

# **Angus Local Development Plan**

## **Renewable and Low Carbon Energy Development Supplementary Guidance**

### **Participation Statement**

**June 2017**

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Acronyms used in Appendix 3	
CC	Community Council
RSPBScotland	Royal Society for the Protection of Birds Scotland
SEPA	Scottish Environment Protection Agency
SNH	Scottish Natural Heritage
SW	Scottish Water

## 1. Introduction

Angus Council has prepared Supplementary Guidance to support the implementation of the [Adopted Angus Local Development Plan \(September 2016\)](#) and to assist in the assessment of development proposals.

This Supplementary Guidance Participation Statement forms part of a suite of documents required to accompany the submission of the Renewable and Low Carbon Energy Development Supplementary Guidance to Scottish Ministers:

The Participation Statement has been prepared to meet the terms of Part 2 Section 22(3) of the Planning etc (Scotland) Act 2006. This requires planning authorities to submit a report demonstrating:

- (a) that adequate publicity of the proposal is given in their district or as the case may be in their strategic development plan area; and
- (b) that persons who may be expected to wish to make representations to the authority about the proposal are made aware that they are entitled to do so, and
- (c) that such persons are given an adequate opportunity of making such representations.

The [Angus Development Plan Scheme \(2017-18\)](#) sets out Angus Council's programme for preparing and publishing Supplementary Guidance. The Participation Statement within the Development Plan Scheme reinforces Angus Council's commitment to developing effective engagement with communities. Angus Council has always taken a positive approach to development plan consultation. By encouraging consultation and engagement at various stages in the Local Development Plan process, including Supplementary Guidance, Angus Council seeks to ensure that those with an interest in the future of Angus have an opportunity to contribute their views before decisions are taken. The Participation Statement details those who would be involved/consulted and what approaches would be used.

In implementing the Consultation Strategy, Angus Council has sought to involve a wide range of groups and organisations during preparation of the Supplementary Guidance including:

- Angus Community Councils;
- Angus Community Planning Partnerships;
- Other Community Groups;
- Public sector groups (including Key Agencies<sup>1</sup>, Local and National statutory and non-statutory bodies; adjoining local authorities and the Cairngorms National Park Authority)
- Private sector groups/organisations; and
- Members of the community/public.

<sup>1</sup>The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 defines Key Agencies as: Scottish Natural Heritage, Scottish Environment Protection Agency, Scottish Water, Scottish Enterprise (only in its area of jurisdiction), Regional Transport Partnerships (only in relevant areas of jurisdiction), Crofters Commission (only in Crofting Counties) and Health Boards. Whilst legislation does not specify them individually, Circular 6/2013 sets out that the following bodies should have the same level of involvement in the development plan process: Historic Scotland, Transport Scotland, Forestry Commission and Marine Scotland.

## 2. Approach to Consultation in Preparation of the Supplementary Guidance

At their meeting of the 27 October 2016, Angus Council approved the Draft Supplementary Guidance for Renewable and Low Carbon Energy Development and accompanying Environmental Report and agreed to their publication for a seven week period of consultation and representation ([Report 374/16](#) refers).

The Draft Supplementary Guidance and Environmental Report were formally published on 18 November 2016 with a 7 week period for representation extending to 5<sup>th</sup> January 2017. The extended consultation period took cognisance of the Christmas and New Year holidays. Copies of the documents were available to view and download from the Council's website: [http://www.angus.gov.uk/info/20307/local\\_development\\_plan](http://www.angus.gov.uk/info/20307/local_development_plan)

This included pdf versions of the documents and comments form. The published documents were also available for inspection at all Angus Council Libraries, ACCESS Offices, and at the Council's offices at County Buildings and Angus House, Forfar. In addition printed copies were available on request with CD versions available free of charge.

Statutory Public Notices were placed in the Dundee Courier on November 18 2016 ([see Appendix 2](#)). This provided details of how to access the Draft Supplementary Guidance document, the period for representation and how to submit a representation. In addition, developers and agents identified as active in renewable energy development in Angus over the previous two years were contacted on application identified email addresses.

A total of 12 representations were received during the seven week consultation period. 10 of these were from external parties and 2 from internal stakeholders. Internal consultation was also ongoing during SG preparation. A further 6 representations, all from external parties, were received on the draft Environmental Report.

Angus Council at their meeting on 29 June 2017 agreed the responses received to the Draft Supplementary Guidance document and to adopt the Guidance following completion of relevant procedures ([Report.../17](#) refers).

The key findings from the consultation period were as follows:

Renewable and Low Carbon Energy Development SG:

Representations largely raised comments on matters of detail and layout across the document and supporting information. Interactive mapping welcome but could be improved.

Renewable and Low Carbon Energy Development Environmental Report:

Representations primarily detail and correction and SEPA comment at Scoping missed in SG. A number of changes were made throughout the SG, reflecting SEA comments to improve the environmental protection within the document.

All comments and representations received have been taken into account in finalising the Supplementary Guidance and accompanying Environmental Report. Representation received on the Draft SG and Angus Council's responses are included in the Statement of Publicity and Consultation as Appendix 3 and 4 of this document. All representations are set out in document order.

### **3. Conclusions:**

As set out above and detailed in Appendices 1-4, the Council has conducted consultation on the Draft Supplementary Guidance for Renewable and Low Carbon Energy Development **in accordance with the commitments made in the [Angus Development Plan Scheme \(2016\)](#)** and has met the statutory requirements set out in legislation.

## **Appendix 1: Angus Local Development Plan Consultation on Draft Supplementary Guidance and Draft Planning Advice – Consultation Letter**

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Your Ref:

Our Ref:

18 November 2016



**COMMUNITIES**  
Strategic Director:  
Alan McKeown

Dear Sir / Madam

### **ANGUS LOCAL DEVELOPMENT PLAN CONSULTATION ON DRAFT SUPPLEMENTARY GUIDANCE AND DRAFT PLANNING ADVICE**

I am writing to inform you that Angus Council has prepared Draft Supplementary Guidance and Draft Planning Advice to support the Proposed Angus Local Development Plan and provide more information or detail on specific policy requirements.

When adopted the Supplementary Guidance will form part of the statutory development plan. At their meeting of 27<sup>th</sup> October 2016 Angus Council approved for consultation draft Supplementary Guidance and Environmental Report for Renewable and Low Carbon Energy Development.

If you require any further information or have any queries, please either visit the Angus Local Development Plan webpage at

[http://www.angus.gov.uk/info/20307/local\\_development\\_plan](http://www.angus.gov.uk/info/20307/local_development_plan)

or they can be viewed during normal opening hours at:

- Planning Reception, County Buildings, Market Street, Forfar;
- Angus House Reception, Orchardbank Business Park, Forfar; and
- All ACCESS Offices, Mobile Libraries and Public Libraries in Angus.

The seven week period for representations on both the Draft Supplementary Guidance and Environmental Report runs from Friday 18th November 2016 until midnight on Thursday 5th January 2017 2016.

Representations may be made by email to [localplan@angus.gov.uk](mailto:localplan@angus.gov.uk) or in writing to: Environment and Development Plan Team, Planning & Place, Communities, County Buildings, Market Street, Forfar, DD8 3LG.

Please note that any comments raised should relate specific to the content of the Draft Supplementary Guidance and the application of the relevant policy rather than the wording of the policy itself. A separate representation should be submitted in relation to each document. The Environmental Report has been submitted to the SEA Gateway.

All responses to the consultation will be considered and inform the final draft of the Supplementary Guidance. The finalised draft, Environmental Report and analysis of points raised during the consultation will be reported to a future meeting of Angus Council. Thereafter the Supplementary Guidance requires to be submitted to Scottish Ministers prior to it being adopted.

If you require any further information or have any queries, please either visit the Angus Local Development Plan webpage at

[http://www.angus.gov.uk/info/20307/local\\_development\\_plan](http://www.angus.gov.uk/info/20307/local_development_plan)

Email [localplan@angus.gov.uk](mailto:localplan@angus.gov.uk) or telephone ACCESSLine 03452 777 778.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Paterson', written in a cursive style.

Jill Paterson  
Environment and Development Plan Manager

## Appendix 2: Draft Supplementary Guidance and Environmental Report Statutory Advert

Statutory Advert - Dundee Courier on 18 November 2016

**TRAFFIC ORDER**

On 14/11/2016 the Council made The Angus Council (Christmas Events in Angus) (Temporary Traffic Restrictions) Order 2016 under Section 62 of the Roads (Scotland) Act 1982. The Order will come into force in the following towns on the following dates: 24 November 2016 at Forfar, 26 November 2016 at Brechin and Kirriemuir, 27 November 2016 at Carnoustie, 2 December 2016 at Monifieth and Arbroath and 9 December 2016 at Montrose.

The following will be suspended on the dates intimated and of the times set out in the Order:-

- (1) the one way traffic restriction on Hill Place (slip road) Arbroath as provided by Article 7 of Part III of the Schedule to The Angus Council (Arbroath Traffic Management) Order 2004;
- (2) the one way traffic restriction on the eastern section of Manor Street Forfar as provided by Article 9 of Part II of the Schedule to The Angus Council (Forfar Traffic Management) Order 2009;
- (3) the use of the foot stance in Kirk Square Arbroath;
- (4) the use of the foot stance in High Street, Brechin and
- (5) the use of the foot stances in Castle Street, Forfar

**SHEONA CRAIG HUNTER, Head of Legal and Democratic Services**  
Angus Local Development Plan

**ANGUS LOCAL DEVELOPMENT PLAN**

**NOTICE OF PUBLICATION OF DOCUMENTS**  
**DRAFT SUPPLEMENTARY GUIDANCE AND STRATEGIC ENVIRONMENTAL ASSESSMENT ENVIRONMENTAL REPORT.**

**PLANNING ETC. (SCOTLAND) ACT 2004- SECTION 22**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND) REGULATIONS 2008**  
**ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005- SECTION 16**

Angus Council has prepared a Renewable and Low Carbon Energy Development Supplementary Guidance document, and has undertaken a Strategic Environmental Assessment (SEA) draft Environmental Report for consultation purposes.

The documents have been prepared to support implementation and interpretation of the Angus Local Development Plan. The Supplementary Guidance (SG) will form part of the Angus LDP once it is adopted.

Angus Council has undertaken a Strategic Environmental Assessment in accordance with the Environmental Assessment (Scotland) Act 2005 and the Environmental Report has been submitted to the SEA Gateway for comment.

Copies of the Draft Supplementary Guidance and Environmental Report can be viewed on the Internet at: [http://www.angus.gov.uk/info/20307/local\\_development\\_plan](http://www.angus.gov.uk/info/20307/local_development_plan) or at Council Offices located at County Buildings, Market Street and Angus House, Orchardbank Business Park, Forfar, at local libraries, mobile libraries and ACCESS offices in Angus during normal opening hours.

Representations on the content of the Draft Supplementary Guidance and Environmental Report are sought during a seven week period beginning 18 November 2016 and ending 5 January 2017.

Representations on the above documents may be made online at [http://www.angus.gov.uk/info/20307/local\\_development\\_plan](http://www.angus.gov.uk/info/20307/local_development_plan), by email to [localplan@angus.gov.uk](mailto:localplan@angus.gov.uk) or in writing to the Environment & Development Plan Team, Communities, Planning & Place, Angus Council, County Buildings, Market Street, Forfar, DD8 3LG.

Further information regarding the Draft Supplementary Guidance and Environmental Report may be obtained from Angus Council by email to [localplan@angus.gov.uk](mailto:localplan@angus.gov.uk) or by calling the ACCESS line on 03452 777 778. Please note that all representations must be received no later than midnight Thursday 5 January 2017.

**PLANNING APPLICATIONS**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)**  
**PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) (SCOTLAND) ACT 1997 (AS AMENDED)**

Applications for permission and/or consents under the above legislation as listed below together with the plans and other documents submitted with them may be examined at County Buildings, Market Street, Forfar, DD8 3LG between the hours of 9.00 a.m. to 5.00 p.m., Monday to Friday or visit the Public Access facility on the Council's website at <http://planning.angus.gov.uk/online-applications/>.

Written comments may be made within 21 days of this notice to the Service Manager, County Buildings, Market Street, Forfar, DD8 3LG or e-mail [Planning@angus.gov.uk](mailto:Planning@angus.gov.uk). Please note that representations made to an applicant in response to any pre-application consultation cannot be taken into account by Angus Council.

- **Kinnethorpe House Kinnethorpe Forfar DD8 1TR** - Formation of New Access in Boundary Wall in order to facilitate New Car Parking Area - 16/00853/LBC - Listed Building
- **24 Wharf Street Montrose DD10 8BD** - Replacement Windows - 16/00826/FULL - Conservation Area
- **8D Orchard Lane Orchardbank Industrial Estate Forfar DD8 1TD** - Change of Use from Industrial to Sell Goods for use as a Dog Grooming Salon - 16/00886/FULL - No Premises on Neighbouring Land
- **Micraeddie Church Withchidean Road Brechin DD9 7HA** - Conversion of Former Church Building into 7no. 2 bed Flats with External Alterations and Landscape Works - 16/00850/FULL - Attached Setting of a Listed Building
- **Micraeddie Church Withchidean Road Brechin DD9 7HA** - Alterations to Former Church to Create 7no Flats - 16/00849/LBC - Listed Building
- **Station House Union Street Monifieth Dundee DD5 4NG** - Erection of replacement boundary fence - 16/00878/FULL - Attached Setting of a Listed Building
- **Montrose Air Station Heritage Centre Woldron Road Montrose DD10 9BD** - Formation of a Building to be used for Conservation Purposes such as Rehabilitation of Aircraft, Vehicles etc - 16/00887/FULL - Attached Setting of a Listed Building
- **2 Kintyre St Vigons Arbroath DD11 4BB** - Replacement of Existing Windows with Windows to Match - 16/00712/FULL - Conservation Area
- **Filling Station And Shop Academy Street Forfar DD8 2HA** - Installation of Jet Wash and Associated Fencing and Layout Alterations - 16/00852/FULL - No Premises on Neighbouring Land
- **South Wing Inver House Inver Letham Forfar DD8 2AJ** - Alterations and Extension to Dwellinghouse to form two Dwellinghouses - 16/00884/FULL - No Premises on Neighbouring Land

**KATE COWIE, Service Manager Planning**

**Tel: 03452 777 778**  
**www.angus.gov.uk**

**Working Towards Equality**



**IIAVAS PEOPLE**

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Please note following your allotted amends there will be a charge made for additional amends.



**Appendix 3: Representations received to Draft Renewable and Low Carbon Energy Development Supplementary Guidance and the Council's response to these representations.**

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
General		External	SW	Welcome development of spatial framework.	Noted
		External	RSPBScotland	Layout could be improved to make SG easier to use e.g. Numbering system in Section 4 is confusing	Accept. Delete numbering.
		External	Scottish Government	Does SG adequately address paragraph 170 'areas identified for wind farms should be suitable for use in perpetuity' and paragraph 174 'the current use of the site as a wind farm will be a material consideration'	The SG recognises the potential for repowering – either at the end of the proposed life of a wind energy development or prior to that. The existing consent and activity will be a material consideration in any such application and restoration bonds and plans can and should be reviewed during the lifetime of any wind energy development. The potential to review, reassess and improve energy generation will be significant as efficiency and technology develop. The SG recognises the implications and potential life span of new and repowering proposals in the development principles section.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
		External	Scottish Government	TAYplan (Proposed Plan) identifies that a region wide study will be undertaken in 2017, looking at cross boundary constraints and opportunities and provides a definition (in the meantime) of energy proposals with a strategic significance. How will the identification of strategic capacity link with the supplementary guidance?	<p>The ALDP 2016 and accompanying Supplementary Guidance were prepared in accordance with the current development plan. The proposed TAYplan 2 has been prepared and published subsequent to that and will not be adopted until summer 2017.</p> <p>TAYplan proposed constraints and opportunities to proposals of strategic significance 'will be based on updating the existing landscape capacity studies'. The Strategic Landscape Capacity Assessment for Wind Energy in Angus has been updated to 2016 and both the ALDP and SG recognise that local authority/national park boundaries do not affect the assessment of a strategic development and cross boundary consultation is not restricted to TAYplan partners.</p> <p>TAYplan 2017 initial region wide study indicated current strategic capacity guidance is currently satisfactory and no further work is required.</p>
		External	SNH	The spatial framework for onshore wind is clearly presented in accordance with SPP.	Noted

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
		External	SNH	Reference to the 'Assessment of Strategic Capacity for Wind Energy in Angus' (2014) is welcomed. We suggest that you consider including figure 6.4 'Wind Turbine development opportunities and constraints' to assist developers.	Hyperlink to the Assessment of Strategic Capacity for Wind Energy in Angus inserted in to the text and significant guidance included into the text. It is felt this is sufficient to highlight the importance of landscape
		External	SNH	There is a challenge to provide Angus specific information - suggest considering replacing standard advice by signposting to relevant national guidance and supporting information requirements for applications.	Agreed
		External	SNH	A key element of the SG is setting out the supporting information developers need to provide. Developers may find it easier to search for the type of renewable energy of most interest to them so a suggestion is to re-structure the guidance by technology (e.g. wind, solar, biomass) to provide supporting info required for each technology. We suggest considering augmenting the developer checklist and moving it into the main body of the SG. It may be possible to consolidate /omit parts of the guidance to avoid areas of overlap.	Agreed
		Internal	Archaeology Service	Having reviewed these documents in relation to cultural heritage, and in particular designated	Noted

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				and non-designated archaeological sites, I confirm that I have no comments to make other than to support the proposed guidance.	
		External	Forfar CC	The document and links with the LDP - not for a layperson therefore only clear if the reader has knowledge of all the supporting documents stated in the consultation.	The SG only provides information on the application of Local Development Plan Policy PV9 Renewable and Low Carbon Energy Development. While efforts are made to make the SG comprehensive it does have to be read in the context of other planning policy including the Local Development Plan and National Planning Policy.  Hopefully the revised layout will help all users.
		External	Ian Whyte		
		External	Inveresk CC	Heavy concentration on wind energy is understandable because of the controversial nature of wind energy developments, but there is a danger that not enough is made of the alternative types of renewables available. Suggest that greater emphasis is placed in the 'Introduction' on the value of other renewable energy technologies as less controversial alternatives to wind energy development.	Revised layout should address these concerns.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
		External	Ian Whyte	Commend Angus Council on their aspirations in helping meet Scotland's national targets.	Noted
		External	Forfar CC and Inveresk CC	Some errors of grammar/spelling in the text.	Noted
Introduction		External	RSPBScotland	Clarify SG, as ALDP, is only applicable outwith Cairngorms National Park.	No change.  SG applies to the ALDP which excludes the Cairngorm National Park. All maps exclude the National Park area and reference is made to the CNPA in relation to consultation.
Introduction	9	External	RSPBScotland	Section 2 sets out the spatial framework for onshore wind turbines and local considerations for the preparation and assessment of wind energy proposals. However, beyond setting out the spatial framework, Section 2 only includes advice on landscape and visual assessment, and not other important local considerations such as biodiversity and habitats. It would seem more appropriate for Section 2 to only include the spatial framework as required by Scottish Planning Policy (SPP). We suggest that the more detailed advice on landscape and visual assessment and other local considerations should be moved to Section 4: Guidance for	Accept – see revised layout.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				Applicants - Development Management Considerations.	
<b>Section 2 - Spatial Framework for Onshore Wind Energy Development</b>					
		External	Forfar CC	Locational Framework noted.	Noted
		External	Ian Whyte	Happy with the functionality and ease of use of the framework.	Noted
		External	HES	Welcome preparation of this guidance	Noted
		External	HES	Only World Heritage Sites, Inventory Gardens and Designed Landscapes and Inventory Battlefields fall within the Areas of significant protection defined by Scottish Planning Policy for spatial frameworks. All other nationally important historic environment assets fall within area with potential for wind farm development. Welcome the further detailed information within the guidance on how the protection of the historic environment will be addressed in planning for wind energy in the Angus area.	Noted
Maps	11-15	External	Inveresk CC	The Spatial Framework appears to us clear and logical overall.	Noted

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
	11-15	External	Inveresk CC	Much more could be done to highlight the significance of the designated area of Wild Land. In particular, it is difficult to make out whether the Wild Land shown on Map 2 has been included as an Area of Significant Protection on Map 4. If so, that should be made completely clear in the accompanying notes; if not, the reason why not should equally be made clear in the accompanying notes.	<p>No change.</p> <p>The spatial framework layers are laid down by Scottish Planning Policy Table 1 Page 39 (<a href="https://beta.gov.scot/publications/scottish-planning-policy/pages/2/">https://beta.gov.scot/publications/scottish-planning-policy/pages/2/</a>) and Areas of Significant protection within Angus are listed in Table 3.</p> <p>Map 1 is the Spatial Framework as defined by SPP. It amalgamates all such designations for Angus to illustrate:</p> <ul style="list-style-type: none"> <li>• Areas of Significant Protection and</li> <li>• Areas with potential for wind farm development.</li> </ul> <p>The interactive map is provided so more detail can be accessed.</p>
Map 4		External	SNH	Accompanying notes for Map 4 should highlight the significance of the Strategic Landscape Capacity Assessment for Wind Energy in Angus: Final Report (2014, updated 2016) as a material consideration in the assessment of wind energy developments. Suggest that it should also be made clear in the accompanying notes to the map that proposals for Areas with Potential for Windfarm Development must be considered in	<p>No change.</p> <p>The SPP requires that no additional constraints be added to the Spatial Framework.</p> <p>Map has been deleted from text as interactive map identifies information incorporated in the Spatial Framework.</p>

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				the light of the report.	
	13	External	Inveresk CC	Expressions 'outwith defined development boundaries' and 'within Development Boundaries' on that page are not completely clear. What exactly is meant by 'development boundaries' in this context?	SPP 'community separation districts' are based on 'an area not exceeding 2km around cities, towns and villages identified on the local development with and identified settlement envelope or edge.' In the case of the Angus LDP these are called 'development boundaries' and provide the definition between built up areas and the open countryside (See the ALDP pages 9 and 10 and the Proposals Map for further information. <a href="http://www.angus.gov.uk/downloads/download/425/angus_local_development_plan_adopted_september_2016">http://www.angus.gov.uk/downloads/download/425/angus_local_development_plan_adopted_september_2016</a>  The interactive map identifies ALDP development boundaries and two kilometres around them.
Table1: Column 3	11	External	SNH	Table 1, 3rd column: please clarify the statement "36 SSSIs within Angus LDP area, 32 SSSI only."	Sites may have more than one designation and of the 36 SSSIs in Angus 32 have an SSSI designation only, 4 have multiple designations. Delete '32 SSSI only' for clarity
Map 1	12	External	SNH	Map 1: The interactive map allows clear differentiation between the different designations but the paper map does not	No change.  The Spatial Framework complies with SPP and



<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				convey that several designations can apply to one area. For example, Montrose Basin is coloured green on this map which denotes a SSSI, but it does not reflect that the site is also a Natura site and a Ramsar site. We recommend revising the map to reflect these multiple designations.	Areas of Significant Protection are accessed through the interactive map which gives much cleared information to the user.
	12	External	SNH	Support presentation of the spatial framework as a separate layer on the interactive map.	Comment noted.
Map 2	13	External	Scottish Government	Check with SNH for the purposes of compliance with SPP and amendment as necessary.	Confirmed with SNH and maps revised accordingly.
	13	External	SEPA	<p>Welcome the background text and the associated identification of carbon rich soils as a constraint to development under Group 2 as well as the reference to priority peatland habitats as defined by Scottish Natural Heritage.</p> <p>Request that the SG also highlights that other habitats, including wetlands, may be afforded significant protection in relation to development</p>	The SG identifies the need to maintain and enhance the quality of the water environment. This supports policies in the ALDP which address development affecting the water environment, soils and designated sites. Wetlands are not included within 'areas requiring significant protection' in SPP Table 1: Spatial Framework Approach.
Maps	15	External	RSPBScotland	Include in this section map which shows all Group 2 'Areas of Significant Protection' on one map, in addition to the existing maps showing each sub-group.	Map 4: Spatial Framework for Onshore Wind Energy Development comprises all Group 2 areas on one map.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
	17	External	Forfar CC	Given there is no height restriction of a turbine, it should be mandatory for SNH to be consulted on bird migration patterns as part of a development proposal.	In the revised layout Natural Heritage, including birds, is considered under Development Management Considerations which includes consultation requirements.
Table 2	18	External	RSPBScotland	Requirement to assess the cumulative impact of wind energy developments on natural heritage, including birds should be added.	The Spatial Framework identifies national, international and local sites designated for the protection of birds and developers are required to take account of these as a significant constraint. Reference to SNH guidance is included link to RSPB 2050 Energy Vision spatial data added.
Landscape and Visual Assessment of wind energy proposals	17	External	SNH	Suggest the addition of figure 6.4 from the 'Assessment of Strategic Capacity for Wind Energy in Angus (2014). This illustrates 'Wind Turbine development opportunities and constraints' identified through the assessment.	No change. The revised layout incorporates a link to The Strategic Landscape Capacity Assessment for Wind Energy in Angus and Figure 6.4 is specifically referenced.
		External	SNH	Insert reference to 'Visual Representation of Wind Farms' Good Practice Guidance.	Agreed – include link in revised layout.
		External	SNH	Add guidance on repowering of existing wind farms and consideration of landscape capacity studies and assessment of cumulative effects.	Policy PV 9 states –  In all instances 'renewable and low carbon energy developments' include: infrastructure, activity and materials required for generation, storage or transmission of energy

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
					<p>where it is within the remit of the council as local planning authority (or other duty). Includes new sites, extensions and/or repowering of established sites for onshore wind.'</p> <p>Where relevant, therefore any part of this SG will apply to consideration of repowering of existing wind farms.</p>
Table 2	18-19	External	SNH	Contains landscape and visual information but no other natural heritage supporting information which may be required specifically for the spatial framework - revise to reflect this or signposted to part of the SG that provides this information.	Agreed - Revise layout.
	18	External	SNH	Refer to revised version of SNH cumulative effects guidance: 'Assessing the cumulative impact of onshore wind farm developments (2012)'	Agreed – include link in revised layout.
<b>3: Renewable and Low Carbon Energy Development.</b>					
Community Ownership/ Benefit	21	External	Scottish Government	As per paragraph 173 of SPP, SG should mention the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments and the	Accept. Amend text and add link to Local Energy Scotland in paragraph on Community Ownership/Benefit.

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				circumstances where this is appropriate.	
Overview	21	External	SNH	Suggest other specific natural heritage considerations for renewable energy should be included here, such as carbon rich soils/peat, recreation and habitats and species. SPP para 169 lists likely considerations for renewable energy developments.	Layout revised - overview deleted.
	21	External	HES	Summary would benefit from the inclusion of impacts on the historic environment as this is not adequately covered by the existing summary.	Layout revised - overview deleted.
	21	Internal	Access Officer	Last paragraph, bullet point 3 – Amend to 'outdoor access to avoid any confusion with site access for development.	Layout revised - overview deleted. Clarification of 'outdoor access' throughout the SG.
Table 4		External	SEPA	Useful summary of likely planning issues and a pointer to the range of supporting information but lack of supporting information for Anaerobic Digestion; other Energy from Waste and Heat Pump proposals	Agreed – see revised layout.
Hydro	23	Internal	Access Officer	Make reference to recreational water access. It will not be an issue for many schemes, but some schemes could significantly affect availability of access or have significant safety implications for access users.	Agreed

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Energy from Waste	25	External	SEPA	Energy from Waste (EfW) facilities and the use of the biogas produced from Anaerobic Digestion (AD) plants require to comply with The Thermal Treatment of Waste Guidelines 2014 and are a material planning consideration in determining relevant planning applications. When consulted on EfW facilities SEPA will consider energy efficiency of the; potential to site new plants close to existing; and potential users of heat and power. This issue should be highlighted within the SG, perhaps within Table 2.	Table 2 refers to Spatial Framework for Onshore Energy development – supporting information only.  Reference and link to SEPA guidance and consultation will be made under the section on 'Anaerobic Digestion (AD) and other Energy from Waste'
General		External	SNH	Presenting this information by renewables type may be more accessible for developers - suggest consolidating this table with the information in the developer checklist in Appendix 1 and moving it into 'development management considerations' (section 4).	Review document layout.
		External	RSPBScotland	Suggest addition of the following text on ecological impacts of wind energy:  Onshore windfarms can have negative impacts on birds and other wildlife such as bats, though disturbance and/or displacement, barrier effects, collision risk, and habitat loss or damage. Many of the negative impacts on biodiversity from onshore wind can be mitigated by	The potential effect of wind turbines addressed through this SG and other policy and guidance. It is the responsibility of the developer in consultation with the local authority and other agencies as appropriate to ensure adequate assessment of each development proposal including matters considered in the suggested text.

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				<p>appropriate siting and design which takes into account the habitats affected, the species present, their population and their vulnerability to windfarms</p> <p>Offshore wind can have negative impacts on birds and other wildlife, though disturbance and/or displacement, barrier effects, collision risk, and habitat loss or damage. Construction related noise during the installation of offshore wind turbines can potentially have significant impacts on cetaceans, ranging from avoidance behaviour to auditory damage or fatal injury.</p>	
Hydro		External	SNH	<p>Include additional natural heritage considerations and supporting information requirements, for example protected areas and species. For example, hydro 'supporting information.' Our guidance advises on additional considerations such as protected species and protected areas:</p>	Link to SNH Hydro page added
		External	SNH	<p>Helpful for developers to be aware of the guidance referred to in Policy PV4 of Angus LDP – 'Rivers Tay SAC and Rivers S Esk SAC guidance for developers produced jointly by Angus Council, SNH and SEPA.' These provide detailed advice on the information required for</p>	Links included in draft SG – relocate.

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				developments including hydro which may affect these SACs.	
		External	RSPBScotland	<p>We suggest the addition of the following text:</p> <p>The upstream and downstream movement of fish such as salmon, lamprey and eel can be affected, particularly in low head schemes, which can prevent access to spawning or feeding grounds and threaten lifecycle completion. This impact can be mitigated by locating developments in sites with existing in-river barriers such as weirs and incorporating a fish pass and fish-friendly turbine design.</p> <p>If significant volumes of water are abstracted, this can result in depleted stretches of water which can have consequences for ecosystem function and habitat connectivity; the impact of flow depletion on bryophytes is a particular concern.</p>	Agreed
Heat pumps		External	SNH	Add consideration of impacts on protected species and areas.	Agreed
		External	RSPBScotland	<p>suggest the addition of further guidance along the lines of:</p> <p>Heat pumps can cause localised impacts such</p>	Agreed

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				as disturbance of habitats during installation, or small changes to ground temperature in the case of ground source heat pumps. Open loop systems have the potential to affect groundwater.	
Biomass	24	External	SNH	Add ecological impacts e.g. designated sites, air quality, semi-natural/woodland habitats, sustainability of sourcing/transport of biomass	Agreed
		External	RSPBScotland	<p>Welcome requirement that applications for large biomass boilers will include details of the sustainable fuel source as heat energy from biomass is only 'renewable' where the biomass comes from a certified sustainable source. The FSC standard provides robust environmental protection and is currently the only credible, internationally recognised standard.</p> <p>Addition following text: 'The ecological risks of bioenergy generation will strongly depend on the type of feedstock used and the management system applied, but all have the potential to increase greenhouse gas emissions and cause habitat loss.'</p>	Agreed
		External	Ian Whyte	No mention if future biomass developments consider CO2 capture and links to CO2 transport and storage infrastructure in the future? If a	SG is 'limited to the provision of further information or detail in respect of policies or proposals set out in the SDP or LDP' (Circular



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				Carbon Capture and Storage (CCS) network is eventually available, biomass with CCS has the potential to create negative emissions.	6/2013 Development Planning. In this instance the SG relates only to the interpretation and application of Policy PV9. The development and application of CCS can only be relevant in land use policy terms given the restricted role of SG,
Solar		External	SNH	Add SNH guidance on "Large scale solar photovoltaic installations: considering landscape, visual and ecological impacts"	Included in link to SNH planning and renewable energy guidance.
		External	RSPBScotland	<p>Welcome recognition that solar farms can provide biodiversity gains through appropriate management. Include planting of species that provide winter food for birds. Request RSPB 'Planting around photovoltaic arrays' is referred to in the SG.</p> <p>We also suggest the addition of further text along the lines of: 'When installing solar panels on rooftops there is a possible risk of disturbing roof-nesting or roosting birds and bats; installation should therefore take place outside of the breeding season and avoid blocking access points.'</p> <p>Potential negative ecological impacts of solar farms include disturbance, displacement,</p>	Agreed – amend text.

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				habitat loss and/or habitat fragmentation.	
	26	Internal	Access Officer	Make reference to public access. The scale of solar farms and the need for secure fencing has potential to significantly affect public access.	Agreed
Marine		External	RSPBScotland	<p>All local authorities are required to ensure their LDPs (and also supplementary guidance) concur with the requirements of the National Marine Plan<sup>5</sup> which outline detailed planning policy which is especially relevant as it is 'expected that offshore wind, wave and tidal energy will make a significant contribution towards meeting our future renewable electricity needs'<sup>6</sup>. Marine plan boundaries extend to the Mean High Water Springs and there is overlap with terrestrial planning boundaries extend down to the Mean Low Water Springs. In addition to this any marine development will have implications for the terrestrial environment and vice versa<sup>7</sup>. The importance of alignment of terrestrial policy with marine plans is outlined in Planning Circular 1/2015, particularly in paragraphs 44 and 458.</p> <p>Although decisions on tidal, wave and offshore wind energy applications are taken by Marine Scotland and Scottish Government, we would welcome the inclusion in the SG of guidance on</p>	Coastal Planning and integration with Marine plans are addressed in the ALDP, page 64 and Policy PV16. All relevant development will be considered in this context.

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				such applications, in particular with reference to natural heritage.	
<b>Section 4 - Guidance for Applicants - Development Management Considerations</b>					
Development Principles	29	External	HES	Welcome recognition of the benefits of including Historic Environment Scotland in the preparation of the design proposals, particularly where there is potential for significant impacts on the historic environment resource.	Noted
	29	Internal	Access Officer	Bullet point 5 - Change to 'public access' to avoid any confusion with vehicular site access.	Agreed
Policy PV9	40	External	John Handley Associates Ltd on behalf of Shell UK Ltd	<p>Section 4 Guidance for Applicants Development Management Considerations - amend to include reference to requirement for wind turbines proposals to take cognisance of pipeline corridors and comply with guidance from the Health and Safety Executive. Would ensure consistent approach to all potential and avoid potential conflicts between these uses. It would also reflect the findings of the LDP Examination.</p> <p>The new section could be inserted after criteria 4 (k) on page 40 and would read:</p> <p>4(l) during construction, operation and</p>	<p>This section refers to the criteria in policy PV9 of the Adopted Local Development Plan. Additional criteria cannot be added to an adopted policy.</p> <p>A new Policy (PV21) was inserted to refer to Pipeline Consultation Zones. An additional bullet point can be included under development principles to make reference to Pipeline Consultation Zones, including existing oil and gas pipelines.</p>

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				<p>decommissioning there will be no unacceptable impacts on existing oil and gas pipelines and related infrastructure.</p> <p>Also suggest that an explanatory paragraph should be inserted after this criteria to provide appropriate advice on the need for proposals to take cognisance of pipeline corridors and comply with guidance from the Health and Safety Executive</p>	
				Welcome the further detail offered on the criteria contained with Policy PV9.	Noted
	35	External	HES	Paragraph 3 – Protection of sites of national and international status are the responsibility also lies with Angus Council. Recommend this statement is amended.	Agreed
	35	External	HES	EIA screening decisions are solely for the planning authority and that, while advice can be offered on the relevant historic environment baseline, the consultation authorities have no formal role in EIA screening.	Noted – amend text
Policy PV9 Bullet point 3	31	External	Scottish Government	Policy PV9 states that supplementary guidance will be prepared that will provide further detail on the factors which should be taken into account in considering and advising on	Agreed. Text added to incorporate heat mapping and emerging Strategic Energy and Climate Action Plan (SECAP).

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				proposals for all types of renewable energy development. On this basis it would be appropriate to include heat mapping in the supplementary guidance, which would also support the application of policy PV10 of the LDP.	Incorporate heat layers into the interactive map and insert link.
		External	SEPA	Supportive of the wording of ALDP Policy PV9 and consider it to be in accordance with the aspirations of SPP paragraph 154 which indicates that the planning system should 'support the transformational change to a low carbon economy...including deriving electricity and heat from renewable sources'.  In general consider that the SG will build on this framework and as such we welcome it.	Comment noted.
4(b)	31	External	SNH	Delete "where they will not be regularly in use" as we are unclear as to the meaning of this statement.  Add link to SNH 'Constructed Tracks in the Scottish Uplands 2015'	Noted. Amend text- "where they will not be regularly in use to service the development." Over the lifetime of a wind farm access will be required for operations and maintenance requiring some access. This should be the minimum required and tracks not regularly used for this purpose should be re-instated.  Add link

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4(e) Landscape	32	External	SNH	This criterion addresses landscape considerations so move reference to protected species to 4f).	Agreed. Layout revised.
Public Access	32	Internal	Access Officer	<p>Helpful to expand on what should be taken into account when considering access. Insert:-</p> <p>'Public rights of access under the Scottish land reform legislation exist over most land. Linear access may take place over core paths or public rights of way, or over other paths and tracks, which are generally within access rights. Access rights also generally apply to areas of land such as farmland, woodland and open land, regardless of the presence of paths or tracks. Recreational water access to rivers and lochs is also within access rights and may be a particular consideration for hydro-electric schemes.</p> <p>Appropriate consideration of access will depend on the nature and location of the proposed development and existing patterns and levels of public use. New development should not significantly reduce people's ability to take recreational access. Where proposals will result in restrictions to access over core paths, public rights of way or other linear access routes, there will normally be a requirement for provision of an alternative route. Solar farms can remove large</p>	Agreed

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				areas of land from public access, and may significantly affect people's ability to take access in their local area or to pass through an area, even in locations where there are no linear access routes and levels of public access are generally low. In such cases there may be a need to provide access corridors through or around the development. Visual impacts and other impacts on the amenity of the area will be a consideration where there is a well-used route such as a core path or an area of land which has a high recreational amenity value.'	
	33	External	SNH	Replace generic advice in para 1 and 2 with links to SNH's cumulative effects guidance for specific types of renewables.	Agreed. Layout revised and link to 'SNH Guidance on landscape impact of energy development' added.
4(f) Natural Heritage	34	External	SNH	Para 2 - Where remediation measures can successfully redress...Ramsar sites" recommend instead refer to PV4 Policy protection, including Natura sites.	Agreed – delete text and replace – Renewable energy proposals should protect and/or enhance sites designated for natural heritage reasons in accordance with Policy PV4 of the Angus Local Development Plan.
	34	External	SNH	Natural heritage and scientific designations - suggest substitute general wording in the first 2 paras and signposting to SNH guidance.	Agreed – see revised layout
	34	External	SNH	Mention principle of activities outwith	Agreed

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				boundaries of designated sites potentially affecting these sites (such as Freshwater pearl mussel and the River South Esk SAC).	
	34	External	SNH RSPBScotland	What is meant by 'RSPB significant bird habitats' and request for clarification. Does this mean RSPB Sensitivity Map for onshore wind or wider RSPB advice on priority habitats?	Delete reference to 'RSPB significant bird habitats' in text, on Interactive Map and Council GIS.
		External	RSPBScotland	Suggest that there are discrete sections of guidance on the different levels of protection – i.e. international (SPAs, SACs and Ramsar); national (SSSIs) and local. We recommend that the background to sites designated under the European Habitats and European Birds Directive is reworded to fully demonstrate the implications of this. We suggest the following wording:  Internationally designated sites have protection under European law and are commonly known as Natura 2000 sites. These sites comprise Special Protection Areas (SPA) which are designated under the EC Wild Birds Directive (2009/147/EEC), as well as Special Areas of Conservation (SAC) for habitats and species which are designated under the Habitats Directive (92/43/EEC). Ramsar sites, designated under the Ramsar Convention on Wetlands of International Importance which	Levels of protection are addressed in Policy PV4 and text amended to accord with SNH response and reference to ALDP policy.  All relevant development will be considered in the context of this as referenced in Appendix 1



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				<p>came into force in 1975, and are afforded the same policy protection as Natura sites.</p> <p>There are also nationally designated sites in Angus. Sites of Special Scientific Interest (SSSI) are designated under the Nature Conservation (Scotland) Act 2004 and are protected by law. Many of Angus's SSSIs are also designated as Natura 2000 sites. The Angus coast is also adjacent to the Firth of Forth Banks Complex Nature Conservation If a site is considered for development it is necessary to establish early whether such a proposal could impact on a Natura 2000 site. This includes when a proposed development is some distance from the boundary of a Natura 2000 site as the qualifying interests could still be affected. The plan or project can only be consented if it can be ascertained that it would not adversely affect the integrity of the site. The planning authority must ensure the requirements of the Conservation (Natural Habitat, &amp;c.) Regulations 1994 (as amended) are met before undertaking or permitting any project. Marine Protected Area (NC MPA) designated under the Marine (Scotland) Act 2010.</p>	
		External	SNH	4th para - locally important areas; mention LBAP	Agreed

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				priorities.	
		External	SNH	5th para - final sentence; note HRA may be required not just for in combination development	Agreed
		External	RSPBScotland	There should be more explanation of the Habitats Regulations requirements including requirement for applications to be supported by sufficient information to inform a HRA undertaken by the council (if HRA is required). Recommend addition of reference to the requirements of the relevant Angus LDP policies on natural heritage (including Policies PV4 and PV5). The SNH guidance on Habitat Regulation Assessment (HRA) should be highlighted here. We recommend reference made to the SNH guidance 'Assessing Connectivity with Special Protection Areas (2016)' particularly when discussing the potential cumulative impact in the Natura 2000 network. It should be noted in this section that even though a site may not lie within or immediately adjacent to a designated site there may be a functional connectivity between sites which should be considered.	Agreed – include link in revised layout.
	34	External	RSPBScotland	The last sentence should refer to 'Habitats Regulations Appraisal' not 'Habitats Regulations Assessment'.	Agreed

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		External	RSPBScotland	Welcome commitment from Angus Council to develop a register of locally important sites for their nature conservation value in accordance with Scottish Planning Policy paragraphs 196 and 197. See Action Programme (reference 34 and 35). RSPBScotland would be happy to provide further support and guidance with preparing such a register.	Noted
	36	External	SNH	Insert header for criterion “any populations of protected species”, delete 2nd para and add signposting to SNH’s guidance on protected species for specific renewables energy types.	Agreed – include link in revised layout.
		External	RSPBScotland	Welcome that Policy PV4 states that further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note. The Renewable and Low Carbon Energy Development Supplementary Guidance should refer the reader to the more detailed guidance in the PAN. Would welcome an early opportunity to provide advice on the content of that PAN.	Noted
		External	RSPBScotland	Recommend reference is made to the Outer Firth of Forth & Tay Bank Complex Marine dSPA and the Outer Firth of Forth & St Andrews Bay Complex pSPA in this section.	Noted – included in Environmental Report.

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4(g) Amenity		External	Forfar CC	General- AGREED STANDARDS. Are these standards available in Scottish Planning policies or other documents or are they agreed verbally between the applicant and the local authority?	The standards relate to Regulatory and Protective Services. They include legal or industry standards for noise levels, emissions, odour and other matters controlled through non-planning responsibilities, primarily environmental health. Such standards must be met for any affected development to proceed.
4(h)Water	37	External	Scottish Water	Welcome inclusion here of Water Supply. Would encourage consultation with SW directly to assess any impacts and protection measures.	Agreed – include reference to consultation with Scottish Water.
	37-38	External	SEPA	Welcome recognition that water environment includes wetlands, coastal waters and groundwater but include transitional waters for completeness	Agreed
		External	SEPA	Welcome requirement not only protect but also enhance the water environment. This includes all built elements of the proposed development as well as construction impacts as highlighted under the 'Water Quality' section.	Noted
		External	SEPA	Welcome reference to flood risk and impacts on groundwater abstractions (including private water supplies).	Noted

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		External	SEPA	Typo - bullet pt 1 under 'Water Quality' whereby the word 'enhance' is missed.	Agreed - amend
		External	SEPA	Welcome recognition of wetlands as an important environmental and commercial asset and Phase 1 habitat surveys to ensure relevant buffer zones are taken into account during site layout design.	Noted
		External	SEPA	Welcome Assessment Checklist for peat, soils and water link to SNH, SEPA and windfarm industry 'Good Practice During Windfarm Construction'.	Agreed – include link in revised layout.
		External	SEPA	Welcome requirement for no unacceptable impacts on carbon rich soils, deep peat and priority peatlands. Recommend that reference is made to the difficulties in working with/in peat, particularly regarding the re-use of excavated peat and problems with waste peat disposal. Any peat reuse proposals must be in line with 'Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste' and our Regulatory Position Statement – 'Developments on Peat'	Agreed – add text Table 4 under Peat and Soils –  'Recognise and address working in/with peat, particularly re-use/disposal of excavated peat in line with SEPA guidance.  Add link to SEPA development on peatland guidance.
	38	External	SW	Welcome inclusion of Water Supply. Would encourage consultation with SW directly to	Agreed – include reference to consultation with SW.

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				assess any impacts and protection measures.	
		External	SNH	Useful to refer to Angus specific guidance for developers the River S Esk SAC and River Tay SAC – see above link.	Agreed – include link in revised layout.
4(i) peat and priority peatland habitat	36	External	RSPBScotland	<p>Development and in particular windfarms on sensitive peatlands can, if poorly planned, harm biodiversity and undermine the climate benefits of renewable energy. The inclusion of the SNH map of peat and carbon soils in the mapping tool is important for developers. Scottish Renewables have developed 'Wind Farms and Peatlands Good Practice Principles'12 which should be referenced in this section.</p> <p>SEPA's Carbon Calculator should be referred to in this section. Angus Council should give consideration as to what is an acceptable 'carbon payback period' and we recommend that any development with a payback period exceeding 6 months should seek to reduce impacts and/or increase commitments to peatland restoration.</p>	Noted
4(j)Site Restoration	39	External	SEPA	Any proposal to discard materials should meet waste management licensing requirements at the time of decommissioning. See -	Insert text – 'Waste management licensing requirements will be applied as appropriate.'

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				Understanding the definition of waste.	
		External	SNH	Refer to 'Decommissioning and Restoration plans - guidance for onshore wind'.	Agreed – include link in revised layout.
		External	RSPBScotland	Welcome the advice that applicants will be required to ensure acceptable reinstatement standards, and the requirement for financial guarantees (such as a bond and ESCROW deposit) to be agreed.	Noted
New Criterion	40	External	John Handley Associates Ltd on behalf of Shell UK Ltd	<p>Section 4 Guidance for Applicants Development Management Considerations - amend to include reference to requirement for wind turbines proposals to take cognisance of pipeline corridors and comply with guidance from the Health and Safety Executive. Would ensure consistent approach to all potential and avoid potential conflicts between these uses. It would also reflect the findings of the LDP Examination.</p> <p>The new section could be inserted after criteria 4 (k) on page 40 and would read:</p> <p>4(l) during construction, operation and decommissioning there will be no unacceptable impacts on existing oil and gas pipelines and</p>	<p>This section refers to the criteria in policy PV9 of the Adopted Local Development Plan. Additional criteria cannot be added to an adopted policy.</p> <p>A new Policy (PV21) was inserted to refer to Pipeline Consultation Zones. An additional bullet point can be included under development principles to make reference to Pipeline Consultation Zones, including existing oil and gas pipelines.</p>

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				<p>related infrastructure.</p> <p>Also suggest that an explanatory paragraph should be inserted after this criteria to provide appropriate advice on the need for proposals to take cognisance of pipeline corridors and comply with guidance from the Health and Safety Executive</p>	
<b>Additional Comments</b>					
Forest waste		External	SEPA	<p>Include guidance on forestry waste arising as a result of windfarms developments. Proposals to fell significant quantities should address how forestry waste will be disposed of as part of the planning application and included in the assessment checklist.</p> <p>Wind farm proposals on forested land - key-holing should be carried out where possible as large scale felling can result in a peak release of nutrients which can affect local water quality. Fell to waste processes raise concerns where waste will be managed by techniques such as chipping, mulching or spreading and appropriate waste management options should be considered and adopted where appropriate. Felling operations should be undertaken with a</p>	Agreed – include link and new text in revised layout.



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				view to preventing and reducing waste arisings.  Include reference to the joint SEPA-SNH-FCS position statement.	
Air Quality		External	SEPA	The local authority is the responsible authority for local air quality management under the Environment Act 1995 and therefore we recommend that your Environmental Health section be consulted.	Comment noted. Environmental Health has been consulted during preparation of this SG and is consulted as appropriate on specific development proposals through the Development Management Process.
		External	SEPA	SG should mention need to consider effect of wind turbines on the dispersal of plumes from any industrial sites regulated under the Pollution Prevention and Control (PPC) regime in the proximity of proposed wind turbine sites	Agreed.  Insert text in Section 4, Point 4a,
Flood Risk.		External	SEPA	Flood risk is mentioned as an issue to be addressed with regard to protection of surface water resources - advise that the SG include advice that all windfarm infrastructure should be located outwith areas at medium to high flood risk in order that there is no piecemeal reduction in flood plain storage.  If a flood risk is identified then a Flood Risk Assessment should be carried out following the guidance set out in the document 'Technical	Policy PV12 Managing Flood Risk addresses this issue. There are numerous LDP policies which require to be applied in association with Policy PV9 and this SG. The interactive map includes the SEPA flood risk layer and the Development Management process will address potential flood risk and any requirement for Flood Risk Assessment.  Flooding addressed in development guidance for the water environment in the

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				flood risk guidance for stakeholders'.	revised layout. Link added.
Biomass/District Heating Systems		External	Forfar CC	What role does planning have in viability of these systems given lack of body to protect customers?	The planning system has no role in costs or consumer protection. Other organisations might be able to provide assistance such as Citizens Advice Scotland or OFGEM?
<b>Section 5 – Interactive Map</b>					
		External	Forfar CC	Interactive mapping tool is useful and user friendly.	Noted
MAP 2	13	External	Scottish Government	Classes 1 and 2 of the carbon and peatland map are the nationally important resource identified in SPP Table 1: Spatial frameworks.	Confirmed with SNH - amend Map 2 and spatial framework layer for the interactive map.
		External	SNH	It would be helpful to provide a steer on how the map will be updated to ensure it provides up to date information.	Agreed
		External	SNH	Can the consents layer be linked to the Council's development management system?	The consents layer is already linked to the Council's development management system.
		External	SNH	Amend terminology on the map legend for 'class x' of carbon rich peatland layer	Agreed
<b>APPENDIX 1 - Development Checklist</b>					

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	41	External	SNH	The provision of a development checklist for supporting information is a welcome and important component of the SG.	Noted
	41	External	SNH	Could be improved by being restructured and augmented to become the primary source of the supporting information that may be required for each renewable energy type, and moved into section 3 in the main body of the SG.	Agreed – review layout of the SG
	41	External	SNH	Would it be possible for this to also include links to the relevant guidance we have mentioned above and replace out of date links.	Agreed – review links and their distribution throughout the SG
EIA	42	External	RSPBScotland	Recommend changing the wording to 'an EIA or environmental report will generally be required'. Would expect all applications for renewable and low carbon energy development to require an EIA or other assessment of potential ecological impacts.	Supporting information must be commensurate with the scale of a proposal, therefore it is not appropriate to state all applications will require EIA or environmental report.
Natural Heritage Designations	42	External	RSPBScotland	This section should be extended to ensure impacts on the natural heritage are fully considered by all applicants. This should include: <ul style="list-style-type: none"> <li>• Full details of Natura 2000 sites and the HRA process, as described above in our comments on Section 4.</li> </ul>	This should be addressed through revision of layout. It should be noted that the SG is a guide to developers on areas to consider and will not repeat the requirements of all legislation and guidance. Developers have a responsibility to ensure their proposals comply with all relevant legislation, guidance and licences. The SG will remove this responsibility.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				<ul style="list-style-type: none"> <li>Information on protected species</li> <li>Information on priority species such as Birds of Conservation Concern<sup>13</sup></li> <li>Information on priority habitats</li> </ul> <p>The text regarding SPAs/SACs and Habitats Regulations requirements should be revised to be more in line with the SNH guidance for Habitats Regulation Appraisal.</p> <p>If a proposal may affect a SPA/SAC, a Habitats Regulations Appraisal will be required. If it is not established beyond doubt (though the HRA) that the proposal is not likely to have a significant effect on a SAC/SPA, then an appropriate assessment is required (Stage 3 of the HRA process).</p>	The guidance should be as current as possible and over specification of detail increases the possibility that it will be superseded during its lifetime. It is the responsibility of developers to ensure they comply with requirements as specified at the time of application and not as contained in an SG. Where the responsible agency accepts the SG as it relates to their responsibility the Council will maintain the text as published or amended in response to their detailed comments.
	42	External	HES	Starting point for considering impact on setting of historic environment features would be Historic Environment Scotland's Managing Change Guidance Note on Setting.	Agreed
Peat and Soils	43	External	RSPBScotland	Would like to see this section more detailed with suggested links for developers.	See Revised Layout
Water	43	External	SW	Where proposals are within the source catchment area or supply network of any	Agreed – text amended.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
Environment				private water supply potential impact must be considered and, if necessary, mitigation measures implemented	
Water Environment	43	External	SW	Request public water supply is also added to this section.	Agreed – see revised layout
Health and Safety.	43	External	SW	SW also has guidelines regarding works in the vicinity of water and waste water pipelines, which includes Health and Safety. Further useful information can be found using the UK Government/HSE website.	Agreed – link to HSE added. No link to SW supplied or identified.
<b>APPENDIX 2 - Information sources and links</b>					
		External	Forfar Community Council	Information links with SG acceptable.	Noted
		External	RSPBScotland	Recommend that this section is restructured for ease of use and include sections for natural heritage, landscape etc. It would also be helpful if relevant documents were referred to directly in the main body of the document, as has already been done in some places.	Agreed
		External	HES	Add links to Historic Environment Scotland's Managing Change Guidance Note on Setting and sources of geographical data.	Agreed

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
Other links	48	External	John Handley Associates Ltd on behalf of Shell UK Ltd	Request new document link to make reference to United Kingdom Onshore Pipeline Operator's Association (UKOPA) Guidance for the Siting of Wind Turbines close to High Pressure Pipelines.	Agreed
<b>APPENDIX 3 - ALDP and SPP compatibility</b>					
PV20 Pipeline Consultation Zones	10	External	John Handley Associates Ltd on behalf of Shell UK Ltd	For consistency request Appendix 3 ALDP and APP compatibility is mended to include specific reference to Policy PV21.	Agreed. New text added.
<b>Consultation</b>					
		External	Ian Whyte	How were stakeholders in the community (schools, hospitals, businesses, farmers, householders, environmental groups, NGOs, local interest groups (e.g. walkers) etc...)	The draft SG and Environmental Report are considered and approved for consultation by full Council and circulated and advertised accordingly. Once approved for consultation the documents are advertised, made available to the public and interested parties informed directly. Details are laid out in the Consultation Statement.

**Appendix 4: Representations received to the Environmental Report for Draft Renewable and Low Carbon Energy Development Supplementary Guidance and the Council's response to these representations.**

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
Non-Technical Summary		External	SEPA	Satisfied NTS provide an accurate and succinct summary of the environmental assessment	Noted
Soil	4	External	Forfar CC	Second last line – typographical errors.	Noted and corrected.
Water		External	SW	Potable water supply - request that it is stated that SW also consulted.	Agreed
Scope	7	External	HES	Welcome the recognition of potential impacts of the guidance on the historic environment resource of Angus and agree with scope of the assessment. Note recommendations of 13 April 2016 and 25 May 2016 have been acted upon in the environmental report.	Noted
Table 3	12	External	RSPBScotland	Table 3 should also include the following marine protected areas along the Angus coast: <ul style="list-style-type: none"> <li>• Outer Firth of Forth &amp; Tay Bank Complex Marine dSPA</li> <li>• Outer Firth of Forth &amp; St Andrews Bay</li> </ul>	Agreed

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				Complex pSPA <ul style="list-style-type: none"> <li>Firth of Forth Banks Complex NC MPA</li> </ul>	
		External	SW	Request SW be added to the Pipeline Corridors, as point of contact for water and waste water pipelines.	Agreed
Table 4	14/15	External	HES	Of particular relevance to this SG is the cultural heritage of rural areas and the pressure on this resource that development can put on these sensitive areas. As this section notes, the guidance should seek to provide guidance on measuring and mitigating these effects.	Noted
		External	SW	'Scottish Government seeks to protect public and private water supplies from contamination.' - welcome this being included.	Noted
Table 5	17/18	External	HES	The SEA Objective identified for the historic environment is appropriate and the assessment criteria questions offer a framework for the more detailed consideration of the performance of the guidance against the objective.	Noted
		External	SW	'Prevent contamination of the potable water supply.' - welcome this being included	Noted
Approach to	18-20	External	SNH	The narrative in 'Assessment of Alternatives' (p18), Assessment of the SG' (p19) and	Noted



<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
Assessment				'Problems of Assessment' (p20) is helpful in understanding the nature and scope of the SG and the SEA assessment. Agree with the approach taken.	
Assessment of Alternatives	18/19	External	HES	Agree with the discourse relating to the assessment of reasonable alternatives in approach to the guidance.	Noted
Table 6		External	HES	Agree with the findings presented here.	Noted
		External	SNH	Clear scoring and explanatory commentary is welcomed, and we are in agreement with the assessment findings	Noted
		External	SNH	The draft SG contains the onshore wind energy spatial framework which sets out 'Group 2 - 'areas of significant protection' including Natura and other nationally important environmental interests such as carbon rich soils and deep/priority peat. We recommend this is referred to in the commentary of the relevant sections of the table. For other areas (Group 3 - 'areas with potential wind farm development), the SG's development management considerations and checklist could also be cited as guidance to help minimise potential significant environmental effects.	Agreed – modify relevant sections of Table 6 to reflect SG and its potential to minimise significant effects.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
	22	External	SNH	Natura sites - refer to the findings of the HRA of the SG which is being undertaken.	Agreed
	25	External	SNH	Carbon rich soils: The ER states that carbon rich soils are most likely to be affected by technologies with a limited development footprint. We are unclear as to this statement as it would seem to follow that the larger the footprint, the more soil disturbed. Please clarify.	Agree – amend to read 'renewable energy development in areas of carbon rich soils are likely to have a limited footprint such as turbine base rather than extensive land take such as extraction.'
Table 6b Soil	24	External	SEPA	Welcome the reference to the carbon calculator and to site management plans as a mitigation measure. Peat Management Plans can help in the identification of relevant mitigation measures.	Noted – add to SEA and SG.
Table 6c Water	26	External	SW	Prevent contamination of potable water supply. – welcome inclusion of this criterion/commentary.	Noted
		External	SEPA	Reference to more specific mitigation measures on the basis of the different types of renewable energy – the assessment section refers to 'any necessary mitigation measures to be agreed prior to of approval of a planning application'. For example reference to measures in relation to RBMP would have been useful.	The need to comply with the RBMP and the maintenance/enhancement of water bodies is incorporated within the SG to guide developers to the appropriate specialist information.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
		External	SEPA	<p>Reference to wetlands in the assessment would have been helpful as requested in scoping response.</p> <p>Update: satisfied that these issues have been covered by the SG and therefore in our response to the SG we have welcomed the recognition of wetlands as an important environmental and commercial asset within Angus and that groundwater wetlands require to be protected.</p>	<p>Noted - reference to wetlands added to SG.</p> <p>Subsequent SG and SEA amendments are acceptable to SEPA. See update.</p>
Table 6d Cultural Heritage		External	HES	<p>As the assessment findings note, the residual impact of the guidance on the historic environment, both through the effects of the spatial framework and the detailed guidance on issues to consider, is largely dependent on the successful delivery of mitigation. Therefore, the recognition within the commentary for the cultural heritage assessment findings of the importance of demonstrating effective mitigation for effects is particularly welcome, as is the noting of the need to consider effects on the historic environment resource outwith the Angus council area. In considering the commentary associated with the assessment of effects on scheduled monuments it should be noted that enhancement is often not appropriate in this context.</p>	<p>Amend text to 'Sites should be protected as far as possible in its current state and opportunity for enhancement will be limited but may arise for example access and/or interpretation.</p>

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
	26/27	External	HES	Question the use of the phrase "return to useful purpose" in this section. The principles for scheduling monuments are set out in Historic Environment Scotland's Policy Statement June 2016 and this states that "scheduled monuments have an intrinsic value as monuments, not related to any concept of active use" and that the purpose of scheduling is the "long-term legal protection of the monument in the national interest, in situ and as far as possible in the state it has come down to us."	Agreed, text should indicate limited footprint due to type of development such as turbines, not that limited footprint will have a greater effect. Amend text –  'Sites should be protected as far as possible in its current state and opportunity for enhancement will be limited but may arise for example access and/or interpretation.'
	28	External	SEPA	Disagree with 'neutral effect' assessment and commentary. In its current form the SG could have significant negative effects as it does not fully addresses issues related to waste and mitigation measures. SG lacks of reference to <ul style="list-style-type: none"> <li>• forestry waste which can raise in relation to windfarm development</li> <li>• difficulties in working with/in peat, particularly regarding the re-use of excavated peat and problems with waste peat disposal</li> <li>• waste can arise during construction/ decommission and repowering of the different renewable energy measures and</li> </ul>	The SG has been amended to incorporate SEPA's comments relating to waste. Mitigation will depend on technology, location and details of any individual proposal. There may be a number of agencies with involvement in mitigation and the SG is restricted to supporting Policy PV9. Mitigation and assessment will be addressed through the development management process, including application of wider ALDP policies and consultation with relevant agencies. This should ensure a neutral impact of development.

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
				this could be outlined as part of the assessment and mitigation measures could be identified as a result.	
	29	External	SNH	Reference to the SG's spatial framework for wind turbines and landscape capacity is welcomed.	Noted
	29	External	SNH	Green networks: we suggest wild land assessment is more appropriately recorded under the SEA objective "to protect and enhance the character, diversity and special qualities of the Angus landscape..."	Agreed
Monitoring	31	External	SNH	Content with the monitoring measures outlined and welcome the production of an annual report. Suggest that monitoring of onshore wind and other renewable developments are presented as discreet sections of the report.	Agreed
Appendix 2	33	External	SW	It may be appropriate to add Article 7 to the EU Water Framework Directive (2000/60/EC), which aims to prevent deterioration of potable water supplies.	Agreed – add reference in column 1 page 33.
	37	External	SNH	Amended to refer to the 2016 version 'Natural heritage assessment of small scale wind' guidance.	Agreed

<u>Section(s)</u>	<u>Page No</u>	<u>External or Internal Comment</u>	<u>Comment From</u>	<u>Comment</u>	<u>Response</u>
		External	SEPA	Update Appendix 2 being updated as a result of comments on Scoping Report..	Agreed, add references to Appendix 2.
Appendix 5	50	External	SW	Request SW be added to the Pipeline Corridors, as point of contact for water and waste water pipelines.	Agreed
Other		External	SEPA	In the scoping report response we said that we were satisfied with the scoping out of Air and Human Health provided that the SG explains in more detail how this is going to be delivered and ensure that the effects outlined in our draft response are taken into account in the SG preparation. We note that the issue of air has not been addressed in the SG, even though Angus Council agreed with our scoping comments (see Appendix 4) and therefore we requested that the SG mentions the need to consider the effect of wind turbines on the dispersal of plumes from any industrial sites regulated under the Pollution Prevention and Control (PPC) regime in the proximity of proposed wind turbine sites.	This has now been included in the SG.