

**TAYplan Strategic Development Plan Authority**

**Summary of Unresolved Issues (Schedule 4)**

*Issue number 20: Energy and Waste/Resource Management Infrastructure (Policy 6a+b + text and general, inc. whole policy)*

## Contents

### 1. Summary of Unresolved Issues

### 2. Copy of actual representations pertinent to this issue (*Personal details have been redacted. Full details have been provided to the DPEA separately.*)

- All representations include any attachments submitted by the respondent.
- Where representations were submitted in hard copy or by email these were entered into TAYplan's online system and all material originally submitted has been attached and appears here with the representation.

### 3. Library of documents

- All documents and extracts referred to in the representation and/or the Schedule 4 are either contained in the library attached to this Schedule or where over 50 pages within the Core Library (separate folders).

# 1. Summary of Unresolved Issues

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<p><b>Issue number 20: Policy 6: Energy and Waste/Resource Management Infrastructure - Policy 6a+b, text and general (inc. whole policy)</b></p>																																																																																						
Development plan reference:	<p>Page 18: Energy and Waste/Resource Management Infrastructure <i>Supporting Text</i></p> <p>Page 19: Policy 6A and 6B Energy and Waste/ Resource Management Infrastructure</p>	<p><b>Reporter:</b> [Note: For DPEA use only.]</p>																																																																																				
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545071	Binn Eco Park	PLAN136
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443979	Lynne Palmer	PLAN157
344939	Scottish Enterprise	PLAN427
442031	Scottish Environmental Protection Agency	PLAN181
344848	Scottish Natural Heritage	PLAN428
548142	Seagreen Wind Energy Limited	PLAN523

**Provision of the development plan to which the issue relates:**

To set a framework to reduce resource consumption through provision of energy and waste/ resource management infrastructure.

**Planning Authority's summary of the representation(s):**

## **SUMMARY OF REPRESENTATIONS SEEKING A CHANGE**

### **REQUIREMENT TO IDENTIFY LAND FOR ENERGY AND WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE (Policy 6 Part A)**

While ***Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN908*** generally support the approach on the basis that there would not be a presumption against proposed developments for renewable heat and electricity infrastructure outwith the areas identified as being suitable within Local Development Plans. The ***Rail Freight Group (535502)*** and ***Casa Planning (415565) PLAN904*** also specifically highlight the importance of Local Development Plans. The ***Rail Freight Group (535502)*** seek consideration of the potential role of rail freight in energy and waste distribution networks in offering a much superior performance to road haulage (including point-to-point bulk movements over relatively short distances) in terms of carbon impacts, energy efficiency, air pollutants and road safety. ***Casa Planning (415565) PLAN904*** consider the policy framework may be acceptable from a locational point of view, but does not provide a satisfactory basis for Local Development Plans to identify locations for hydro power development. They seek a change to amend and extend the policy to provide greater advice to Local Development Plans, providing appropriate criteria for locational selection for hydro-power development and suggest that support for micro and small scale hydro developments in appropriate locations is given a presumption. In terms of part A of Policy 6, the ***Mountaineering Council of Scotland (331257)*** seek a change as they do not view it as possible to deliver spatial planning without first identifying where all valuable assets and relevant designations are located. It is suggested that these areas should be mapped to enable a defensible energy infrastructure plan and enable a justification for decisions on cumulative impacts, rather than providing only a descriptive mention of landscape character assessments in the policy (also refer to Schedule 4: Issue 12 - Policy 3: Managing TAYplan's Assets – natural & historic assets).

### **WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE WHICH IS NEITHER COMMUNITY OR SMALL SCALE (Policy 6 Part B)**

***Abernethy and District Community Council (376787) PLAN115*** seek a change, that if development is to be focused within the Core Areas of Dundee and Perth, in accordance with policy, the provision of waste/resource management infrastructure should progress within and along with these development areas, rather than placing these facilities in rural communities

and on green agricultural land. Placing waste management facilities away from the main source, adds waste miles, employee miles, unattainable surplus heat, schemes that take decades to establish and ultimately wasted energy. They consider an added advantage to placing waste facilities close to waste producers to be that the main waste producers will adopt a more responsible attitude to reducing and recycling and a more sustainable future with a reduction of the previously stated negative aspects of placing waste facilities a distance from core development areas.

**Forth Ports PLC (329236) PLAN694** seek a change to provide greater focus on the decentralisation of renewable energy generation, generation near to areas of greatest demand and the generation and distribution of renewable heat in urban areas. They consider this to go further than focusing on waste/ resource management infrastructure.

**Forth Ports PLC (329236) PLAN713** seek a further change for the Plan to further encourage and show support in the delivery of large scale heat network opportunities associated with Forth Energy's application for a combined heat and power plant fuelled by wood.

**Ryden for University of St. Andrews (548506) PLAN755** seek a change to provide greater clarity on the definition of community/small scale resource management infrastructure which will assist in defining where the Guardbridge biomass plant sits within this policy. Either way, they seek to protect the proposed biomass plant within TAYplan.

## **POLICY AND/OR SUPPORTING TEXT**

### **a) Supporting Text In General**

**Abernethy and District Community Council (376787) PLAN114** seek a change to the wording in supporting text, for the reasons highlighted above under Policy 6 (Part B), to reinforce that waste/ resource management infrastructure should be located within and along with TAYplan's core development areas. Furthermore, **Abernethy and District Community Council (376787) PLAN98** seek a change to provide greater clarity on growing the renewable energy and waste/resource management sector. It is considered that while this may be possible, without over development and environmental consequences with some processes, this is not applicable to all the processes, for example, waste. In accordance with the Zero Waste Plan, this resource should become less available within the TAYplan area, therefore careful consideration will be required as over development of such facilities will encourage importation of waste from outwith the TAYplan area. This would not be consistent with the Scottish Government's climate change policy or the Zero Waste Plan.

**Ryden for University of St. Andrews (548506) PLAN753** seek a change to define community and small energy and waste/resource management facilities as opposed to strategic scale infrastructure, which would in turn make Policy 6 clearer. It is suggested that this should be done by the amount of megawatts produced by different types of energy generators. They express concern that the Plan directs new strategic scale waste/resource management infrastructure to be within or close to Dundee and Perth Core Areas, but doesn't recognise that energy production may be some distance from the customer. They consider their 2 projects to provide heat and power as good examples of why infrastructure provision is changing and that the most appropriate locations will not always be in Dundee and Perth. They consider the supporting text to be overly restrictive and discouraging locally based initiatives.

**Binn Eco Park (545071)** seek a change to provide greater recognition that the Scottish Government's strategy for waste management, renewable energy and low carbon technologies are associated infrastructure and seen as jointly contributing to energy security, climate change management and resource security. In accordance with the Scottish Government's paper on a

'Low Carbon Strategy and an Environmental and Clean Technology Action Plan', it is considered that this approach would provide a wider view of the challenges in creating a sustainable society and sending a stronger signal of the wide range of technologies. The **Scottish Government (443918)** also seek a change to show support for Scottish Government policy. They suggest that to help ensure that TAYplan support the delivery of National Development 10 and paragraph 152 of the National Planning Framework 2, they should make reference to this within the Proposed Plan.

**Broughty Ferry Community Council (335193)** seek a change to include mention of sewerage infrastructure as consider TAYplan's response to this issue, when raised at the Main Issues Report stage, to be wrong. They are concerned that the present sewerage system (built to comply with the minimum legal requirements of the EU wastewater directive) may be approaching its capacity limit, due to increased levels of pathogenic micro-organisms, which has resulted in Broughty Ferry Beach losing its Blue Flag status and a sea-water sample failed to achieve even the statutory minimum standard last year. The economic, aesthetic and public health importance of maintaining/improving the standard of the Dundee, North Fife and Angus bathing waters is such that the suggested 'wait and see' approach to development applications is not acceptable.

**Casa Planning (415565) PLAN864** seek a change as consider that the Plan loses direction by failing to assist in the delivery of its aspirations, offering limited strategic assistance for waste (or energy) management. They also consider the Plan to be factually incorrect and misleading in relation to potential hydro power renewable energy developments.

**Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN911** suggest that several points made during the Main Issues Report consultation stage have not been taken into account. In particular, it is considered that the Strategic Development Plan does not plan for National Development 11 or Scottish and Southern Energy's licence holder obligations, of which both points were recommended within the Main Issues Report representation. They seek a change to the Proposed Plan to remove reference to the impacts and operations of different renewable energy developments sharing similar characteristics as renewable energy developments will have very different characteristics, dependent on their type and scale. **Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN911** seek a further change as there would only be a requirement for Local Development Plans to define areas of search for onshore wind development of over 20 megawatts, and under 20 megawatts if considered appropriate.

Whilst **Auchterarder and District Community Council (419429)** support pages 18 and 19 in general, they have identified a specific area where they seek a change. They consider that the Strategic Development Plan could place more emphasis on the importance of protecting assets such as green infrastructure, tourist locations and areas (such as the Ochil Hills) to safeguard economic growth against the detrimental affects of unsightly renewable sources that are poorly located.

#### **b) Low and Zero Carbon Targets**

The **Scottish Property Federation (444087)** seek a change for the Plan to be more flexible in implementing the higher regulations and standards for CO2 emissions. If the low and zero carbon targets proposed by the Climate Change (Scotland) Act 2009 are to be incorporated into Local Development Plans, they are likely to threaten economic growth and stifle future development projects as they are unrealistic and impractical.

**Penny Uprichard (344887)** seeks a change as considers there to be little evidence in current policies or planning applications that there is any focus on sustainable development or the need to deliver a low/zero carbon future.

**c) Wave, Tidal and Wind Energy**

**Kinross-shire Civic Trust (546838)** and **Councillor Michael A Barnacle (450613)** seek a change to the reference to wind energy developments. **Kinross-shire Civic Trust (546838)** do not consider there to be sufficient evidence for wind turbine sites and do not consider wind farms to be effective. Whilst **Councillor Michael A Barnacle (450613)** supports Scotland's Zero Waste Plan and energy from waste plants in appropriate locations, he seeks a change to the proliferation of on-shore wind energy developments, viewing these as a short-term political fix, having a detrimental effect on landscapes and accumulating the highest energy prices. **Councillor Michael A Barnacle (450613)** endorses the comments of **Kinross-shire Civic Trust (546838)**.

**St. Andrews Preservation Trust (547750)** seek a change and would like to see more emphasis on tidal and wave energy but consider there to be a perception that wind farm development is regarded as the preferred means of large scale 'green' energy generation. They consider there to be very few environmentally acceptable locations for land-based wind farms in North Fife as a result of its landscape value. They consider that this should not be prejudiced by installing wind turbines which will be overtaken by more reliable and environmentally acceptable technologies, but if wind is preferred, turbines are located offshore. Furthermore, they do not consider that a bio-fuel plant on the site of the Guardbridge Paper Mill to be a good use of the site as the prevailing wind would carry emissions directly to St. Andrews.

**d) Binn Farm and Dundee Energy Recycling Limited**

**Dr Peter Symon (548525)** seeks a change to the reference to the proposed facility at Binn Farm to downscale or exclude this. It is considered that there is a risk of downwind pollution from the waste disposal plant.

**Abernethy and District Community Council (376787) PLAN99** seek a change to provide further consideration of the specific interest of the Binn Farm site to the local community of Abernethy and the lessons learnt from the community's past experience and avoid previous mistakes being repeated again. The Community Council provide specific information in the form of a recent planning application at Binn Farm, a planning representation to the application, a copy of a recent presentation given and refer specifically to a survey of the Watercourses around Binn Farm carried out by the Scottish Environmental Protection Agency. It is considered that these documents highlight the past, present and emerging management and environmental issues from the massing of waste and resource facilities, contrary to that of site operators and developers. While it is recognised that some of these issues would be considered at the Local Development Plan stage, they are concerned about naming any sites at the TAYplan level, with little to no understanding of the present local problems.

**Abernethy and District Community Council (376787) PLAN119** seek a further change as do not consider it appropriate or acceptable to specifically name only 2 strategic scale facilities without naming other strategic and local facilities. It is considered that this provides an unfair planning advantage over other sites, does not attempt to understand current local problems, demonstrates prejudice towards some and disadvantages others and contradicts Policy 6 (Part A) and sections of the supporting text, suggesting that Local Development Plans should identify areas.

## SUMMARY OF REPRESENTATIONS SUPPORTING AS WRITTEN

### REQUIREMENT TO IDENTIFY LAND FOR ENERGY AND WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE (Policy 6 Part A)

*Abernethy and District Community Council (376787) PLAN117, Scottish Natural Heritage (344848) and Seagreen Wind Energy Limited (548142)* all support Policy 6 (Part A). *Scottish Natural Heritage (344848)* specifically support the provision within the Plan of the series of locational considerations to ensure consistency between the Local Development Plans, Scottish Planning Policy and Planning Advice Note 45. *Seagreen Wind Energy Limited (548142)* support the policy on the basis that there would not be a presumption against proposed developments for onshore grid electricity infrastructure associated with offshore wind developments outwith the areas identified as being suitable within Local Development Plans.

### POLICY AND/OR SUPPORTING TEXT

The *Scottish Environmental Protection Agency (442031), Binn Eco Park (545071) PLAN136* and *Casa Planning (415565) PLAN861* support sections of the supporting text on page 18. The *Scottish Environmental Protection Agency (442031)* support the positive policy framework to promoting all renewable energy, waste management facilities and the waste and resource management hierarchy, in accordance with the National Planning Framework and the Zero Waste Plan. *Binn Eco Park (545071) PLAN136* supports the proximity principle with rising cost pressures, with the exception of small scale decentralised energy from waste infrastructure. *Casa Planning (415565) PLAN861* specifically support the aspiration to contribute towards greater regional energy self sufficiency and the logical and well thought out response to issues affecting the TAYplan area.

*Kingsbarns Community Council (263542)* support pages 18 and 19, believing in reducing resource consumption, responding to climate change and recycling and reducing waste.

*Auchterarder and District Community Council (419429), Loch Lomond and the Trossachs National Park Authority (442806), Lynne Palmer (443979) and Scottish Enterprise (344939)* support Policy 6. *Auchterarder and District Community Council (419429)* specifically support the content and layout of Policy 6 and the intended growth of renewable energy and waste/resource management within the TAYplan region. *Loch Lomond and the Trossachs National Park Authority (442806)* particularly welcome the final bullet point in Part C of the policy which gives cognisance to neighbouring planning authorities. *Scottish Enterprise (344939)* consider the policy to generally accord with their sustainable economic development priorities.

### **Modifications sought by those submitting representations:**

**NOTE TO REPORTER 1:** The text in italics in this section has been lifted directly from the each individual/ organisation's representation with minor typographical errors corrected.

### REQUIREMENT TO IDENTIFY LAND FOR ENERGY AND WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE (Policy 6 Part A)

*Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN908*

- *'It is recommended that the Strategic Development Plan cautions against such a presumption as this would not only have the potential to frustrate such development*



coming forward, but could also be in significant conflict with the regulatory framework within which such infrastructure requires to be delivered. It is recommended that this point is made explicitly clear within the supporting text to the policy.'

**Rail Freight Group (535502)**

- 'Rail Freight Group urges TAYplan - in the context of the Zero Waste Plan directing new strategic scale waste/resource management infrastructure to be within or close to the Dundee and Perth Core Areas - to specifically highlight on page 19 the importance of Local Development Plans considering the potential role of rail freight in energy and waste distribution networks. This should also be linked to improved inter-modal regional facilities in the Dundee area (see separate RFG representation on Proposed Action Programme 2011), as there are likely to be substantial synergies between the two in terms of terminal layout, handling equipment, road access and train servicing.'

**Casa Planning (415565) PLAN904**

- 'At this stage it is considered inappropriate to offer alternative or additional wording for Policy 6 but it is considered imperative that this particular aspect of renewable energy development policy requires more appropriate and robust strategic advice.'

**Mountaineering Council of Scotland (331257)**

- 'This policy states that "Local Development Plans should identify areas that are suitable for different forms of renewable heat and electricity infrastructure". As in response to Policy 3, it is not possible to deliver spatial planning without first identifying where all valuable assets are located, particularly where there is no relevant designation such as wildness characteristics. Policy 3 should plan to map such areas, and this would enable a defensible energy infrastructure plan.'

**WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE WHICH IS NEITHER COMMUNITY OR SMALL SCALE (Policy 6 Part B)**

**Abernethy and District Community Council (376787) PLAN115**

- Page 19 - Section B of Policy 6: The words 'or close to' should be deleted.
- At the very least a more precise phrase than 'or close to' is required. At present this could be interpreted as anything from 1 to 100 miles or even beyond. To comply with Government Policy and plan and the other policies laid out in the Tayplan it would be prudent to replace the wording with 'or directly adjacent to the Dundee and Perth Core Areas.'

**Forth Ports PLC (329236) PLAN694**

- 'Point B should refer to renewable generation and combined heat and power infrastructure as well as waste/resource management infrastructure being focussed within or close to the Dundee/Perth core areas.'
- 'To meet challenging future heat targets, there will be a need to focus on the decentralisation of renewable energy generation, generation near to areas of greatest demand, and the generation and distribution of renewable heat in urban areas. These needs go beyond the focus on waste/resource management infrastructure, and should be encouraged by the TAYplan.'

**Forth Ports PLC (329236) PLAN713**

- 'The plan also needs to further encourage heat networks and recognise that these will not always need to be small-scale and within individual developments.'

**Ryden for University of St. Andrews (548506) PLAN755**

- *'Additional wording in section B of policy 6 should read as follows: "Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas (identified in Policy 1) with the exception of the Guardbridge Energy Centre".'*

**POLICY AND/OR SUPPORTING TEXT**

**a) Supporting Text In General**

**Abernethy and District Community Council (376787) PLAN114**

- *'Page 18 - Second column, third paragraph down of supporting text to Policy 6, 'This Plan directs new strategic scale waste/resource management infrastructure to be within or close to the Dundee and Perth Core Areas reflecting the proximity of materials and customers for heat and other products.' The words 'or close to' should be deleted.'*

**Abernethy and District Community Council (376787) PLAN98**

- *'Page 18 - 5th, 6th, and 7th line of second paragraph of supporting text to Policy 6. At present it reads - 'It also presents opportunities to grow the renewable energy and waste/resource management sector as a whole within the Tayplan region.' This should be deleted or at the very least modified for clarification.'*

**Ryden for University of St. Andrews (548506) PLAN753**

- *'Paragraph 8 on page 18 should be deleted. The definition of strategic, community and small scale energy and waste/resource management facilities should be set out in this section instead.'*

**Binn Eco Park (545071)**

- *'In second para of page 19, third sentence: Add: "low carbon technology" after "renewable energy" and before "and resource management sector as a whole within the TAYplan region".'*

**Scottish Government (443918)**

- *'On Page 18 include a reference to the Pipeline to transfer CO2 from Longannet in Fife to St Fergus in Aberdeenshire through carbon capture and storage. If necessary this could be as part of a footnote.'*

**Broughty Ferry Community Council (335193)**

- *'We are surprised that this structure plan does not mention sewage infrastructure. Maybe this would be an appropriate place to include it by extending what is covered under 'waste'.'*

**Casa Planning (415565) PLAN864**

- None stated.

**Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN911**

- *'Supporting policy text at paragraph 3 states "it sets out a series of locational considerations for all energy and waste/resource management infrastructure as the impacts and operations of these share similar characteristics": It is recommended that the reference to the impacts and operations of different renewable energy developments sharing similar characteristics be removed from the Strategic Development Plan.'*
- *'It is advised that this statement within the Strategic Development Plan is removed or clarified. It would be possible to provide a spatial framework at a strategic level for*

*onshore wind but when considering technologies such as biomass, hydro, solar etc; it would be quite difficult to identify appropriate areas for such developments to take place as their scale and nature can be quite different as well as the associated environmental effects.'*

**Auchterarder and District Community Council (419429)**

- *'More emphasis could be placed on protecting green infrastructure and tourist assets against poorly placed renewable energy sites - second paragraph of page 18.'*

**b) Low and Zero Carbon Targets**

**Scottish Property Federation (444087)**

- *'We would suggest that the Plan should be more flexible in implementing the higher regulations and standards for CO2 emissions.'*

**Penny Uprichard (344887)**

- None stated.

**c) Wave, Tidal and Wind Energy**

**Kinross-shire Civic Trust (546838)**

- *'Not sufficient evidence is produced for wind turbine sites.'*

**Councillor Michael A Barnacle (450613)**

- None stated.

**St. Andrews Preservation Trust (547750)**

- *'More emphasis on tidal and wave energy and suspect this does not receive so much emphasis because the technology is not so mature.'*
- *'If wind power is to be widely used our clear preference is for the turbines to be located well out to sea.'*

**d) Binn Farm and Dundee Energy Recycling Limited**

**Dr Peter Symon (548525)**

- *In "Energy and Waste Resource Management" the reference to the proposed facility at Binn Farm should be downscaled or excluded.*

**Abernethy and District Community Council (376787) PLAN99**

- *'It is strongly felt to name any sites at the Tayplan level with little to know understanding of the present local problems would not only be fool hardy but also irresponsible in lending planning advantage to a site, to operators/ developers while demonstrating prejudice towards and disadvantaging others.'*

**Abernethy and District Community Council (376787) PLAN119**

- *Page 18 - Second column, second paragraph down, of supporting text to Policy 6: At present it reads - 'Many of the region's existing waste management facilities have additional capacity or could be expanded in situ, including the strategic scale facilities at Binn Farm near Glenfarg and DERL at Baldovie in Dundee. No requirement for new landfill sites has been identified before 2024 and successful implementation of the Scottish Governments Zero Waste Plan and expansion of other treatment facilities could extend this to beyond 2032. 'The section - 'including the strategic scale facilities at Binn Farm near Glenfarg and DERL at Baldovie in Dundee.' Should be deleted.'*

## **RESPONSE TO REPRESENTATIONS SEEKING A CHANGE**

The level of detail provided in Policy 6 is consistent with the requirements set out in Scottish Planning Policy (2010) (006/SL/Doc37) which states that the planning system should: 'support the achievement of Zero Waste objectives, including the provision of the required waste management installations' (paragraph 37, page 7). The policy is also consistent with the Zero Waste Plan (2010) (006/SL/Doc38) which states that: 'waste management to be a principal topic of Strategic Development Plans and that they may be site specific especially where there are no realistic alternative sites' (paragraph 2.2, page 1).

### **REQUIREMENT TO IDENTIFY LAND FOR ENERGY AND WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE (Policy 6 Part A)**

#### ***Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN908***

The support for this section of the policy is welcomed. Policy 1B is very specific in that it specifically directs Local Development Plans to identify sites and development proposals to areas within or close to Dundee and Perth Core areas, beyond community and small scale facilities. Local Development Plans will develop more detailed policies at look in more detail at appropriate locations. This is not appropriate nor required at the strategic scale.

#### ***Rail Freight Group (535502) and Casa Planning (415565) PLAN904***

Any proposal, that seeks a shift from road based freight, should be read in conjunction with Policy 3 (Transport). In considering the proximity principle in Policy 6, TAYplan complies with the Zero Waste Plan (2010) (006/SL/Doc39) which states: 'Relevant considerations in the siting of installations will include access to the transport network, including road, rail and waterways' (point 2, page 5).

TAYplan also recognises that large hydro schemes are unlikely to be in close proximity to Dundee and Perth. Scottish Planning Policy (2010) (006/SL/Doc40) states that: 'The scope for major new hydro-electric schemes is likely to be limited but there may be an increasing number of proposals for small run-of-river projects' (paragraph 194, page 40). Any further detail on renewable energy developments and waste infrastructure and distribution networks will be provided through the Local Development Plan and/or through planning applications. The Strategic Development Plan cannot set out policy covering all potential development proposals.

#### ***Mountaineering Council of Scotland (331257)***

TAYplan's Environmental Report (2010) (006/SL/Doc41) provides detailed maps in Appendix A from page 131 for the whole of the TAYplan area, identifying where landscape and environmental assets and other relevant designations are located. TAYplan does not consider that the level of detail provided in the Strategic Environmental Assessment need be repeated in the Proposed Plan as both documents work alongside each other. The Proposed Plan does not include site specific proposals for new energy infrastructure. It is intended that further work will be progressed on energy supply and demand, together with sources, to inform the next Strategic Development Plan.

## **WASTE/ RESOURCE MANAGEMENT INFRASTRUCTURE WHICH IS NEITHER COMMUNITY OR SMALL SCALE (Policy 6 Part B)**

### ***Abernethy and District Community Council (376787) PLAN115***

Policy 6 is Scottish Planning Policy (2010) (006/SL/Doc42) in that it states: 'In keeping with the proximity principle, towns and cities will often be the best locations for new waste transfer, separation and handling installations' (paragraph 216, page 45). In keeping with the proximity principle locations of waste/ resource management facilities and infrastructure could be in a rural setting, within close proximity of Dundee and Perth. Such facilities do not necessarily have to be placed in an urban area if there is a more appropriate location in the countryside.

### ***Forth Ports PLC (329236) PLAN694/713***

TAYplan consider this policy to be clear on renewable energy generation and placing these close to areas of greatest demand. No further strategic policy detail is required.

Forth Energy's planning application referred to is still under determination and not a specific proposal identified in the Proposed Plan. As such, it is neither appropriate nor necessary for this issue to be considered through the Strategic Development Plan.

### ***Ryden for University of St. Andrews (548506) PLAN755***

The biomass plant referred to is a specific proposal, not identified in the Plan. The policy states a presumption for biomass development in Part A of Policy 6, however it is for Local Development Plans to determine locations where such development may be acceptable.

TAYplan Topic Paper 3: Resources and Climate Change (paragraph 7.6, page 17) (006/SL/Doc43) states that: 'The Plan should recognise that there will be different scales of energy and waste/resource management infrastructure solutions and that each will contribute individually and/or cumulatively to achieving Scottish Government's objectives:

- Individual property (e.g. micro-renewables or individual waste facilities).
- Community (e.g. district heating and power or local waste facilities).
- Area scale (e.g. national grid level schemes and waste facilities for wide areas).'

TAYplan considers this definition to adequately explain the meaning behind community/small scale resource management infrastructure in both Policy 6 itself and within the supporting text.

## **POLICY AND/OR SUPPORTING TEXT**

### **a) Supporting Text In General**

#### ***Abernethy and District Community Council (376787) PLAN114/ PLAN98***

TAYplan does not consider the proposed change of wording to be acceptable as both are current strategic waste/ energy sites within the TAYplan area: Binn Eco Park and Dundee Energy and Recycling Limited are 'within close proximity' to Dundee and Perth Core Areas. Removing this wording would result in this statement being factually incorrect. To change the wording to 'within and along' would be ambiguous.

TAYplan also consider that it is correct to retain the statement 'It also presents opportunities to grow the renewable energy and waste/resource management sector as a whole within the TAYplan region' as any applications for waste management facilities and infrastructure would be assessed against this. The transfer of waste is not a planning issue and is dealt with separately through licences. **Scottish Natural Heritage (344848)** show specific support for the provision, within the Plan, of the series of locational considerations and **Scottish Environmental Protection Agency (442031)** for the positive policy framework to promoting all renewable energy, waste management facilities and the waste and resource management hierarchy.

***Ryden for University of St. Andrews (548506) PLAN753***

TAYplan does not consider Policy 6 to be restrictive. Policy 6 (Part C) recognises the importance of 'Proximity of resources... and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate'. The phrase 'where appropriate' recognises that in some circumstances, where the customer is a distance away from an energy source, the proximity to grid connections may be more important.

***Binn Eco Park (545071)***

The Scottish Government's Zero Waste Plan (2010) (CL/Doc7) and the Climate Change (Scotland) Act (2009) (CL/Doc13) were both considered within TAYplan Topic Paper 3: Resources and Climate Change (CL/Doc32) and in preparing the Proposed Plan. Consequently, TAYplan do consider that relevant sections of both of these documents come together in setting a policy framework for energy and waste/resource management infrastructure in the Proposed Plan.

***Scottish Government (443918)***

TAYplan consider that support has been shown for Scottish Government policy and stating this further would be repetitive. National Development 10 in the National Planning Framework 2 is not included within the Proposed Plan proposals map as is not considered to have any land use implications/land take (see Schedule 4: Issue 2 - Proposals Map 1) of a strategic nature.

***Broughty Ferry Community Council (335193)***

Scottish Water have been involved through the preparation of the Proposed Plan and have provided comments at key stages in the Plan production. No strategic capacity issues for waste water and sewerage infrastructure were raised. As such, no strategic infrastructure proposals of that nature are proposed. Any more detailed issues or small scale proposals will be considered through Local Development Plans. The ***Scottish Environmental Protection Agency (442031)*** also showed particular support for this policy, raising no issues on water quality.

***Casa Planning (415565) PLAN864***

The Policy is not factually incorrect, nor misleading. The Policy complies with Scottish Planning Policy (2010) (006/SL/Doc44) (paragraph 37, page 7) and provides a clear policy framework in delivering the Zero Waste Plan (2010) (006/SL/Doc38) (paragraph 2.2, page 1). The Proposed Plan also sets out a clear strategic policy framework, as supported by the ***Scottish Environmental Protection Agency (442031)*** for Local Development Plans.

***Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086) PLAN911***

TAYplan considered each of the representations received at Main Issues Report stage and these informed the Proposed Plan. As part of assessing the potential of development sites, utilities are considered. A more detailed assessment will be undertaken at Local Development Plan level.

It is not appropriate for the Plan to get into the level of detail suggested at the Strategic Development Plan level. The Policy provides overarching criteria which allows Local Development Plans to develop further. The Policy is consistent with Scottish Planning Policy. The Policy criteria listed are appropriate across different types of infrastructure to provide a strategic framework. National Development 11 is not included within the Plan, as a specific national proposal, as it is progressing and not considered necessary.

***Auchterarder and District Community Council (419429)***

The Plan does make this emphasis, for example, in Policy 2 (Schedule 4: Issue 5 - Policy 2: Shaping better quality places).

**b) Low and Zero Carbon Targets**

***Scottish Property Federation (444087)***

The policy is flexible to at least align with building control regulations. TAYplan considers that the policy seeks to align with national standards in considering the current economic climate. Such changes to this policy would run contrary to Planning Authorities being required/ encouraged by the Scottish Government to assist in meeting Climate Change targets. This issue is covered in Schedule 4: Issue 5 - Policy 2: Shaping better quality places, which should be cross referred to for greater detail and clarity on the response provided by TAYplan on this issue.

***Penny Uprichard (344887)***

Existing Local Plans do have a focus on sustainable development. This Plan looks forward over the next 20 years and sets out a policy framework that can assist in reaching climate change targets.

**c) Wave, Tidal and Wind Energy**

***Kinross-shire Civic Trust (546838) and Councillor Michael A Barnacle (450613)***

The Strategic Development Plan takes forward Scottish Planning Policy (2010) (CL/Doc2), the Climate Change (Scotland) Act (2009) (CL/Doc13) and the Zero Waste Plan (2010) (CL/Doc7) and is required to provide a policy framework for renewable energy. Scottish Planning Policy (2010) (006/SL/Doc46) (paragraph 184, page 37) states 'Planning authorities should support the development of a diverse range of renewable energy technologies'. Any change to this would fundamentally undermine the Plan's objectives and be contrary to national policy.

***St. Andrews Preservation Trust (547750)***

This view does not reflect this policy which encourages all types of renewable energy. Paragraph 5.7, page 9, in Topic Paper 3: Resources and Climate Change (006/SL/Doc45) states that: 'The scale of such infrastructure varies and this can be a factor in determining appropriate locations'. This is backed up in paragraph 184, page 37 of Scottish Planning Policy (2010) (006/SL/Doc46). Local Development Plans set out Areas of Search for wind turbines. This issue is dealt with in more detail at this local scale.

The biomass plant referred to is a specific proposal, not identified in the Plan. The policy encourages energy and waste/resource management infrastructure, in Part A of Policy 6, subject to accordance with other Development Plan policies, however it is for Local Development Plans to consider locations that may be appropriate for such development.

**d) Binn Farm and Dundee Energy Recycling Limited**

***Dr Peter Symon (548525), Abernethy and District Community Council (376787) PLAN99 and Abernethy and District Community Council (376787) PLAN119***

The policy is guiding such development to within or in close proximity to the 2 main urban centres where the majority of waste arises and therefore the policy seeks to manage this waste within close proximity. The 2 existing sites at Dundee Energy Recycling Limited and Binn Eco Park, Glenfarg provide important infrastructure with additional capacity to potentially accommodate more related facilities. It is important that these sites remain recognised within the Plan and the strategy to guide such development to within close proximity of Perth and Dundee. The representations highlight detailed issues which are for the Scottish Environmental Protection Agency to assess through licence applications and for Local

Development Plans/Planning Applications to consider.

Any potential pollution issues are a matter for the Scottish Environmental Protection Agency. The Plan has been developed alongside the **Scottish Environmental Protection Agency (442031)** and they support the positive policy framework to promoting waste management facilities, in accordance with the National Planning Framework and the Zero Waste Plan. **Binn Eco Park (545071)** also support the proximity principle, for the location of waste management facilities, with rising cost pressures, with the exception of small scale decentralised energy from waste infrastructure. **Scottish Natural Heritage (344848)** also support the provision, within the Plan, of the series of locational considerations to ensure consistency between the Local Development Plans and Scottish Planning Policy.

Topic Paper 3: Resources and Climate Change (006/SL/Doc47) states in paragraph 5.9, page 10, that while there two existing strategic waste management sites, other locations may be appropriate dependent on specific considerations. These would be considered through Local Development Plans. The **Scottish Government (443918)** seek no change to the approach taken within this Policy.

## RESPONSE TO REPRESENTATIONS IN SUPPORT

TAYplan welcomes the support for these issues.

## CONCLUSION

This Policy is consistent with Scottish Planning Policy (CL/Doc2) and Scotland's Zero Waste Plan (2010) (CL/Doc7). The Policy was developed in partnership with the Scottish Environmental Protection Agency and no changes were sought by the organisation. TAYplan considers that all of the issues raised do not warrant any change to the Proposed Strategic Development Plan (June, 2011) and propose that the elements dealt with in this Schedule 4 Summary of Unresolved Issues remain as written and unchanged. Many of the changes suggested would have fundamental implications on the Plan's strategy.

<b>Reporter's conclusions:</b>
[Note: For DPEA use only.]
<b>Reporter's recommendations:</b>
[Note: For DPEA use only.]



## **2. Copy of representations pertinent to this issue**

**3. Library of documents and extracts (less than 50 pages) referred to within representations and/or this Schedule**