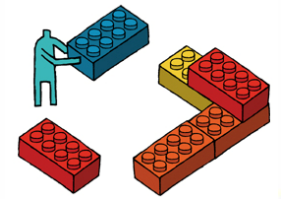


Planning for On Shore Wind in Scotland

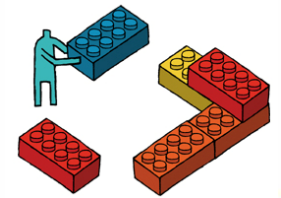
Neil Collar

Head of Renewable Energy, Brodies LLP



On Shore Wind – Planning Permission

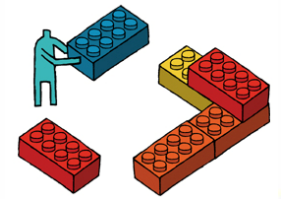
Size of development	Decision maker	Appeals
50+ MW	Scottish Ministers	Court of Session
20-50 MW	Council	Scottish Ministers
Under 20 MW	Council/ officers – scheme of delegation	Scottish Ministers or Local Review Body
Microgen	n/a	n/a



On Shore Wind – Planning Permission

Size also determines:

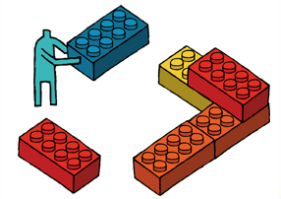
- need for pre-application consultation
- need for EIA
- whether time limit for determination is 2 or 4 months



On Shore Wind – Planning Permission

Scottish Planning Policy (2010)

“ensuring that an area’s renewable energy potential is realised and optimised....”

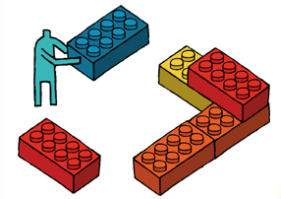


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Scottish Planning Policy (cont)

Planning authorities should support the development of wind farms in locations where:

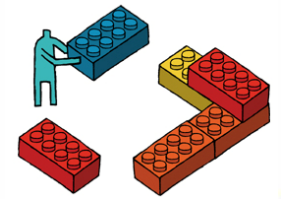
- the technology can operate efficiently; and
- environmental and cumulative impacts can be satisfactorily addressed.



On Shore Wind – Planning Permission

Development plans (SPP):

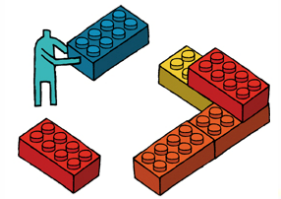
- areas requiring significant protection
- areas with potential constraints – “considered on their individual merits”
- areas of search – “likely to be supported”
- not sequential approach – development OK even if sites in areas of search



On Shore Wind – Planning Permission

Development plans – cont. (SPP):

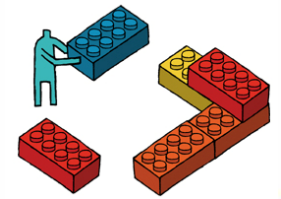
- 2km separation distance between areas of search and edge of cities towns and villages



On Shore Wind – Planning Permission

Material considerations (SPP):

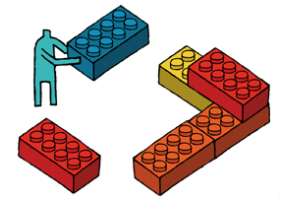
- landscape and visual impact
- natural heritage and historic environment,
- renewable energy generation targets,
- local and national economy and tourism and recreation interests



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Material considerations – cont. (SPP):

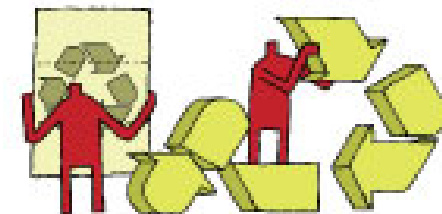
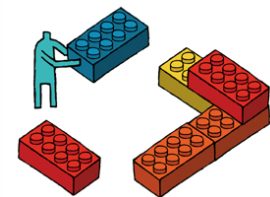
- benefits and disbenefits for communities,
- aviation and telecommunications,
- noise and shadow flicker, and
- cumulative impact.



On Shore Wind – Planning Permission

Conclusions:

- no regional/ local targets
- capacity determined by cumulative impacts
- location, location, location



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