Agenda Item 2

Economy, Energy and Tourism Committee
3rd Meeting, 2014 (Session 4), Wednesday, 5 February 2014

Third Draft National Planning Framework

The following submissions have been received from those who are providing oral evidence to the Committee and are included in this paper—

Panel 1
1. Scottish Power
2. Scottish Renewables
3. SSE

Panel 2
4. John Muir Trust
5. Scottish Environment LINK

Below are links to the other written submissions received. Please note that some of these submissions are in response to all four committees considering NPF3 and SPP—

1. Aberdeen City and Shire Strategic Development Planning Authority
2. Aberdeenshire Council
3. AES Wind Generation
4. City of Edinburgh Council
5. Comhairle nan Eilean Siar
6. COSLA
7. Falck Renewables Wind
8. Falkirk Council - Councillor Joan Paterson
9. Friends of the Earth
10. Glasgow Airport Limited
11. Glasgow Airport Consultative Committee
12. Glasgow and the Clyde Valley Strategic Development Planning Authority
13. NAV OV (North Ayrshire Vandalised Our Village)
14. North Lanarkshire Council
15. Peter Batten
16. RenewableUK
17. RES UK and Ireland Limited
18. RSPB
19. RTPI Scotland
20. SCDI
21. Scottish Natural Heritage
22. Scottish Water
23. SEPA
24. Strathclyde Partnership for Transport
25. Vattenfall
26. West Coast Energy Limited
27. West Dunbartonshire Council
SUBMISSION FROM SCOTTISHPOWER

INTRODUCTION

ScottishPower is a major UK energy company with networks, retail and generation interests. It is part of the Iberdrola group, a major international utility and the world’s leading renewable energy developer. In Scotland ScottishPower have a wide variety of conventional and renewable generation projects in the development pipeline which will be covered by National Planning Framework 3 (NPF3), as will elements of our transmission and distribution network investment plans in South and Central Scotland. We believe ScottishPower is widely considered to be a responsible developer of energy projects, and one who engages constructively and effectively with stakeholders at all stages of the planning process.

We welcome the review of the NPF3, and in particular the strong emphasis on energy infrastructure. It is clear that the energy sector can play a critical role in realising the Scottish Government’s aspiration to make best use of Scotland’s abundant natural resources and capitalise on our existing national infrastructure.

NATIONAL PLANNING FRAMEWORK (NPF) AND SCOTTISH PLANNING POLICY (SPP)

We have followed the process for developing NPF3 and in general welcome the revisions which have been made as the process has progressed. We support the fact that the proposed NPF3 is more ambitious in its aspirations for attracting investment to Scotland’s energy sector, in particular with the inclusion of hydropower and energy storage.

It is our view that the revisions will bring better alignment between SPP and NPF3, which will be important in helping to reinforce that the two documents are working towards a common planning vision over the long term and will support increased focus on strategic outcomes.

Above all, we welcome the ambition shown by the Scottish Government as reflected in the NPF and SPP documents, to make Scotland a world leader in low carbon energy generation.

RENEWABLES DEVELOPMENT

General

While Scotland continues to make progress towards the target of 100% of electricity use from renewable sources by 2020, success depends upon continued development of suitable onshore wind farm projects in appropriate locations. As a responsible developer, with over 1.3 GW installed renewables capacity, and 16 onshore windfarms in Scotland, we view the proposals for a separation distance of 2.5km between settlements and wind farms, and a perceived presumption against onshore wind farms in Core Areas of Wild Land as disproportionate and believe they could severely constrain future development of onshore wind, and therefore undermine Scotland’s renewable and climate change targets.
Core Areas Wild Land

We have reviewed the Core Areas of Wild Land mapping produced by Scottish Natural Heritage (SNH) which is identified as a key tool to inform future planning for wind farm development, and to more clearly identify areas to be protected.

In general we support the concept that there are areas of Scotland which could be classified as ‘wild land’ where development may not be appropriate.

However, we believe that these areas are already effectively safeguarded by existing designations (including Natura 2000, National Parks and National Scenic Areas designations) and by the rigorous Environmental Impact Assessment process that already exists as a cornerstone of the planning process.

The introduction of a ‘quasi-designation’ based on the wildness of land, which in itself is subjectively defined, has the potential for significant adverse impacts on the production of onshore wind energy in Scotland, and as a consequence may hamper the Scottish Government’s ability to meet our world-leading renewable energy and climate change targets, and undermine developments which will benefit the rural and national economy.

It is our view that the SNH mapping exercise could have been more effectively conducted, in a way that improved stakeholder confidence that wild land has been appropriately identified. Specifically it is our assessment that neither the SNH Core Areas of Wild Land Map consultation nor the draft SPP included:

- A scientifically robust mapping exercise;
- An assessment of the range of threats to wild land;
- A fair and equitable management regime to address those threats.

In our opinion the mapping exercise also has methodological shortcomings in that:

- It fails to differentiate levels of wildness although the test explicitly accepts a significant level of variation;
- The map is based on a series of assumptions that have not been, in our view, sufficiently rigorously tested;
- Many of those assumptions are based on “perceived naturalness” and hence subjective – the level of naturalness subscribed to conifer plantation for example, seems anomalous;
- Due to the prohibitive cost of acquiring necessary data, it is not practicable for the methodology to be independently tested.

Responses to the SNH Core Areas of Wild Land Map consultation have been noted in the media, and we support the views expressed by both the Crofting Commission and Community Energy Scotland, as highlighted below:
• “Whilst the perception of wildness can be an important factor for both recreation and economic benefit, the need and opportunity to generate renewable energy is also vital and is one of the few things that can make a transformational difference to the socio-economic status of communities in the remoter parts of Scotland” (Community Energy Scotland).

• “The purpose of establishing a map based ‘Wild Land’ status is to create a designation status against physical structural development in these identified areas for the protection of the experience of a quality of ‘wildness’…Having established that some areas of land appear to be ‘natural, uncultivated, desolate or inhospitable’, it is then assumed such a quality is desirable, without any explanation of how it has been established that such a quality is felt to be desirable, and by whom” (Crofting Commission).

Separation Distance

We are concerned that the proposal to extend the boundary between settlements and areas of search for wind farms from 2km to 2.5km could have an adverse impact on the continued development of the Scottish renewables industry.

The proposal in the draft SPP was for a separation distance between settlements and wind farms, not areas of search for wind farms. This is a significant departure from the existing SPP.

We strongly support a continuation of the existing approach, which advocates a separation distance of 2km between areas of search (as opposed to wind farms) and communities. This has proved adequate and proportionate. Environmental Impact Assessment will further assess the impact of each wind farm proposal on its own merits, allowing variable separation distances based on local circumstances.

The proposal to extend the separation distance to 2.5km would have a significant adverse impact on the successful deployment of onshore wind generation, as shown by Scottish Renewables mapping exercise in response the SPP consultation. It is also unduly onerous and discriminatory when contrasted, for example, with the separation distance of 500m for opencast mineral extraction.

To propose an increased separation distance without any clearly demonstrated need (as further demonstrated by Scottish Government commissioned research)\(^1\) is likely to be unnecessarily damaging to both the Scottish economy and Government renewable energy targets.

We also note that 60% of respondents to the draft SPP expressed opposition to this proposal.

NON RENEWABLE GENERATION DEVELOPMENT

Thermal Generation and CCS

\(^1\) Review of the 2km separation distance between areas of search for onshore wind farms and the edge of cities, towns and villages, Onyango et al, University of Dundee, 2013
We support the identification of national developments which would help realise the Government’s energy targets by providing a clear spatial policy framework that recognises a continuing role for power generation sites, and encourages investment in nationally important energy projects.

We therefore welcome the recognition given to the role of thermal generation as part of a balanced generation mix which aligns with the Scottish Government’s commitment to deliver a portfolio containing renewable and cleaner thermal generation (consistent with Electricity Generation Policy Statement 2013).

We note that the Scottish Government’s reaffirms its commitment to CCS infrastructure development in support of the decarbonised agenda and sets a target to achieve at least 2.5GW of thermal generation, progressively fitted with Carbon Capture and Storage (CCS), in order to secure UK security of supply.

Against this backdrop we support the identification of Cockenzie as strategically important location for development of an energy hub and we similarly welcome the identification of Longannet as a nationally important place for continued thermal generation and potential development of CCS infrastructure around the Forth Estuary.

Realistically, there continues to be significant technological, economic and policy hurdles to overcome before CCS technology can deliver commercially at industrial scale. We are therefore cautious about raising expectations about what is credibly deliverable from CCS in the short to medium term until the results of potential Front End Engineering Design projects in Scotland and the rest of the UK are better understood. To reflect the current reality, we therefore suggest a minor change to wording on page 21 may be appropriate to make a clearer distinction between the minimum amount of thermal generation needed to meet our needs and potential delivery of CCS in the longer term, and consider that paragraph 3.10 could be amended to read:

“Some of our coal and nuclear power stations are nearing the end of their current life. In Scotland, we need a minimum of 2.5 GW of thermal generation to meet our requirements and support diversification of supplies.”

Ultimately, we believe it may be important for the Scottish Government to retain some optionality around the target electricity generation mix for Scotland to reflect technology, economic and energy policy developments. Should, for example, advancements in CCS not be as rapid or significant as hoped this could have implications for Scottish planning policy and the future utilization of current generation sites and infrastructure.

**Hydro generation and pumped storage**

In assessing options to develop the capacity for storage of energy to be exported we believe there is a strong rationale for the development of hydro generation, in terms of energy security, protection from peak prices and wider benefits to the Scottish economy from investment in this technology.
We therefore welcome inclusion of hydropower and pumped storage as spatial planning priorities for future growth and investment, providing more certainty to prospective developers in the energy sector at a time when there remains a degree of uncertainty on the final design of electricity market reforms being driven by UK Government.

In particular we support identification of Cruachan as a national development for pumped storage. The current Cruachan pump storage facility is a reliable and flexible plant with 99% availability. It can respond to a request to generate electricity within 30 seconds and come up to full load in just two minutes to help manage the intermittency of wind generation. It also has the capability to provide ancillary services to the national grid including ‘black start’ capacity and fast reserve services.

It is likely that pump storage will be required to play an increasingly important role in terms of peak load and balancing services, due to the technology’s inherent flexibility and fast response time. Further development of the technology using existing sites and infrastructure has the potential to significantly enhance the overall resilience and flexibility of the electricity generation system. A number of technical and policy questions remain to be addressed as to how investment in pump storage could come to market, however the inclusion of sites such as Cruachan within NPF3 is an important milestone in this regard.

In assessing the potential for this technology within Scotland’s future generation mix we believe there may be merit in reviewing and updating the ‘Energy Storage and Management Study’ report to reflect the current situation. If considered appropriate, this study could also explore policy options to ensure the potential contribution of hydro and pump storage in Scotland is maximised.

On a minor point of detail for the NPF3 document, we would highlight the need to change the information shown on the map on page 19, entitled “A low carbon place”, which identifies two locations for Cruachan: one in Argyll and one in East Lothian.

**ENERGY NETWORKS**

**High Voltage Transmission Network**

We welcome the continued recognition in NPF3 of the important role electrical networks play in the delivery of electricity generation, statutory climate change targets and security of energy supplies. We strongly support the identification of the High Voltage Transmission Network as a national development. In particular we support the identification of key strategic transmission developments as set out in the ‘Low Carbon Place’ map. We also welcome the recognition, through the use of a criterion based approach to the statement of need and description, that High Voltage Transmission Networks will continue to develop and react to emerging generation scenarios.

**Distribution Network**

Whilst recognition is given to the role of distribution networks, particularly for their role in releasing renewable energy from remote locations, the role of the distribution
network operators must also be recognised in their work to secure the network and improve its resilience during severe storm events. The distribution network has an important role to play in many areas highlighted within the NPF, underpinning investment and development proposals throughout Scotland’s rural and urban economies.

On a more detailed drafting point, we would suggest that paragraphs 3.27 and 3.28 be moved towards the beginning of chapter 3, perhaps under the heading of ‘Scotland Tomorrow’. These paragraphs, which are specific to networks, currently sit awkwardly under the heading of ‘Rural communities will benefit from well-planned renewable energy development’. As networks are not specific to either rural areas or cities and are required regardless of generation type, their importance is best considered in the more general context of what is required to achieve a low carbon place.

**NPF3 DRAFT ACTION PLAN**

We welcome preparation of a draft Action Plan which will help to assess progress towards achieving the Government’s long term goals. In reviewing the current draft of the Action Plan we consider it may be appropriate to provide more detail in certain areas including:

- The identification of relevant stakeholders;
- Considering the appropriateness of expanding responsible bodies to include, for example, industry groups and energy developers;

We have a number of additional comments on points of detail within the Action Plan and would be interested in discussing these issues in due course.

It is vital that stakeholders understand how NPF3 is implemented and are kept up to date with progress at all times. It will therefore be important to articulate what indicators and monitoring processes will be used to understand the extent to which Government and all stakeholders are working effectively towards strategic outcomes and a cohesive planning vision for Scotland.

**SCOTTISH PLANNING POLICY**

In addition to the comments noted above, we would highlight some further specific comments in relation to the development of the Scottish Planning Policy.

We support the principle policy on sustainability and planning, and in particular the introduction of a presumption in favour of development that contributes to sustainable development. Similarly, the focus on a plan led system that is up to date and relevant for driving strategic planning outcomes is very encouraging.

The suggestion that this presumption in favour of development will be a material consideration in decision making when local development plans are out of date or don’t contain relevant policies is vital and the shift in emphasis will lead to more consistency and, ultimately, decisions which support delivery of strategic policy outcomes.
We note that the Scottish Government asked SNH to provide further advice in relation to its core areas of wild land map which led to a consultation in late 2013, and ScottishPower was one of over 400 bodies who responded to this consultation. We understand that SNH is continuing to review these representations, but it is not clear how stakeholders might be involved before a finalised SPP is presented to Ministers for approval in June 2014.

We are therefore concerned that ScottishPower (and other stakeholders) could be excluded from this process and we encourage Government and SNH to continue to work alongside stakeholders to ensure that process remains open and transparent.

ScottishPower
January 2014
SUBMISSION FROM SCOTTISH RENEWABLES

Introduction

Scottish Renewables is the voice of the renewable energy industry in Scotland. We represent more than 320 organisations working across a range of technologies including wind, marine, hydro, bioenergy and solar.

We have structured our evidence in order to fit with the Economy, Energy & Tourism Committee’s questions that specifically relate to renewable energy in Scotland.

Scotland’s renewable energy sector is now a major part of our economy, supporting well over 11,600 jobs and generating investment of over £1.5bn in 2012 alone, and is key to our environmental ambitions, delivering the equivalent of over 40% of electricity demand from renewable sources and displacing more than 10 million tonnes of CO₂ in 2012. This progress means we are currently on track to meet our ambitious renewables targets for 2020².

Creating and sustaining a fair and robust planning system is crucial to ensure that well-sited, responsibly developed projects continue to contribute towards these targets and sustainable growth and its associated can bring to Scotland.

Scottish Renewables believes that the draft third National Planning Framework and related draft Scottish Planning Policy, in their current form, present a significant risk to these aims and therefore a barrier to the economic and environmental benefits the industry can bring to Scotland.

Q1. The use of the Core Areas Wild Land mapping produced by Scottish Natural Heritage (SNH) as a key tool to inform future planning for wind farm development and to more clearly identify areas to be protected

The need to protect Scotland’s most valued landscapes

Our response to the consultations on the draft third National Planning Framework (NPF3) and draft Scottish Planning Policy (SPP) highlighted our continued support of protecting Scotland’s most valued landscapes. For the first time, the Scottish Government consulted on proposals to designate National Scenic Areas (NSA) and National Parks as areas in which to preclude large scale wind farm development. We acknowledge the need to protect Scotland’s best landscapes, and consider that these would be adequately protected thought the National Parks and NSA designations.

The need to avoid preclusion of responsible, sustainable developments

Meeting the strict legislative and regulatory requirements of the Scottish Government and European Commission, which are in place to protect our natural heritage and environment, is paramount for the renewable energy industry when developing projects. It is the industry’s view that the complex issue of ‘wild land’ should be taken into consideration as a part of this process in order to safeguard the character of our

² http://www.scottishrenewables.com/scottish-renewable-energy-statistics-glance/
most sensitive landscapes whilst allowing responsible development to take place in an environmentally sustainable manner. A number of existing mechanisms and designations already exist to do this. However, the introduction of the SNH Core Areas of Wild Land 2013 Map could set a dangerous precedent by introducing controls over diverse areas of land and act as a barrier to well-sited, appropriate developments which could be of great benefit locally and nationally.

Rather than precluding development in this way, the current approach to assessing impact on wild land considers developments on a case by case basis. As things stand, in addition to observing controls in place to protect Scotland’s wildest areas, any potential impact on ‘wild land’ will trigger impact assessment procedures with which developers will work to assist decision makers on making an informed judgment.

NPF3’s main issues report and draft framework sets out a clear ambition that the Scottish Government intends to ‘continue our strong protection for our wildest landscapes’. Although we support the designation of NSAs and National Parks, the current proposals in relation to wild land fail to balance this with the need for sustainable development. The draft SPP states that by including proposed ‘core areas of wild land’ in group 2 constraints for spatial frameworks, i.e. areas which should be afforded significant protection, “Wind farms will only be appropriate in these areas where it can be demonstrated that any significant effects on the qualities for which the area is identified can be substantially overcome by siting, design or mitigation”. We do not believe this is a fair reflection of ‘wild land’ given the complex and diverse nature of the areas of land covered by the map and the substantial concerns surrounding gaps and errors within the methodology and assumptions used in its creation. We are also concerned about the potential knock-on effects for all development projects, including other energy projects such as hydro developments, which may be deemed unacceptable without any proper assessment of the extent to which there is an impact on wild land character. Precluding development on ‘wild land areas’ may impact on other areas which have well sited and appropriate developments.

The need for a sound, robust methodology

The proposed approach to assessment of wild land using the new SNH map could be inconsistent and lead to poor decision making given that the definition of wild land is subjective and is difficult to quantify. We understand that in producing a map there was a need to create a defined criteria to ensure that GIS techniques can be used to generate areas which are potentially ‘wild’, but it is our view that this cannot be used to define what is ‘wild’ given its subjective nature. In addition, the process to define the Core Areas of wild land uses ‘informed judgement’ by SNH staff. The difficulty with the information which explains how Core Areas have been defined is that it does not highlight, for any given Core Area, which of the factors expected to contribute to a sense of ‘wildness’ were present, to what extent they were present, and where they were present. The implication is that final mapping of Core Areas is very subjective and lacks transparency.

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As well as concerns around the ability for any map to properly show areas of wild land, we have further concerns about how the map was developed. For example, the 2013 Wild Land map uses the methodology developed for the 2008 ‘Wildness Study in the Cairngorms National Park’ to show relative wildness for the whole of Scotland. This suggests that the parameters used to define ‘wildness’ in the Cairngorms are the same as those that would be used to define wild land in other areas around Scotland. Given the diverse nature of areas which could be defined as wild, for example some areas of coastline, this is an inappropriate measure to define wilderness.

In addition, the Core Areas of Wild Land includes a number of locations that have already been subject to human influence or activity; these include unnatural water bodies, areas of plantation, felled forestry and public roads. All of these examples could have a significant impact on someone’s experience of a landscape and how ‘wild’ they deem it to be. Since changes in development and land use take place across Scotland on a constant basis, a map used to make informed judgements could quickly become out of date. This again backs up the need for developments to be judged on a case by case basis.

**A better way to protect wild land and encourage good developments**

Scottish Renewables recognises the strategic importance of highlighting areas which can be subject to checks to ensure that proposed developments do not produce unacceptable impacts on potential wildness characteristics of the landscape. We suggest that the following changes should be made to the presentation of wild land within both SPP and NPF3, and that the Scottish Government, SNH and planning authorities should ensure that the map is used in an appropriate manner in the decision making process:

- Were Scottish Government minded to adopt a map of wild land, then it should be renamed from ‘Core Areas of Wild Land’ to ‘Core Areas of Search for Wild Land’;

- Remove wild land from ‘group 2’ areas of spatial frameworks for onshore wind within SPP and manage impact on ‘wild land’ through a case-by-case development management process; and

- To provide greater clarity that development can be taken forward in areas described as wild land where there are shown to be no unacceptable impacts on wildness characteristics.

This should ensure that developments within Scotland which would have unacceptable impacts are not taken forward past the planning stage while allowing a flexible approach towards encouraging the right development in the right places.

**Q2. The proposal to extend the boundary between settlements and areas of search for wind farms from 2km to 2.5km**

Current Scottish Planning Policy promotes the use of a 2km separation distance between towns and villages and areas of search as a positive policy tool for use in local authority spatial plans, which helps to identify areas where wind farms may be more acceptable. This has always been with a clear direction that it should not be
used as a tool for development management decisions and that wind farm proposals outwith areas of search should be determined on their own merits.

However, by requiring planning authorities to introduce a proposed separation distance of 2.5km between cities, towns and villages and wind farms (not just areas of search or indeed wind turbines themselves), and then including those zones as "areas of significant protection", the proposed community separation distance policy as set out in the current consultation represents a significant departure from this positive approach. Scottish Renewables, therefore, strongly objects to this approach.

Given that there is currently no statutory definition of a town or village and a negative policy position towards onshore wind has been adopted by some local authorities, we believe that the newly proposed community separation distance of 2.5km as an area of significant protection may lead to the preclusion of responsible, well sited developments. The combination of these areas of significant protection presents a confused policy position, which on one side appears to direct onshore wind development away from remote landscapes and wild land, and on the other to direct it away from existing settlements. While Scottish Renewables agrees that impacts on both of these are important considerations during development management stage, these are already addressed during the EIA process and we do not feel that this should be used to preclude development at a national level. Further, research commissioned by the Scottish Government and provided to the Scottish Parliament has found there to be no rational basis for this separation distance.

Scottish Renewables urges the Scottish Government to remove the ‘community separation distance’ from the group 2 ‘significant protection’ constraints as set out in Scottish Planning Policy, and revert to the current approach of using a separation distance as a positive policy tool to inform areas of search in order to allow good developments to proceed and to help ensure Scotland meets its renewable energy targets.

Scottish Renewables submitted a detailed response on this issue in our response to the draft NPF3 and SPP which was submitted in July 2013. We also responded to SNH Core Areas of Wild Land 2013 Map Consultation Paper in December 2013.

Q3. The proposal to develop the capacity for storage of energy to be exported

The Scottish Government’s 2010 ‘Energy Storage and Management Study’ notes that, with a significant level of renewables generation by 2020 (installed capacity of over 20GW), "pumped hydro is currently the only storage based solution" to increased levels of intermittency on the system.

Given our progress towards such a level of installed capacity in Scotland, the consent for SSE’s Coire Glas pumped hydro project late last year is welcomed as a crucial part for our expanding renewables industry which, if built, will assist Scotland
in becoming more energy independent. We also note and welcome the inclusion of pumped storage at Cruachan as a national development in NPF3.

Pumped storage complements the increasing amount of renewable energy in Scotland by allowing storage of a huge proportion of renewables when it is generated for use when it is needed most. Ultimately, this means more renewable energy generated in Scotland can be used in Scotland, increasing energy security by reducing dependence on imported fossil fuels. The characteristics of pumped hydro mean that schemes offer a number of system operation advantages including balancing services, flexible and fast response times, and the ability to limit the incidence of elevated electricity prices.

However, pumped storage is currently seen as a very risky investment proposition – in part due to the uncertainty surrounding forthcoming changes to market arrangements through Electricity Market Reform (EMR). If this uncertainty continues and there is no clear strategy for supporting the development of pumped storage facilities, we think it will represent a missed opportunity. We would, therefore, encourage the Scottish Government to ensure DECC continues to consider pumped storage as part of the EMR process and also be open to interventions to address the investment challenge this technology faces should the process not deliver a mechanism to encourage investment in this technology.

Scotland is an ideal home for pumped storage projects with a thriving renewables sector, excellent natural resources and a wealth of experience in hydro development. Future growth of this sector could bring significant economic benefits to Scotland with the creation of temporary and permanent employment opportunities, skills development and estimated capital investment of between £1.5 to £2 billion pounds.

Scottish Renewables also encourages research and development of all storage opportunities and recognise the substantial work in hydrogen fuel cells in Scotland. Given the progress made since 2010 and the changes in our level of renewables development we would welcome a review and update of the ‘Energy Storage and Management Study’.

Scottish Renewables
January 2014
SUBMISSION FROM SSE

SSE is a UK owned and based energy company. It is involved in the generation, transmission, distribution and supply of electricity and the production, storage, distribution and supply of gas.

This response considers the specific areas referenced in the Committee’s call for evidence regarding how they relate to the draft National Planning Framework 3 (NPF3) and the proposed changes to Scottish Planning Policy (SPP) in the order the questions have been posed by the Committee.

SNH “Wild Land” Maps

SSE recognises the Scottish Government’s intention to protect Scotland’s most valuable landscapes and in its response to the draft SPP, SSE welcomed proposals to exclude large scale onshore wind development from Scotland’s National Parks and National Scenic Areas.

SSE also believes that some form of mapping of areas with potential for wildness characteristics is a useful tool to be used to identify areas where further detailed survey and assessment is required as part of the planning process for wind farm development. In this regard, SSE welcomes SNH’s statement, within its recent consultation on its wild land mapping exercise, that the current mapping “is intended to be used as a strategic tool” and that “consideration of individual proposals in relation to areas of wild land will require field survey work to be undertaken on a case-by-case basis”.

However, SSE does have concerns that the draft SPP has elevated ‘wild land’ from what was previously ‘areas of search’ to ‘core’ wild land and its inclusion in Group 2 ‘Areas of Significant Protection’ (which groups wild land with a number of recognised designations). This effectively risks classifying wild land as a form of planning policy designation that would unduly restrict onshore wind development. This is despite Scottish Government Ministers having clearly stated that they have no intention of categorising wild land as a formal designation. And it is despite the recognition by SNH that their current desk-based mapping exercise has still to be tested in the field on a case-by-case basis.

SSE is therefore concerned that the current draft policy provision in the Draft SPP on wild land (which incorporates reference to SNH mapping of “core” wild land) could seriously undermine and jeopardise the ability to meet the central energy and sustainable development policy objectives of the Scottish Government, and in particular the targets set for 2015 and 2020.

SSE considers that the approach currently taken in the draft SPP is flawed – in particular it places too much significance upon the identification of “core areas” of “wild land”. For the reasons that have been set out in detail in SSE’s consultation responses to the draft SPP and the SNH mapping exercise, it should not be assumed that the SNH mapping exercise has correctly identified Scotland’s wild land resource. The work carried out by SNH, though useful, has flaws and limitations and should not form the basis for a planning designation (in all but name) designed to

9 http://www.snh.gov.uk/docs/A1104206.pdf Section 4.6
afford significant protection to an area, but instead, should inform development management decisions weighted alongside other material land use planning factors and other policy considerations.

As a responsible energy developer, SSE already considers wild land in the development of its onshore wind projects and takes the view that wild land, in relevant circumstances, is an aspect of landscape character that will require to be assessed and taken into account in the EIA process as a material consideration. It has been the practice of SSE for some considerable time now to include a wild land assessment as part of the environmental information supporting relevant applications for either planning permission or section 36 consent.

This assessment work is carried out using the current SNH Search Areas (SNH, 02/03) and guidance (SNH, 2007). SSE does not object to wild land being treated as a material planning consideration in decision making by planning authorities and Scottish Ministers. In fact, it firmly believes it is right that any impact on land with wild characteristics should be taken into account. It is, however, SSE’s view that the weight to be attached to a given project’s impact upon wild land qualities should be a matter for the decision maker having taken into account specific project effects and locational circumstances.

Furthermore, given that SNH’s mapping exercise was largely carried out using desk based studies, with little field work to verify the conclusions on which the mapping was based, as well as the extremely subjective nature of some of the criteria used to define wild land qualities, SSE believes this further serves to emphasise the inappropriateness of using the 2013 mapping to identify ‘core areas’ for protection in an imminent new national planning policy.

In conclusion, whilst SSE fully supports the need to protect Scotland’s most valuable landscapes, and agrees that wild land mapping is a helpful tool to be considered as part of the planning process, SSE believes that:

- More, scientifically based and robust work is necessary to map those areas of Scotland where wildness qualities may be experienced;
- SNH Wild land mapping should act as a trigger for further site-specific, detailed assessment by respective developers, in order to inform decision-making; and
- Wild land should be removed from Group 2 ‘Areas of Significant Protection’ and would be more appropriate to be treated as a development management consideration.

Further detail on SSE’s position regarding the inclusion of Wild Land within SPP is included in appendices to this submission.

**Proposed boundary between settlements and areas of search for wind farms**

SSE disagrees that such a change is necessary or justified. There is no evidential basis to justify the proposition that there is a need to change the current 2km separation distance between ‘Areas of Search’ and the edges of cities, towns and villages, as set out at paragraph 180 of the extant SPP (2010).
Each planning or section 36 application should be determined on its individual planning merits and on this basis it is recommended that SPP should state clearly that the appropriateness of community separation distances for proposed wind farm development is ultimately a matter for the decision maker having regard to the facts and circumstances that apply in relation to the proposal being considered. This would be entirely consistent with the current approach in SPP and with current development management practice.

For example, due to the landscape and topographical factors in any particular area, a wind farm development could conceivably be separated from a local settlement by a distance of less than either the current 2km distance or the proposed 2.5km distance, but at the same time, have no unacceptable visual amenity or noise impacts on that settlement due to its siting, whereas a development outwith a 2 or 2.5km distance could conceivably have a significantly greater impact on local settlements.

The proposed 2.5km distance could seriously jeopardise the Scottish Government Community Energy Targets as by definition, Community Energy is often located in close proximity to the community responsible for the development.

Furthermore, the proposed approach being pursued by the Scottish Government is at odds with established practice throughout the rest of the UK, where there are no separation distances.

For the reasons outlined above, SSE considers that the Scottish Government should maintain its current approach of using the 2km separation distance as a guide for the identification of Areas of Search in the preparation of Spatial Frameworks for onshore wind farms. There is no evidence that demonstrates that the current policy approach is not fit for purpose. Furthermore, the current policy guidance - in the extant SPP - to the effect that the 2km distance should not be used as a material factor in the determination of individual planning applications, should continue.

**The proposal to develop the capacity for storage of energy to be exported**

SSE fully supports the Scottish Government’s intention to increase electricity storage provisions in Scotland. As the UK moves towards a largely decarbonised energy mix, electricity storage facilities are likely to play a key role in meeting future supply and demand.

In particular, the variable nature of renewable generation means there will be an increasing role for electricity storage facilities in order to ensure electricity demand requirements can be met at all times.

Hydro electric pumped storage is the only proven means of storing large volumes of electricity and has the highest efficiency of all storage technologies. They can be switched on to either pump store or generate electricity extremely quickly, often in a matter of seconds or minutes, providing reliable balancing services to cope with fluctuations in electricity demand, variable renewable energy generation and other power station failures.

The UK currently has only 4 pumped storage stations, of which 2 are in Scotland, with a combined capacity of 2.8 GW. SSE strongly believes that both Scotland and
the UK would benefit from further pumped storage schemes to help provide these balancing services particularly as more variable renewable energy generation comes online, as well as transferring energy surpluses from times when there is an energy surplus to times of shortage. Both these services will help improve system security, balance supply and demand, facilitate further renewable development, and lower the overall cost to the consumer as Scotland and the UK moves to a largely decarbonised energy mix.

The pumped storage schemes currently in development by SSE (each with the potential for up to 600MW capacity and 30GWh of storage) have the potential to store and release significantly greater volumes of energy than the existing facilities in both Scotland and the wider UK.

SSE therefore strongly supports proposals in the draft NPF3 to identify pumped storage as a National Development.

**Unconventional gas**

Whilst SSE does not hold a view on the actual development of unconventional gas, as this is not a core business activity, it recognises that gas in general will have a key role to play in meeting demand, both for heat and electricity generation, over the short to medium term.

SSE therefore supports a cautious approach to the exploitation of unconventional gas, providing environmental protection is fully considered throughout the development and restoration associated with the development of unconventional gas.

**Proposed national developments**

SSE welcomes the key theme of the draft NPF3 ‘to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth’.

SSE has a particular interest in the three energy related national development proposals, namely:

- Carbon Capture and Storage Network and Thermal Generation;
- High Voltage Electricity Transmission Network, including onshore developments associated with offshore renewables; and
- Pumped Hydroelectric Storage.

SSE believes all three energy related national development proposals will contribute significantly to meeting the Scottish Government’s overriding objective ‘to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth’ and therefore welcomes their inclusions within the draft NPP3.

**Appendices**

Please see Appendix 1 for SSE’s response to NPF3 MIR

Please see Appendix 2 for SSE’s response to the draft SPP
Please see Appendix 3 for SSE’s response to the NPF3 and SPP specific to Wild Land

Please see Appendix 4 for SSE’s response to SNH’s Wild Land Mapping consultation

SSE
January 2014
SUBMISSION FROM THE JOHN MUIR TRUST

BACKGROUND

The John Muir Trust is the leading wild land conservation charity in Scotland and the United Kingdom. Working with people and communities to conserve, campaign and inspire, the Trust is a membership organisation which seeks to ensure that wild land is protected and enhanced and that wild places are valued by and for everyone. Scotland’s wild land is an asset of national and international significance but it is a finite and rapidly disappearing resource. The Trust has experience of the planning process at both the strategic level and through involvement with individual applications.

Main Points:

- Wild Land and SNH’s Core Area of Wild Land (CAWL) map should be referenced in NPF3 as well as in Scottish Planning Policy (SPP) as it is a spatial issue. It is essential that the wording from the NPF3 Main Issues Report (MIR) is restored to the current document:

  “2.18 ………………………In addition to our nationally important, most scenic, landscapes, we also want to continue our strong protection for our wildest landscapes”.

- The Scottish economy benefits significantly from tourism and we should not endanger any aspect of its continued success by degrading our wild land areas with industrial scale developments.

- The boundary between windfarms and settlements should include guidance on proximity to individual houses

- Pump storage hydro electricity was not in the NPF3 MIR and therefore was not consulted on fully and as it stands is not defined spatially

- Onshore and offshore Grid proposals have not been costed financially, assessed appropriately for environmental impact or included in the SPP as part of a national strategic energy policy

- “Identification of a project as a National Development in NPF3 will establish the need for such a project” – NPF3 Participation Statement page 2. This principle needs re-visited as soon as possible in the light of fast changing technology.

The government clearly states that “the National Planning Framework (NPF) is a long-term strategy for Scotland. It is the spatial expression of the Government
Economic Strategy, and of our plans for development and investment in infrastructure.”

The Trust wishes to highlight some contradiction within the current NPF and SPP which suggests that the process followed needs reviewed. An important question which arises is that, since there are very significant changes in the NPF3 draft currently before the parliament and many of those changes have had no public consultation about them, what is the capacity for these points to be adequately reviewed by the parliament and, if necessary, changed, in the 60 day period of scrutiny?

The process of reviewing NPF3 and SPP together is clearly intended to bring about a joined-up approach and that is a worthwhile aim. However, since NPF3 sits above the SPP, as a statutory document, it needs to clearly state government aims and how they relate to SPP. It is not adequate for the SPP to refer to an issue of national importance eg wild land, without the over-arching government policy being identified in NPF3.

EET Area of Scrutiny: The use of the Core Areas Wild Land mapping produced by Scottish Natural Heritage (SNH) as a key tool to inform future planning for wind farm development and more clearly identifies areas to be protected.

Whilst the aim of reviewing NPF3 and SPP together is worthwhile, the scale of the task and the time constraints may have led to some confusion over which proposals should be in which document. The CAWL map should be included in the NPF3 as it is about spatial issues and it should also be referenced in the Natural Heritage part of SPP as an asset to be protected. This is crucial to maintaining protection for the environment of Scotland’s wild land, our tourist based economy and the societal benefits of these areas to health in its broadest context. We hope the committee and Parliament consider the wider context of Wild Land and Scotland’s best landscapes rather than just focus on onshore wind developments and possible constraints.

One aspect of the latest draft of NPF3 which the Trust wishes to highlight is the changes in the approach to “Landscape” in the document.

NPF2 stated “97. Scotland’s landscapes are a national asset of the highest value….

99. Scotland’s remoter mountain and coastal areas possess an elemental quality from which many people derive psychological and spiritual benefits. Such areas are very sensitive to any form of development or intrusive human activity and great care should be taken to safeguard their wild land character.”

NPF3 Main Issues Report (summer 2013) stated “In addition to our nationally important, most scenic, landscapes, we also want to continue our strong protection for our wildest landscapes.”
NPF3 parliamentary draft (January 2014) states “4.4 Scotland’s landscapes are spectacular, contributing to our quality of life, our national identity and the visitor economy. Landscape quality is found across Scotland/ National Scenic Areas attract many visitors and reinforce our international image. All landscape makes an important contribution to quality of life.”

There is no mention of wild land, wildness or the Core Area of Wild Land map in the latest draft of the NPF3.

This is despite the fact that Scottish Planning Policy consultation responses showed a two to one majority in favour of strengthened protection for wild land through the Core Areas of Wild Land map and strong wording in NPF3 and the SPP to make clear policy protection.

Of the 110 submissions supporting the wild land map, the vast majority came from Scotland, and included environmentalists, charities, businesses, local authorities, community groups, professional bodies and individuals.

Of the fewer than 50 submissions opposing wild land, almost all were from businesses with a financial interest in exploiting Scotland’s wild land – two thirds of them from outside Scotland, and one third multinational corporations from outside the UK.

EET Area of Scrutiny: The proposal to extend the boundary between settlements and areas of search for wind farms from 2km to 2.5km.

The extension of this boundary from 2.0 to 2.5km seems to be both a reasonable and prudent suggestion. Whilst the evidence about flicker and possible health effects is currently in debate and the impact of Wind Farms on property values is not conclusive, erring on the side of caution is a sensible way forward. We would however raise the need for planning to protect individual houses in future; currently some houses have turbines as close as 800m. The proposal as it currently stands is applicable to ‘settlements’ not individual houses.

EET Area of Scrutiny: The proposal to develop the capacity for storage of energy to be exported.

National Developments which were not identified in the NPF3 MIR:

The Trust was surprised to see pumped storage hydro is now a proposed National Development when it was not viewed in the April 2013 Assessment of proposed National Developments Report (proposals 26 and 163), as a good candidate and was not put forward in the Main Issues Report. The only vague indication in the MIR came under Q 5 which asked what more could be done to improve energy storage. As a consequence there has been no public consultation on this proposal.

National Developments which have no spatial indication:

Now that this National Development is suggested, another aspect of concern with this proposal and others is the lack of a spatial framework in which to consider it. The government states regarding NPF and SPP, “Reviewing these two key national
Planning policy documents at the same time will enable connections to be made between where we want to see development (NPF) and how we want to see it delivered (SPP). However, the NPF gives no spatial indication of the proposed pump storage expansion, or which sites, other than Cruachan, would potentially be impacted.

EET Area of Scrutiny: Views on the (other) proposed national developments. The NPF3 Participation Statement page 2 point 10 states “Identification of a project as a National Development in NPF3 will establish the need for such a project”. The Trust does not believe that the need for a National Development can be regarded as proven if it has not been described spatially and in some detail, fully consulted on and future proofed. Of as much concern is the statement that “The third NPF (NPF3) will set out the Government’s development priorities over the next 20 – 30 years”. We view this timescale of fixed priorities as unrealistic and would cite the changes brought about by the development of the Internet from the mid-1990s as an example of our rapidly changing economy and society. To set development priorities over 20 – 30 years is unrealistic, and society’s views on the most appropriate technology or solutions will change and move on. Challenges in the storage of electricity, for example, may well be overcome and this would radically impact on a number of National Developments. We strongly recommend that the ‘20 – 30 years’ timescale statement should be removed from the documentation.

With regard to the other National Developments, the John Muir Trust will only comment on those where we have considerable expertise.

The Trust has particular concerns about the inclusion of all possible grid additions as outlined in the National Developments for the onshore electricity grid and also the offshore grids. These proposals have not been fully costed either financially or environmentally or included in the SPP as part of a national strategic energy policy. It is essential that the “need case” can be demonstrated to have been examined in detail, and future-proofed against technological changes and society’s requirements before it can be said to be proven. This is not the case for either the onshore or offshore-related grids. Of particular relevance is the advancing technology for sub-sea cabling, changes in costs and maturing of offshore energy technologies which may negate the case for building a particular transmission project onshore.

In view of the long timescale which the NPF is expected to set priorities (20 – 30 years) all proposals should still be reviewed for “need” at the time they are submitted - because the economic and technical case changes all the time, as we have seen with the recent economic upheavals.

In the NPF3 January 2014 3.7 it is stated that “By 2020 we aim to reduce total final energy demand by 12%”. This is an ambitious target without detail. However as a highly cost effective means of reducing energy use, energy costs and emissions, it
should be prioritised in an energy hierarchy – see JMT submission to SPP consultation.

**Carbon Capture and Storage**

We welcome the proposed use of an existing gas pipeline to transport Carbon from Grangemouth to Peterhead. This creative use of existing infrastructure is commended.

**Conclusions**

Wild Land and SNH’s Core Area of Wild Land (CAWL) map should be referenced in NPF3 as well as in Scottish Planning Policy (SPP) as it is a spatial issue. It is essential that the wording from the NPF3 Main Issues Report (MIR) is restored to the current document.

The long-term nature of NPF3 must not be allowed to embed commercial proposals. It must include processes which allow projects to be re-examined in the light of new circumstances and the public benefit properly protected. This is a critical issue since designation in NPF3 is the mechanism for establishing the need for developments and any subsequent examination of the detailed planning implications will not be concerned with the principle of the development.

It is crucial that the NPF does not become a vehicle for fast-tracking controversial decisions, using the “national interest” argument to rule out any rigorous examination of the plan by all interested parties. **This would be a dangerous erosion of democratic rights.**

John Muir Trust
January 2014
SUBMISSION FROM SCOTTISH ENVIRONMENT LINK

Summary

- Both the NPF and SPP must have a clear aim to deliver sustainable development
- The NPF and SPP should provide a clear steer for onshore wind development by incorporating SNH’s strategic locational guidance in full, not just in relation to Wild Land
- The NPF and SPP should make clear the precautionary principle will be applied to unconventional gas extraction, leaving reserves in the ground until climate and other environmental and health concerns are fully addressed
- There must be greater clarity around the NPF consultation process, particularly relating to the inclusion of national developments and any significant changes to text between the MIR and proposed plan stage.
- Parliament should consider a general review of the NPF process, SPP and the planning system to ensure it remains fit for purpose
- The NPF contains some commendable aspirations, however, the document needs to be clearer on action to deliver climate change obligations

The NPF appears to pick up arbitrary targets for expansion of the aquaculture industry – this must be justified.

Introduction and background

Scottish Environment LINK is the forum for Scotland’s voluntary environment community, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for this community in communications with decision-makers in Government and its agencies, Parliaments, the civic sector, the media and with the public.

Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through Taskforces – groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This response has been prepared by the LINK Planning Task Force.

This response sets out our views on the proposed third National Planning Framework for Scotland (NPF3). Where relevant, we also comment on the
consultation draft of Scottish Planning Policy (SPP). LINK has been a long term advocate of a national spatial planning framework for Scotland and also supports the production of a separate, criteria based, government planning policy in the form of SPP. We support the Scottish Government’s decision to consult on both documents simultaneously. There is no statutory requirement for parliamentary scrutiny of the SPP. However, the SPP has such a significant influence on planning policy and practice in Scotland, and has so many cross links to the NPF, it is inevitable that Parliament will also consider aspects of the SPP as part of the NPF scrutiny process.

Scottish Environment LINK will be providing comments to each of the four Committees considering the NPF. In order to simplify our response we have split it into two parts:

- Part one includes general comments which we hope will be of assistance to all Committees and to the Parliament as a whole.
- Part two focuses on the specific areas of interest to RACCE

NPF3 and SPP cover a very wide range of topics. Many LINK member organisations will therefore also be submitting their own detailed responses on a range of additional matters of particular interest to their organisation.

**Part 1 – LINK general comments on NPF3 and SPP**

**Sustainable Development**

It is welcome that both the draft SPP and proposed NPF3 MIR state Government’s central purpose in full: “to make Scotland a more successful country, with opportunities for all to flourish through increasing sustainable economic growth.” This is often misleadingly shortened to simply: “increasing sustainable economic growth”. The planning vision set out at the start of the proposed NPF is also very welcome. The vision should be improved by making it clear that transport will be sustainable and that good planning will help reduce the need to travel. This will be critical if Scotland is to meet our carbon emission reduction targets, tackle obesity and heart disease and improve physical and mental quality of life.

Both the draft SPP and proposed NPF3 give undue prominence to the perceived need to increase sustainable economic growth. We recognise the need for economic development as a key component of genuinely sustainable development, but the manner in which this is expressed in the draft SPP and proposed NPF3 heavily implies that economic growth should be given greater emphasis than the environmental and social elements that are essential components of sustainable development and of improving quality of life. We welcomed Scottish Government recognition of the need to address some of these matters and the subsequent supplementary consultation on sustainability and planning. However, while generally welcome, the proposed changes raise some additional concerns. These proposals will inevitably be used in interpreting the NPF so it is important to consider it alongside scrutiny of the NPF. Our key concerns are

- The addition of a presumption in favour of development in the SPP seems unnecessary given that this has effectively always been the case in Scottish planning decisions. We acknowledge that it is clear that the presumption is
only in favour of development that contributes to sustainable development but we are concerned that any presumption explicitly in favour of development may give developers a false sense of optimism when proposing inappropriate and unsustainable projects.

- The list of policy principles starts with “to give due weight to net economic benefit”. We realise that this is not a hierarchical list but it may be interpreted as one. This needs to be clear. To avoid any doubt, the economic benefit principles should follow the environmental management ones and it should be made clear that they can not override the other two pillars of sustainable development namely societal and environmental interests. Short-term economic development is often at the expense of medium to long-term economic development. The major financial shortfalls in the budgets for restoration of open cast coal sites, that have become apparent following the financial collapse of Scotland’s two largest open cast coal operators, is an unfortunate current example of what can happen when short term economic benefit is allowed to override environmental and community protection concerns.

- We note that the proposed sustainability section of the SPP is intended to form statutory guidance on sustainable development under section 3E of the 2006 Act, to assist in the preparation of development plans and the National Planning Framework. This is welcome but the guidance is very brief. Some local authority planning teams and their staff, as well as other planning system stakeholders, will require additional guidance and training to help in assessing whether development truly contributes to sustainable development.

Wild land

We have commended the Scottish Government for recognising the value of Scotland’s wild land in the SPP draft and we support proposals to clarify and strengthen policies that support its protection. For the first time, this makes it clear that windfarms will not be acceptable in National Parks or National Scenic Areas and it identifies further areas of significant protection including areas of wild land identified by SNH. SNH has done further mapping work to identify other natural heritage sensitivities, including areas of peatland and areas important for birds, in the form of its Strategic Locational Guidance for Onshore Wind. Given that this is produced by Government’s statutory nature conservation advisors, it is very surprising and disappointing that it has not been referenced in the SPP or proposed NPF.

We are very disappointed that, while the NPF MIR identified that SNH mapping could inform future wind farm development, this has not been carried forward into the proposed NPF. LINK strongly supports an increase in the generation of renewable energy to help reduce Scotland’s greenhouse gas emission reduction obligations. This is a national priority. Much of the effort so far has focussed on the delivery of onshore wind. It therefore seems remiss that the national planning framework does not provide a clear national spatial steer as to which areas of Scotland are more and less likely to be suitable for development. This would help reduce conflict and assist in making sure development happens in the right places. The NPF and/or SPP...
should, at the very least, state that significant weight should be given to SNH’s Strategic Locational Guidance for Onshore Wind when planning authorities are preparing their development plans and in development management decisions.

**Historic environment**

The SPP should reinstate and extend the wording dropped under Paragraph 124 to read Planning authorities should ensure they have access to expert historic environment advice, working with a properly maintained Sites and Monuments Record / Historic Environment Record.

**Aquaculture**

We oppose the specific growth objectives for aquaculture set out in the timeline at the end of Annex A. The potential environmental impacts of the industry achieving these growth targets have not been made subject to any environmental assessment. It remains to be understood whether these objectives can feasibly be achieved in Scottish waters, not least in a manner which supports the principles of sustainable development. We understand that Marine Scotland Science has yet to undertake a project to identify areas of opportunity and constraint for both finfish and shellfish sectors. LINK members firmly contend that it is not appropriate for growth targets to be included in the NPF document, until the findings of this project have been concluded. The scale of increase in production is huge. For finfish the target equates to a 75% increase by 2020 & 50% increase for shellfish based on 2011/12 production.

**National developments and consultation process**

The continued retention of the Central Scotland Green Network (CSGN) as a National Development is very welcome as is the inclusion of long distance walking/cycling routes. It is disappointing that proposals for a National Ecological Network for Scotland national development have not been accepted, even though it is recognised as an excellent long term aspiration in the NPF and is specifically referenced and advocated in the 2020 Challenge for Scotland’s Biodiversity. We believe that a National Ecological Network would complement the CSGN and help provide the green infrastructure for Scotland that is as essential as our built infrastructure if we are to make Scotland a world class place in which to live work and invest. National development status should be given to a national ecological network to confirm Scotland’s commitment to green infrastructure.

It is disappointing that proposals for new national parks have not been taken up. Given their national benefits and spatial nature, NPF3 should include a commitment to progress proposals for new national parks.

We are concerned about the last minute inclusion of two additional national development types, Pumped Hydro-Electric Storage and a National Digital Fibre Network. We do not wish to comment in detail on the suitability of the appropriateness of either of these two classes of development being given national development status but this late addition means that stakeholders have significantly less opportunity to comment on their suitability or any potential environmental impacts they may have. We note, for example, that the Pumped Hydro-Electric
Storage national development appears to largely be focused on potential extension of the Cruachan Hydro scheme in Argyll. That scheme is just outwith but almost surrounded by a Special Protection Area designated under European Law for Golden Eagle and is on the edge of a core area of wild land. LINK members may well have wished to provide more detailed comment on this proposal if it had been highlighted in the NPF MIR. We also note that the late inclusion of the Hunterston Powerstation in NPF2 resulted in a legal challenge and significant controversy.

The extent of change between the NPF MIR and the proposed NPF submitted to the Parliament for scrutiny is relatively extensive and makes assessing the proposed NPF challenging. We believe this highlights a number of weaknesses in the NPF process which could be improved. Although perhaps outwith the scope of the current NPF scrutiny period, we believe it may be timely for the Parliament to consider whether a range of process matters relating to the NPF and the SPP may be made more effective. These may include:

- Does the 60 day period provide adequate time for parliamentary scrutiny given the very broad range of issues covered by the NPF, the public interest in it and the importance of the document for Scotland’s sustainable development?
- Is the process for designating ‘national developments” fit for purpose, including providing sufficient opportunities for public consultation?
- Should there be a statutory role for parliament in scrutinising the SPP and the operation of the planning system in general?
- Are opportunities for challenging planning decisions proportionate and fair, and would there be benefits to introducing an environmental tribunal system?

Adaptation

As stated above, LINK are very disappointed that neither a National Ecological Network nor new National Parks have been given national development status in the NPF3. Both of these proposals would have potential to assist in delivering adaptation through improved land management.

In general, we welcome Chapter 4 - A natural resilient place. However, while much of the language here is positive, this does not seem to be translated into clear policies or actions.

LINK have previously criticised the Scottish Government’s draft Scottish Climate Change Adaptation Programme for including measures for a 5 year timescale only. The NPF looks forward on a longer timescale, further highlighting the need for the Adaptation programme to consider impacts and actions on a longer timescale.

It is disappointing that there is little mention of the potential benefits of managed realignment along our coastline or rivers. This is important future green infrastructure which may be vital for creating and protecting sustainable places. We note that the NPF identifies the Forth as an area for co-ordinated action for environmental and habitat improvements but this is far from the only potential site for realignment and a missed opportunity.
Mitigation
Recognition of the benefits of peatland restoration is welcome but it is not clear how this will be delivered. For example, there is no mention of how the £15m promised for peatland restoration in the budget will be delivered. There seems to have been a downgrade in the importance of peatlands from the MIR, which for example, included a map on peatland depth. There has been a similar reduction in attention given to forestry. These are both RPP2 measures for a low carbon Scotland, impacted on by planning and with a spatial dimension. This should be addressed in the NPF.

Part 2 – additional specific areas of interest to EET
Unconventional gas and fossil fuels

Unconventional gas extraction, including coalbed methane and shale gas, can result in a wide range of environmental and health impacts. In particular, in the context of our climate targets and the latest climate science, it does not make sense to pursue a new source of fossil fuel. Unconventional gas extraction is energy intensive, and burning the gas contributes to emissions. Moreover, the impact of ‘fugitive emissions’ of potent greenhouse gas methane through leaks, flaring and venting has led scientists to argue that the climate impact of unconventional gas could be as much as that of coal. There are also a number of risks in relation to water and soil contamination, air pollution and related health impacts. SEPA currently does not have powers to monitor and regulate methane leakage and air pollution at sites. We are concerned that developments in Scotland are progressing ahead of a thorough review of the full lifecycle environmental and health impacts, and adequacy of the regulatory framework to deal with these new extraction techniques. We welcome the less supportive tone for unconventional gas in the new draft SPP, but consider that this should be strengthened by taking a more precautionary approach to all unconventional gas developments. We support the inclusion of buffer zones in the draft SPP, but recommend that this should be strengthened and specified as at least 2km between sites and communities, which we note could go some way to mitigating against the worst of the potential local impacts, although will not resolve climate concerns. We note that the SPP proposes a buffer distance of 2.5km for windfarms.

We note that the recent regulatory disaster relating to the restoration of opencast coal mines has yet to be resolved and that the issue of bonds to deliver restoration is relevant to many other sectors, particularly fossil fuels but also renewables and waste. This needs to be addressed before new consents dependent on the bonds model are issued.

This submission was compiled on behalf of LINK Planning Taskforce

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January 2014