

Highland wide Local Development Plan - Main Issues Report Consultation Summary and Actions Sheet

Reference Number:	HWLDP-MIR-184
Organisation/Individual:	West Coast Energy Limited (Neil Foxall)

Action:

Immediate Response Required	x
Meeting required with Respondent	
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify) – Add to Wind Energy Database	x

If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.

Issues Raised in Response:

Purpose of Main Issues Report	x
NPF2 for Scotland	x
Vision for the Highlands	x
Inverness and A96	
The A96 Corridor	
Phasing of Development	
Developer Contributions	
East Inverness	
Nairn	
Tomagrain	
Smaller Settlements in A96	
Caithness and North Sutherland	
Easter Ross and Nigg	
Development of Local Centres	
Wider Countryside and Fragile Areas	x
Population and Housing	
Housing in the Countryside	
Affordable Housing	
Planning for an Ageing Population	
Gypsies/Travellers	
Retailing	
Developer Contributions	x
Natural, Built and Cultural Heritage	x

Previously used Land	
Wild Land	x
Water Environment	
Renewable Energy	x
Flooding	
Waste Management	
Air Quality	
Sustainable Design	
Business and Industrial Land	
Accessibility and Transport	
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
Coastal Development	
Forestry and Woodland	
Minerals	
Open Space and Physical Activity	
Access to the Outdoors	
Comments on Consultation Process (+ve)	
Comments on Consultation Process (-ve)	

Key:

Background	Spatial Strategy	Policy Options	Consultation
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Notes:

Comments on all section but specifically wind energy – add to Wind Energy Guidance Database: letter to inform

Action Sheet Completed by:	GW
Date:	09/12/09

Dawn Sutherland

From: Neil Foxall [redacted]
Sent: 05 November 2009 17:33
To: devplans
Subject: Highlands Council - Main Issues Report Consultation

Dear Sir,

Please find attached correspondence relating to the Main Issues Report consultation - please do not hesitate to contact me should you wish to discuss any of the points raised.

Please confirm receipt.

Regards,



**Neil Foxall BA (Hons) MCD
Development Planner**

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Director of Planning and Development
The Highland Council,
Freepost SCO5568,
Inverness,
IV3 5BR,

By email – [REDACTED]

Our Ref: NF/1291/PL/CR

5th November 2009

Dear Sir,

Re: Highland wide Local Development Plan – Main Issues Report – Consultation August 09

I refer to the above mentioned consultation and write to set out the comments of West Coast Energy Ltd (WCE) on the report.

There is a need for positive planning policy and guidance for wind energy development in order for the Highlands to continue to play its part in meeting the commitments of the Scottish Climate Change Programme and the drive to provide 18% of electricity generated in Scotland to come from renewable sources by 2010 and 50% by 2020.

There is therefore a need for the emerging LDP to compliment the national policy context and to link into the forthcoming local plans. However, whilst the LDP is welcomed I would question whether some of the preferred options will restrict rather than encourage the commercial development of wind energy in the Highlands.

The detailed comments of West Coast Energy are set out on the attached sheet and I would be grateful if you would take these into account in finalising the guidance.

Yours sincerely,

[REDACTED]
Neil Foxall BA (Hons) MCD
Development Planner
West Coast Energy Ltd

DD: [REDACTED]
M: [REDACTED]
[REDACTED]



CERTIFICATE NO. 3179

**Highland wide Local Development Plan: Main Issues Report, Consultation August 09 –
Comments from West Coast Energy Ltd.**

WCE welcomes the preparation of the Council's Main Issues Report and wishes to emphasise the important contribution that the Council's emerging policies can make in contributing to both the national and regional targets for renewable energy generation.

Please see below for comments on specific aspects of the Main Issues Report (using the supplied headings):

1. Purpose of the Main Issues Report

The main concern here is the wording: *"This sets out our general proposals for development in the area and in particular proposals as to where development should and should not occur"*. It seems the meaning of the sentence generally complies with national policy and the basic thrust of the planning legislation, however as it stands this sentence could be misinterpreted to mean policies within the emerging LDP will contain provisions to preclude development from areas identified as of highest constraint. Relevant national policy requires authorities to highlight relevant constraints to development and not simply place blanket restrictions over all land – Annex 2 of PAN45 makes it clear that there is no sequential approach whereby developments are only to be permitted within the identified search areas and all other proposals outwith these areas are to be considered on their merits in the light of the criteria. The wording should be rewritten if it is to be contained within any emerging policy in order for the thrust of national policy and guidance to be made clear as to not undermine the Scottish Government's aspirations.

2. National Planning Framework 2 for Scotland and the Highlands

This section is welcomed, however further key opportunities for Scotland contained within the NPF 2 should be considered while the emerging LDP is written, these include:

- Electricity grid reinforcements – this is critical should Scotland reach their renewable energy targets; and;
- Renewable Energy - The Government is committed to establishing Scotland as a leading location for the development of renewable energy technology and an energy exporter over the long term;

3. The Vision for the Highlands

Safeguarding our Environment

As discussed in section 1, WCE are concerned about the relatively negative wording of sentences which seem to suggest that policies will be based on a blanket policy of where development should not be located. It is considered that developers themselves are best placed to consider the best locations for renewable energy developments, taking into account relevant factors including energy resource, grid accessibility, commercial factors and of course planning policy and related constraints. WCE consider the Council's LDP should follow SPP 6 by simply highlighting relevant constraints known and indicating areas of highest and lowest constraints to development. This method would lead to the Highland Council assessing each application on its own merits against broad criteria and not simply dictating where development should go – an approach which is not advocated within national planning, nor is it within the spirit of the planning system.

Competitive, Sustainable and Adaptable Highland Economy

It should be understood that renewable energy not only contributes to the Scottish Governments' carbon reduction aspirations, but also the stated vision of making the Highlands' economy more competitive and sustainable. As previous experience within the Highlands will show, onshore wind energy has the potential to support local jobs and businesses and economic benefits to an area through, for example, investment in the use of port services and vessels, establishment of manufacturing capacity and assembly, etc.

4. Where should growth go and how can we deliver it?

Wider Countryside and Fragile Areas

Comments relating to the Preferred Option, bullet point 1 are contained above, within sections 1 and 3 – WCE do not wish to repeat itself on issues relating to the same policy implications.

5. Policy Options for the Highland wide Local Development Plan

Developer Contributions

Clearer guidance on what developments will require what developer contributions should be given before any policy approach is decided upon. When renewable energy developments are taken into account, the amount of contributions can vary significantly due to various factors including capacity, wind speed etc.

Natural, Built and Cultural Heritage

WCE agree with the preferred option.

Wild Land

WCE consider the preferred option to be incorrect. We fully appreciate the purpose of this proposed policy approach but would question whether there should be a preferred option to include areas of wild land as a development constraint when considering renewable energy proposals. SPP15 'Planning for Rural Development' states that LPAs should support a wide range of economic activity in rural areas – when read in the context of the advice in SPP6 it is clear that plan policies should be based on the principle that wind farms should be accommodated where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily. It is therefore considered that the alternative preferred option should be considered when renewable energy proposals are concerned.

Renewable Energy

WCE support the preferred option subject to minor changes in their wording which is expanded on below:

Targets: WCE consider that any target set within a renewable energy policy should be very ambitious. Without ambitious targets there is a likelihood that the targets would be treated as a ceiling by individuals and/ or groups who are against renewable energy and could argue that the Highlands have "done their bit". This may well mean that good projects could be rejected simply because the target has been reached. Taking the above into account WCE consider that this matter should be well thought out before any a decision as to whether a target is included within emerging policy. Furthermore, it should be understood including targets within policy is not advocated within national policy.

Broad areas of Search & Areas of Protection: Any approach which aims to identify areas of search and preclude areas for protection should be informed by a series of detailed studies – an approach which is advocated within Annex 2 of PAN45 which requires greater detail than the previous guidance contained within SPP6. As discussed in sections 1 & 3 above, national policy should be taken into account when considering policies of this type – Annex A of SPP6 contains advice on windfarms over 20 MW, however, it does need to be stressed that while the Annex is aimed at the development plan process of identifying areas for developments larger than 20MW, it in no way rules out such developments being undertaken outwith whatever preferred areas may be put forward in the plan.

WCE strongly object to the alternative Preferred Option suggested which states that *“we could only allow renewable energy developments to take place where there is capacity in the national grid to take the additional electrical load and only allow more developments as grid reinforcement works process geographically”*. Available grid capacity is an issue which should only be dealt with by developers and should not impact upon the planning merits of a proposal - taking this approach would not be in line with that advocated within SPP6 which states that *“available capacity on the grid to accommodate a project should be a material planning consideration. However, it should not be the sole determining factor, particularly where upgrade or installation of the grid is required to enable development in those areas where considerable renewable energy potential exists”*. Therefore it is considered that any policy which would only allow for developments to take place where there is grid capacity would not comply with national policy.