

## Response to Argyll and Bute Local Development Plan2

Scottish Renewables is the voice of Scotland's renewable energy industry, working to grow the sector and sustain its position at the forefront of the global clean energy industry. We represent around 260 organisations working across the full range of renewable energy technologies in Scotland and around the world, from large suppliers, operators and manufacturers to small developers, installers and community groups and companies right across the supply chain.

Scottish Renewables welcomes the opportunity to comment on the draft Argyll and Bute Council Local Development Plan (LDP).

Renewable energy is critical both to Scotland's economy and to meeting our challenging climate change targets. It is also important for Argyll and Bute as a way of creating jobs and a supply chain that can address depopulation and bring economic gain and community resilience to the area.

With so many of our members active in the region, and the significance of the renewable energy resource across Argyll and Bute, our comments below have been prepared to provide a contribution from Scotland's renewable energy industry.

### The Wider Policy Context

It should be noted that the targets of the Climate Change (Scotland) Act 2009 referred to in section 1.5 of the Written Statement have been superseded by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. Scotland now has a target of net-zero emissions by 2045 and a challenging interim target of a 75% emissions cut by 2030. The Local Development Plan (LDP) therefore needs to be updated to take account of these more ambitious targets.

The document does not refer to the nationally declared climate emergency, nor to the radical changes to the planning system which the Scottish First Minister has committed to in the forthcoming review of planning and the National Planning Framework (NPF).

It is also notable that no reference is made to the UK Climate Change Committee (CCC) 2019 advice to Governments on achieving the net-zero target which stated that low carbon electricity generation "must quadruple" and recommended that planning frameworks create "a favourable planning regime for low-cost onshore wind."

It is welcome that the Plan states at 1.15 a willingness to review elements of the Plan to take account of changes to the wider context. **We recommend that the LDP is amended to reflect the new policy context.**

The Planning (Scotland) Act 2019 provides that, where there is policy conflict between an LDP and the NPF, the most recently prepared policy document should prevail. Given the Scottish Government's timeline for the NPF4 becoming part of the statutory Development Plan, there is a risk that this LDP will be superseded soon after its adoption.

It is our view that the policy framework and land use strategy currently set out in this LDP may be found significantly out of date once NPF4 is approved, as we expect NPF4 to be significantly more ambitious with its policy response to climate change. **We recommend that a significantly more ambitious policy framework should be proposed within the LDP to respond fully to climate change.**

### **Landscape Capacity Study**

The clear commitment to renewable development is welcome but the LDP appears to give undue weight to the Landscape Capacity Study of 2017. Our members have significant concerns regarding the nature and interpretation of this document, and even more concerned at the suggestion that it be adopted into the LDP.

Landscape Capacity Studies (LCS) have been produced by a very limited number of professionals, who do not generally advise on commercial onshore wind energy developments. The repeated use of Landscape Capacity Studies to object to windfarm proposals, which are then overturned by Reporters at appeal, demonstrates the ambiguity and lack of fitness of policy in this area. **We would urge the Council to rethink its approach to the LCS for Argyll and Bute.**

The LDP describe the LCS as providing 'detailed and strategic' policy advice and that developers will be required to demonstrate how they have taken that into account. LCS's are strategic rather than detailed documents. A detailed assessment of the ability of a site to accommodate wind energy development can only be undertaken within a site-specific Landscape and Visual Impact Assessment.

What should not be allowed to occur in policy is for a LCS to be used as a development management tool as currently proposed within the LDP. This is problematic because a strategic, regionally based Landscape Capacity Study cannot envisage site specific design responses nor the future pattern of built out wind energy development. We can only foresee a situation where LCS's will be used to restrict and frustrate development rather than enable development to happen, which is inconsistent with Scotland's climate change objectives.

There has also been a great deal of innovation in wind turbine design and the latest wind turbines are tending to be larger in scale than the historically deployed fleet. The LCS takes a very stringent approach to maximum acceptable tip heights in many areas that is no longer justified. The decisions

on turbine tip height should be made based on a site-specific Landscape and Visual Impact Assessment and not on the LCS.

We understand that many of our members have raised serious concern about the LCS's application to consenting decisions through the ABRA group, but it appears that the Council has not yet taken these concerns on board.

In adopting the LCS document the Council appears to be at odds with its own commitment to taking a more flexible approach to renewable energy development, placing decisions in the hands of the LCS author rather than within the Council. **The Council should consider whether its adoption of the LCS will undermine its capacity to pursue its wider policy commitment to create jobs and sustainable development in the region.**

#### **Spatial strategy for wind turbines**

In Policy 30 the Council appears to have misinterpreted Scottish Planning Policy (SPP) by not explicitly recognising that in 'Areas of Significant Protection' (Group 2) wind energy developments may be permitted subject to impacts being found acceptable on a case-by-case basis. **More explicit recognition of the policy relating to Group 2 and renewables will promote more flexibility and a less conflict-laden and more objective determination process.**

It is also worth noting that the map on Page 56 identifies some areas subject to 'high protection' that contain operational windfarms. This demonstrates some significant issues with the map and highlights the issues with taking a generic, constraint-led approach rather than considering all effects of a development proposal in the round, on a case-by-case basis.

Argyll and Bute communities may lose out from the benefits of renewable energy if the LDP does not provide for more flexibility. Such flexibility is important, because there are many factors that will affect the acceptability of wind farm development, including mitigation and site-specific conditions. Overreliance on map-based spatial plans is likely to severely and disproportionately constrain development opportunities.

The Council will also be aware that onshore wind, hydro and solar now have no investment support mechanism. This means the delivery of commercially viable projects will need to be located where there is high confidence of good energy yield in order to succeed. This should be factored into the LDP's approach and again reinforces the sub-optimal nature of the Landscape Capacity Study and the constraint-led interpretation of Table 1 of the SPP.

**The LDP commits to taking a flexible approach to planning conditions considering economic viability issues when it comes to housing in Policy 48. Onshore renewables should be afforded similar treatment so that financial burdens imposed through the planning process are kept to an absolute minimum.**

#### **Wider landscape issues**

Planning policy already affords National Parks and National Scenic Areas (NSAs) protection from development. It should be recognised that the majority of the higher quality wild land already sits within these protected areas.

Those wild land areas that are outwith NSAs and National Parks are typically highly variable and of lower quality. Considering the multiple research sources that confirm onshore wind farms have no negative impact on tourism, treating wind farms as entirely negative from an aesthetic point of view is not justified.

Sections 9.7 to 9.12 of the LDP treat wild land as if it is a designation when Ministers have made it repeatedly clear that it is not a designation, and that these areas do not equate to 'wilderness'.

**These sections of the LDP should be revised to reflect this.**

#### **Pumped Storage**

We welcome the strong support in the document for pumped storage hydro projects as these and other storage technologies will provide the balancing and the energy management required in a 100% clean energy future.

#### **Low carbon heat**

The LDP mentions the need for energy efficiency in housing as part of a Sustainable Building Checklist, but there this is no mention of renewable heat technologies. Changes to Building Standards mean that from 2024 new homes must use renewable or low carbon heat.

Whilst seeking to co-locate developments with heat demand close to sources of timber biomass, it may also be useful to highlight the opportunity to support renewable heat networks in areas where there are existing concentrations of housing, and to include a wider list of renewable technologies than those listed – for example ground and water source heat pumps as well as air.

Given that heating results in around half of all climate change emissions from energy, low carbon heat will likely be prominent in new planning regulations and in the National Planning Framework 4.

It may be appropriate to toughen up the requirement for renewable heat technologies and networks to be considered within this LDP so it does not require updating in the near future with regards to heat.

### **Electric Vehicles**

We strongly welcome the Council commitment to expand the use of electric vehicles across the region and agree with many of the proposed actions. In addition, support could be stated in the LDP for renewable energy projects which can deliver electrification of transport e.g. wind, solar and hydro attached to storage batteries and EV charging points near the road network and also to power bus services.

**A presumption in favour of local generation of electricity for consumption as a transport fuel should be considered.** Renewable electricity sites with high voltage connections are ideal for the type of charging facilities needed for the bus fleet.

It may also be worth including a reference to potential provision of EV charging facilities as a form of community benefit associated with renewable generating stations.

The public sector car parking estate could also be highlighted as an opportunity for community EV charging facilities.

We recommend that that a revised LDP is needed that takes a significantly more ambitious policy approach to planning for the climate emergency, in line with Scottish Government climate change obligations and their stated commitments for NPF4.

In addition, all of the policy areas concerned with subjective matters such as Landscape and Visual Impact should be revisited in light of the climate change imperative.

We request that we are given the opportunity of presenting evidence to the LDP Examination should our substantive concerns outlined above not be addressed within a revised LDP. Should you need any further information please don't hesitate to contact me.

Yours sincerely

Morag Watson  
Director of Policy