

A7. RENEWABLE ENERGY & PLANNING POLICY CONTEXT

A7.1 INTRODUCTION

Section 7.1 of the 2009 ES explained the importance of plans and policies to EIA and outlined relevant components of the three-tiered Scottish planning system. This chapter should be read in conjunction with Chapter 7 of the 2009 ES.

Components of the planning regime as presented in the 2009 ES have substantially altered following a series of revisions and enactment of key legislation. The three planning tiers now comprise:

- National planning policy and guidance in the form of the National Planning Framework 2 (NPF2), consolidated Scottish Planning Policy and Planning Advice Notes (PANs), Designing Places policy statement and Circulars, produced by the Scottish Government;
- Strategic Development Plans, produced by strategic development planning authorities; and
- Local Development Plans and Supplementary Guidance, produced by local authorities.

A7.1.1 Relevance of Revised National Planning Tier

Revisions to national plans, policies and guidance presented in Section A7.3 of this Addendum chapter supersede those within the 2009 ES where stated. These alterations in conjunction with retained documents comprise the national framework under which the Viking Wind Farm will be considered.

A7.1.2 Relevance of Revised Strategic Planning Tier

The new strategic planning tier is not relevant to the project. As an island council Shetland is not subject to strategic development planning.

A7.1.3 Relevance of Revised Local Planning Tier

It is not anticipated that Shetland Islands Council will adopt its Local Development Plan under the new regime until spring 2012. The adopted local and structure plans described in the 2009 ES therefore remain the primary reference documents with regard to Shetland Council policy. Interim Planning Policy published in 2009 and the 2010 Main Issues Report, which documents emerging local policy, will also represent material considerations for the purpose of the project planning decision. These documents are considered further in Sections A7.4 and A7.5.

A7.2 NATIONAL GUIDANCE

A7.2.1 The National Planning Framework

ES Section 7.2.1 identified statements and targets within the original NPF and the NPF2 Proposed Framework relating to renewable energy and a proposed subsea link to Shetland.

The NPF2 Proposed Framework was formalised, following consultation, by the adopted NPF2 in June 2009.

NPF2 (paragraphs 48 and 146) retains government targets for carbon emission reductions and electricity demand from renewable sources, as confirmed in the Proposed Framework and recorded in the 2009 ES. A new subsea cable link with Shetland is included within National Policy 11: Electricity Grid Reinforcements.

A7.2.2 Scottish Planning Policies (SPPs) and National Planning Policy Guidelines

Section 7.2.2 of the 2009 ES outlined the role and status of SPPs and NPPGs in the Scottish planning system. SPPs and NPPGs have been structurally altered and amalgamated into the consolidated SPP document.

A7.2.3 Scottish Planning Policy

ES Section 7.2.3 detailed the first two stages in the process of consolidating Scottish planning policy and commented on the likely further consolidation of topic specific SPPs into thematic policies at stage 3. The Scottish Government consultation on this process is complete and the consolidated SPP, incorporating changes as referenced in the 2009 ES, was published in February 2010.

A7.2.4 SPP6 Renewable Energy

ES Section 7.2.4 provided an overview of Scottish Government policy on Renewable Energy, as documented in the key document SPP6: Renewable Energy. SPP6 has subsequently been revoked and replaced by paragraphs 182 – 195 of the consolidated SPP document. The updated renewable energy policy includes reference to the latest 2020 and 2050 Scottish Government targets for renewable energy generation (50% and 80% respectively). It also assimilates guidance previously located within Annex A to SPP6, regarding the need for Local Authorities to produce Spatial Frameworks for wind farms over 20MW, within the main text. Whilst the presentation and format of the updated renewable energy policy provides greater clarity than in SPP6, it presents no substantive change in policy.

A7.2.5 SPP7, SPP15, SPP23, NPPG14, NPPG19

ES Section 7.2.5 provided a brief introduction to other key Scottish planning policies of relevance to wind farm development. Those included were SPP 23 Planning and the Historic Environment; NPPG 14 Natural Heritage; SPP 7 Planning and Flooding; SPP 15 Planning for Rural Development; and NPPG 19 Radio Telecommunications. These documents have all been revoked and replaced by the consolidated SPP. No substantive change in policy occurred as a result of the consolidation process.

A7.2.6 PAN 45 Renewable Energy Technologies and Annex 2 Spatial Frameworks and Supplementary Planning Guidance for Wind Farms

Section 7.2.7 of the 2009 ES details the role and status of PAN 45 and includes reference to other key PANs of relevance to the proposed development.

It should be noted that the consolidated SPP, and not SPP 6 as stated in the 2009 ES, is now the definitive statement on renewable energy national planning policy. This does not affect the Section 36 application.

A7.3 STRUCTURE PLAN

Section 7.3 of the 2009 ES provided an outline of policies relevant to the Viking Wind Farm as confirmed in the adopted Shetland Structure Plan 2001-2016. Two key Interim Planning Policy (IPP) documents have been published by Shetland Islands Council since consultation on the 2009 ES. These provide detailed interpretation of a number of relevant Structure Plan policies and introduce two new policies of relevance. The documents are:

- Towards Sustainable Construction and Better Design in Shetland: Location, Design and Amenity Guidance and Policy for Housing and Other Development in Shetland (Dec 2009); and
- Minerals: Policy (Dec 2009).

IPP policies are material considerations in planning decisions. Table A7.1 outlines amendments to the policy framework as it was recorded in the 2009 ES.

Table A7.1: Structure Plan Policy Additions and Amendments

Amended Policy/ New Policy	IPP Policy
Towards Sustainable Construction and Better Design in Shetland	
Natural and Built Environment GDS4	LDP2: All Development: Layout and Design
Shetland Landscape and Design NE1	LDP2: All Development: Layout and Design; and SPG1: Layout and Design
Built Environment BE1	LDP5: All Development: Historic Built Environment
New Policy	LDP1: All Development: General
Minerals	
Other Minerals MIN2	LDP MIN2: Proposals for Mineral and Aggregate Extraction
Other Minerals MIN3	LDP MIN2: Proposals for Mineral and Aggregate Extraction
New Policy	LDP MIN3: Recycled and secondary Materials

IPP policies relevant to the wind farm are:

- Policy LDP1: Policy LDP1 is intended to incorporate sustainable development into the planning process in accordance with consolidated Scottish Planning Policy. It requires that new developments satisfy location, design, access and parking, waste management, foul and sustainable drainage schemes, amenity, and other relevant policy criteria.
- Policy LDP2: Policy LDP2 seeks to ensure good design such that development respects and/or responds to the character and local distinctiveness of site context.
- Policy LDP5: Policy LDP5 includes minor amendment of text in SP BE1 and does not represent substantive policy change.
- Policy LDP MIN2: Policy LDP MIN2 is designed to ensure development meets stringent requirements with regard to need, environmental impacts, aftercare and transport implications.

- Policy LDP MIN3: Policy LDP MIN3 is designed to promote the use of recycled and secondary aggregates and promote efficient production of primary materials where new extractions are proposed.
- Policy SPG1: Policy SPG1 requires that all developers demonstrate design in accordance with specified principles and outlines standards to be achieved in ensuring sympathetic design in terms of the surrounding landscape and built environment.

A7.4 LOCAL PLAN

Section 7.4 of the 2009 ES identified aspects of the local plan relevant to renewable energy development in Shetland and detailed policies pertinent to the Viking Wind Farm. Since publication of the 2009 ES, local planning policy has been updated through the introduction of IPP as documented in Section A7.4 above. IPP policies of relevance to the project are SPG26: General Requirements for All New Developments, from Towards Sustainable Construction and Better Design in Shetland, and SPG MIN11: Borrow Pits, presented in the Minerals IPP.

Policy SPG 26 amends and broadens the scope of Local Policy HOU4: General Requirements for all Dwellings. SPG 26 introduces a list of requirements that must be met by new development and affirms the relevance of existing local plan policies on a number of topics. It also includes the requirement that proposed development not significantly harm sites valued for their peat resource.

Policy SPG MIN 11 amends criteria applicable to borrow pits in Local Plan policy MIN7 documented in the 2009 ES. It also requires treatment of borrow pits as per any other mineral extraction scheme.

A7.4.1 Emerging Local Policy: Local Development Plan Main Issues Report

Shetland Islands Council published a Main Issues Report (MIR) in March 2010 complying with the requirements of the Planning etc (Act) 2006 which requires the MIR as one of the first stages in producing a new Local Development Plan (LDP).

Shetland Islands Council states that the aim of the MIR is to stimulate debate and discussion on the main planning issues facing Shetland in both the long and short term.

The MIR considers that the Mission Statement for the LDP should be to:-

“work together for a future that is better and brighter. In particular, we aim to create a secure livelihood, look after our stunning environment and care well for our people and our culture”.

To do this it is stated that Shetland Islands Council will *“seek to develop new and innovative ways of encouraging sustainable economic and residential development in the Islands through planning policy”.*

A number of statements are made to support this vision including:-

- Encouraging tourism and supporting new economic opportunities;
- Developing more connected and sustainable communities to encourage more individuals and families to stay, grow and thrive in Shetland, whilst making provision for an ageing population;

- Using land, buildings and infrastructure appropriately and to the full, minimising waste;
- Conserving important historic and cultural assets; particularly Shetland’s traditional crofting way of life and traditions;
- Promoting the creative use of previously developed land where available;
- Furthering the conservation of biodiversity;
- Making sure that new development is environmentally sensitive and of good quality;
- Protecting and enhancing areas for recreation and natural heritage;
- Supporting better access to the Islands by foot, cycle and public transport.

Options for spatial strategies are discussed within the MIR and there is recognition of the targets introduced by the Climate Change (Scotland) Act 2009. The MIR recognises Shetland’s potential and refers to the intention to produce Interim Planning Policy (IPP) on matters including wind farms.

The information contained within the MIR will be relevant to the degree in which it affects the future LDP and emerging planning policy.

A7.5 SUPPLEMENTARY PLANNING GUIDANCE

Section 7.5.3 of the 2009 ES identified the draft Supplementary Planning Guidance (SPG) that was being prepared by Shetland Islands Council.

Following consultation on the previous SPG the Council determined not to progress that document to final approval but sought instead to examine new guidance which took into account the terms of the now superseded SPP6 ‘Renewable Energy’.

The council commissioned ‘Land Use Consultants’ (LUC) to carry out a review of landscape sensitivity to wind farm development on the Shetland Islands. The results of the study were published and reported to Shetland Island Council towards the end of March 2009.

At the time of writing it is understood that Shetland Islands Council are formulating a revised SPG which is due to be reported to their Planning Board in 2010 with a recommendation that the revised SPG is approved for consultation purposes. The consultation draft SPG is not public but will become a relevant consideration if the Committee is minded to approve the draft for consultation. The material weight to be attached to a future draft will need to be considered in the context of responses to the consultation draft SPG and ultimately Shetland Islands Council's decision on whether to approve the final SPG.

A7.6 SHETLAND NATURAL HERITAGE FUTURES

In 2002 Scottish Natural Heritage (SNH) published a suite of documents designed to “guide the future management of natural heritage towards 2025”. “Natural Heritage Futures: Shetland” (SNH, 2002) described the existing natural heritage of the Shetland Islands, identified the pressures which are affecting it, described SNH’s vision for its future management and provided objectives and actions designed to bring about that vision. The document was updated in SNH (2009), “Natural Heritage Futures Update: Shetland”.

Amongst other key influences and trends, SNH (2002) identified:

- Intensive grazing by sheep on the uplands. The 2009 Update reports that there is a visible improvement in the condition of moorland habitats where sheep grazing intensity has been reduced. Reduced grazing intensity is a key part of the proposed Viking Wind Farm's Habitat Management Plan.
- Development in the countryside, particularly on sites which do not fit into existing settlement patterns, leading to a loss of local character. Under this heading, the 2009 Update comments on developing Scottish Government targets for renewable energy generation and the possibility that the provision of a submarine cable to the mainland may allow the development of a major windfarm in central Shetland.
- The effects of climate change due largely to the use of fossil fuels, especially on species such as whimbrel which are close to the limit of their climatic range. The proposed Viking Wind Farm is designed to reduce our reliance on fossil fuels by substituting renewable energy generation for generation by fossil fuels. Measures to provide improved habitat for whimbrel and other bird species are a key part of the proposed Viking Wind Farm's Habitat Management Plan.

SNH's (2002) Vision for the islands in 2025 includes:

- Reduced sheep grazing numbers and sustainable management of the moorlands, in order to maintain heather cover.
- Most local energy needs being met from renewable sources such as tidal mills and wind farms. The 2009 update extends this vision significantly, assuming that a connection to the National Grid will "...allow Shetland to make use of its unparalleled renewable resources in a sustainable way, minimising impacts on the natural heritage. Shetland can provide electricity for mainland Britain, contributing to the UK's commitment to greenhouse gas reductions and benefiting the islands financially."

The Objectives and Actions which support the Vision include:

- **Objective 3: To maintain and restore upland habitats.** Overgrazing and drainage are cited as the major causes of damage, and Actions include reducing grazing pressure and restoration of heather moorland and blanket bog. SNH (2009) extends this to support a trial moorland restoration scheme currently under way in south Mainland.
- **Objective 6: To restore locally endangered habitats and species.** Once again, overgrazing is cited as the main threat to Shetland's sensitive plant species. The Habitat Management Plan for the proposed Viking Wind Farm contains firm commitments to habitat restoration, including providing improved and extended habitat for species such as whimbrel and other birds.
- **Objective 7 – To maintain the character of the Shetland landscape.** This section includes discussion of quarries and borrow pits and makes the point that many, small, poorly reinstated borrow pits can cause a large cumulative effect on the landscape. However, obtaining stone locally "...avoids the environmental impacts of hauling it long distances and if carefully sited and reinstated to minimise their visual impact, borrow pits can be environmentally benign. They can also provide useful rock exposures for geological study". Wind farms are mentioned only in passing, to note that they (with telecommunications facilities) necessarily occupy prominent positions and "can represent a significant intrusion into areas of relatively wild landscape".

In the 2009 Update, Objective 7 is expanded as follows: “The proposed development of a large windfarm in central Shetland will inevitably have a significant effect on the landscape and whilst every effort should be made to minimise that impact, they [*sic*] must be weighed against the national and international environmental benefits of reducing greenhouse gas emissions.”

- **Objective 9: To reduce Shetland’s contribution to the causes of climate change.** In this context, it is a stated objective to protect blanket bogs which are a major carbon store. SNH (2002) also states that Shetland has significant potential for wind energy, but that technical and economic factors may limit the export of power to the National Grid. For this reason, it says, “renewable energy generation should be geared towards meeting local requirements...” However, this is superseded by SNH (2009) which states in its updated Vision the assumption that Shetland would, by 2025, have a subsea link allowing it to export power to the National Grid. Amongst the SNH (2002) Actions against this objective is “promote commercial, community and domestic renewable energy schemes.”

A7.7 SUMMARY CONCLUSION

Section 7.6 of the 2009 ES provided an overview of the chapter and summarised policies and plans relevant to aspects of the project in 2009 ES Table 7.1. As a result of changes in policy documented in this ES Addendum, information presented in the summary table has been updated. A revised summary of policies and guidance relevant to the proposed wind farm development, including cross references to ES and ES Addendum chapters where relevant information is presented, is provided in Table A7.2.

Table A7.2: Summary of plans, policies and guidance

Aspect	SPP	PAN	Structure Plan	Local Plan	IPP/MIR	Relevant chapter of ES/ ES Addendum
Sustainable development	NPF2, SPP	PAN 45, PAN 51, PAN 58	GDS 1, SPNE3,		LDP1, LDP26	2&7
Renewable energy	NPF2, SPP	PAN 45	ENG3, ENG4	ENG6, ENG7, ENG8, ENG11		2&7
Wind energy	SPP	PAN 45				2&7
Landscape & Visual	SPP	PAN 45, PAN 60, PAN 50, PAN 51, PAN 68	NE1, CST1, GDS4, MIN1, MIN2, MIN3.	NE10, MIN7, BE13	LDP1, LDP2, SPG1, LDP MIN1, LDP MIN2, LDP MIN3, LDP MIN11, LDP26	8 & 9
Ecology	SPP	PAN 45, PAN 60	NE4, NE5, NE6, NE7, NE8, NE9, WD1,	ENG8, NE13, NE15	LDP26	10
Birds	SPP	PAN 45, PAN 60		ENG6	LDP26	11
Noise		PAN 45, PAN 56		ENG7		12

Aspect	SPP	PAN	Structure Plan	Local Plan	IPP/MIR	Relevant chapter of ES/ ES Addendum
Cultural Heritage	SPP	PAN 42	BE1, BE2	ENG6	LDP5, LDP26	13
Soils & Water	SPP	PAN 51	WD1, WD2	WD5,WD11, WD12	LDP1, LDP26	14
Roads & Traffic	SPP		PAN75		LDP1	15
Air & Climate						16
Social & Economic	NPF2, SPP		GDS 2, GDS4, GDS 5, IND 1, IND2	NE14, TP14	LDP1, LDP2	17
Telecommunications & Aviation	SPP	PAN 45		TP11		18
Recreation & Tourism	SPP	PAN 68				19

A7.8 REFERENCES

SNH (2002) Shetland Natural Heritage Futures. SNH, Battleby

SNH (2009) Shetland Natural Heritage Futures Update. SNH, Battleby