

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>South Lanarkshire Local Development Plan 2 Supporting Planning Guidance: Hagshaw Energy Cluster Development Framework</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ inform the Committee of the work undertaken to prepare Supporting Planning Guidance (SPG) comprising a Development Framework for the Hagshaw Energy Cluster
- ◆ seek Committee approval for the proposed SPG as set out in the Appendix and the carrying out of a 6 week period of public consultation

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the draft Hagshaw Energy Cluster Development Framework, attached as an Appendix to the report, be approved;
- (2) that the Supporting Planning Guidance be published and made available for a 6 week period of consultation; and
- (3) that the Head of Planning and Regulatory Services be authorised to make drafting and technical changes to the non-statutory planning guidance prior to its publication, following public consultation.

## 3. Background

- 3.1. The Planning Committee on 1 December 2020 agreed to carry out the necessary steps to adopt the proposed South Lanarkshire Local Development Plan 2 (SLLDP2). The Plan was submitted to Scottish Ministers in February 2021 for them to advise of the Council's intention to adopt the Plan and notice was received in March that adoption could proceed. The SLLDP2 was subsequently adopted in April 2021.
- 3.2. Following the adoption of the South Lanarkshire Local Development Plan 2 in April 2021, the Council has begun preparation of a series of supporting guidance to support the Plan. Section 9 of the Planning (Scotland) Act 2019 has removed the ability of Planning Authorities to prepare new statutory Supplementary Guidance which was previously the means of creating additional guidance. However, Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan. However, approval by the Council gives

it formal status, meaning that it will be a material consideration in decision making. For noting, non-statutory planning guidance is referred to as Supporting Planning Guidance (SPG) by the Council.

- 3.3. In late 2019, South Lanarkshire Council was invited by NatureScot to take part in a new project, piloting an innovative approach to renewable energy development. The cross-boundary project was intended to bring together a number of different renewable energy developers, working cross-boundary alongside South Lanarkshire Council, East Ayrshire Council, NatureScot and Architecture and Design Scotland, to explore how a more strategic, joined-up approach to renewable energy development could be taken that could achieve greater and multiple benefits.
- 3.4. The project centres around Hagshaw Hill, which sits on the western edge of South Lanarkshire, between the communities of Coalburn and Douglas in South Lanarkshire and Muirkirk in East Ayrshire. The majority of the area sits within South Lanarkshire, with a relatively small part sitting within the East Ayrshire side of the boundary. The area is well established as a renewable energy location; the original Hagshaw Hill wind farm, constructed in 1995, was Scotland's first commercial wind farm. Since that time, a series of wind farms have been erected in the locality, involving a number of different developers and landowners. Together, the operational wind farm developments and those consented but not yet implemented will provide a generating capacity of 584 MW, comprising approximately 190 turbines (the majority sitting within South Lanarkshire). There is potential over the next few years for proposals for the re-powering of existing windfarms (involving the replacement of the original turbines with new larger turbines), possible extensions to existing developments and the co-location of other renewable energy technologies such as hydrogen generation and solar energy which makes Hagshaw an ideal area of focus for this work.
- 3.5. In July 2021, Land Use Consultants (LUC) were commissioned by NatureScot, in collaboration with the two Councils and wind farm developers, to prepare a development framework for the cluster. The framework is intended to set out, at a strategic level, the opportunities for the cluster, in terms of maximising renewable energy output, but at the same time maximising social, economic and environmental benefits of development and minimising any negative environmental impacts. The framework takes a place-based approach, focusing on how Hagshaw can be developed to become a better place that is better connected to its surrounding communities. The approach of bringing wind farm developers together in this way, to achieve more, is the first time such an approach has been piloted in Scotland and can be seen as an important development in the drive to achieve net zero carbon emissions by 2045.
- 3.6. The development framework has been underpinned by community engagement. From October to December 2021, a virtual public exhibition room and online questionnaire were hosted on a dedicated project website and publicised through the Council's social media. The questionnaire sought views on the concept, vision and key aims and objectives of the framework. Over 80% of the respondents supported the more collaborative approach to energy development. In addition, targeted engagement was undertaken with surrounding community councils.

#### **4. Current Position and Status of the Framework**

- 4.1. A steering group, comprising of South Lanarkshire Council, East Ayrshire Council, NatureScot and renewable energy developers, was established in 2021 to oversee the work of LUC. A draft Framework has now been signed off by the steering group and effectively handed over to South Lanarkshire Council and East Ayrshire Council. The draft Framework is set out in Appendix 1.
- 4.2. The draft framework sets out a long-term vision for the Hagshaw cluster – a place which *‘delivers optimised renewable energy generation and contributes towards Scotland’s Just Transition to Net Zero, whilst delivering sustainable and inclusive growth for local communities. Integrated nature-based solutions, with enhanced connectivity supporting healthy, resilient communities and ecosystems, in response to the challenges of climate and biodiversity emergencies’*. The vision is underpinned by six interrelated themes that priorities and projects should seek to deliver on:-
- ◆ Realising the renewable energy opportunity
  - ◆ Resilient and connected communities
  - ◆ Co-ordinated enhancement of nature
  - ◆ A strong identity, of heritage, people and place
  - ◆ Inclusive, sustainable growth
  - ◆ Outdoor recreation to support health and wellbeing
- 4.3. The Framework identifies opportunities and potential projects for progressing the themes above. Examples include (i) co-ordinated approach to habitat management, to support key priority species and habitats within the cluster; (ii) enhanced connectivity between communities through the enhancement of existing and creation of new active travel links, linking to the River Ayr Way; (iii) integration of alternative renewable energy technologies to support and compliment wind energy; and (iv) new infrastructure for recreational activities within and surrounding the cluster.
- 4.4. As noted in 3.2 above, Planning Circular 6/2013: Development Planning sets out procedures for planning authorities to prepare and adopt non-statutory planning guidance. This form of guidance can usefully be used to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan. However, approval by the Council gives it formal status, meaning that it will be a material consideration in decision making. It is therefore considered that the best approach for the draft Development Framework to be taken forward is to adopt it as non-statutory planning guidance. This approach has been agreed with East Ayrshire Council as well as the Hagshaw Steering Group.

#### **5. Next Steps**

- 5.1. Whilst there is no statutory requirement to publish non-statutory planning guidance (Supporting Planning Guidance) for public consultation, it is considered best practice to do so, in order that the document can be refined and improved through feedback and suggested amendments. All other Supporting Planning Guidance approved by the Planning Committee has been the subject of consultation.
- 5.2. The draft Development Framework was presented to the East Ayrshire Cabinet at its meeting on 7 September 2022 and was approved as draft non-statutory planning guidance. Public consultation was also agreed. Should the draft Framework receive approval from Planning Committee, in order to ensure a cohesive approach to consultation, it is proposed that the consultation will run simultaneously across both authorities, commencing towards the end of October and lasting for 6 weeks.

- 5.3. Going forward, attention will turn to the implementation of the opportunities identified in the Framework. An action plan is under preparation, which will identify lead partners, funding opportunities and potential timelines for the opportunities set out in the Framework. It is noted that the Council has recently appointed an Economic Development Officer, with specific remit for the Douglas Valley, in which Hagshaw sits. Whilst the focus of the role will be on engaging with South Lanarkshire communities in the area and taking forward the action plan, there is an intention that the officer will also look to work collaboratively cross-boundary into East Ayrshire with their Economic Growth Service.
- 5.4. In view of the above, it is recommended that the draft Development Framework as set out in the Appendix is approved. If approved, it is intended to finalise the document and thereafter it will be published and made available for public comment later in 2022 for a 6 week period. Following consultation, should no significant changes be proposed to be made to the draft document, the guidance will be adopted by both East Ayrshire and South Lanarkshire Councils. If significant changes are required as a result of the consultation, a further report will be brought to Planning Committee.
- 5.5. Subject to the Committee's approval, the proposed SPG will become a material consideration in the determination of planning applications alongside the adopted South Lanarkshire Local Development Plan 2.

## **6. Employee Implications**

- 6.1. The preparation of the Supporting Planning Guidance and subsequent implementation of the management plans will be carried out using existing staff resources within Planning and Regulatory Services and the Countryside and Greenspace team. The sites are entirely owned by the Council and maintained by Grounds Services with grounds maintenance regimes in place; no additional staff time is predicted for planned, ongoing site management.

## **7. Financial Implications**

- 7.1. The financial resources required to deliver SLLDP2 including any associated non-statutory planning guidance are based upon current budget levels available to Planning and Building Standards Services. Changes in these resources may impact on the programmes presented.

## **8. Climate Change, Sustainability and Environmental Implications**

- 8.1. A Strategic Environmental Assessment (SEA) of Local Development Plan 2, including the Plan's spatial strategy, policies and potential development sites, was carried out as required by the Environment Assessment (Scotland) Act 2005. The comprehensive and robust SEA helped to ensure that LDP2 fulfils its purpose of providing a clear framework to direct development in an environmentally sustainable way, ensuring any wider environmental issues were considered as far as reasonably possible.
- 8.2. In accordance with the relevant legislation, an SEA Screening Report for the draft Framework has been prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) for their consideration. They have confirmed SEA is not required.

## **9. Other Implications**

- 9.1. The SLLDP2 was adopted in April 2021. However, it is necessary to provide detailed guidance to support the adopted planning policies. There would be a reputational risk if this was not undertaken.

## **10. Equality Impact Assessment and Consultation Arrangements**

10.1. This report does not introduce a new or recommend a change to existing policy, function or strategy, therefore, no impact assessment is required.

**David Booth**

**Executive Director (Community and Enterprise Resources)**

20 September 2022

### **Link(s) to Council Values/Priorities/Outcomes**

#### **Values**

- ◆ Focused on people and their needs
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving
- ◆ Fair, open and sustainable

#### **Priorities**

- ◆ We will work towards a sustainable future in sustainable places

#### **Outcomes**

- ◆ Good quality, suitable and sustainable places to live
- ◆ Caring, connected, sustainable communities
- ◆ People live the healthiest lives possible

### **Previous References**

- ◆ Planning Committee Report 26 February 2019: South Lanarkshire Local Development Plan 2
- ◆ Planning Committee Report 1 December 2020: South Lanarkshire Local Development Plan 2

### **List of Background Papers**

- ◆ South Lanarkshire Local Development Plan 2

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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### **Appendices**

Appendix 1 – Draft Hagshaw Development Framework