



Scotland Against Spin

The alliance for all opposed to National Wind Energy Policy

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SPP Review Team
Area 2H, Victoria Quay
Edinburgh, EH6 6QQ

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Dear Sirs,

Re: SPP Consultation Response

I am responding on behalf of an organisation.

I am agreeable that the name and address of Scotland Against Spin (the organisation) is made available to the public (in the Scottish Government library and/or on the Scottish Government web site) and that you may share our response internally with other Scottish Government policy teams who may be addressing the issues we discuss. I am content for the Scottish Government to contact me again in relation to this consultation exercise.

Question 1 Sustainable Economic Growth

Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?

Are there other measures to support sustainable economic growth that you think should be covered in the SPP?

Answer: Maybe, but unrealistic.

Comment: Development plans tend to be aspirational rather than properly grounded in economic reality and are designed to meet Scottish Government ambitions rather than the realistic affordable needs of the country and communities. At 19 it says that plans should be informed by sound evidence about the key economic issues, challenges and opportunities within the plan area but that is not being followed in practice.

For example, the development of both onshore and offshore wind farms is assumed to create employment, yet no independent audit has been carried out of the sustainable jobs created or the broader economic benefit of existing wind farms. In fact there is mounting evidence that very few permanent jobs are created beyond the development and construction phases, that the UK is unable to develop a manufacturing base related to wind energy and that the net effect on total employment and economic development of continuing turbine development is negative.

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In a top-down system public input to consultations rarely, if ever, has any impact in the final design of development plans.

It is every citizen's ambition to see a sustainable economy with full well-paid employment and opportunities for all but they are also aware that economic realities do not always match ambitions.

The Scottish Government says that the aim is to achieve the right development in the right place, rather than development at any cost. These are fine words but not matched by reality in the past and will not be in the future as long as policy is developer-led and the concerns of communities and individuals set aside, as in the case of on-shore wind generation.

We agree that "planning authorities and key agencies should provide a supportive business environment, managing efficient and transparent processes" but we need to see a table of results to measure how cost effective this really is. We need to be able to see value for money so this needs to be monitored by Scottish Government. Budgets will be spent but we need to know what has been achieved as in many cases money will be being wasted which could be put to better use elsewhere. Every planning authority is targeting the same commercial partners with only one outcome, which is that many areas will fail. Development sites for renewables should be dealt with strategically through NPF3. Developers cannot go everywhere.

Question 16 Heat & Electricity

With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate?

Answer: Yes, subject to the following comment.

Comment: The question infers that there should be a defined separation and we welcome an attempt to address the likely impacts on communities, including longterm and significant impact on amenity.

It is important to have a set back distance to protect communities from intrusive visual impact on residential amenity. The consultation seeks to establish the level of separation required to protect communities from unacceptable visual impacts. The planning system has difficulty in defining "unacceptable visual impacts" and there is no specific guidance so it is left very much to the developers in the first instance to decide what is an unacceptable visual impact and that and noise and shadow flicker is what informs the constraints introduced by wind farm neighbours in wind farm design. To the best of our knowledge no developer has found an unacceptable level of visual impact in preparing Environmental Impact Assessments although many reporters, in dismissing appeals, have.

There is therefore a level of uncertainty that would be removed by introducing a separation distance of 2.5km between turbines of say, 100 metres and taller, and communities.

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This separation distance should be mandatory, not merely a guide that can be set aside in favour of other considerations. The existing separation distance is largely ignored in practice so offers little, if any, protection to residents and because it is so ineffective has created a great deal of anger and disillusion with the planning system.

The question uses terminology that is vague. It talks about "*Community*" separation" and then goes on: "*a separation distance of up to 2.5 km is recommended between wind farms and cities, towns and villages identified in the local development plan*". In our view a community comprises a geographical community of individual dispersed dwellings not necessarily forming a village or a settlement of immediately adjacent dwellings. Scottish Planning policy should take note of distinctive patterns of rural settlement in Scotland - unlike much of the UK rural dwellings in Scotland tend to be much more dispersed but that they nevertheless make up a village or community. Community Councils represent this type of community in the work that they do and it should be made explicit in the SPP that individual dwellings will receive the same level of consideration as cities, towns and villages. We take it that is what is meant with the term 'community' in the SPP but that has to be made clear and should not be left as a matter of interpretation. One key consideration in the question relates to visual impact on residential amenity and that twenty-first century industrial scale wind turbines are prominent in an open landscape. Scottish Natural Heritage recognises that they are prominent in any landscape generally within a 3 km radius and the word open should be removed. Another key consideration should be blight and compensation. Some properties, through no fault of the owners, but entirely due to the proximity of wind turbines become impossible to sell or to sell for what would be a normal fair market price. That is unfair and an acceptable solution must be found. One would be a set back distance of 2.5 km from a dwelling. In addition, compensation should be awarded to all those who have suffered losses in residential amenity and property value as it is unjust that windfarm neighbours are excluded from compensation schemes that apply to neighbours of other environmentally damaging infrastructure projects such as motorways and rail lines.

We would like the terms of paragraph 187 of the current SPP to be reintroduced and in particular the advice that "*the design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised*".

This should apply to all groups 2 and 3 where there are likely to be wind farm neighbours present.

Consultation Question 17 Spatial Frameworks

With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development and protecting the natural environment and managing visual impacts on communities?

Explanation: The current SPP's approach to spatial frameworks requires planning authorities only to identify designated landscape constraints to wind farm development. This was expected to be a high level spatial planning exercise, followed by more detailed consideration of

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landscape sensitivities at the development management stage. However, most planning authorities have gone further, preparing landscape character and capacity studies and including undesignated locally valued landscapes as additional constraints within the spatial framework. In many cases, it has been difficult for the development sector to establish the relative weight to be given to the various landscape considerations in identifying the best locations for wind farms and appropriate mitigation.

The approach proposed therefore adjusts the format for preparing spatial frameworks so that landscape designations and other planning considerations, which are likely to preclude or restrict wind farm development, are identified in Groups 1 and 2 respectively. Undesignated locally valued landscapes are included in a new and separate Group 3, where it is expected that opportunities can be realised through good design or mitigation. Groups 3 and 4 taken together are equivalent to current 'areas of search'.

Other adjustments have been made to the planning considerations in each group. The intention of this more refined approach is to improve the clarity of spatial frameworks, particularly in relation to the relative weight to be given to landscape considerations. In most planning authority areas only modest changes to spatial frameworks will be required. The proposed removal of the 20 MW threshold is intended to encourage all planning authorities to develop spatial frameworks for the full range of scales of wind farm development appropriate to their areas.

Answer: It is an imperfect solution introduced too late in the day. In a perfect world with a level playing field and honourable players it should work, but that is not what we have.

Comment: Spatial planning, Areas of Search and Landscape Character Assessments have largely been ignored by developers and this cavalier attitude to the constraints introduced by topography, wind farm neighbours and cumulative impact will increase as sites become fewer. The developers' Environmental Impact Assessments consistently argue the irrelevance of Spatial Planning for wind farm developments and their experts "know better" what is acceptable and where. Local Planning Authorities have no power to insist on developers following spatial advice in terms of location, numbers and heights of turbines, and all envelopes will be pushed in the subsidy hunt. Communities are cannon fodder in this process. In the end, for the developers, it is a percentage game and the human damage and despair we have encountered in the process is horrendous. The only way to mitigate adverse visual impact is distance.

Question 18 Community Benefit

Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?

Answer: No.

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Comment: The Scottish Planning Policy should not go beyond what is drafted.

Community benefit is being seen by many professional planners and lay people to unfairly and insidiously upset the balance in the planning system. It is broadly seen across the board that community benefit is an inducement tantamount to an attempt to buy planning permission or as Tim Yeo MP boldly stated “a bribe”. We believe that the principles of impartiality and transparency are already being compromised. To set a bench mark for what is a “voluntary” contribution for developers must compromise Scottish Planning Policy. Heads of Planning Scotland and Scottish Renewables noted their concerns in evidence given to the Scottish Government Economy, Energy Tourism and Committee in 2012. If Scottish Planning Policy is an important material consideration then it is difficult to see how community benefit across the board is not given weight and that is completely unacceptable.

While wind developers should be required to share their profits with the communities that are forced to suffer their developments, this should take the form of a centrally-collected tax which would play no part in the planning process.

This completes our response to Scottish Planning Policy Review (Draft).

Yours faithfully,

Graham Lang
Chair, Scotland Against Spin