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5 POLICY CONTEXT

5.1 Introduction

- 5.1.1 This Chapter of the Environmental Impact Assessment Report (EIA Report) outlines the energy and planning policy framework for the proposed Torrance Wind Farm Extension II (the Proposed Development).
- 5.1.2 This Chapter presents the existing and emerging local and national planning policy context applicable to the Development and relates these policies to individual sections set out within the technical chapters of the EIA Report. The reference to specific planning policies and guidance within other chapters ensures that there is full knowledge and understanding of planning related issues within the EIA Report.
- 5.1.3 This Chapter does not provide an assessment of whether or not the proposal complies with extant policy. The Planning Statement, which accompanies the application for consent, provides a detailed assessment of the Development against the policies identified in this Chapter of the EIA Report. Although the two documents are complementary, this Chapter identifies the relevant energy and planning policy framework to inform the other chapters and the Planning Statement, whilst the Planning Statement contains an assessment of the acceptability of the Development in energy and planning policy terms.
- 5.1.4 In the case of an application submitted to a Local Planning Authority (LPA) under the Town and Country Planning (Scotland) Act 1997, the relevant LPA's Local Development Plan (LDP) has primacy in the decision-making process, unless material considerations indicate otherwise. The following sections within this Chapter therefore set out the energy policy considered applicable to the Development, whilst also providing an overview of the LDP policies considered relevant to the Development.
- 5.1.5 This Chapter is structured as follows:
- Renewable Energy Policy Context;
 - National Planning Policy and Guidance;
 - Legislative Planning Framework;
 - Material Considerations; and
 - Summary.

5.2 Renewable Energy Policy Context

- 5.2.1 In recent years, European, United Kingdom (UK) and Scottish Government policies have all placed greater focus on concerns about climate change and have set numerous targets in order to try and curtail the effects of greenhouse gas emissions. In turn, each tier of Government has developed intermediate targets, policies and actions designed to achieve said targets.
- 5.2.2 The 26th UN Climate Change Conference of the Parties (COP26) which took place in Glasgow in November 2021, brought the world leaders of over 200 countries together to address climate change and seek to agree universal objectives and measures that can be enforced to over the next decade to further cut carbon emissions.

- 5.2.3 COP26 outcomes included the Glasgow Climate Pact, an agreement with the aim of keeping the rise in global temperature to within 1.5°C¹. All participating countries agreed to revisit and strengthen their 2030 carbon emissions targets.
- 5.2.4 In May 2019, the Committee on Climate Change (the CCC) published its landmark report entitled 'Net Zero – the UK's Contribution to Stopping Global Warming'² which responded to requests by the UK, Welsh and Scottish Governments for the CCC to reassess the long-term carbon emission targets for the UK. In relation to Scotland in particular, the report states that the nation "*has proportionately greater potential for emissions removal than the UK overall and can credibly adopt a more ambitious target. It should aim for net zero greenhouse gas emissions by 2045. Interim targets should be set for Scottish emissions reductions (relatively to 1990) of 70% by 2030 and 90% by 2040*".
- 5.2.5 In December 2021, the CCC published a report to the Scottish Parliament on progress in reducing carbon emissions³ states that based on the greenhouse gas emissions inventory, the most recent emissions calculations were 51.5% below 1990 levels, meaning that Scotland missed its 2019 annual target for a 55% reduction.
- 5.2.6 Amongst the more detailed recommendations in the 2021 Report is the strong steer that the Scottish Government should focus on a 'green recovery' by "investing in climate-resilient low-carbon infrastructure". This should provide a positive consenting regime for onshore wind and other renewables consistent with other land use policies and promote repowering and life extensions. The context of delivering a green recovery from the COVID-19 crisis creates a further imperative for action.
- 5.2.1 The 2022 CCC Progress Report to Parliament⁴ was published in June 2022 with regards to Climate Change. UK emissions are noted to have risen by 4% in 2021 compared with 2020 as the economy began to recover from the COVID-19 pandemic and the CCC Report states that there remains significant opportunity to reduce UK fossil fuel consumption with deployment of renewable sources helping to improve energy efficiency levels. It is also noted that there has been significant progress in the transition to renewables, with emissions in Scotland in particular, noted as having fallen by 50% between 2000 and 2020. However, the CCC report one again acknowledges potential barriers to low-carbon generation at scale, including in the planning and consenting regime, which should be addressed urgently to enable the low carbon transition.
- 5.2.2 On 7th December 2020, the CCC released The Sixth Carbon Budget⁵ which updates intermediary targets for the UK's progress to net zero:

¹ UNCCC UK 2021 (2021) *COP26 Keeps 1.5C Alive and Finalises Paris Agreement* [Online] Available at: <https://ukcop26.org/cop26-keeps-1-5c-alive-and-finalises-paris-agreement/#:~:text=COP26%20has%20today%20concluded%20in,on%20urgently%20accelerating%20climate%20action.> (Accessed 12/04/2022)

² Committee on Climate Change (2019) *Net Zero – The UK's contribution to stopping global warming* [Online] Available at: <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-The-UKs-contribution-to-stopping-global-warming.pdf> (Accessed 12/04/2022)

³ Climate Change Committee (December 2021) *Progress in reducing emissions in Scotland: 2021 Report to Parliament* [Online] Available at: <https://www.theccc.org.uk/publication/progress-reducing-emissions-in-scotland-2021-report-to-parliament/> (Accessed 12/04/2022)

⁴ Committee on Climate Change (2022) *2022 Progress Report to Parliament* [Online] Available at: [2022 Progress Report to Parliament - Climate Change Committee \(theccc.org.uk\)](https://www.theccc.org.uk/publication/2022-progress-report-to-parliament/) (Accessed 15/11/2022)

⁵ The CCC (2020) *The Sixth Carbon Budget: The UK's path to Net Zero* [Online] Available at: <https://www.theccc.org.uk/publication/sixth-carbon-budget/> (Accessed 12/04/2022)

"Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this".

- 5.2.3 These targets must be considered as a factor in the determination of applications for viable wind energy projects. In establishing intermediary targets towards net zero, the context exists for Local Authorities and national Government to recognise the action that must be taken sooner rather than later. As concluded in the Sixth Carbon Budget:

"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge – the UK will not deliver Net Zero by 2050".

- 5.2.4 On 16th December 2020 the Scottish Government published an update to the 2018 Climate Change Plan⁶. The plan sets out the approach to delivering a green recovery, and a pathway to meeting world leading climate change targets for the period to 2032. By then, amongst other things Scotland's electricity system will be transformed, with over 100% of electricity demand being met from renewable sources. There will have been a substantial increase in renewable generation, particularly through offshore and onshore wind capacity.

- 5.2.5 Whilst much of Scotland's electricity generation has decarbonised over the last decade, there is a need for increased investment in renewable energy, particularly onshore and offshore wind. The energy consenting process will be reviewed to reduce determination timescales and enable projects awarded consent to proceed more quickly, benefitting onshore wind in particular. A new Energy Strategy and an updated Electricity Generation Policy Statement are expected to be published shortly.

- 5.2.1 On 27th of February 2022 the Inter-governmental Panel on Climate Change (IPCC) issued its report *Climate Change 2022 – Impacts, Adaptation and Vulnerability*⁷. The report emphasises that there is only a brief window of time left to avoid the very worst consequences of climate change. Humans and nature are being pushed beyond their abilities to adapt, and over 40% of the world's population are highly vulnerable to the consequences of climate change. The report has a particular focus on transformation and system transitions in energy; land, ocean, coastal and freshwater ecosystems; urban, rural and infrastructure; and industry and society. These transitions are necessary to make possible the adaptation required for high levels of human health and wellbeing, economic and social resilience, ecosystem health, and planetary health.

- 5.2.2 The Renewable Energy Directive 2009/28/EC⁸ establishes an overall policy for the production and promotion of energy from renewable sources in the European Union (EU). In December 2018, the new revised Renewables Energy Directive (2018/2001)⁹ came into force – establishing a new binding renewable energy

⁶ Scottish Government (2020) *Securing a green recovery on a path to net zero: climate change plan 2018–2032 – update* [Online] Available at: <https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/> (Accessed 12/04/2022)

⁷ IPCC (2022) *Climate Change 2022 – Impacts, Adaptation and Vulnerability Report* [Online] Available at: <https://www.ipcc.ch/report/ar6/wg2/> (Accessed 09/06/2022)

⁸ European Parliament (2009) *The Renewable Energy Directive 2009/28/EC* [Online] Available at: [EUR-Lex - 32009L0028 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/2009/28/01/oj) (Accessed 12/04/2022)

⁹ European Parliament (2018) *The Revised Renewables Energy Directive (2018/2001)* [online] Available at: [EUR-Lex - 32018L2001 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/2018/2001/oj) (Accessed 12/04/2022)

target for the EU for 2030 of at least 32%, with a clause of a possible upwards revision by 2023.

- 5.2.3 On 29th March 2017, the UK formally notified of its intention to leave the EU under Article 50 of the Treaty of the EU. On 31st January 2020, the UK officially left the EU as a member state. The European Union (Withdrawal Agreement) Act 2020¹⁰ converts all EU laws, rules and targets into domestic governance. It is considered that the existing EU renewable energy targets for the UK, such as the requirements of the Renewable Energy Directive, will remain applicable despite the UK's departure from the EU.
- 5.2.4 The UK Government retains responsibility for the overall direction of energy policy, although some elements are devolved to the Scottish Government. The UK Government has published a series of policy documents setting out how the European targets can be achieved. Onshore wind generation, located in Scotland, is identified as an important component to achieve these various goals.
- 5.2.5 On 14th December 2020, Alok Sharma MO, then Secretary of State for Business, Energy and Industrial Strategy announced the launch of the Energy White Paper¹¹. The White Paper set out the UK Government's strategy to put net zero into practice and for fighting climate change, following the Prime Ministers Ten Point Plan for a Green Industrial Revolution¹².
- 5.2.6 The White Paper reiterates the compelling case to urgently address climate change and avert the dangerous consequences of what will arise if global temperature increase is not kept at well below 2% as per the Paris Agreement, if possible, not above 1.5%. The White Paper sets out the measures that need to be put in place to achieve the carbon emission targets for the UK. These entail a major shift in energy use from fossil fuels to electricity and hydrogen. Clean electricity is to become the predominant form of energy, with a consequent doubling of demand. This transition must be secured whilst retaining reliability, resilience and affordability. Delivering this will require billions of pounds of investment in clean energy infrastructure, including offshore wind farms and new nuclear plants.
- 5.2.7 The White Paper is clear that onshore wind (and solar) will be key building blocks in the energy mix, with the aim to deploy around 12 gigawatts (GW) of new low-cost renewable generation capacity.
- 5.2.8 The Scottish Government has published a number of policy documents and its own targets. The most relevant policy, legislative documents and more recent Statements published by the Scottish Government include:
- The 2020 Routemap for Renewable Energy in Scotland (2011)¹³;
 - The Electricity Generation Policy Statement (2013)¹⁴;

¹⁰ European Union (2020) The European Union (Withdrawal Agreement) Act 2020 [online] Available at: [European Union \(Withdrawal Agreement\) Act 2020 \(legislation.gov.uk\)](https://legislation.gov.uk/ukpga/2020/23/contents) (Accessed 12/04/2022)

¹¹ HM Government (2020) *Energy White Paper – Powering our Net Zero Future* [Online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/943807/201214_BEIS_EW_P_Command_Paper_LR.pdf (Accessed 12/04/2022)

¹² Prime Minister Boris Johnson outlines his Ten Point Plan for a Green Industrial Revolution for 250,000 jobs. 18 November 2018 [Online] Available at <https://www.gov.uk/government/news/pm-outlines-his-ten-point-plan-for-a-green-industrial-revolution-for-250000-jobs> (Accessed 12/04/2022)

¹³ Scottish Government (2011) *2020 Routemap for Renewable Energy in Scotland* [Online] Available at: <https://www.webarchive.org.uk/wayback/archive/20150218121205/http://www.gov.scot/Publications/2011/08/04110353/0> (Accessed 12/04/2022)

¹⁴ Scottish Government (2013) *Electricity Generation Policy Statement – 2013* [Online] Available at: <https://www.gov.scot/publications/electricity-generation-policy-statement-2013/pages/3/#:~:text=This%20Electricity%20Generation%20Policy%20Statement,in%20Scotland's%20future%20energy%20mix.> (Accessed 12/04/2022)

- 2020 Routemap for Renewable Energy in Scotland – Update 19 December 2013¹⁵;
- Letter from Chief Planner to all Heads of Planning in relation to energy targets and Scottish Planning Policy (November 2015)¹⁶;
- Scottish Energy Strategy (December 2017)¹⁷;
- Onshore Wind Policy Statement (December 2017)¹⁸;
- Onshore Wind Policy Statement Refresh 2021 Consultation Draft (October 2021)¹⁹;
- Scotland 2045 – Our Fourth National Planning Policy Framework – Draft NPF4²⁰;
- The Scottish Climate Change Plan (2018)²¹;
- The Scottish Government’s declaration of a Climate Emergency (2019)²²; and
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019²³ and the legally binding net zero target for 2045 and interim targets for 2020, 2030 and 2040.

5.2.9 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 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 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.”*

5.2.10 It is important to note that these targets are minimum targets, they are not maximums or aspirations. The targets legally bind the Scottish Ministers and have largely been legislated to set the framework for Scotland’s response to the Climate Emergency.

¹⁵ Scottish Government (2013) *2020 Routemap for Renewable Energy in Scotland – Update* [Online] Available at: <https://www.webarchive.org.uk/wayback/archive/20170105044709/www.gov.scot/Topics/Business-Industry/Energy/RoutemapUpdate2013> (Accessed 12/04/2022)

¹⁶ Scottish Government (2015) *Energy targets and Scottish planning policy: Chief Planner letter* [Online] Available at: <https://www.gov.scot/publications/energy-targets-and-scottish-planning-policy-chief-planner-letter/> (Accessed 12/04/2022)

¹⁷ Scottish Government (2017) *The future of energy in Scotland: Scottish Energy Strategy* [Online] Available at: <https://www.gov.scot/publications/scottish-energy-strategy-future-energy-scotland-9781788515276/> (Accessed 12/04/2022)

¹⁸ Scottish Government (2017) *Onshore Wind Policy Statement* [Online] Available at: <https://www.gov.scot/publications/onshore-wind-policy-statement-9781788515283/> (Accessed 12/04/2022)

¹⁹ Scottish Government (2021) *Onshore wind – policy statement refresh 2021: consultative draft* [Online] Available at: <https://www.gov.scot/publications/onshore-wind-policy-statement-refresh-2021-consultative-draft/documents/> (Accessed 12/04/2022)

²⁰ Scottish Government (2021) *Scotland 2045 – Our Fourth National Planning Framework – Draft* [Online] Available at: <https://www.gov.scot/publications/scotland-2045-fourth-national-planning-framework-draft/> (Accessed 12/04/2022)

²¹ Scottish Government (2018) *Climate Change Plan* [Online] Available at: <https://www.gov.scot/publications/scottish-governments-climate-change-plan-third-report-proposals-policies-2018-9781788516488/> (Accessed 12/04/2022).

²² Scottish Government (2019) *The Global Climate Emergency – Scotland’s Response* [Online] Available at <https://www.gov.scot/publications/global-climate-emergency-scotlands-response-climate-change-secretary-roseanna-cunninghams-statement/> (Accessed 12/04/2022).

²³ Scottish Government (2019) *The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019* [Online] Available at: <http://www.legislation.gov.uk/asp/2019/15/enacted> (Accessed 12/04/2022).

- 5.2.11 The Proposed Development relates to the generation of electricity from renewable energy sources and comes as a direct response to national planning and energy policy objectives.
- 5.2.12 The Proposed Development would make a contribution to the attainment of emissions reduction, renewable energy and electricity targets at both the Scottish and UK levels. Detailed reference to the renewable energy policy context is provided in the Planning Statement.

5.3 National Planning Policy and Guidance

The National Planning Policy Framework (NPF4)

- 5.3.1 Scotland 2045 – Our Fourth National Planning Framework²⁴ was initially published for consultation on 10th November 2021 and was formally adopted on the 13th February 2023. The consultation period ended 31st March 2022 and following this, NPF4 was laid before the Scottish parliament on 8th November 2022, along with an explanatory report and delivery programme. The latter states that “Planning will play a crucial leadership role by co-ordinating and choreographing the activities and decisions required. Stakeholder and community engagement will be needed to both inform and contribute to the programme as it evolves and to support delivery on the ground. This will help to address delivery risks and identify opportunities for innovation”.
- 5.3.2 Planning Minister Tom Arthur said: “The window of opportunity to act to reduce emissions and adapt to already locked-in changes is narrowing. Our statutory and moral obligation to tackle climate change means change is necessary and urgent.

“This final version of the framework makes clear that we won’t compromise on climate change. It also clarifies what is to be delivered, and how. And it is now clear through the weighting to be applied to different policies, that the climate and nature crises are the priority.

“It is timely that we have tabled final proposals during COP27, as we set out to do when Glasgow hosted COP26 last year. This shows that Scotland’s ambition and commitment to delivering on international calls for action are unwavering.

“There is now a clear expectation of the role that planning must play in delivering the expansion of renewable energy needed to realise the just transition from reliance on fossil fuels.

“This framework creates the foundation upon which to build the fairer, greener Scotland we want to see for the benefit of future generations.”

- 5.3.3 The final draft of NPF4 was discussed by the Scottish Parliament before being subject to a vote in the chamber. Now adopted and published by the Scottish ministers, NPF4, amongst other things, aims to manage land-use and development in the long-term public interest.
- 5.3.4 The adopted NPF4 has been published and divided into 2 parts:

²⁴ Scottish Government (2023) *National Planning Framework 4* [Online] Available at: <https://www.gov.scot/publications/national-planning-framework-4/pages/1/> (Accessed 23/02/2023)

- Part 1 sets out an overarching spatial strategy for Scotland in the future and sets out proposed national developments that support the spatial strategy.
 - Part 2 sets out policies for the development and use of land which are to be applied in the preparations of local development plans, local place plans; masterplans and briefs; and for determining the range of planning consents.
- 5.3.5 Part 1 of the NPF4 states that “We have already taken significant steps towards decarbonising energy and land use, but choices need to be made about how we can make sustainable use of our natural assets”.
- 5.3.6 Part 1 deals with National Developments. Of the 18 identified, number 3 deals with strategic renewable electricity generation and transmission infrastructure. This national development supports renewable electricity generation, repowering, and expansion of the electricity grid. It recognises that a large increase in electricity generation from renewable resources is “fundamental” to achieving a net zero economy in Scotland.
- 5.3.7 Part 2 of the NPF4 sets out the National Planning Policies required to achieve a net zero, nature positive Scotland. It outlines how the planning system must be re-balanced to ensure that climate change and nature recovery are the primary guiding principles for all plans and decisions.
- 5.3.8 Policy 1: Tackling the Climate and Nature Crises states that when considering all development proposals “**significant weight** will be given to the **global climate and nature crises**”.
- 5.3.9 The intention of Policy 2: Climate Mitigation and Adaption is to encourage, promote and facilitate development projects that minimise emissions and adapt to current and future impacts of climate change. Renewable energy developments will be at the forefront when aiming to achieve the aims of this policy.
- 5.3.10 Policy 11: Energy illustrates how support will be given to Development proposals for all forms of renewable, low-carbon and zero emissions technologies. This includes the development of wind farms - including extending and expanding windfarms - and battery storage developments.
- 5.3.11 Policy 11 recognises that Scotland’s energy sector has a significant role to play in reducing carbon emissions and contributing to a green, fair and a resilient economic recovery. The draft policy also notes that Local Development Plans (‘LDPs’) should seek to realise their area’s full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development.
- 5.3.12 The proposed text of Policy 11 also notes that grid capacity should not be a limiting factor in the deployment of renewable energy development. Additionally, if cumulative impacts are considered or impact any nature associated with a proposed development, significant weight will be given to the Development’s ability to contribute to renewable energy generation targets and on greenhouse gas emissions reductions targets.
- 5.3.13 Now that the NPF4 is fully adopted and published, NPF3 and SPP has been superseded.

A stronger and more resilient Scotland: The Programme for Government 2022 to 2023

5.3.14 In September 2022, the Scottish Government published 'A Stronger and More Resilient Scotland' the programme for Government for 2022-23, which sets out the actions the Government will take in the forthcoming year. The Programme reiterates the continuous support for renewable energy. The development of renewable energy presents an immense opportunity for Scotland to lead by example, ensuring that progress towards net zero is environmentally and economically beneficial.

5.3.15 If consented, the Proposed Development has the potential to make a meaningful contribution to the Government's objectives for reducing emissions, by increasing the widespread deployment of the renewables industry; encouraging further onshore wind development, as well as encouraging investment in renewable energy, to achieve sustainable economic growth.

Onshore Wind Policy Statement Refresh 2021 Consultation Draft (October 2021)

5.3.16 The Ministerial Foreword to the Onshore Wind Policy Statement Refresh 2021 (the Draft OWPS) recognises that onshore wind remains vital to Scotland's future energy mix and that more will be needed in order to progress legally binding net-zero targets.

5.3.17 The Draft OWPS sets out the legislative requirements and targets as noted earlier in this statement. Whilst the Scottish Government target of generating the equivalent of 100% of gross electricity consumption from renewable sources by 2020 was narrowly missed (at 95.9%) it exemplifies the support for onshore wind and its effectiveness. The Scottish Government acknowledges that the next decade will see a substantial increase in demand for electricity to support net zero delivery across all sectors. The CCC has suggested electricity demand could double over this period. There will therefore need to be a substantial increase in installed capacity across all renewable technologies, including onshore wind.

5.3.18 In 2020 there was approximately 8.4 GW of all installed onshore capacity in Scotland, providing the majority of operational onshore wind capacity in the UK. The aim of the Scottish Government is to maintain a supportive policy and regulatory framework which will enable deployment to increase further.

5.3.19 Other issues such as community benefit, shared ownership and the need for financial mechanisms to promote deployment are covered in Chapter 1 of the Draft OWPS.

5.3.20 Chapter 2 of the Draft OWPS examines the current levels of deployment and what can be expected to be required by 2030 to achieve Net Zero. At the present time there is approximately 8.4 GW of installed onshore wind capacity within Scotland, part of 14.1 GW deployed across the whole of the UK. In terms of the development pipeline, there is approximately 9.7 GW of capacity either in planning or awaiting construction, with 0.43 GW under construction.

5.3.21 The CCC has estimated that the UK will require a total capacity of 25 to 30 GW of onshore wind by 2050 to meet Net Zero, in effect doubling the current level of deployment in the UK.

5.3.22 The Scottish Government is therefore seeking views on an ambition that an additional 8 to 12 GW of onshore wind capacity should be installed in Scotland by 2030 to help achieve Net Zero commitments.

5.3.23 Under Chapter 3, the Draft OWPS considers the technical barriers to deployment, including amongst other things aviation issues, and aviation lighting. Chapter 4 of the Draft OWPS addresses environmental factors which can pose a barrier to deployment. These factors include but are not limited to noise; peatlands and carbon rich soils; forestry; and landscape and visual matters.

5.3.24 With regard to landscape and visual issues, the Draft OWPS acknowledges that whilst cherished landscapes are a key part of the natural and cultural heritage and should be afforded protection, it is also important to recognise that climate change and Net-Zero ambitions require decisive action. This will result in a Change in how Scotland looks and it will be necessary to consider how significant volumes of onshore wind generation can be deployed over the next decade to help meet the legal obligations. This deployment is likely to comprise of modern efficient turbines which maximises the generation possible at each site, including the use of taller turbines.

Planning Advice Notes and Specific Advice Sheets

5.3.25 Planning Advice Notes (PANs) and Specific Advice Sheets set out detailed advice from the Scottish Government in relation to a number of planning issues. Relevant PANs and Specific Advice Sheets relevant to the Development are summarised in Table 5.1 below.

Table 5.1: Relevant PANs and Specific Advice Notes

Title	Summary of Document
PAN 1/2013 Environmental Impact Assessment ²⁵	Provides information on the role local authorities and consultees play as part of the EIA process, and how the EIA can inform development management.
PAN 60 (2000) Planning for Natural Heritage ²⁶	Advises developers on the importance of discussing their proposals with the planning authority and NatureScot (formerly known as Scottish Natural Heritage) and use of the EIA process to identify the environmental effects of development proposals and seek to prevent, reduce and offset any adverse effects in ecology and biodiversity.
PAN 61 (2001) Sustainable Urban Drainage Systems ²⁷	Good practice drainage guidance.
PAN 68 (2003) Design Statements ²⁸	This PAN covers the importance of design statements, and provides flexible guidance on their preparation, structure, and content. The PAN also outlines the principles underpinning the production of design statements, as expected by the Scottish Government.

²⁵ Scottish Government (2013) *PAN 1/2013: Environmental Impact Assessment* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-1-2013-environmental-impact-assessment/> (Accessed 12/04/2022)

²⁶ Scottish Government (2000) *Planning for Natural Heritage: PAN 60* [Online] Available at: <https://www2.gov.scot/Publications/2000/08/pan60-root/pan60> (Accessed 12/04/2022)

²⁷ Scottish Government (2001) *PAN 61: Planning and Sustainable Urban Drainage* [Online] Available at: <https://www2.gov.scot/Publications/2001/07/pan61> (Accessed 12/04/2022)

²⁸ Scottish Government (2003) *PAN 68: Design Statement* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-68-design-statements/> (Accessed 12/04/2022)

Title	Summary of Document
PAN 75 (2005) Planning for Transport ²⁹	The objective of PAN 75 is to integrate development plans and transport strategies to optimise opportunities for sustainable development and create successful transport outcomes.
PAN 3/2010 Community Engagement ³⁰	This document provides advice on how to engage with local communities through the planning process.
PAN 1/2011 Planning and Noise ³¹	This PAN provides advice on the role of the planning system in helping to prevent and/ or mitigate any potential adverse effects of noise. It promotes the principles of good acoustic design and promotes a sensitive approach to the location of new development.
PAN 2/2011 Planning and Archaeology ³²	The PAN is intended to inform local authorities and other organisations of how to process any archaeological scope of works within the planning process.
Online Renewables Planning Advice - On Shore Wind Turbines (updated 2014) ³³	This Specific Advice Sheet provides an overview of the use of the carbon calculator in estimating the carbon savings resulting from wind farm developments. NB: Please note that this Specific Advice Sheet pre-dates the NPF4, so areas covered therein in relation to 'spatial framework', 'spatial planning' and 'areas of search' are no longer relevant.
PAN 51 Planning, Environmental Protection and Regulation (Revised 2006) ³⁴	Details the role of the planning system in relation to the environmental protection regimes.
Online Planning Advice on Flood Risk (2015) ³⁵	Provides advice on the role of the planning system and the assessment and management of flood risk.
Onshore wind planning: frequently asked questions (2016) ³⁶	Provides answers to a range of questions in relation to the planning considerations for onshore wind turbine development.

5.4 Legislative Planning Framework

Town and Country Planning (Scotland) Act 1997

5.4.1 The principal planning statute in Scotland applicable to the planning application for the Development is the Town and Country Planning Act (Scotland) 1997 (the

²⁹ Scottish Government (2005) *PAN 75: Planning for Transport* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-pan-75-planning-transport/> (Accessed 12/04/2022)

³⁰ Scottish Government (2010) *PAN 3/2010: Community Engagement* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-3-2010-community-engagement/> (Accessed 12/04/2022)

³¹ Scottish Government (2011) *PAN 1/2011: Planning and Noise* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-1-2011-planning-noise/> (Accessed 12/04/2022)

³² Scottish Government (2011) *PAN 2/2011: Planning and Archaeology* [Online] Available at: <https://www.gov.scot/publications/pan-2-2011-planning-archaeology/> (Accessed 12/04/2022)

³³ Scottish Government (2014) *Onshore Wind Turbines: Planning Advice* [Online] Available at: <https://www.gov.scot/publications/onshore-wind-turbines-planning-advice/> (Accessed 12/04/2022)

³⁴ Scottish Government (2006) *PAN 51: Planning, Environmental Protection and Regulation* [Online] Available at: <https://www.gov.scot/publications/planning-advice-note-pan-51-revised-2006-planning-environmental-protection/> (Accessed 12/04/2022)

³⁵ Scottish Government (2015) *Flood Risk: Planning Advice* [Online] Available at: <https://www.gov.scot/publications/flood-risk-planning-advice/> (Accessed 12/04/2022)

³⁶ The Scottish Government (2016). *Onshore wind planning: frequently asked questions* [Online]. Available at: <https://www.gov.scot/publications/onshore-wind-planning-faq/> (Accessed 12/04/2022)

Planning Act) as amended by The Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019.

5.4.2 Section 25 of the Planning Act states that:

"Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise".

5.4.3 Section 37(2) of the Planning Act states that:

In dealing with an application made to a planning authority for planning permission *"the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations"*.

5.4.4 Accordingly, the planning authority will determine the application having regard to the relevant aspects of the statutory LDP and any other relevant material considerations. The forthcoming sections set out the relevant LDP policies and other material considerations at a local and national level which will form the basis for the Council's determination.

Climate Change Scotland Act 2009

5.4.5 The Climate Change (Scotland) Act 2009 ('the Climate Change Act') creates a long-term framework for the current and successive administrations in Scotland to ensure a reduction in Scottish greenhouse gas emissions by 80% by 2050 with an interim milestone of 42% by 2020.

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

5.4.6 The Scottish Government introduced the new Climate Change (Emissions Reduction Targets) (Scotland) Bill ('the Climate Change Bill') to Parliament on 23rd May 2018, and was passed on 25th September 2019, and received Royal Assent on 31st October 2019, becoming the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

5.4.7 The Act amends the Climate Change (Scotland) Act 2009 and originally increased the 2050 target to 90%. In line with advice from the Committee on Climate Change ('CCC') on 2 May 2019, the Scottish Government amended the Climate Change Bill to set a target date of 2045 for reaching net-zero emissions.

5.4.8 Setting a 'carbon neutral', net-zero target of 2045 is ambitious and ahead of the rest of the United Kingdom's target of 2050. The Government has set ambitious targets for reduction of carbon emissions. Projects, such as the Development, play a key role in aiding the decarbonisation of the energy sector.

5.5 Material Considerations

The Local Development Plan

5.5.1 The Council's administrative area within which the Development falls is informed by an overarching Strategic Development Plan (SDP) which aims to communicate strategic level and cross-boundary planning policy and apply national policy and guidance from the Scottish Government. The SDP for the Council comprises the 2017 Clydeplan.

5.5.2 Each Local Authority within Scotland also then has a duty under the Planning (Scotland) Act 2006 to prepare a LDP. The LDP relevant to the Development is the North Lanarkshire Local Plan (NLLP).

5.5.3 Both the SDP and NLLP, along with any relevant additional documents are summarised within the following section, with policies listed where relevant.

ClydePlan 2017

5.5.4 Clydeplan 2017³⁷ is the overarching SDP for North Lanarkshire and was approved by Scottish Ministers on 24th July 2017. It replaced the original SDP for Glasgow and Clyde Valley, passed in 2012. The SDP encompasses a total of eight local authorities, including:

- East Dunbartonshire;
- East Renfrewshire;
- Glasgow City;
- Inverclyde;
- North Lanarkshire;
- Renfrewshire;
- South Lanarkshire; and
- West Dunbartonshire.

5.5.5 One of the key aims of the SDP is to encourage low carbon places, reducing carbon emissions and adapting to the increasing effects of climate change. The SDP provides a spatial framework for onshore wind development. LDPs should also set out the considerations which will apply to proposals for wind energy development within the Local Authorities' area, including landscape capacity and impacts on communities and natural heritage.

The North Lanarkshire Local Development Plan (2022)

5.5.6 The North Lanarkshire Local Development Plan (NLLDP)³⁸ was adopted on 5 July 2022, superseding the North Lanarkshire Local Plan (2012)³⁹.

5.5.7 The overall strategic aim of NLLDP is to increase sustainable growth, promote regeneration and ensure North Lanarkshire becomes an even more 'successful place'. It sets out the Policies and Proposals to guide and meet North Lanarkshire's development needs over the next 5-10 years.

5.5.8 The NLLDP Vision highlights the importance of

- Enabling a continued transition to a low-carbon economy to mitigate climate change; and
- Improved environmental performance and building resilience against the effects of climate change.

5.5.9 The policies considered to be of particular relevance to the Proposed Development are outlined below. Some of these policies have been summarised, or where directly quoted are shown in italics. For full policy wording please refer to NLLDP:

³⁷ Clydeplan (2017) *Clydeplan Strategic Development Plan* [Online] Available at: <https://www.clydeplan-sdpa.gov.uk/images/ApprovedPlanHighRes.pdf> (Accessed 12/04/2022)

³⁸ North Lanarkshire Council (2021) *The North Lanarkshire Local Development Plan* [Online] Available at: https://www.northlanarkshire.gov.uk/sites/default/files/2022-03/NLLDP%20Non-Graphic%20Policy%20Document_0.pdf (Accessed 21/10/2022)

³⁹ North Lanarkshire Council (2012) *North Lanarkshire Local Plan* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/NLC%20Local%20Plan%202012.pdf> (Accessed 13/06/2022)

Policy PROM ID2– Utilities Improvement

- 5.5.10 Policy PROM ID2 states that renewable energy developments will be supported in principle, subject to the assessment criteria listed in the Policy Table.
- 5.5.11 *"All Planning Applications will be assessed for their suitability for being located in the Land Use Character Areas in which they are proposed in terms of specific protection and environmental qualities"*.
- 5.5.12 For onshore wind energy, the policy states that The Landscape Capacity Study for Wind Turbine Development in Glasgow and the Clyde Valley – North Lanarkshire and the resultant spatial strategy represented by Inset Maps 2, 4 and 5 in the Local Development Plan Map Book should be used to establish wind farm developments' locations and justify their suitability.
- 5.5.13 In addition, *"It should be noted that the indicative area of 2km drawn around the urban area represents an area within which special consideration is required with respect to visual impact on communities. The actual extent of the area for consideration will depend on local topography, landscape character and the layout and built form"*.

Policy PROT A– Natural Environment and Green Network Assets

- 5.5.14 Policy PROT A states that in determining applications the Council will protect natural and resilient sustainable places by safeguarding natural heritage assets.
- 5.5.15 Regarding Category A1 areas (Internationally Designated), the Policy states:
"Development proposals likely to have a significant effect on a European site will be subject to an Appropriate Assessment. Where an Appropriate Assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions; there are imperative reasons of overriding public interest; and if compensatory measures are provided to ensure the overall coherence of the European site network is protected."
- 5.5.16 Regarding Category A2 areas (Nationally Designated), the Policy states:
"Development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated: the objectives of the designated area and the overall integrity of the area would not be compromised; or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance."
When assessing suitability for woodland creation, applicants should refer to the Clydeplan Forestry and Woodland Strategy. Applicants should adhere to the Scottish Government's Control of Woodland Removal Policy with regards to any development proposal on land parcels containing woodland either in full or in part."
- 5.5.17 Regarding Category A3 areas (Locally Designated), the Policy states:
"Planning permission will only be granted for proposals potentially affecting Local Sites if it can be demonstrated to the Council's satisfaction that there will be no adverse impact or that any impacts can be mitigated in environmental terms relevant to the impact"

5.5.18 Regarding Category A5 areas (Protected Species), the Policy States:

"Development that significantly affects a species protected by law will only be permitted where an appraisal has demonstrated that the protected species would not be compromised; or any significant adverse effects on the protected species are mitigated through planning conditions or use of planning agreements to: facilitate protection of individual species members, reduce disturbance to a minimum and provide appropriate alternative habitats to sustain at least the current levels of the species locally. Not all locations important for species are identified."

Policy PROT B– Historic Environment Assets

5.5.19 Policy PROT B states that in determining applications the Council will protect natural and resilient sustainable places by safeguarding historic environment assets. Development must not cause harm to the character and appearance of a site and its setting protected for its historic environment value, in order to gain planning permission or any other relevant consent.

5.5.20 Regarding Category B1 areas (Internationally Designated), the Policy states:

"There will be a presumption against development which would have an adverse impact on the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site as defined on the Protection Map. There will be a presumption against development within the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site Buffer Zones which would have an adverse impact on the site and its setting, unless: mitigating action to the satisfaction of the Council in consultation with Historic Environment Scotland can be taken to redress the adverse impact; and there is no conflict with other Local Development Plan Policies."

5.5.21 Regarding Category B2 areas (Nationally Designated), the Policy states:

"Development shall not impact adversely upon important views to, from and within [Gardens and Designed Landscapes], or upon the site or setting of component features which contribute to their value.

Development shall preserve archaeological remains in situ and within an appropriate setting. Adverse impact on the integrity of [a Scheduled Monument] or its setting shall not be permitted unless there are exceptional circumstances.

Development should avoid causing harm to the character or setting of [Historic Battlefields].

The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of [Category A Listed Buildings] and its setting. There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting."

5.5.22 Regarding Category B3 areas (Regionally/Locally Designated), the Policy states:

"The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of [Category B and C Listed Buildings] and its setting. There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

For Sites of Archaeological Interest, the aim should be to preserve in situ wherever feasible. The Council will weigh the significance of the archaeological resources and of any impacts upon them and their setting against other merits. An archaeological evaluation report may be required."

Policy PROT C– Mineral Resources

5.5.23 Policy PROT C states that the Council have a presumption against any development which could potentially sterilise any valuable mineral resources. The policy identifies two categories of mineral supplies which need safeguarded, however, as the Site is located in an Opencast Search Area for Coal, it is only Category C2 Fossil Fuels which is relevant:

"The Council will satisfy market demands by directing new proposals for opencast extraction to the identified search areas"

"The search areas defined in this guidance will be maintained along with the broad principles of assessment until revised Planning Guidance has been prepared to reflect any changes in advice from the Coal Authority and any changes in Scottish Planning Policy, Advice or Guidance".

Policy PP 5– Purpose of Place

5.5.24 Policy PP5 seeks to support the countryside, prevent sporadic and isolated development, and protect and enhance local landscapes by only accommodating limited development (including agricultural diversification and extending existing businesses and settlements).

5.5.25 The policy states that *"Assessment of appropriateness of any proposal for development, or change of use, within the Countryside, should include, but not be limited to:*

- support by a business plan, or statement justifying that the development is compatible with the Countryside;*
- a statement that the proposal is not best suited to being located in a Centre, or General Urban Area, taking the Town Centres First Sequential Approach, where appropriate;*
- a statement on the scale and nature of existing development in the Countryside;*
- evidence that the development is an expansion of an existing business and/or settlement in the Countryside;*
- evidence that the development is an expansion/replacement of an existing building or cluster of buildings in the Countryside;*
- evidence that there is a specific locational requirement for the proposal;*
- evidence that the proposal will result in significant economic benefit; and*
- its impact on travel patterns and accessibility by sustainable modes of transport".*

Policy EDQ 1– Site Appraisal

5.5.26 Policy EDQ 1 requires all development proposals to be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. In order to be concise, not all of the matters to be addressed in appraisals through Policy EDQ 1 are listed below, only those deemed to have relevance to the Development are listed. For the full list of matters, please refer to EDQ 1 in the NLLDP document.

5.5.27 *"The matters to be addressed in the appraisal include but are not limited to*

- *massing, height, style, finishing materials of any building or buildings on the site and surrounding Land Use Character Area*
- *orientation and topography of the site and surrounding Land Use Character Area*
- *mixture of uses in the Land Use Character Area*
- *public utilities, e.g. underground services (including the fibre network), drainage systems, overhead power lines*
- *ground stability and contamination on the site and surrounding Land Use Character Area*
- *existence and quality of connections and access including site and building entrances, roads, paths and visuals on the site and surrounding Land Use Character Area*
- *impacts associated with the holistic water environment and flood risk*
- *biodiversity of plants and animals on the site and surrounding Land Use Character Area*
- *heritage, or amenity value of buildings or structures above or below ground on the site and surrounding Land Use Character Area*
- *the nature and types of features to be safeguarded or enhanced on the site and surrounding Land Use Character Area*
- *in addition to the criteria set out here, proposals for renewable energy development must have regard to the considerations set out in Scottish Planning Policy paragraph 169."*

Policy EDQ 2– Specific Features for Consideration

5.5.28 Policy EDQ 2 states that for development in areas subject to hazards and other specific features, the Council will require Planning Applications to "be accompanied by an assessment of how constraints affect sites dependant on the characteristics of the site, its surroundings and the form of development".

5.5.29 The Policy outlines the following three categories which will be subject to such assessments:

- **Category EDQ 2A:** Hazardous Zones (HSE Hazard Consultation Zones, Flood Risk Areas, Contaminated Land Areas and Areas of Ground Instability);
- **Category EDQ 2B:** Utilities Infrastructure (Pipelines and Cables); and
- **Category EDQ 2C:** Management Areas (Air Quality Management Areas and Noise Management Areas).

Policy EDQ 3– Quality of Development

5.5.30 Policy EDQ 3 states that:

"Development will only be permitted where high standards of site planning and sustainable design are achieved. Planning Applications will need to demonstrate that the proposed development takes account of the site appraisal carried out as a requirement of Policies EDQ1 and, if appropriate, EDQ2".

5.5.31 The policy also lists various ways in which proposals must achieve high quality development. A full list of the requirements for achieving high quality development can be found in Policy EDQ 3 of the NLLDP however those most relevant are listed below. High quality development can be achieved by:

- "Moving towards a low-carbon economy, addressing resource efficiency, mitigation of and adaptation to the effects of Climate Change energy and

waste issues in order to create a sustainable development with a low ecological footprint”

- “Mitigating any likely air quality, noise, or pollution impacts particularly in or adjacent to Air Quality or Noise Management Areas.”.
- Ensuring that water body status is protected and, where possible, enhanced. ... Sustainable Urban Drainage Systems should be adopted within site design and appropriate details, including during the construction phase, require to be submitted with any relevant planning application. Buffer strips may be required in respect of the water environment between a development and each watercourse.”
- Ensuring “Adequate provision has been made for the development and maintenance of landscaped open space areas and amenity space and play provision, and for linking to and enhancing open spaces and green networks”.

Supplementary Planning Guidance

5.5.32 In addition to the statutory development plans listed above, the following key Supplementary Planning Guidance (SPG) documents are also considered to be material planning considerations, designed to inform and support the NLLP. The Council website states that *“this guidance aims to help you understand the key issues [for proposals]. ...It also provides checklists for good practice and sets out how we will assess planning applications against the issues raised”*:

SPG 1 – Landscaping

5.5.33 This SPG document (SPG1 – Landscaping⁴⁰) was formed to support Policies DSP 4 and NBE 1 and 2 of NLLP and provides detailed guidance on the impact of development on the surrounding landscape and how to mitigate landscape effects. It outlines what a Landscape Scheme should include and when they are required for planning applications. SPG1 is structured as follows:

- **A. Landscaping:** Sets out the initial considerations for landscaping design of new developments in North Lanarkshire (e.g. what is the intent of the landscaping and how will the physical conditions of the site alter any landscaping decisions);
- **B. Hard Landscaping:** sets out guidance on how hard surfaces and materials can be appropriately integrated into proposals. This section covers in particular guidance on Surfacing, Walls and Fences, and Street Furniture.
- **C. Soft Landscaping:** sets out guidance on how soft landscaping can be used for buffering, softening at development edges, for providing screening, privacy, enclosure or shelter, and how they can provide character. This section goes into particular detail on Trees and Shrubs.
- **D. Grassed Areas:** outlines how grass areas form important elements in many developments and provides guidance on how to integrate grassland into developments and what to avoid.
- **E. Maintenance:** Details the maintenance requirements which must be adhered to and provides guidance on Good Maintenance Practice.

SPG 1A – Landscaping Species Supplement

⁴⁰ North Lanarkshire Council (2009) *Supplementary Planning Guidance: Landscape* [Online] Available at: https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/01%20Landscaping_0.pdf (Accessed 12/04/2022)

5.5.34 This SPG document (SPG 1A: Landscaping Species Supplement⁴¹) is a species schedule which was formed as an addendum to SPG 1 Landscaping to further support Policies DSP 4 and NBE 1, 2 and 3 of NLLP. The SPG lists potentially appropriate species of Native Small Trees, Native Large Trees, Native Medium Trees, Non-Native Trees and Shrubs for in this region. The SPG also sets out how *"any landscape scheme should specify:*

- *The density or spacing (no/ metric area);*
- *Species (English/ Latin or both);*
- *Size (whip, standard, height and/or spread); and*
- *Location (though use of referenced key) of any new planting".*

SPG 8 - Assessing Development in the Rural Investment Area

5.5.35 This SPG document (SPG8: Assessing Development in the Rural Investment Area⁴²) was formed to support Policy NBE 3B of NLLP and addresses key issues and obstacles for development in the Rural Investment Area (RIA). The SPG provides detailed advice regarding what may be considered acceptable development in the RIA in terms of and land use, materials and detailing, access & car parking, landscaping, biodiversity.

SPG 9 – Flooding and Drainage

5.5.36 This SPG document (SPG9: Flooding and Drainage⁴³) was formed to support Policy DSP 4. The document *"provide[s] information about flooding and flood risk reduction through sustainable flood risk management. Advise[s] of requirements for preparation and submission of Flood Risk Assessments and Drainage Assessments"* and *"Provide[s] guidance regarding the use and maintenance of Sustainable Urban Drainage Systems (SUDS)"*.

5.5.37 SPG 9 outlines examples of design and types of sustainable drainage techniques for developers and also addresses the importance of the protection and enhancement of biodiversity when incorporating such measures.

SPG 12 – Assessing Planning Applications for Wind Turbine Developments

5.5.38 SPG 12: Assessing Planning Applications for Wind Turbine Developments⁴⁴ supplements Policy EDI3 (A)2 from the NLLP, by providing more detailed advice and criteria for wind turbine developments.

5.5.39 The document *"explains the requirements of planning applications for wind turbine developments"* and *"set[s] out how the Council will deal with such applications. It explains the factors that will be taken into account and seeks to provide clarity on what is not likely to be acceptable"*. Particular emphasis is placed in section C on areas of significant protection and potential constraints to

⁴¹ North Lanarkshire Council (2009) *Supplementary Planning Guidance: Landscaping Species Supplement* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/01A%20Landscaping%20supplement.pdf> (Accessed 12/04/2022)

⁴² North Lanarkshire Council (2010) *Supplementary Planning Guidance: Assessing Development in the Rural Investment Area* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/08%20Develop%20in%20the%20RIA.pdf> (Accessed 12/04/2022).

⁴³ North Lanarkshire Council (2010) *Supplementary Planning Guidance: Flooding and Drainage* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/09%20Flooding%20and%20Drainage.pdf> (Accessed 12/04/2022).

⁴⁴ North Lanarkshire Council (2012) *Supplementary Planning Guidance: Assessing Planning Applications for Wind Turbine Developments* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/12%20Wind%20Turbine%20Development.pdf> (Accessed 12/04/2022).

wind development (e.g. Sites of Specific Scientific Interest, Special Areas of Conservation and Scheduled Monuments).

5.5.40 The guidance also

- Aids in suitable site searching;
- Helps guide wind farm designs, particularly in terms of the number and height of turbines;
- Can help ensure that wind farm locations reflect the scale and character of the landscape within which they are proposed; and
- Can help ensure the appropriate supporting information is submitted with wind farm applications (e.g. Environmental Statement, Supporting Statement, A Transport Assessment, Community Engagement Statement).

SPG 15 – Good Design Toolkit

5.5.41 SPG 15: Good Design Toolkit⁴⁵ supports Policy DSP4 from the NLLP, by providing further guidance on the Council's requirements for all new development proposals to deliver high quality, well-designed places. The SPG summarises a range of tools which can be used to ensure the successful design of development and sets out how they can be implemented:

- Urban Design Framework;
- Community Engagement;
- Site Appraisal Checklist;
- Design Objectives;
- Design Briefs;
- Design Guides and Codes;
- Good Design Practice;
- Design and Access Statements;
- Concept Statements; and
- Masterplans.

SPG 16 – Community Engagement

5.5.42 This SPG document (SPG9: Community Engagement⁴⁶) was formed to support Policy DSP 4 of the NLLP. The purpose of the SPG is to encourage effective community engagement and involvement with the planning system 1. when policy is being prepared and/or 2. When planning applications are being made. It sets out information on when community engagement must or should be undertaken and also offers guidance on various methods of community engagement which can be implemented.

SPG 20 - Biodiversity and Development

5.5.43 SPG 20: Biodiversity and Development⁴⁷ was formed to support Policy NBE 1 and 2 and DSP 4 of the NLLP. The SPG provides detailed information on the impact of development on biodiversity and guidance on the growing biodiversity requirements.

⁴⁵ North Lanarkshire Council (2010) *Supplementary Planning Guidance: Good Design Toolkit* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/15%20Good%20Design%20Toolkit.pdf> (Accessed 12/04/2022).

⁴⁶ North Lanarkshire Council (2010) *Supplementary Planning Guidance: Community Engagement* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/16%20Community%20Engagement.pdf> (Accessed 12/04/2022).

⁴⁷ North Lanarkshire Council (2011) *Supplementary Planning Guidance: Biodiversity and Development* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/20%20Biodiversity.pdf> (Accessed 12/04/2022).

"It provides guidance on the issues to consider and practices to follow to protect and enhance biodiversity when:

- *preparing site development proposals,*
- *making a planning application and*
- *during site development so there is minimum net loss of biodiversity on site.*

The guidance seeks to help developers avoid breaching existing nature conservation legislation relating to the protection of habitats or species through site development."

5.5.44 The guidance breaks down the planning application process into 5 stages to clearly distinguish and outline the specific biodiversity requirements.

SPG 22 – Environmental Impact Assessment

5.5.45 SPG 22: Environmental Impact Assessment⁴⁸ was formed to support Policy NBE 1 and DSP 4 of the NLLP. The SPG provides detailed guidance for developers making applications which require an Environmental Impact Assessment. It also guides Development Management in assessing the environmental impacts of proposals.

The SPG is structured as follows:

- **A. Policy Context:** Sets out the policy context for EIA developments and how the process is important for protecting North Lanarkshire's environmental quality;
- **B. What is Environmental Impact Assessment:** sets out what the EIA process is and its main purpose;
- **C. When is Environmental Impact Assessment Required:** provides clarification on the type of projects which will always require EIA and those which only sometimes require EIA;
- **D. Screening:** explains Planning Authorities' statutory duty to consider development projects' need for EIA and how screening is undertaken;
- **E. Key Stages and Steps in the EIA Process:** outlines chronologically the key phases of the EIA process and the issues to be considered at each stage;
- **F. What is an Environmental Statement:** details what an environmental statement is what the statement should cover (e.g. how the environmental information was gathered and a description of the project);
- **G. Presentation of Environmental Statements:** provides advice on the structure and organisation of the Environmental Statement;
- **H. Consultation and Publicity:** outlines which statutory consultees the planning authority must consult with on the Environmental Statement and explains the requirements for public accessibility;
- **I. What Happens Next:** details how the planning authority evaluates the Environmental Statement through reviewing the statement's information and analysis, considering the representations from statutory consultees and the public, and from considering any information provided by the Council's own specialists.

Summary

5.5.46 This Chapter has identified the relevant energy, and national and local planning policy framework relevant to the Development. A separate Planning Statement, not part of this EIA Report, discusses the policy considerations in greater detail

⁴⁸ North Lanarkshire Council (2011) *Supplementary Planning Guidance: Environmental Impact Assessment* [Online] Available at: <https://www.northlanarkshire.gov.uk/sites/default/files/2020-09/22%20Environmental%20Impact%20Assessment%20EIA.pdf> (Accessed 12/04/2022).

and provides planning balance and conclusions on the acceptability of the Development in planning terms.