“proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms”* and that considerations will vary relative to the scale of the proposal and area characteristics but are likely to include a number of matters. These are set out at Table 1 within the SPP (page 39) (as replicated below).
- 16.3.12 Paragraph 170 states that wind farms should be, *“sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.”*

Table 1: Spatial Frameworks

| | | |
|---|---|--|
| <p>Group 1: Areas where wind farms will not be acceptable:</p> <p>National Parks and National Scenic Areas.</p> | | |
| <p>Group 2: Areas of significant protection:</p> <p>Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p> | | |
| <p>National and international designations:</p> <ul style="list-style-type: none"> • World Heritage Sites; • Natura 2000 and Ramsar sites; • Sites of Special Scientific Interest; • National Nature Reserves; • Sites identified in the Inventory of Gardens and Designed Landscapes; • Sites identified in the Inventory of Historic Battlefields. | <p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. | <p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement. |
| <p>Group 3: Areas with potential for wind farm development:</p> <p>Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p> | | |

- 16.3.13 Paragraph 169 of SPP sets out the following matters as potentially relevant considerations for onshore wind:
 - *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 – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;*

- *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 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; and*
- *the need for a robust planning obligation to ensure that operators achieve site restoration.*

The EIA Report considers those relevant environmental matters referred to above within the technical assessment chapters.

Planning Advice Notes

16.3.14 Table 5.2 identifies and summarises the Planning Advice Notes (PANs) of relevance to the Proposed Development.

Table 5.2 – Planning Advice Notes

| Guidance | Title | Summary |
|-----------------|--|--|
| PAN 2/2011 | Planning and Archaeology | Provides advice to planning authorities and developers on dealing with archaeological remains. But it does so with a fresh emphasis which is proportionate to the relative value of the remains and of the developments under consideration. |
| PAN 1/2011 | Planning and Noise | Sets out the role of the planning system in preventing and limiting the adverse effects of noise. |
| PAN 1/2013 | Environmental Impact Assessment (2013) | Explains the role of individual planning authorities and that of the Consultation Bodies in EIA, as well as providing guidance on the ways in which EIA can be integrated into the overall development management process. |

| Guidance | Title | Summary |
|------------|---|--|
| PAN 60 | Planning for Natural Heritage (2000) | Gives basic advice in relation to development and natural heritage. It reiterates the Government's Commitment to the protection and enhancement of the natural heritage. |
| PAN 61 | Planning and Sustainable Urban drainage Systems (2001) | Provides good practice advice for planners and the development industry complementing the Sustainable Urban drainage Systems Design Manual for Scotland and Northern Ireland (2000). |
| PAN 69 | Planning & Building Standards Advice on Flooding (2004) | Supports national planning policy on flooding. Contains advice on addressing flood risk in development plans and in dealing with planning applications. |
| PAN 75 | Planning for Transport (2005) | Provides advice on the requirement to link transport strategies and development plans and the need to take into account accessibility, location, modal split parking and design. |
| PAN 3/2010 | Community Engagement | Advice to Planning Authorities and developers on how communities should be properly engaged in the planning process. |

North Ayrshire's Declaration of a Climate Emergency

16.3.15 North Ayrshire Council leader Joe Cullinane declared a climate emergency on in May 2019, demanding change within the next 12 years.

Councillor Cullinane stated: *"We have reached the stage where the world faces a climate emergency..."*

Unless there is radical action to rein in carbon emissions over the next 12 years then the effects of climate change will be irreversible.

North Ayrshire Council has made big strides in recent years to reduce our carbon emissions and to invest in renewable energy but the time is now to do more and for our local communities to be at the heart of our response..."

On 11 June 2019, the North Ayrshire Council cabinet, agreed that a climate emergency exists and that they would consult their constituents to establish an appropriate response. North Ayrshire Council are currently running a public consultation exercise, up until 29 February to help inform their next Environmental Sustainability & Climate Change Strategy, which will sets out the Councils response to the climate emergency.

Renewable Energy Policy Framework

16.3.16 The renewable energy policy framework at the international and national level applies to renewable electricity generation and related climate change action and is an important material consideration.

16.3.17 The supporting Planning Statement that accompanies this EIA Report examines these policy documents in detail and sets out the hierarchy of EU, UK and Scottish Government renewable energy policy.

16.3.18 In terms of the relevant policy framework at the International and European level, the following key documents are of relevance:

- International Agreements and Obligations – The COP21 UN Paris Agreement, and
- EU Renewable Energy Progress Report – April 2019.

- 16.3.19 In terms of UK renewable energy policy, the following documents are of relevance:
- The UK Renewable Energy Strategy (2009);
 - The UK Renewable Energy Roadmap Updates (2013);
 - The UK Clean Growth Strategy (2017); and
 - The UK Industrial Strategy (2017).
- 16.3.20 The following Scottish Government documents relating to renewable energy are of also of relevance:
- The 2020 Routemap for Renewable Energy in Scotland (2011),
 - The Electricity Generation Policy Statement (2013),
 - The 2020 Routemap for Renewable Energy in Scotland – Update (2013 & 2015),
 - The Scottish Energy Strategy: The Future of Energy in Scotland (2017), and
 - Onshore Wind Policy Statement (2017),
 - Climate Change Plan, The Third Report on Proposals and Policies 2018-2032 February 2018,
 - Climate Change (Emissions Reduction Targets) (Scotland) Act (2019),
 - Vision for Scotland’s Electricity and Gas Networks (2019), and
 - The Proposed National Islands Plan (2018).
- 16.3.21 Key aspects of these documents are set out in the supporting Planning Statement. Particular points of note with respect to the Proposed Development include:
- Scottish Energy Strategy: The Future of energy in Scotland December 2017***
- 16.3.22 The Scottish Energy Strategy (SES) sets a 2020 vision for energy in Scotland as *“a flourishing, competitive local and national energy sector, delivering secure, affordable, clean energy for Scotland’s households, communities and businesses”*. The vision is guided by three core principles namely:
- a whole system view;
 - an inclusive energy transition; and
 - a smarter local energy model.
- 16.3.23 The 2050 vision is expressed around six priorities including: *“Renewable and low carbon solutions - continued actions to explore the potential of Scotland’s renewable energy resource and its ability to meet local and national heat, transport and electricity needs – assisting the achievement of ambitious emissions reduction targets.”*
- 16.3.24 The strategy also contains whole system targets for 2030 as follows:-
- the equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources;
 - an increase by 30% in the productivity of energy use across the Scottish economy.
- 16.3.25 The SES refers to *“renewable and low carbon solutions”* as a strategic priority (page 41) and states *“we will continue to champion and explore the potential of Scotland’s huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets”*.
- 16.3.26 At page 43 it is stated that *“onshore wind is now amongst the lowest cost forms of power generation of any kind, and is a vital component of the huge industrial opportunity that renewables create for Scotland.”* It is further stated at page 43, that *“we [Scottish Government] will push for UK wide policy*

support for onshore wind, and take action of our own to prioritise and delivery a route to market – combined with a land use planning approach which continues to support development while protecting our landscapes”.

16.3.27 The SES sets out the Government’s clear position on onshore wind namely:

“our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland’s future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.

That means continuing to support development in the right places, and – increasing the extension and replacement of existing sites with new and larger turbines, all based on an appropriate, case by case assessment of their effects and impacts...and it means developers and communities working together and continuing to strike the right balance between environmental impacts, local support, benefits, and – where possible economic benefits driving from community ownership”.

The Climate Change Plan published in February 2018

16.3.28 The Climate Change Plan published in February 2018, (The CCP) is the most recent expression of Scottish Government Policy on climate change. Within the introduction at page 9 it is noted that:

“Climate change is one of the greatest global threats we face. Scotland must play its part to achieve the ambitions set out in the Paris Agreement, which mandates concerted, global action to deal with the threat.”

16.3.29 At page 25 of the CCP, the contribution of onshore wind to electricity generation is recognised alongside its role in driving innovation.

“In 2016, 42.9% of our electricity was generated by renewables, predominantly onshore wind. The expansion in onshore wind is comparable to the rollout of hydro power in the post-war period, which transformed for the better the lives of so many. This growth continues to drive innovation and adaptation in the management and control of power on the grid. This innovation, both technological and regulatory, will play a crucial role in accommodating the continuing growth of embedded generation, and a wider transformation in how we use the grid to heat and cool our buildings and power our transport systems.”

16.3.30 The final paragraph of page 34 of the CCP details the continued need to find room for large scale infrastructure.

“Where we get our low emission energy from is also critical and we will continue to need to find room for large scale infrastructure such as wind and solar farms, as well as more locally based equipment, such as heat networks and energy centres.”

16.3.31 The CCP states the Scottish Government’s Ambitions in the Electricity Sector on page 68 where Island wind is specifically identified as being one of the range of technologies that will contribute to the ambition of having a largely decarbonised by 2032.

“A range of renewable technologies will deliver clean, affordable electricity, including onshore, offshore and island wind, hydro, solar, marine and bioenergy.”

16.3.32 Page 68 of the CCP further identifies the importance of viable grid connection and states that *“Scotland’s lead in electricity network innovation will continue, allowing our networks to evolve and meet new demands in a way that delivers value for consumers. The integration of storage, smart technologies and innovative approaches to network management at scale will enable our energy assets to be used effectively, and ensure we get the greatest benefit from our generation and network infrastructure.”*

16.3.33 *The CCP cross references, The UK Government’s Clean Growth Strategy (October 2017) at page 78, and the commitment of “up to £557 million for further Pot 2 CfD auctions from 2019.” This is stated to provide an opportunity to support deployment of less established renewable technologies in Scotland including Island wind:*

“The UK Government’s Clean Growth Strategy (October 2017) has committed up to £557 million for further Pot 2 CfD auctions from 2019. This will provide an opportunity to support the deployment of

less established renewable technologies in Scotland. These include offshore wind, island wind (subject to State Aid approval), marine technologies, advanced conversion technologies, anaerobic digestion and biomass with combined heat and power, although the Scottish Government knows that minimal ring fenced funds could have been set aside for marine and other less well established technologies that may struggle to compete with offshore wind.”

16.3.34 Policy Outcome 1 of the CCP on page 69 states:

“Policy outcome1: From 2020 onwards, Scotland’s electricity grid intensity will be below 50 grams of carbon dioxide per kilowatt hour. The system will be powered by a high penetration of renewables, aided by a range of flexible and responsive technologies.

There are two policies, five policy development milestones and five proposals from the Energy Strategy which will contribute to the delivery of policy outcome 1.”

16.3.35 Under Policy development milestone 1, on page 72, (as detailed below), it is stated that *“the Scottish Government will continue to make the case to the UK Government for a stable, supportive regulatory regime that provides appropriate support for investment in renewable energy. This will include the need for a route to market for lowest cost renewable technologies, including onshore wind.”*

Policy development milestone 1

1) *“UK Government delivers a viable route to market for a wide range of renewable technologies, including onshore wind in Scotland, and provides long term funding for projects commissioning after 2025 under the Levy Control Framework.”*

16.3.36 Under Policy Milestone 2, on page 72 of the CCP, it is stated that *“the Scottish Government will work with the UK Government, industry, local authority partners and communities to maximise the support available to Pot 2 renewable technologies in Scotland.”*

16.3.37 Policy development milestone 2

2) *“The £557 million CfD budget for Pot 2 technologies delivers new renewable generation capacity in Scotland, including on the remote islands.”*

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

16.3.38 On 31 October 2019 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 received Royal Assent and became an Act of parliament. The Act requires that “The Scottish Ministers must ensure that the net Scottish emissions account for the net-zero emissions target year is at least 100% lower than the baseline (the target is known as the “net-zero emissions target”).” The target year is 2045 and the Act also sets out challenging interim minimum targets. It requires that:

“The Scottish Ministers must ensure that the net Scottish emissions account for the year—

(a) 2020 is at least 56% lower than the baseline,

(b) 2030 is at least 75% lower than the baseline, and

(c) 2040 is at least 90% lower than the baseline.”

16.3.39 The targets within the Act legally bind the Scottish Ministers and have largely been legislated to set the framework for Scotland’s response to the climate change emergency.

16.4 Summary

16.4.1 This Chapter has described the relevant planning and renewable energy policy framework that has informed the EIA. As explained above, the supporting Planning Statement provides an assessment of the Proposed Development against the policy context set out in this Chapter.

16.5 References

North Ayrshire Council. The Local Development Plan 2019. Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalDevelopmentPlan/ldp2.pdf>

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