

Uncertainty still blowing in the wind

Are planning policies helpful in the development of renewable energy projects? Sarah Pirie looks at Scotland where a supportive planning policy has been implemented and asks if local authorities are embracing the policy spirit.

Scotland has the most ambitious targets for the use of renewable energy in the UK, at a steady 31% by 2011, climbing to an impressive 50% by 2020.

Renewable energy, the Scottish government says, is central to its efforts to 'create a more successful country' and adds its current efforts to ensure Scotland's planning system is 'an aid to increasing sustainable economic growth'.

As a result, the government has gone a long way to create a helpful planning policy framework for the development of renewable energy. Its refusal to develop any further nuclear power stations has also helped reinforce the positive climate.

Although Scotland boasts a substantial offshore wind and tidal resource, these are unlikely to come on-stream by 2020. The majority of the 2020 target, therefore, will be met by onshore wind.

Scotland possesses its own renewable energy planning policies: Scottish Planning Policy 6 (SPP6), Planning Advice Note 45 (PAN 45) and the recently published Annex 2 to PAN 45. The government's intention in issuing this policy and advice is to help local planning authorities make positive provision for renewable energy.

Published in early 2007, SPP6 puts in place a very supportive planning policy environment for wind farms. It states: 'wind farms should be accommodated where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily'. The policy also introduced some key changes to the previous policy context, such as ruling out a sequential approach, which meant requiring wind farm proposals conforming to a sequential consideration of tiered planning designations. The effect was to create more rigid zones where wind farm development would be acceptable rather than encourage consideration of proposals on a case-by-case basis.

The overriding problem however, is that despite the publication of SPP6 almost two years ago now, most planning authorities' local plans have not been updated to reflect the policy changes.

This is a major challenge for wind farm developers who are promoting their applications against evolving planning policies.

It would be natural to assume such uncertainty would mean planning authorities would decline to deal with planning applications until their update policy has been finalised. However, to avoid such delay, SPP6 requires planning authorities to carry on making decisions on wind farm planning applications, while updating their local plan policies at the same time.

One of the other bones of contention about SPP6 is that it does not allocate regional targets to the authorities in terms of the amount of renewable energy each area should contribute. This anomaly has created tension between central and local government because it's the local politicians who are coming under most pressure from the anti-wind farm lobby.

Given the importance of renewable energy to the Scottish Government, the government has been proactive in assisting planning and national park authorities with developing local wind energy development policies.

Last November, it published an Annex to PAN 45 (Annex 2) to provide advice on how authorities should prepare 'spatial frameworks' - or maps and policies - to guide wind farm developers to those areas most likely to accommodate wind farms of more than 20MW capacity.

Importantly, Annex 2 does not change the policies contained in SPP6, but helps planning authorities to put those policies into effect. The PAN itself relates to the development of wind energy planning policies and does not provide advice on determining specific applications.

The basic idea behind Annex 2 is that planning authorities will be able to provide developers with a clearer idea of where wind farm development can best be sited and the constraints which must be addressed, in order to make a development acceptable and thus easing the planning permission process for applicants and authorities.

Annex 2 also makes clear that the spatial plans should identify areas (known as broad areas of search) that most likely to be suitable for development, so directing development to the most appropriate places.

The Scottish planning system is currently undergoing major reform both in terms of the preparation and adoption of development plans and how planning applications are managed.

To avoid planning modernisation delaying updated wind energy planning policies, Scottish Government has required authorities to update their planning policies through supplementary planning guidance (SPG). The advice emphasises that the general public, as well as developers, community bodies and other interest groups, should be involved in the SPG preparation process, to give the SPG more weight as a material consideration during the decision-making process.

It almost goes without saying that areas which will be granted significant protection from wind farm development are areas designated for their national or international natural heritage, as well as green belts and areas where the limits of cumulative impacts have been reached.

Possibly the most contentious area of any proposed wind farm development are the landscape and visual impacts, but there is increasing recognition that not all of these impacts are necessarily regarded as being negative. Authorities' strategic environmental assessments have to consider these negative and positive effects of wind energy development.

In the case of wind farms it really does seem to be a case of beauty being in the eye of the beholder.

The possibility of cumulative effects, when more than one wind farm is visible from one viewpoint; or when several are seen during a journey; or when there is a gradual increase in the number or size of wind farms over time, is also a challenge for developers to address. Assessment of landscape character and capacity to absorb wind farm development in particular local authority areas may be helpful in determining whether a cluster of wind farms is preferable to a more widely distributed pattern which can then be used to inform the spatial elements local planning policy for wind farms.

One issue that often represents a significant constraint on development is impacts on radar systems for aviation. The SPG should recognise relevant aviation and radar issues and take them into account in formulating criteria based policies. Authorities should direct developers to the relevant consultees including National Air Traffic Service, Civil Aviation Authority, Ministry of Defence and airport operators, so that they can engage with them at an early stage in the design process, to establish the potential impacts and to agree acceptable technical solutions.

The potential impact on protected bird species such as risk of strike and loss of habitat has led to many a wind farm proposal being refused, the most well-known refusal being the 181 wind turbine proposal on the Isle of Lewis in the Outer Hebrides. The Scottish Government refused (some would argue controversially) the application last year because of the potential impact on protected species and their habitats.

This was despite the potential to create up to 400 local jobs - which would have been highly significant for the Islands economy.

Tourism is another area up for discussion in the wind farm planning debate, as Scotland's rural economy pretty much depends on the industry to supplement more traditional activities.

Although a recent report by Caledonian University in Glasgow on behalf of the Scottish Government, revealed that 'the negative impact of wind farms on tourism at national level is small and any reduction in employment in tourism will be less than the numbers currently directly employed in the wind power industry'. Even though the report generally concludes that wind farms and tourism are compatible, objectors frequently rely on this report to attack specific wind farm proposals.

As well as a good communication strategy, one key to securing public support has been to set up community funds to distribute some of the income generated to those most locally impacted by the wind farm. Although local politicians often take a keen interest in whether such funds have been set up, the existence of a community fund is irrelevant to the planning decision as the economic benefit is not directly linked to the development in the form of new jobs and the like. SPG should not therefore contain policies on such funds.

The Scottish Government has worked hard to create a positive planning policy framework for renewables development. As planning authorities publish their spatial frameworks for consultation over the next few months, it will be interesting to see if they have embraced the spirit of SPP6.

For if they have, some of the current policy uncertainty may finally be removed from the process, although as is the way with the unique nature of wind farms, all development applications will continue to be decided on a case-by-case basis.

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This article appeared in February/March 09 edition of Sustainable Solutions

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