

Issue 14	A Low Carbon Place	
Development plan reference:	Low Carbon Place Section, pages 45-48 Policy 31 (Renewable and Low Carbon Energy), pages 49-52 Policy 32 (Sustainable Heating & Cooling), pages 53-55 Policy 33 (Electricity Transmission Infrastructure), page 55	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Tayside & Central Scotland Transport Partnership TACTRAN (0057) Dr David Gordon (0130) Braes of the Carse Conservation Group (0161) Shell UK Limited (0195) Bill & Joyce MacGregor (0262) Stewart Milne Homes (0290/03) Scottish Natural Heritage (SNH) (0353) Alistair Godfrey (0410) The Friends of the Ochils (0430) Auchterarder & District Community Council (0431) Scottish Government (0451) Springfield Properties PLC (0455) Woodland Trust Scotland (0462) Barratt North Scotland (0513) The Gleneagles Hotel (0522) The John Dewar Lamberkine Trust (0532) The Royal Society for the Protection of Birds (RSPB) (0546) Homes for Scotland (0562) Councillor Michael Barnacle (0584) Scone Estate (0614) A & J Stephen Limited (0622) Scottish Power Renewables (0625) Bridgend, Gannochy and Kinnoull Community Council (0660) Scottish Environmental Protection Agency (SEPA) (0742)		
Provision of the development plan to which the issue relates:	A Low Carbon Place Chapter including Low Carbon Place (Vision, Objectives & Spatial Strategy) and Policies 31, 32 and 33	
Planning authority's summary of the representation(s):		
Low Carbon Place		
Vision, Objectives & Spatial Strategy		
TACTRAN (0057/01/012) supports the overarching vision and key objectives of the Low Carbon Place section.		

Stewart Milne Homes (0290/03/003) question the need for the Plan to address issues such as low and zero carbon generating technologies which can be more appropriately dealt with under Building Regulations.

Scottish Government (0451/01/004) seek the inclusion of a new policy to fulfil the provisions of Section 3F of the Town and Country Planning (Scotland) Act 1997 (as amended) (CD031). Examples of adopted policies from other Councils are suggested (RD060).

Woodland Trust Scotland (0462/01/022) seek a change to Section 3.2 to include reference to native tree planting and native woodland creation to ensure compliance with NPF3 (CD003), support Scottish Government tree planting targets (RD074) and highlight associated carbon and other environmental benefits from tree planting.

Scottish Power Renewables (0625/01/001) seek an additional objective to better align LDP2 objectives with SPP (para 154) (CD004) policy principles and reference is made to recent Scottish Government consultations on a New Energy Strategy (CD114) and Onshore Wind Policy Statement (CD111) and plans for a new Climate Change Bill (CD086). New energy targets are referenced and it is considered that these should be referred to through the LDP2 process including the review of Supplementary Guidance to ensure it remains up to date.

SEPA (0742/01/024) support the introduction and Vision for the Low Carbon Place chapter.

Strategy Map 3: Low Carbon Place

Auchterarder & District Community Council (0431/01/005) refer to the Spatial Framework for Wind, Spatial Strategy Map 3 and Policy Map D and express concern that the Ochil hill range is not shown as an area of significant protection against the creation of wind farms. The Community Council consider this conflicts with Policy 36C regarding Local Landscape Areas (LLAs) and should be addressed by including a reference in section 3.2 to the LLA designations and in particular the Ochil hill range.

SEPA (PP0742/01/024) support Strategy Map 3 (Low Carbon Place), based on the following points:

- Support the inclusion of Strategy Map 3: A Low-Carbon Place with the identifications of Broxden Low Carbon Proposal and Strategic District Heating Focus points at Crieff, Blairgowrie/Rattray and Perth.
- Consider that the inclusion of the strategy map is in line with SPP, in particular paragraph 159 of SPP (CD004) which states that Local Development Plans should identify where heat networks, heat storage and energy centres exist or would be appropriate.
- The identification of the strategic district heating opportunities work towards achieving the targets set in Scottish Government's Heat Policy Statement: Towards Decarbonising Heat (June 2015) (CD110). The heat policy statement sets an ambition of 40,000 homes to benefit from affordable low carbon heat from district heating, part of an overall ambition of 1.5TWh of heat to be delivered by district heating by 2020 to both domestic and non-domestic properties. This approach is sought to ensure that renewable heat makes a significant contribution to meeting Scotland's climate change targets and support the delivery of our renewable heat target.

- Therefore the map accords with the high level sustainability principle in SPP (para 29) (CD004) that states policies and decisions should support climate change adaptation, and the local authority duties under the Climate Change (Scotland) Act 2009 (CD025).

Policy 31 – Renewable and Low Carbon Energy

Whole Policy

SEPA (0742/01/005) support the fact that the policy supports renewable and low carbon sources of energy subject to relevant factors being taken into account, and welcome the inclusion of air quality, hydrology the water environment and flood risk as well as effects on soils including carbon rich soils within those relevant factors. SEPA also support the note to the policy which, in accordance with Policy 49 identifies that disturbance of carbon rich soils should be avoided and where that is not possible effects minimised through mitigation. It is considered these policy commitments accord with the principles set out in paragraphs 29, 194 and 255 of Scottish Planning Policy (CD004), and the local authority duties under the Climate Change (Scotland) Act 2009 (CD025) and also as a responsible authority under the Water Environment and Water Services (Scotland) Act 2003 (CD038) to ensure compliance with the WFD and River Basin Planning process in carrying out statutory functions.

Policy 31A: New Proposals for Renewable and Low-Carbon Energy

Scottish Power Renewables (0625/01/002) seek a review of all criteria listed under Policy 31A against the criteria listed within SPP (para 169) (CD004) as a number of those listed are considered to go beyond what is set out within SPP. As an example, it is not clear what is meant by 'tranquil and wildness qualities' and 'hydrology, water environment and flood risk' appears to be excluded.

TACTRAN (0057/01/013) is supportive of the general aims and content of the policy and note transport implications, on both local and trunk road network are considered. TACTRAN also note that any impact on public access to walking and cycling routes is also taken into account as part of any development.

Dr David Gordon (0130/01/002) objects to criterion (b) of Policy 31A which requires proposals to consider contribution(s) to renewable energy generation targets and instead is supportive of the current policy (criterion (b) of Policy ER1 of the Adopted LDP) (CD014) which considers carbon reduction only and not renewable energy generation targets.

Dr David Gordon (0130/01/002) considers that the current wording of criterion (c) of Policy 31A 'net economic impact' is not sufficient as it only provides examples of potential positive benefits and the criterion should be changed to also consider potential adverse economic impacts such as impact on tourism activity.

Shell UK Limited (0195/01/004) requests that Policy 31 is amended to take into account pipeline consultation zones to ensure renewable or low carbon energy developments, and particularly wind turbines and wind farms are assessed against impacts on oil and gas pipelines and other hazardous installations. It is requested that reference is made to UKOPA guidance (RD088) to avoid conflicts between uses.

SNH (0353/01/009) seeks to amend Policy 31A (criterion (a) / third bullet point) to include

National Scenic Areas under the landscape considerations.

The Friends of the Ochils (0430/01/001) consider that the lack of reference to LLAs in Policy 31 [31A] weakens the case against more windfarm developments in the Ochils including repowering.

The Gleneagles Hotel (0522/01/002) welcomes Policy 31 support to renewable energy and inclusion of construction, tracks etc; support is offered to policy criteria a-j, specifically criterion g relating to effects on public access, recreation and tourism, highlighting important role of tourism to Plan area. Support is also given to renewable energy generally but increasing concern regarding cumulative impact of turbines. It is considered important to have balance between energy targets and protecting intrinsic qualities of landscape which fuel tourist economy. Reference made to SPP (CD004).

Scottish Government (0451/01/012) recommends that criterion (e) of the Policy should be further expanded to provide further guidance on what is to be considered in relation to proposals for borrow pits. Reference made to SPP (CD004).

The Friends of the Ochils (0430/01/002) note that reference to Supplementary Guidance (SG) is speculative as the relevant SG has not been finalised.

RSPB (0546/01/006) welcomes reference to supplementary guidance and request opportunity to feedback and discuss revised version of guidance. No specific changes to the plan are sought.

RSPB (0546/01/027) seeks confirmation in the Plan that [separate] supplementary guidance will be provided on the use of financial mechanisms for site restoration in relation to renewable energy developments (and other large developments). Reference made to East Ayrshire restoration example (RD090).

Policy 31B: Repowering and Extending Existing Facilities

RSPB (0546/01/030) seeks to change Policy 31B to include additional text for repowering proposals relating to maximising grid assets, exploring energy storage options and coordinated habitat restoration. This is to ensure adherence to Scottish Government's Onshore Wind Policy Statement (2017) (CD111) which sets out an overarching goal to 'minimise impacts on the environment and residents, while obtaining the greatest amount of renewable generation'.

Scottish Power Renewables (0625/01/003) seek two changes to Policy 31B for the following reasons:

- To better align the policy with SPP wording (CD004).
- Should be a clear focus on screening/scoping out areas of detailed environmental assessment where it can be supported that no significant effects are likely to arise, especially true of a scenario whereby an application is made to extend the term of an existing planning permission only. For example many effects particularly any associated with construction activity can be scoped out of detailed assessment, therefore not all of the criteria/topics may require further assessment. Each case therefore needs to be considered on its own individual merits.
- Reference is made to SPP (para 174) (CD004) and Onshore Wind Policy Statement (paras 32, 34, 35, 41, 45, 46) (CD111) in support of repowering proposals and the range of issues to be considered when dealing with such

proposals.

Policy 31C: Decommissioning and Restoration of Existing Facilities

Bridgend, Gannochy and Kinnoull Community Council (0660/01/003) object to Policy 31C and consider that restoration should be based on returning sites to pristine condition and maintenance tracks removed, rather than the current wording to ensure restoration is undertaken to a standard agreed with the Council.

Policy 31D: Spatial Framework for Wind

Braes of the Carse Conservation Group (0161/01/008) support the designation of Braes of the Carse within Spatial Framework for Wind Group 2 (Areas of Significant Protection) along with the Local Landscape Area designation of the Sidlaw hills which should help to protect the landscape character and visual amenity of the area. It is also considered that the scale of the strategy map makes it difficult for areas to be easily identifiable.

The Friends of the Ochils (0430/01/001) and Auchterarder & District Community Council (0431/01/005) note concern that there is no recognition in the policy of the designation of the Ochil hills as a Local Landscape Area and also express concern that the Ochil hills is identified within the Group 3 'Area with Potential for Windfarm Development' category of the Spatial Framework. The lack of reference to LLAs in Policy 31 weakens the case against more windfarm developments in the Ochils including repowering.

SNH (0353/04/001): Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment. Policy 31D should reflect the outcome the Habitats Regulations Appraisal Table 8.1, pages 132-133) (CD056).

SNH (0353/01/009) seek to amend Policy 31D to include a table setting out the different considerations included in the SPP Table 1 Spatial Framework (CD004), including natural heritage interests, to ensure transparency of process.

Councillor Michael Barnacle (0584/01/013) seeks to change Policy 31D to refer to Local Landscape Area designations and their need for protection from inappropriate development (RD058).

Scottish Power Renewables (0625/01/004) seeks additional text to be added to accompany Policy 31D Map to highlight that the Spatial Framework should be used as a guide to support a renewable energy schemes and help inform site choice and location, and that it is the site specific assessments that should be used to determine the acceptability of a scheme. The example of SPR operational windfarm at Greenknowes is highlighted as an example which falls within Group 2 area due to SNH 2016 Carbon and Peatland Map (CD117) and that this is best assessed at the site assessment level in line with SNH Guidance on Spatial Planning (RD086).

Policy 32 – Sustainable Heating & Cooling

Whole Policy

Bill & Joyce MacGregor (0262/01/002) raises concerns about the use of heat networks, in

particular the use of biomass to provide energy and issues of efficiency with heat networks, and instead suggests the use of solar PV and hybrid gas boilers as an alternative energy source for new developments.

Stewart Milne Homes (0290/03/013) support the need for continued reduction in carbon emissions and highlight the associated efforts from construction industry, however they object to Policy 32 on the following grounds:

- Implementation of district heating networks is not viable for mainstream development. Systems are costly to implement and more expensive than standard heating systems and can have long pay-back periods for householders.
- District heating suppliers do not have to be licensed to operate resulting in no guarantee in standards and consumer protection.
- Danger of creating energy monopolies which can increase prices for householders.
- Emphasis should be on energy reduction and building fabric solutions to reduce carbon emissions compared to ad hoc use of low and zero carbon generating technologies.
- Policy should be removed from Plan so that reliance is not placed on heating networks.

Alistair Godfrey (0410/01/009) considers the success of the policy to be limited referring to recent study in to viability of district heating for developments in Luncarty & Scone (RD059).

Springfield Properties PLC (0455/01/005) raise concerns with Policy 32 and advocate that the policy should prioritise a 'fabric first' approach taking due cognisance that new homes have become more energy efficient in response to building standards requirements. Springfield Properties support Homes for Scotland's (0562/01/007) response to Policy 32, highlighting that efforts to reduce carbon emissions is supported however planning process appears to duplicate existing requirements of Building Standards. Concern is also raised that district heating will not likely be financially viable for new developments, even close to existing heat sources, and that a detailed feasibility/viability statement should not be requested where an Energy Statement has demonstrated that a scheme is not viable.

Barratt North Scotland (0513/01/003) seeks the deletion of Policy 32 on the following points:

- New homes are significantly more energy efficient and efforts should be made on a fabric first basis rather than relying on district heating or other technologies such as solar.
- Requirement to provide district heating infrastructure is expensive and would impact on development viability, as shown in recent studies for three large developments.
- Lack of specialists within Council or statutory consultees means providing feasibility study is a tick-box exercise.
- If the policy is to remain, wording of the policy needs to be reordered in order that a feasibility study is first requirement and thereafter requirements of the developer should be unambiguous and do not have negative impact on development viability.

The John Dewar Lamberkine Trust (0532/02/002) support Policy 32 and the Council's vision for a low carbon economy, however the following comments are made:

- In terms of Policy 32, sequence for introducing renewable/low carbon network should be driven through an independent feasibility study forming part of a planning application, as experienced through feasibility study undertaken with Zero Waste

Scotland and Perth & Kinross Council considering the feasibility of heat and power network at Perth West (MU70) site. This is in order to determine ability and viability of introducing heat/power network within strategic development projects, rather than through the starting point of all developments either connecting into network, providing independent source or installing future provision as currently envisaged through Policy criteria (a) – (c).

- Submission encourages adoption of heat/power network by recognising the infancy of the infrastructure, including energy supply provision for consumers protection that current exist.
- Proposed steps are consistent with approach proposed by Policy 32(b) in relation to co-location of heat and cooling uses which requires applicants to investigate feasibility.

Homes for Scotland (0562/01/007) and A & J Stephen Limited (0622/01/023) object to Policy 32 on one or more of the following points and seek a number of changes:

- Support overall aim to reduce CO2 emissions in partnership across industries in Scotland, where unintended consequences are avoided and expectations are not overly burdened for a particular sector.
- The statement at the start of Policy 32 is supported as this allows the delivery of effective and efficient homes without an unnecessary distraction to consider district heating systems and other low and zero carbon generating technologies (LZCGT) which can be unviable and unnecessary. Essential to avoid circumstances where aspirations cannot be delivered due to lack of sufficient infrastructure or misplaced expectations.
- Building Standards already driving high standards of energy efficiency for new homes through 'fabric first' approach therefore LZCGTs and district heating have potential to cause unnecessary issues such as maintenance and operation.
- Concern regarding the statutory duty of Section 3F of the Town and Country Planning (Scotland) Act, as amended, (CD031) and the requirement for quantification of reduction in greenhouse gas emissions at the planning application stage is not supported. An Energy Use/Sustainability Assessment that sets out the site and building design approaches taken to reduce greenhouse gas emissions considered to be more than sufficient, with detailed assessment of actual levels undertaken at Building Warrant stage.
- Caution needed in respect of how district heating networks are sought. An Energy Use/Sustainability Assessment should be sufficient enough to confirm if a heat network is possible, further time/money spent on a detailed feasibility study will delay much needed housing delivery. Assumption that housing developer can deliver this form of infrastructure and absorb associated risks is misplaced and inappropriate.
- There should be recognition that heat networks on majority of sites within PKC will not be viable due to sales volumes and build densities associated with those sites. Policy as worded implies that heat networks will be the norm, which is simply not the case.

Scone Estate (0614/01/018) support the general aspirations of Policy 32 however raise the following concerns in relation to Policies 32A, 32B and 32D:

- Policy 32A: Caution that heat network zones must be identified with sufficient detail to offer developers confidence that they can either connect to a heat network or can install an independent heat network. Should also be option to explore the most appropriate method of providing low carbon heat, as opposed to being tied to providing a heat network.

- Policy 32A: The Council should consult with the development industry during the preparation of the draft SG on Policy 32 to explore what detail is required to provide certainty.
- Policy 32A: Potential for significant savings in the installation of heat networks if an independent District Network Operator (IDNO) is able to supply cheaper renewable electricity to drive the heat pump, which in turn serves the network. If Council could offer policy support for IDNOs, where feasible, to develop renewable energy sources to support heat networks and to then be able to retain control over electricity supply, heat networks will become cheaper and more attractive proposition. By retaining control of electricity supply an IDNO avoids having to pay a higher rate from third party supplier.
- Policy 32B and 32D: Caution that care must be taken in respect of investigation of connecting to existing heat network as the regulatory position is currently unclear and there is a risk that high charges could be passed from heat network owners to prospective connecting parties. Feasibility review process should take this possibility into consideration, and provide for a policy solution if connection charges are not commercially competitive.

Strategic District Heating Opportunities

SEPA (0742/01/006B) support the general thrust of Policy 32 however seek a change to expand policy coverage of Policy 32 to clarify the approach to be taken with regards to proposed development within the strategic district heating opportunities areas (as identified in Strategy Map 3: A Low Carbon Place in the Proposed Plan). SEPA seek the changes in order that developers are aware of the commitment to developing a strategic district heating opportunity at this location, the approach to be taken with regards proposed development within the strategic district heating opportunity area, and highlight the requirements that may be relevant to proposed development. SEPA's response refers to SPP paragraphs 29, 154 and 159 (CD004); Scottish Government's Heat Policy Statement: Towards Decarbonising Heat (CD110); and the local authority duties under the Climate Change (Scotland) Act 2009 (CD025).

SEPA (0742/01/006A) recommend that the policy wording is expanded to clarify where the heat network zones are to be identified – it is presumed it is within the forthcoming SG on the topic.

SEPA (0742/01/006A) also express support for the following elements of Policy 32:

- Inclusion of this suite of policies in the Proposed Plan,
- Requirement that all developments in Heat Network Zones, Major Developments and LDP Site allocations comply with Policy 32A.
- Strong policy framework around the commitment towards sustainable heating and cooling and heat networks.
- Intention to identify Heat Network Zones, and proposed strategic heat network routes, and the expectation for developments within or in close proximity to these routes to safeguard soft routes within their sites for potential future connection; this future proofing of development will allow for the expansion of heat networks and enable more connections to be made in the future which can help with viability of heat network design and development. Consideration can also be given to ensuring new development, particularly infrastructure, does not sterilise or restrict heat networks from expanding in the future.
- Support policy 32B and consider that it is in accordance with paragraph 158 of SPP (CD004), and SEPA's Thermal Treatment of Waste Guidelines 2014 (RD079).

- Support Policy 32C and consider it to be in line with the position contained in SPP, particularly paragraphs 159 and 160 (CD004), and with the Scottish Government's online Planning and Heat advice note (RD075).
- Support Policy 32D and the identification that further information will be made available in Supplementary Guidance. This approach is in line with the Scottish Government's online Planning and Heat advice note (RD075). Using feasibility statements help to assess the technical feasibility and financial viability of heat networks/district heating for sites, identifying any available existing or proposed sources of heat (within or outwith the site) and other factors such as where land can be safeguarded for future heating infrastructure. They help to inform the development, and allow consideration to be made about how the proposal will help to support the delivery of Perth and Kinross and the Scottish Government's Climate Change ambitions.
- In general, the policies are considered to be in line with SPP (CD004), the Scottish Government's online Planning and Heat advice (RD075), TAYplan policy 2 (CD022) and are consistent with SEPA planning advice on this matter (RD091), in particular paragraph 159 of SPP (CD004) which states that Local Development Plans should support the development of heat networks in as many locations as possible, and that LDPs should include heat policies that support the implementation of this approach.
- These policies work towards achieving the targets set in Scottish Government's Heat Policy Statement: Towards Decarbonising Heat (June 2015) (CD110). The heat policy statement sets an ambition of 40,000 homes to benefit from affordable low carbon heat from district heating, part of an overall ambition of 1.5TWh of heat to be delivered by district heating by 2020 to both domestic and non-domestic properties. This approach is sought to ensure that renewable heat makes a significant contribution to meeting Scotland's climate change targets and support the delivery of the renewable heat target.
- Therefore the policies accord with the high level sustainability principle in SPP (para 29) (CD004) that states policies and decisions should support climate change adaptation, and the local authority duties under the Climate Change (Scotland) Act 2009 (CD025).

SEPA (0742/01/027-029) also seek additional text is added to the settlement summaries for Perth, Crieff and Blairgowrie to make reference to the strategic district heating opportunities as identified in Strategy Map 3: A Low Carbon Place in the Proposed Plan and in Policy 7 (Energy, Waste and Resources) of TAYplan 2016-2036 (CD022). SEPA also seeks that the site specific requirements for 'relevant sites' in Crieff are updated to also make reference to the strategic district heating opportunities. SEPA seek the changes in order that developers are aware of the commitment to developing a strategic district heating opportunity at this location, the approach to be taken with regards proposed development within the strategic district heating opportunity area, and highlight the requirements that may be relevant to proposed development. SEPA's response refers to SPP paragraphs 29, 154 and 159 (CD004); Scottish Government's Heat Policy Statement Towards Decarbonising Heat (CD110); and the local authority duties under the Climate Change (Scotland) Act 2009 (CD025).

Habitats Regulations Appraisal

SNH (0353/04/001): Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment.

Policy 32A should reflect the outcome of the Habitats Regulations Appraisal (Table 8.1, pages 143-144) (CD056).

Policy 33 – Electricity Transmission Infrastructure

RSPB (0546/01/007): Current wording suggests applications will always be supported no matter what environmental or other impacts. Seek modification adding “subject to compliance with all other relevant policies of this plan” or “in principle” to end of first sentence to clarify that applications will be assessed against all other relevant policies of the plan.

Modifications sought by those submitting representations:

Low Carbon Place

Vision, Objectives & Spatial Strategy

Stewart Milne Homes (0290/03/003) not specific about change sought but question whether Plan should address low and zero carbon generating technologies.

Scottish Government (0451/01/004) seeks the inclusion of a new policy to fulfil the provisions of Section 3F of the Town and Country Planning (Scotland) Act 1997 (as amended) (CD031).

Woodland Trust Scotland (0462/01/022) seek a change to Section 3.2 to include reference to native tree planting and native woodland creation.

Scottish Power Renewables (0625/01/001) seeks the inclusion of the following additional objective to Section 3.2 (Low Carbon Place: Key Objectives) using the following text: ‘Promote the development of a diverse range of electricity generation from renewable energy technologies, including the expansion of renewable energy generation capacity and heat networks, in line with national objectives and targets.’

Strategy Map 3: Low Carbon Place

Auchterarder & District Community Council (0431/01/005) request a change to Section 3.2 to include reference to LLA designations in section 3.2, particularly the Ochil hill range.

Policy 31 – Renewable and Low Carbon Energy

Whole Policy

SEPA (0742/01/005): no changes sought.

Policy 31A: New Proposals for Renewable and Low-Carbon Energy

Scottish Power Renewables (0625/01/002) seek a review of all criteria listed under Policy 31A to ensure compliance with criteria listed under SPP para 169 (CD004).

Dr David Gordon (0130/01/002) seeks a change to criterion (b) of Policy 31A to remove reference to renewable energy targets and refer to carbon reduction targets only.

Dr David Gordon (0130/01/002) seeks a change to criterion (c) of Policy 31A to require developers to consider potential adverse economic impacts from development proposals such as on tourism activity.

Shell UK Limited (0195/01/004) requests that Policy 31A criterion (a) is amended to add an additional bullet-point reading “oil and gas pipelines and other hazardous installations (see also Policy 52 in Issue 23 Schedule 4, and the Guidance prepared by the United Kingdom Onshore Pipeline Operator’s association regarding the siting of wind turbines close to high pressure pipelines (RD088)”.

SNH (0353/01/009) seeks to amend Policy 31A (criterion (a) / third bullet point) to include National Scenic Areas under the landscape considerations.

The Friends of the Ochils (0430/01/001) are not specific about change sought but state that the lack of reference to LLAs in Policy 31 weakens the case against more windfarm developments in the Ochils including repowering.

Scottish Government (0451/01/012) recommends that criterion (e) of the Policy should be further expanded to provide further guidance on what is to be considered in relation to proposals for borrow pits, either through providing further information or referring back to Scottish Planning Policy (CD004).

The Friends of the Ochils (0430/01/002) wish to ensure the content of LDP2 reflects the content of the finalised SG and not that contained in any drafts.

RSPB (0546/01/027) seeks confirmation in the Plan that [separate] supplementary guidance will be provided on the use of financial mechanisms for site restoration in relation to renewable energy developments (and other large developments)

Policy 31B: Repowering and Extending Existing Facilities

RSPB (0546/01/030) seeks to change Policy 31B to include the following additional text: ‘Repowering proposals should pursue strategic opportunities for:

1. More efficient use of existing grid assets;
2. Identification of energy storage options; and
3. Coordinated habitat restoration.’

Scottish Power Renewables (0625/01/003) seeks the following changes to Policy 31B:

- Policy should clearly state that “the current use of the site as a windfarm will be a material consideration.”
- Object to the policy wording which suggests that repowering, and life extensions of existing facilities should be subject to the same detailed assessment as a new facility.

Policy 31C: Decommissioning and Restoration of Existing Facilities

Bridgend, Gannochy and Kinnoull Community Council (0660/01/003) object to Policy 31C on the basis that restoration should be based on returning sites to pristine condition and maintenance tracks removed, rather than the current wording to ensure restoration is undertaken to a standard agreed with the Council

Policy 31D: Spatial Framework for Wind

SNH (0353/04/001) Likely significant effects for individual Natura 2000 sites are unknown; therefore it is not possible to identify specific mitigation measures. However, it is considered prudent that the following text is added to the end of the relevant policy 31D: Spatial Framework for Wind Energy (page 51) to ensure that there are no significant impacts on the qualifying interests of a European site(s):

‘Development proposals should not result in adverse effects, either individually or in combination, on the integrity of a European designated site(s).’

SNH (0353/01/009) seeks to amend Policy 31D to include a table setting out the different considerations included in the SPP Table 1 Spatial Framework (CD004), including natural heritage interests.

The Friends of the Ochils (0430/01/001) are not specific about change sought but state that in Policy Map D there is no recognition of the designation of the Ochils as a Local Landscape Area.

Councillor Michael Barnacle (0584/01/013) seeks to change Policy 31D to refer to Local Landscape Area designations and their need for protection from inappropriate development.

Scottish Power Renewables (0625/01/004) seeks the following additional text to be added to accompany Policy 31D Map: ‘It should [be] acknowledged in the supporting text that the spatial approach to onshore wind set out in LDP2 policy should be used as [a] guide in support of considering a Renewable Energy scheme. A development proposal cannot therefore adhere to for example Policy Map D, but it can take it into account and use it to inform site choice and location. It is the site specific assessments that should be used to determine the acceptability of a scheme.’

Policy 32 – Sustainable Heating & Cooling

Whole Policy

Bill & Joyce MacGregor (0262/01/002) does not seek a specific change but it is assumed that a change to Policy 32 is being sought to focus energy efficiency measures for new developments on solar PV and hybrid gas boiler technologies, as opposed to heat networks served by biomass technologies.

Stewart Milne Homes (0290/03/012) seek the deletion of Policy 32 from the Plan.

Alistair Godfrey (0410/01/009): concerns are raised about the success of the policy. No specific modifications are sought.

Springfield Properties PLC (0455/01/005) do not seek a specific change but raise concerns with Policy 32 and advocate that the policy should prioritise a ‘fabric first’ approach taking due cognisance that new homes have become more energy efficient in response to building standards requirements. Support is given to Homes for Scotland’s (0562/01/007) response to Policy 32, highlighting that efforts to reduce carbon emissions is supported however planning process appears to duplicate existing requirements of Building Standards. Concern is also raised that district heating will not likely be financially

viable for new developments, even close to existing heat sources, and that a detailed feasibility/viability statement should not be requested where an Energy Statement has demonstrated that a scheme is not viable.

Barratt North Scotland (0513/01/003) seeks the deletion of Policy 32, but if the policy is to remain, the wording of the policy is requested to be reordered in order that a feasibility study is first requirement and thereafter requirements of the developer should be unambiguous and not have a negative impact on development viability.

The John Dewar Lamberkine Trust (0532/02/002) seek a change to Policy 32 to enforce that the sequence for introducing renewable/low carbon network should be driven through an independent feasibility study forming part of a planning application, rather than through the starting point of all developments either connecting into network, providing independent source or installing future provision as currently envisaged through Policy criteria (a) – (c).

Homes for Scotland (0562/01/007) and A & J Stephen Limited (0622/01/023) object to Policy 32 and seek the following changes to be made:

- 'Fabric first' approach with the use of low and zero-carbon generating technologies should be prioritised then only a secondary requirement where further effort is necessary to meet current targets set out in Building Standards.
- In relation to connecting to a waste heat source, it must be made clear what the responsibilities are for the housing developer and district heat developer(s).
- Policy 32 should be re-ordered such that the need for feasibility study (where the exceptions set out at start of Policy are not met) is the first requirement.
- Policy 32A should also clarify by what is intended by 'soft routes' given potential for these areas to become long-term sterilised areas of land with associated liabilities.

Scone Estate (0614/01/018) do not seek any specific changes but raise the following concerns in relation to Policies 32A, 32B and 32D:

- Policy 32A: Caution that heat network zones must be identified with sufficient detail to offer developers confidence that they can either connect to a heat network or can install an independent heat network. Should also be option to explore the most appropriate method of providing low carbon heat, as opposed to being tied to providing a heat network.
- Policy 32A: The Council should consult with the development industry during the preparation of the draft SG on Policy 32 to explore what detail is provided to provide certainty.
- Policy 32A: Potential for significant savings in the installation of heat networks if an independent District Network Operator (IDNO) is able to supply cheaper renewable electricity to drive the heat pump, which in turn serves the network. If Council could offer policy support for IDNOs, where feasible, to develop renewable energy sources to support heat networks and to then be able to retain control over electricity supply, heat networks will become cheaper and more attractive proposition. By retaining control of electricity supply an IDNO avoids having to pay a higher rate from third party supplier.
- Policy 32B and 32D: Caution that care must be taken in respect of investigation of connecting to existing heat network as the regulatory position is currently unclear and there is a risk that high charges could be passed from heat network owners to prospective connecting parties. Feasibility review process should take this possibility into consideration, and provide for a policy solution if connection charges are not commercially competitive.

SEPA (0742/01/006A) recommend that the policy wording is expanded to clarify where the heat network zones are to be identified.

Strategic District Heating Opportunities

SEPA (0742/01/006B) seek a change to expand policy coverage of Policy 32 to clarify the approach to be taken with regards to proposed developments within the strategic district heating opportunities areas in Perth, Crieff and Blairgowrie.

SEPA (0742/01/027-029) also seek additional text is added to the settlement summaries for Perth, Crieff and Blairgowrie to make reference to the strategic district heating opportunities as identified in Strategy Map 3: A Low Carbon Place in the Proposed Plan and in Policy 7 (Energy, Waste and Resources) of TAYplan 2016-2036 (CD022).

SEPA (0742/01/028) also seek that the site specific requirements for 'relevant sites' in Crieff are updated to also make reference to the strategic district heating opportunities.

Habitats Regulations Appraisal

SNH (0353/04/001): In order to appropriately address the potential for likely significant effects arising from the implementation of Policy 32A, it is recommended that the following criteria is added to the end of the list on page 53:

'(d) not result in adverse effects, either individually or in combination, on the integrity of a European designated site(s).'

Policy 33 – Electricity Transmission Infrastructure

RSPB (0546/01/007). Add "subject to compliance with all other relevant policies of this plan" or "in principle" at end of first sentence.

Summary of responses (including reasons) by planning authority:

Low Carbon Place

Vision, Objectives & Spatial Strategy

Stewart Milne Homes (0290/03/003): Section 3F of the Town and Country Planning (Scotland) Act, as amended, (CD031) requires planning authorities to include policy coverage which requires all developments to be designed so as to ensure all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero-carbon generating technologies. In addition, SPP (pages 36-40) (CD004) requires development plans to include support for electricity and heat generation from low and zero-carbon technologies taking in to account a range of various considerations. As such, the Council is required to ensure that the development of low and zero-carbon technologies is supported through the LDP policy framework.

No modification is proposed to the Plan.

Scottish Government (0451/01/004): Existing Policy EP1 (Climate Change, Carbon

Reduction and Sustainable Construction) in the current adopted LDP (CD014) - which directly addresses Section 3F of the Town and Country Planning (Scotland) Act 1997, as amended, (CD031) - has been found to be ineffective by Development Management colleagues and largely duplicated the requirements of Building Regulations. The Scottish Government has noted that, based on an independent study undertaken, the requirements of Section 3F add little value to the decision-making process; this is detailed on pages 38-39 of the Scottish Government's 'Places, people and planning: consultation on the future of the Scottish planning system' (CD017). Overall, the Council proposes to adopt a wide range of comprehensive planning policies within the LDP policy framework that will contribute to the low carbon agenda and to mitigate against, and adapt to, the effects of climate change.

As such the Council proposes to remove the existing policy and instead include reference to sustainable design and construction as part of the Placemaking Policy (Policy 1 of the Proposed Plan). Current (LDP1) Supplementary Guidance on Climate Change, Carbon Reduction and Sustainable Construction provides further detailed guidance in respect of Policy EP1 (CD106) and it is intended to incorporate the relevant sustainable design standards in to the new Supplementary Guidance for the Placemaking Policy.

No modification is proposed to the Plan. However, if the Reporter considers that a new standalone policy is required to meet the requirements of Section 3F, the Council would suggest the insertion of a new policy under Section 3.2 using the following text: 'Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan. This requirement will not apply to: 1) alterations and extensions to buildings, 2) change of use or conversion of buildings, 3) ancillary buildings that stand alone and cover an area less than 50 square metres, 4) buildings which will not be heated or cooled, other than by heating provided solely for frost protection, 5) buildings which have an intended life of less than two years.' This wording has been adopted from the Scottish Government's Ministerial Direction to West Lothian Council for their Proposed Local Development Plan (CD098).

Woodland Trust Scotland (0462/01/022): Paragraphs 1-3 of Section 3.3 (A Natural, Resilient Place) of the Plan already consider the important role that the natural environment (including trees) plays in helping to mitigate against, and adapt to, the effects of climate change. Policy 38 (Forestry, Woodland and Trees) specifically covers the importance of trees in land use planning terms and sets out the relevant criteria when dealing with proposals that involve trees, woodland and forestry. In addition, Policy 31A of the Plan (under bullet 2 of paragraph (a)) also requires developers to consider woodland and forestry in line with the requirements of Policy 38 for proposals for renewable and low carbon energy developments.

No modification is proposed to the Plan. However, if the Reporter considered it necessary to include additional text to emphasize the importance of trees to the low carbon agenda, the Council would be comfortable with an additional sentence in the introduction section of Section 3.2 using the following text: 'Planting of new trees and woodlands (including native species), and management of existing woodland and forestry assets, will play an important role in supporting to mitigate against, and adapt to, the effects of climate change.'

Scottish Power Renewables (0625/01/001): Section 3.2 of the Plan includes narrative that

supports the development of a wide range of renewable and low carbon technologies and adopting the core principle of sustainable development to support a transition to a low carbon economy.

It is accepted that an additional objective promoting the development of a range of renewable and low carbon energy sources would be in accordance with the Council's vision and strategy in relation to the low carbon agenda. The existing policy framework of Section 3.2 of the Plan aligns with the proposed additional objective to promote renewable and low carbon technologies and it is considered that there are sufficient safeguards already contained within the Plan to ensure that this objective is implemented sustainably, taking in to account all necessary environmental protections.

No modification is proposed to the Plan. However should the Reporter be minded to accept the modification, the Council would suggest the addition of a new objective in to the 'Key Objectives' list on page 46 of the Plan using the following text: 'Promote the sustainable development of electricity generation from a diverse range of renewable and low carbon energy technologies, including the expansion/repowering of renewable and low carbon energy generation capacity and heat networks, in line with national objectives and targets.'

Strategy Map 3: Low Carbon Place

Auchterarder & District Community Council (0431/01/005): one of the key objectives of Section 3.2 is to "Protect and enhance the character, diversity and special qualities of the area's landscapes" and Policy 31A also refers to Local Landscape Areas specifically. It is important to note that the Spatial Framework included in Strategy Map 3 (p.48) and Policy Map D (p.52) reflect SPP requirements and specifically Table 1 of SPP (CD004). Local landscape designations are not included in either Group 1 or Group 2 of the Spatial Framework and are therefore assigned to Group 3. Paragraph 163 of SPP (CD004) also notes that additional constraints should not be applied over and above the provisions of the Spatial Framework. Local landscape considerations are taken in to account as part of the assessment of a proposal at the development management stage and developers are expected to take such designations in to account in preparing their proposal, in line with Policies 31A and 36C. As such it is considered that no changes are necessary.

No modification is proposed to the Plan.

Policy 31 – Renewable and Low Carbon Energy

Policy 31A: New Proposals for Renewable and Low-Carbon Energy

Scottish Power Renewables (0625/01/002):

Paragraph 161 of SPP (CD004) requires planning authorities to identify the relevant criteria under which proposals for onshore wind will be considered, taking in to account the considerations set out in paragraph 169 of SPP. The factors listed in Policy 31A generally reflect paragraph 169 of Scottish Planning Policy (CD004), as noted in the table below. Where this is not the case, justification for inclusion has been noted.

Policy 31A Requirement	Justification for Policy inclusion
Paragraph (a)	
Criterion 1 - biodiversity and natural heritage	SPP Paragraph 169 - Bullet point 7
Criterion 2 - woodland and forestry	This has been included as a consideration to ensure adherence to Policy 38, particularly relating to protecting trees and woodlands of value (as listed in CWRP (CD007)) and ensuring proposals for tree felling including for service/construction tracks are assessed under the relevant policy and guidance. It is considered there is a particular pressure due to potential large land take associated with various renewable projects such as wind farms, solar farms, and also impacts from biomass installations.
Criterion 3 - landscape character, Local Landscape Areas and Wild Land Areas	SPP Paragraph 169 - Bullet point 6 including specific inclusion of particular landscape considerations i.e. LLAs developers are required to take in to account.
Criterion 4 - visual amenity	SPP Paragraph 169 - Bullet point 6
Criterion 5 - the historic environment and cultural heritage	SPP Paragraph 169 - Bullet point 10
Criterion 6 - tranquil and wildness qualities	This is not included within paragraph 169 of SPP and it is accepted that this issue could be incorporated under landscape character.
Criterion 7 - hydrology, the water environment and flood risk	SPP Paragraph 169 - Bullet point 16
Criterion 8 - air quality	Paragraph (b) of Policy 31A considers carbon reduction targets and this criterion is included to ensure suitable coverage of any remaining greenhouse gas considerations, as noted in paragraph 169 (bullet point 3) in respect of greenhouse gases. This has also been included as a consideration to ensure that any air quality impacts associated with a development including construction works are considered as part of any proposal as well as to consider particular air quality impacts from biomass and anaerobic digestion proposals.
Criterion 9 - aviation, defence and seismological recording	SPP Paragraph 169 - Bullet point 12
Criterion 10 - telecommunications and broadcasting infrastructure	SPP Paragraph 169 - Bullet point 13
Criterion 11 - residential amenity of the surrounding area (including noise and	SPP Paragraph 169 - Bullet point 5

shadow flicker).	
Paragraph (b) – The contribution of the proposed development towards meeting carbon reduction and renewable energy generation targets.	SPP Paragraph 169 - Bullet points 2 & 8
Paragraph (c) - The net economic impact of the proposal, including local and community socio-economic benefits such as employment and supply chain opportunities.	SPP Paragraph 169 - Bullet point 1
Paragraph (d) - The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally. (Applications with impacts on the Strategic Trunk Road Network will be subject to discussion and agreement with Transport Scotland).	SPP Paragraph 169 – Bullet points 14 & 15. Additional consideration to the trunk road network has also been provided in line with Transport Scotland comments received during the preparation of the Proposed Plan.
Paragraph (e) - Construction and service tracks and borrow pits associated with any development.	This has been included as a consideration to address specific impacts highlighted in SNH Guidance (2017) on ‘Siting and Designing Wind Farms in the Landscape’ (CD119) in respect of construction and service tracks and borrow pits, which can result in individual and/or cumulative visual and landscape impacts. Development pressures for ancillary works such as construction and service tracks and borrow pits are particularly associated with renewable installations such as wind and hydro in the Perth & Kinross landscape.
Paragraph (f) - Effects on soils including: <ul style="list-style-type: none"> • carbon rich soils, deep peat and priority peatland habitats; or • prime agricultural land; 	<ul style="list-style-type: none"> • SPP Paragraph 169 – Bullet point 8. • This has been included as a consideration to ensure adherence with Policy 48 (Prime Agricultural Land) of the Plan, relating specifically to ongoing pressures for the development of renewable and low carbon energy technologies in areas where there is prime agricultural land.
Paragraph (g) - The effects on public access, recreation and tourism interests including core paths, scenic corridors (the A9 trunk road as identified in NPF3) and other established routes for public walking, riding or cycling.	SPP Paragraph 169 – Bullet points 9 & 10
Paragraph (h) - Decommissioning including any conditions/bonds considered necessary for site	SPP Paragraph 169 – Bullet points 17 & 19

restoration.	
Paragraph (i) - Opportunities for energy storage.	SPP Paragraph 169 – Bullet point 18
Paragraph (j) - Cross-boundary impacts including any impacts on the qualities of the Cairngorms and Loch Lomond & The Trossachs National Parks.	SPP Paragraph 169 – Bullet point 4. Also included to address comments made by adjoining planning authorities during the Main Issues Report stage.

Referring to the table above, it is considered that the relevant requirements of paragraph 169 of SPP (CD004) have been included within Policy 31A and where additional considerations have been included, there is reasonable justification, as detailed above, to include these criteria. Responding specifically to Scottish Power Renewables (0625/01/002) the Council accepts that ‘tranquil and wildness qualities’ is not necessarily a standalone issue and would be better addressed, where relevant, through the landscape character criterion (bullet point 6, paragraph (a), Policy 31A).

No modification is proposed to the Plan. However, if the Reporter is minded to accept the modification to delete bullet point 6 of paragraph (a) of Policy 31A the Council would be comfortable with this change as it would not have any implications for any other parts of the Plan.

In response to Scottish Power Renewables (0625/01/002) regarding the exclusion of ‘water environment, hydrology and flood risk’ as an issue, this is incorrect. This consideration is included under bullet point 7 of Policy 31A paragraph (a) and therefore no modifications are required on this specific point.

No modification is proposed to the Plan.

Dr David Gordon (0130/01/002): the policy requirement to consider the contribution of proposals towards renewable energy generation targets is a requirement of SPP (paragraph 169) (CD004) therefore this suggested modification is not accepted. In addition, in response to the suggested modification of paragraph (c) of Policy 31A to include negative economic impacts, this is already considered through the assessment of net economic impact which will assess both positive and negative economic impacts. Moreover, paragraph (e) of Policy 31A requires proposals to consider any impacts specifically on tourism interests.

No modification is proposed to the Plan.

Shell UK Limited (0195/01/004): Policy 52 (Health and Safety Consultation Zones) of the Plan covers these interests and the respondent has indicated consent with this policy (0195/01). As pointed out by the respondent Fife Council and Angus Council have recently adopted policies reflecting the request.

It is considered that the proposed modification is not necessary as Policy 52 (Health and Safety Consultation Zones) already ensures suitable coverage for health and safety consultation zones and the specific requirements within pipeline consultation zones. The criteria contained in Policy 31A relate to specific impacts that may arise from renewable and low carbon energy proposals however, the suggested modification applies to all developments and does not necessarily relate to any specific impacts, rather a requirement to consult with the necessary authority. Therefore, it is proportionate and in

keeping with the rest of Policy 31A to keep this policy consideration as a requirement of Policy 52 only and not to modify Policy 31A.

No modification is proposed to the Plan. However, if the Reporter is minded to accept the suggested modification the Proposed Plan could be amended by adding an additional bullet point to paragraph (a) of Policy 31A to read “hazardous installations (including pipelines)”. The requested reference to guidance could then be included in Supplementary Guidance once the Proposed Plan is adopted.

SNH (0353/01/009): If the Reporter is minded to accept SNH’s suggested modification to include reference to National Scenic Areas under bullet point 3 of paragraph (a) of Policy 31A, the Council would be agreeable to the suggested change as it would ensure clarity in terms of the policy’s requirements in respect of landscape.

The Friends of the Ochils (0430/1/001): regarding the lack of reference to Local Landscape Areas, Policy 31A (under paragraph (a) bullet point 3) does refer to Local Landscape Areas which also applies to repowering applications under Policy 31B.

No modification is proposed to the Plan.

Scottish Government (0451/01/012): In relation to the Scottish Government’s suggested modification regarding additional wording on borrow pits, construction and service tracks and borrow pits are listed as a factor to be addressed to ensure that these elements are addressed in renewable energy applications. The Council will further explain the impacts of borrow pits in relation to renewable energy proposals within Supplementary Guidance alongside the policy.

No modification is proposed to the Plan. However, should the Reporter be minded to accept the Scottish Government’s suggested modification, the Council would be agreeable to include the following additional text at the end of paragraph (e) of Policy 31A stating: ‘particularly in relation to paragraph 243 of SPP (2014)’ (CD004). This is considered to ensure the policy tests of paragraph 243 of SPP (CD004) are given due cognisance when considering proposals for borrow pits.

The Friends of the Ochils (0430/1/002); RSPB (0546/01/027): regarding concerns that LDP2 reflects the content of the finalised Supplementary Guidance (SG), the Council accepts that the SG and LDP2 must be compatible. Following adoption of LDP2 SG will be prepared to ensure compatibility with any changes made to the policy during this Examination process, including compliance with national policy and guidance.

No modification is proposed to the Plan.

Policy 31B: Repowering and Extending Existing Facilities

RSPB (0546/01/030): SPP (paragraph 165) (CD004) considers that grid capacity should not be used as a reason to constrain decisions on individual applications for wind farms and therefore point 1 as suggested is not considered to be in accordance with SPP. In relation to points 2 and 3 of RSPB’s response, these issues are already considered under paragraph (i) of Policy 31A and Policy 31C and therefore do not require further policy coverage.

No modification is proposed to the Plan.

Scottish Power Renewables (0626/01/003): Policy 31B already states that 'The current use of the site will be a material consideration in any such proposals' thereby ensuring that the existing operational site(s) which are subject to repowering would be considered for any new submitted proposal as part of the decision-making process. In addition, it is not accepted that repowering proposals should not be considered against the same range of factors for new proposals. Whilst it is accepted that the environmental parameters for a site may already be well-known, proposals for repowering may include significantly different proposals in terms of turbine size and location, infrastructure, etc within the same site, and therefore the Council considers that such proposals should be required to be assessed against the requirements of Policy 31A. This would ensure that any potentially significantly affects would be assessed through the application process and is considered to be in accordance with paragraph 37 of the Scottish Government's Onshore Wind Policy Statement (2017) (CD111).

No modification is proposed to the Plan.

Policy 31C: Decommissioning and Restoration of Existing Facilities

Bridgend, Gannochy and Kinnoull Community Council (0660/01/003): the current wording of Policy 31C ensures that the Council have to be in agreement with the proposed restoration proposals, including financial mechanisms in place, prior to any restoration proposals being undertaken. The suggested wording of restoring the environment to 'pristine condition' is not considered to be an enforceable term that could be used to test and monitor restoration schemes. The proposal to remove maintenance tracks as part of any restoration would be dealt with on a case by case basis depending on the characteristics of the site and the wider area. It is important to note that the removal of concrete bases and other ground-based structures can in some instances have a more significant environmental impact than leaving them in-situ. In addition, Supplementary Guidance will provide further detailed guidance on the key considerations for restoration proposals and what developers will be expected to implement.

No modification is proposed to the Plan.

Policy 31D: Spatial Framework for Wind

SNH (0353/04/001): it is considered that amending Policy 31D to incorporate the mitigation measures as set out in Table 8.1 of the Appropriate Assessment (CD056), and detailed in the previous section, would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's Policy 36A: International Nature Conservation Sites will apply for proposals arising under this policy. It would also set out what will be expected of them in making a planning application.

If the Reporter is so minded the suggested additional text by the respondent should be added to Policy 31D as detailed in the 'Modifications Sought' section.

SNH (0353/01/009): Policy 31D provides suitable references to the information contained in SPP (para 161 and Table 1) (CD004) relating to the Spatial Framework for Wind. The Council propose not to include the table within the policy itself to ensure that the Plan is concise and does not include replicated information which is already available elsewhere in another document that has been appropriately referenced.

No modification is proposed to the Plan. However, if the Reporter is minded to accept the modification the Council would be comfortable including Table 1 (Spatial Frameworks) from SPP alongside Policy Map D.

The Friends of the Ochils (0430/01/001); Councillor Michael Barnacle (0584/01/013): regarding the inclusion of Local Landscape Areas in the Spatial Framework for Wind (Policy Map D) the Council is bound by SPP (CD004) with regards to the content of this map and therefore no additional factors can be incorporated in to the Spatial Framework. Further spatial considerations will be set out in Supplementary Guidance for Renewable and Low Carbon Energy including landscape considerations such as local landscape designations.

No modification is proposed to the Plan.

Scottish Power Renewables (0625/01/004): It is considered that the requirements of SPP (paragraph 161) (CD004) are fulfilled by Policy 31D and that no additional text, as suggested by Scottish Power Renewables, is specifically required to accompany Policy Map 5.

No modification is proposed to the Plan. However, the thrust of Scottish Power Renewables representation is accepted in that additional text may be useful in setting out the context under which the SPP Table 1 Spatial Framework (CD004) is to be used for wind development proposals. If the Reporter is minded to accept the modification, the Council would be comfortable modifying paragraph 4 of Policy 31D and inserting additional text to read: 'Proposals are required to take in to account the Spatial Framework and all other relevant LDP policies and material considerations. The Spatial Framework identifies those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out in Table 1 of SPP'. This would be in keeping with SPP (paragraph 161) (CD004) in relation to the role of the Spatial Framework and relevant Development Management considerations.

Policy 32 – Sustainable Heating & Cooling

Whole Policy

Bill & Joyce MacGregor (0262/01/002); Stewart Milne Homes (0290/03/012); Alistair Godfrey (0410/01/009); Springfield Properties PLC (0455/01/005); Barratt North Scotland (0513/01/003); The John Dewar Lamberkine Trust (0532/02/002); Homes for Scotland (0562/01/007); Scone Estate (0614/01/018); A & J Stephen Limited (0622/01/023):

The Scottish Government has set ambitious targets for reducing greenhouse gas emissions through improving energy efficiency and the deployment of low carbon forms of electrical and heat supply (as well as other key policy actions). The Scottish Government's current position in relation to energy efficiency and low carbon energy is set out in the following key legislation and policy: Climate Change (Scotland) Act 2009 (CD025), Climate Change Plan (2018) (CD087), Scottish Energy Strategy (2017) (CD114), Electricity Generation Policy Statement (2013) (CD108), and Heat Policy Statement (2015) (CD110). This legislation and policy provides the overall framework for planning authorities to consider improving energy efficiency of buildings and increasing the level of low carbon electrical and heat generation and usage, including the deployment of heat networks.

There are proposals to increase the greenhouse gas reduction targets through the Climate Change (Emissions Reduction Targets)(Scotland) Bill (CD086), as supported by the Climate Change Plan (2018) (CD087), as well as other proposals for regulation and policy including: current consultations associated with the Scottish Government's new Energy Efficient Scotland programme (CD109), District Heating Regulation and Local Heat and Energy Efficiency Strategies (LHEES) (CD112). Please note that this is not an exhaustive list, this merely reflects the key current and proposed Scottish Government legislation, policy and guidance in this area.

In terms of National Planning Policy, NPF3 (2014) (CD003) and SPP (2014) (CD004) specifically identify where planning authorities are expected to develop planning policy to support the delivery of heat networks. NPF3 (2014, paragraph 3.17) (CD003) identifies a spatial priority for change for Scottish cities to ensure new developments are 'future-proofed to ensure connections to existing or planned heat networks are taken forward as soon as they are viable.' SPP (2014, paragraph 154) (CD004) identifies that in order to deliver on Scottish Government ambitions and current nationally-set Climate Change targets, the planning system should support the development of heat networks. Taking the lead from NPF3 and SPP (CD003-004), TAYplan SDP Policies 2 (Shaping Better Quality Places, p.12) and 7 (Energy, Waste and Resource, p.38-39, 41-42) (CD022) also include a requirement for TAYplan authorities to consider opportunities for the deployment of heat networks. It is therefore not accepted that the Policy should be deleted as there is clear direction from National Planning Policy and the SDP to include planning policy in the LDP in relation to heat networks.

SPP (2014, paragraphs 158-159) (CD004) specifically encourages planning authorities to develop planning policy taking in to account available heat mapping and opportunities for co-location of high heat demand developments with sources of heat supply. SPP (paragraph 159) (CD004) also identifies the following factors that planning authorities should incorporate within their LDPs:

- Support the development of heat networks in as many locations as possible
- Identify where heat networks, heat storage and energy centres would exist or would be appropriate and include policies to support their implementation
- Safeguarding of pipework within developments for later connection and pipework to the curtilage of development
- Provision of energy centres within new development
- Where heat network exists or is planned, or in areas identified as appropriate for district heating, potential requirement for new development to include infrastructure for connection, providing option to use heat from the network.

Policy 32 has been drafted to ensure that relevant SPP considerations – as highlighted above - have been given due cognisance. In particular, Policy 32 includes provision for the consideration of locations suitable for heat networks (Policy 32A), co-location of heat demand and supply (Policy 32B) and consideration of energy sources as well as potential energy storage solutions (Policy 32C).

In addition to the requirements of SPP, the Council has been part of the Scottish Cities Alliance Planning and Heat Working Group tasked with developing standardised planning policy in relation to heat networks. In collaboration with other planning authorities, with input from Zero Waste Scotland and the Scottish Government, a template policy (CD095) has been developed taking in to account the requirements of National Planning Policy as well as the experiences of delivering heat networks in authorities across Scotland. Policy

32 of the Proposed Plan takes in to account the key thrust of the standardised policy, with the key aim being that planning authorities adopt a generalised policy which provides certainty to developers in relation to the requirements for heat networks across Scotland.

In terms of a fabric first solution to energy efficiency, the Council currently has a Policy (EP1 – Sustainable Construction) within the adopted LDP (CD014) which meets the Council's obligations in relation to Section 3F of the Town and Country Planning (Scotland) Act 1997 as amended (CD031). There is some uncertainty as to the effectiveness of this policy as part of the development management process; see above under 'Low Carbon Place' for further consideration of the Section 3F obligation in relation to the Proposed Plan policy framework. Whilst the Scottish Government requires the deployment of low carbon technologies through Section 3F, as noted above there is an additional motivation to deliver improved energy efficiency through heat networks. It is recognised that building standards requirements in terms of energy efficiency is continuously improving and this will be taken in to account when considering the overall heat requirements/demand for any development proposal. In terms of the application of Policy 32, proposals will be dealt with on a case by case basis and issues such as the heat requirements of new housing will be taken in to account as well as proposals to install low and zero carbon generating technologies as part of a development scheme.

It is acknowledged that heat networks provide a new, challenging way of delivering energy efficiency improvements for new and existing buildings. It is also acknowledged that heat networks will not be feasible and/or economically viable for every development and therefore Policy 32 is focussed on those sites and settlement-based locations where the greatest potential exists. As directed by SPP (CD004), this includes large scale development sites (potential new high heat demands/energy centres), opportunities for co-location of high heat demand and energy supply, areas of high heat demand including the location of 'anchor loads', as well as opportunities for utilising excess heat and energy storage facilities. When a development proposal triggers the requirement for an energy statement as detailed in Policies 32A, 32B and 32C it will be the role of the energy statement – through Policy 32D (Energy Statement/Feasibility Study) – to consider the feasibility and economic viability of developing a heat network associated with the development proposal. If a submitted energy statement has appropriately justified that a heat network is not viable then there would be no further requirement to consider the potential for a network. Requirements associated with undertaking an energy statement is detailed in Policy 32D and further guidance will be available in Supplementary Guidance. A draft template energy statement (CD090) has been developed as part of the Scottish Cities Alliance Planning and Heat Working Group project in collaboration with Atkins, which the Council is intending to use to form the basis of a template energy statement for applicants.

Policy 32D also notes the intention to prepare Supplementary Guidance to provide further detailed guidance on a range of considerations contained within the Policy. The Supplementary Guidance will be publicly consulted upon, providing interested parties the opportunity to comment on the Council's proposed guidance. In particular, the Supplementary Guidance commits to using heat mapping to identify heat network zones where applicants will be expected to consider the feasibility of heat networks through an energy statement, based on proximity to high heat demands, anchor loads, co-location of heat demand and heat supply as well as a range of other land use considerations. It is intended that the Policy and associated Supplementary Guidance will meet the requirements of SPP (CD004) in relation to the delivery of heat networks whilst at the same recognising the issue of economic viability through detailed assessment of a

development proposal and the site and its environs.

In response to the specific point about soft routes, SPP (2014) (CD004) recommends LDPs to support safeguarding of piperuns within developments for later connection and pipework to the curtilage of development i.e. soft routes. It is intended to provide further guidance on this in Supplementary Guidance to the Policy and not within the Policy itself. Therefore it is considered no additional wording is required within the Policy.

In terms of the delivery and operation/maintenance of heat network schemes there are a range of arrangements that could be explored including public, private, public/private partnership-based and community-owned delivery mechanisms. The role of district network operators delivering heat networks is one option that could be explored by applicants and/or the Council. However as there are various options available it is not considered necessary or justifiable to include a clause on delivery mechanisms within Policy 32 itself as this may unnecessarily constrain the delivery of schemes if certain delivery mechanisms were not permitted under certain circumstances.

There are concerns raised in respect of the overall viability of heat networks as a cost-effective means for heat supply. This is an issue that will be considered on a case-by-case basis for each development proposal against Policy 32 and as a more general issue expressed nationally the Scottish Government will continue to monitor how the policy is operating and ensure that any policy does not place an unnecessary burden on developers. The issue of viability is also an issue that will be influenced by future energy prices and the UK/Scottish Governments' consideration of the future of the gas network and potential re-purposing of the network. The issue of charges and potential overcharging is not related specifically to land use planning but rather a general viability issue as part of the wider energy pricing agenda which is legislated by the UK Government. There are also other concerns relating to customer protection and licensing which are not relevant planning matters, but issues the Scottish Government is considering through consultations on District Heating Regulations (CD112), although there is recognition by the Scottish Government that this is a reserved matter and controlled by the UK Government

The Council has the necessary resources to implement the policy effectively and can seek consultancy support where required if necessary.

No modification is proposed to the Plan.

SEPA (0742/01/006): In response to SEPA's recommendation that the policy wording should be expanded to clarify where heat network zones are to be identified, it is already noted in Policy 32D that Supplementary Guidance will be prepared providing further detail (including locations) on the requirements of Heat Network Zones. Therefore no additional wording is required.

No modification is proposed to the Plan.

Strategic District Heating Opportunities

SEPA (0742/01/006): Policy 32 provides a comprehensive policy framework in relation to heat networks, including details when the Council would require developers to compile an energy statement looking at the feasibility of a potential heat network. This includes identifying requirements within Heat Network Zones (to be detailed in Supplementary

Guidance), major developments and LDP site allocations.

No modification is proposed to the Plan. However, should the Reporter be minded to accept the modification the Council would be comfortable adding a new sub-policy after Policy 32A using the following wording: 'Strategic District Heating Focus Areas: As identified under Policy Map 7a (p.39) of TAYplan Strategic Development Plan (2016-2036) Perth, Blairgowrie and Crieff are identified as settlements with potential for heat networks. In line with Policy 7 of TAYplan SDP (CD022), the Plan has identified these settlements as Strategic District Heating Focus areas where it is expected there are opportunities for the delivery of heat networks, taking in to account potential retrofit schemes as well as new development sites. Policy 32A provides in detail where the Council will require developers to consider heat networks as part of the development further.'

SEPA (0742/01/027-029): With regard to expanding the settlement summaries for Perth, Crieff and Blairgowrie to refer to the strategic district heating opportunities identified on Policy Map 3, the relevant allocations already refer to the need to prepare an Energy statement:

- Perth (MU73 Almond Valley, MU70 Perth West, H71 Newton Farm, H319 Ruthvenfield, MU168 North of Bertha Park, MU331 Perth Railway Station and PH20, E38 Ruthvenfield Road, OP2 Thimblorow, and OP9 Bus Station, Leonard Street).
- Blairgowrie (E31 Welton Road, MU330 Blairgowrie Eastern Expansion, MU5 Western Blairgowrie)

However there is some potential benefit in a general statement within the settlement summaries which could also be applied to any windfall proposals that come forward.

No modification is proposed to the Plan. However if the Reporter is minded to accept the modification the Council would be comfortable with making this change as it would not have any implications for any other aspect of the plan. To address SEPA's objection the settlement summaries for Perth, Crieff and Blairgowrie could add the following bullet to the infrastructure requirements stating: 'This settlement is identified as having a Strategic District Heating Focus so an Energy Statement may be required investigating the potential for the provision of, and/or extension to, a heat network to serve the development.'

SEPA (0742/01/028): Policy 32 of the Proposed Plan provides a comprehensive policy framework to assist with the delivery of heat networks across Perth & Kinross. The policy already identifies the scenarios where developers will be expected to investigate the potential for district heating as part of their development proposals, including identifying specific sites where this will be a specific site requirement.

No modification is proposed to the Plan. However, considering the allocated sites in Crieff there are two allocations (MU7 and MU334) where there is the potential for district heating (subject to detailed investigation) taking in to account the development type, site size, and proximity to connectible buildings/anchor loads i.e. Crieff Primary School and Strathearn Community Campus. Notwithstanding any studies looking in to the potential for district heating, the remaining sites in Crieff – E26 and H57 – are not considered strategic opportunities for district heating given their location on the edge of the settlement and lack of additional heat demand(s) in close proximity. If the Reporter is minded to accept the modifications the Council would be comfortable with the addition of site specific requirements for sites MU7 and MU334 using the following wording already used for other allocated sites in the Plan: 'Energy Statement is required investigating the potential for the

provision of, and/or extension to, a heat network to serve the development.’ Whilst there are planning permissions already in place for sites MU7 and MU334, the Council considers that if these permissions lapse, there would still potentially be an opportunity to consider possible heat network feasibility as part of any future application(s).

Habitats Regulations Appraisal

SNH (0353/04/001): It is considered that amending Policy 32A to incorporate the mitigation measures as set out in Table 8.1 of the Appropriate Assessment (CD056), and detailed in the previous section, would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan’s Policy 36A: International Nature Conservation Sites will apply for proposals arising under this policy. It would also set out what will be expected of them in making a planning application.

If the Reporter is minded to accept the modification, the Council would suggest that the additional text by the respondent be added to Policy 34A as detailed in the ‘Modifications Sought’ section.

Policy 33 – Electricity Transmission Infrastructure

RSPB (0546/01/007): It is recognised that other similar policies supporting new infrastructure (e.g. 31 Renewable and Low Carbon Energy, 32 Sustainable Heating and Cooling, 34 Waste Management Infrastructure) are limited by reference to further criteria. However all development proposals are subject to an assessment against the relevant policies in the Proposed Plan (page 12) and additional reference is unnecessary.

No modification is proposed.

Reporter’s conclusions:

Reporter’s recommendations: