

Development Plan Guidance

Topic: Sustainable Resource Use and Energy

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Introduction

As a public body and Scotland's environmental regulator, SEPA has an obligation to ensure that it is well-positioned and proactive in helping the Scottish Government deliver the Scottish targets for reductions in greenhouse gas emissions and that it has effective adaptation measures in place to minimise the impacts of climate change. SEPA supports the use of environmentally sensitive renewable energy and other low carbon compliant technologies where appropriately scaled, located and mitigated.

The Climate Change (Scotland) Act 2009 requires reductions in Scotland's greenhouse gas emissions of at least 42% by 2020 and 80% by 2050 from a 1990 baseline. Under Section 44(1) of the Act, SEPA has a duty to act:

- (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act;*
- (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;*
- (c) in a way that it considers is most sustainable.*

This guidance demonstrates commitment to our public duties under the Act by providing clear guidance on how we expect development plans to help deliver Scotland's renewable energy, renewable heat and zero waste aspirations.

We state in Our Climate Challenge 2014/2015 that *"SEPA will strongly support Scottish efforts on climate change and help Scotland's move to a low carbon, resilient and sustainable country in a way that also protects and improves the environment, human health and well being..."*

SEPA's Energy Position Statement explains SEPA's energy remit, and in paragraph 2.1 that *"SEPA has a pivotal role in delivering climate change priorities – through a combination of regulating, informing and influencing – in order to drive Scotland into a lower carbon future. SEPA also has an interest in the environmental consequences of energy decisions, and regulates or acts as a statutory consultee for major energy developments."*

Given the cross cutting nature of climate change we have developed overarching climate change objectives which are embedded across all topic guidance notes. Details of the objectives and how we address climate change across all topic areas can be found in our *climate change and planning topic paper*.

TOPICS COVERED IN THIS SECTION

1. [Carbon emissions and the spatial strategy](#)
2. [Onshore Unconventional Oil and Gas](#)
3. [Renewable Energy](#)
4. [Zero Waste](#)
5. [District Heating and Heat Networks](#)



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1. Carbon emissions and the spatial strategy

Why we comment on this issue

We have worked with the Scottish Government to develop the Spatial Planning Assessment for Climate Emissions (SPACE) tool. SPACE is designed as a straightforward means of informing development planners of the likely relative emissions that will arise as a result of their spatial policies and guidance. SPACE is available to download, and more information is available at the [SPACE launch pad site](#).

SEPA's planning objectives for this topic

- To promote patterns of development that minimise carbon emissions.

How we will address this issue through Strategic Environmental Assessment

- Require SEA to consider the effects of the spatial strategy on climatic factors including carbon emissions
- Recommend that SEA objectives used for assessment include objectives to reduce carbon emissions

Links with other development plan topic tables

Other relevant topic tables include:

Zero Waste

District heating and heat networks

Renewable Energy

Soils

Air Quality

The following table outlines our recommendations for Strategic and Local Development Plans relating to carbon emissions and the spatial strategy.



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Carbon Emissions and the Spatial Strategy: Recommendations

Strategic Development Plans	Local Development Plans
<p>Recommendation:</p> <p>The spatial strategy should be informed by an analysis of the relative carbon emissions of different strategic development options using the SPACE tool.</p>	<p>Recommendation:</p> <p>The spatial strategy should be informed by an analysis of the relative carbon emissions of different development options using the SPACE tool.</p>



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2. Onshore Unconventional oil and Gas

A comment on this issue

In October 2017 the Minister for Business, Innovation and Energy confirmed that the moratorium on Onshore Unconventional Oil and Gas, put in place in 2015, will continue indefinitely. The moratorium states that any planning applications connected to Onshore Unconventional Oil and Gas will be referred to Scottish Ministers. The vote in Scottish Parliament led to an agreement that the Scottish Government will not support planning applications associated with unconventional oil and gas development in Scotland.

Further detail and guidance will be provided by the Scottish Government in the forthcoming revised National Planning Framework.

With these strong positions being taken by Scottish Ministers and their intention not to support planning applications associated with Onshore Unconventional Oil and Gas, SEPA will no longer make comment to Development Plan consultations regarding Onshore Unconventional Oil and Gas.



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3. Renewable Energy

Why we comment on this issue

We comment on renewable energy issues at the development plan stage to ensure that due regard is given to environmental considerations insofar as they relate to our remit and supporting the delivery of climate change targets.

SPP states (paragraph 154) that *“The planning system should...support the development of a diverse range of electricity generation from renewable energy technologies...”* and in paragraph 155 that *“Development plans should seek to ensure an area’s full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations.”*

We support the delivery of a range of renewable energy technologies to support the delivery of climate change targets and other benefits. The issues that we would want to be considered in delivering renewable energy targets through development plan policies are covered in our guidance on soils, the water environment, flood risk air quality and sustainable resource use (heat networks). The technologies that are particularly affected by our development plan guidance are highlighted below.

Technology	Relevant development plan guidance table for cross reference
Wind	Soils, water environment
Hydro	Soils, water environment, flood risk
Biomass	Air quality, sustainable resource use (district heating), zero waste
Geothermal/Water source heat	Sustainable resource use (district heating), water environment

Other Sources of Energy

We will not comment on other types of energy related development such as coal, oil, Carbon Capture and Storage or unconventional gas at development plan stage. The regulatory issues relating to such energy proposals will be addressed through the development management process insofar as they relate to our interests. For policies relating to mineral workings, in addition to the requirement in the paragraph below, we expect that they are consistent with our guidance relating to air, water and soils ensuring that there are no significant negative impacts on such issues insofar as they relate to our interests.



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Areas of search and policies relating to mineral workings should be consistent with our guidance relating to air, water and soils ensuring that there are no significant negative impacts on such issues insofar as they relate to our interests. For minerals proposals the development plan should require the submission of a restoration and aftercare plan.

SEPA's planning objectives for this topic

- The promotion of a positive planning framework for delivery of Scotland's renewable energy targets.
- Minimising negative environmental impact of renewable energy developments insofar as they relate to our interests.

How we will address this issue through Strategic Environmental Assessment

- Require SEA to consider the effects on soil, material assets and water environment associated with locating renewable energy proposals

Links with other development plan topic tables

Links to other topic tables: soils, water environment, sustainable resource use (district heating).

The following table outlines our requirements and recommendations for Strategic and Local Development Plans relating to renewable energy in more detail. If the following requirements are not met then we are likely to make formal representations to the emerging development plan.

Further details on the implementation of the requirements and recommendations and supporting information can be found in the Renewable Energy Background Paper.



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Renewable Energy: Requirements and Recommendations

Strategic Development Plans	Local Development Plans
<p>Requirements:</p> <ol style="list-style-type: none"> 1. A positive policy framework to facilitate renewable energy developments in appropriate locations in line with SPP. Where appropriate, this may include biomass, windfarm, hydro, district heating and solar energy developments. 2. The policy framework or spatial strategy reflects local circumstances that take into account peat and carbon rich soils, forestry, water environment and other issues that fall within our remit including management of waste from development. 	<p>Requirements:</p> <ol style="list-style-type: none"> 1. A positive policy framework to facilitate renewable energy developments in appropriate locations in line with SPP. Where appropriate, this may include biomass, windfarm, hydro, district heating and solar energy developments. 2. The policy framework or spatial strategy reflects local circumstances that take into account peat and carbon rich soils, forestry, water environment and other issues that fall within our remit including management of waste from development.
	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. The preparation of Supplementary Guidance on Renewable Energy to consider in more detail the implications of the location and siting of different technologies on issues that relate to our interests such as soils, water environment, waste and heat networks



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4. Zero Waste

Why we comment on this issue

Planning authorities have a pivotal role to play in helping to deliver the national waste targets reflected in the Zero Waste Plan (ZWP) through the provision of a positive policy framework for new infrastructure. SEPA has a clear role to support planning authorities in the preparation of development plans, ensuring that waste is considered in relevant policy and in the Proposals Map and in ensuring that the development plan takes account of national planning policy, [ZWP](#), and our [Position Statement on Planning, Energy and Climate Change](#) are “material considerations”. This guidance note constitutes a material planning consideration. SEPA’s [Thermal Treatment of Waste Guidelines 2014](#), are a defined Material Consideration and specifically state that this guidance note contains the appropriate planning guidance regarding waste and planning.

[The Town and Country Planning \(Development Planning\) \(Scotland\) Regulations 2008](#) state that Planning Authorities must have regard to the National Waste Management Plan when drawing up Strategic Development Plans and Local Development Plans. [Planning circular 1/2009 Development Planning](#) provides further guidance on the scope and procedures of Strategic and Local Development Plans, including how waste should be addressed. Both [Scottish Planning Policy](#) (SPP) and the ZWP emphasise the importance of the planning system in delivering waste infrastructure and require the planning system to provide policies and identify appropriate locations for waste management facilities.

SEPA’s planning objectives for this topic

- To support waste management proposals that help deliver the objectives of the Zero Waste Plan in a way that minimises their impact on the environment;
- To maximise opportunities to recover heat for use from thermal treatment of waste proposals;
- To promote a move up the waste hierarchy through good design in development proposals.

How we will address this issue through Strategic Environmental Assessment

- Require SEA to consider the effects of policies, proposals and allocations on waste generation and management.
- Require SEA to consider the effects of waste management site options on air quality, noise and odour, and human health.
- Recommend that SEA objectives used for assessment include objectives to minimise waste generation (e.g. through application of the waste hierarchy), maintain and improve air quality and reduce levels of nuisance (odour, dust etc).



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Links with other development plan topic tables

Other relevant topic tables include:

Air quality and co-location for co-location issues; and,

District Heating and Heat Networks for waste heat issues not covered by the Thermal Treatment of Waste Guidelines.

The following table outlines our requirements and recommendations for Strategic and Local Development Plans relating to zero waste in more detail. If the following requirements are not met then we are likely to make formal representations to the emerging development plan.

Further details on the implementation of the requirements and recommendations and supporting information can be found in the Zero Waste Background Paper.



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Zero Waste: Requirements and Recommendations

Strategic Development Plans	Local Development Plans
<p>Requirements:</p> <ol style="list-style-type: none"> 1. Strategic waste management facilities are identified and promoted to support the delivery of the Zero Waste Plan objectives through the provision of a policy framework and identification of any strategic sites which: <ol style="list-style-type: none"> 1. identifies and protects existing strategic waste management facilities in the area; 2. Requires waste management facilities to be identified in development plans, to support the delivery of the Zero Waste Plan objectives; and, 3. Identifies the need for any new or additional strategic waste management facilities to provide extra capacity where there remains a national shortfall in infrastructure. Such facilities should manage waste from both within and outwith the plan area, in line with the national capacity tables (previously ZWP Annex B tables). Development plans must not restrict waste management facilities in their areas to managing solely waste that is generated within the boundary of the development plan area. 	<p>Waste Management Facilities Requirements:</p> <ol style="list-style-type: none"> 1. Waste management facilities are identified and promoted to support the delivery of the Zero Waste Plan objectives through the provision of a policy framework and land allocations which: <ul style="list-style-type: none"> • Support the development of new waste management facilities and infrastructure facilities for the management of all types of waste; • Identify on the proposals map and safeguard existing waste management sites, including safeguarding or protecting land for expansion surrounding existing waste facilities, to allow for growth without being prejudiced or restricted by adjoining land uses; • In line with the Waste Hierarchy, identify the preferred means of managing all waste and the types of waste management facilities that will be supported; • Identify in policies and on proposals maps clear locations and/or site allocations appropriate for waste management facilities. Sites considered suitable for waste management facilities include employment and industrial land, storage and distribution land and re-use /extensions of existing waste management sites. Other sites may be considered suitable by the Planning Authority; and, • Where there remains a national shortfall in waste management infrastructure, development plans must provide capacity for waste management facilities that may manage waste from both within and outwith the plan area. Development plans must not restrict



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	waste movement across planning boundaries. SEPA does not provide comment on proximity or need.
	<p>Minimising Waste Requirement:</p> <p>2. Incorporation of the principles of minimising generation of waste during construction and providing adequate space for waste in new development as part of policies within their development plan policies, for example in “general design”, “sustainable design” or general waste policies.</p>
	<p>Energy from Waste Requirement:</p> <p>3. Sites identified for energy from waste facilities are designed to enable links to be made to potential users of the heat and/or power generated at the site.</p>
	<p>Landfill Requirement:</p> <p>4. Existing landfill sites must be identified on the proposals map and proposals for new landfill sites will only be supported in specific circumstances and where required to meet the need for a 10 year rolling landfill capacity identified within the Zero Waste Plan Regional Capacity Table.</p>
<p>Key Recommendations:</p> <p>1. The SDP should indicate types of waste management facility considered appropriate in order to give full</p>	<p>Key Recommendations:</p> <p>1. The inclusion of text within Vision Statement of LDPs which promotes Zero Waste to demonstrate a positive approach towards planning for</p>



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guidance to LDPs as to the preferred approach for the sustainable management of waste, and to help deliver the national waste capacity requirement.

2. We will support development plans which reflect the Scottish Government's position and set out policies which enable development of waste management facilities which will contribute towards delivering the additional capacity required in Scotland.

sustainable resource use and Zero Waste in all new development. For example: *"The Development Plan has a Zero Waste vision for our people to live a zero waste lifestyle, minimising waste created and maximising the reuse and recycling of materials"*.

2. Minimise where possible the unnecessary transportation of waste by road and / or utilise access by rail or water.
3. Utilise existing minerals workings or industrial sites for construction and demolition waste, and identify opportunities to recycle construction and demolition waste either close to where it arises with mobile crushing plant on site or at a permanent processing site.
4. If waste is to be managed outwith the development plan boundary as part of a shared waste infrastructure facility, the development plan should confirm where and how waste will be managed.
5. Development plans should support the Scottish Government's position and set out policies which enable development of waste management facilities which will contribute towards delivering the additional capacity required in Scotland.

Minimising Waste Recommendations:

6. Inclusion of a policy that requires developers to prepare and implement a site waste management plan in appropriate cases. This may form part of a construction method statement or sustainable design statement.
7. Inclusion of development plan policies which require all new development to provide adequate space within the site layout for well-designed waste storage, recycling (including kerbside collection and / or centralised mini-recycling stores and composting facilities) and collection to enable maximum waste reduction and materials to be separated at source.



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	<p>8. The preparation of detailed supplementary guidance on waste storage, recycling and collection space to support development plan policy. The detailed design guidance on waste storage, recycling and collection space can be provided through supplementary guidance, but it must be referred to through policy contained within the development plan.</p>
	<p>Energy from Waste Recommendation:</p> <p>9. Policy coverage to ensure that new development proposals are enabled to connect to any adjacent existing or new heat networks, Energy from Waste facilities, or other heat providers. In order to ensure Energy from Waste (and other heat providers) comply with SEPA's Thermal Treatment of Waste Guidelines and meet the energy efficiency requirements, new developments are expected to make use of the energy generated.</p> <p>10. Links should be made between waste and renewable energy policies.</p>



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5. District Heating and Heat Networks

Why we comment on this issue

The Scottish Government has estimated that heat accounts for around half of all the energy we use, using it for our homes, offices, hospitals, businesses, schools, other buildings and industries. The Scottish Government's Draft [Outline Heat Vision](#) was published 29 January 2013 brings together a number of the Government's policy positions supporting the development of heat in Scotland.

There are clear links between district heating and climate change. The [Expert Commission on District Heating](#) recommendations to the Scottish Government (November 2012) sets out the benefits that district heating can have on a number of policy areas, including heat poverty, and reducing emissions. In the [draft Heat Generation Policy Statement](#) the Government has established a Heat hierarchy, illustrating the preferred approach to reducing carbon emissions and delivering low carbon and renewable heat.

Key Scottish Government targets relating to heat include:

- A largely decarbonised heat sector by 2050, with significant progress made by 2030.
- Delivery of 11% of non-electrical heat demand by renewable sources by 2020.
- 40,000 homes to benefit from affordable low carbon heat from district heating by 2020
- 1.5TWh heat to be delivered by district heating by 2020 to both domestic and non-domestic properties

[SEPA's position statement on Energy](#) states that we will "*encourage a diversity of energy sources that integrate energy supply and demand, especially supporting efficient use of surplus heat, and heat from renewable sources.*"

Development plans have an important role to support the delivery of the heat hierarchy, in particular through supporting and facilitating the delivery of heat networks, allocating land to enable co-location of heat supply and demand both now and for the future developments. Policies can also support the achievement of capturing renewable heat through, where appropriate, requiring new developments to be designed to be capable of connecting to district heating networks that currently exist or are planned for the future. Heat can be sourced from (amongst other technologies) energy from waste facilities, anaerobic digestion, biomass facilities, from capturing excess heat from industrial processes and as other secondary sources, geothermal heat, water from mines, rivers and other water bodies, heat storage systems and other renewable energy schemes. Development plans should support the range of potential heat sources in their area.



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Development plans have an important role to play in ensuring new developments make use of renewable energy generated, which will support Energy from Waste facilities, and other heat providers, in complying with SEPA's Thermal Treatment of Waste Guidelines and meeting the European Union's Energy Efficiency requirements (through Article 14 of the EU Energy Efficiency Directive).

In addition to heat that can be sourced from energy from waste facilities, geothermal heat and water from mines (where heat is a primary source), there is significant potential for using surplus or secondary source heat, that is heat that is currently wasted or unused which comes from industrial processes, waste water or from other industries. Maximising the use of secondary heat brings benefits to the heat source as it can reduce emissions as well as potentially being a source of income. It can also reduce the need for new primary heat sources, reducing emissions and the need to source fuel for the processes which generate heat.

The Scottish Government published in April 2014 a national heat map which identifies existing sites of heat demand as well as sources of heat supply, both primary and potential secondary/surplus heat supply. There is great potential for use of the national heat map, which explored below.

Scottish Planning Policy 2014 outlines the key Scottish Government planning policy principles relating to delivering renewable heat and electricity.

SEPA's planning objectives for this topic

- To ensure that development plans make an effective contribution to national targets relating to heat.
- To encourage use of heat maps to maximise opportunities for the use of waste heat in new development.

How we will address this issue through Strategic Environmental Assessment

Recommend that Responsible Authorities use the National Heat Map to inform the SEA.

The national heat map is used to prepare the main issues report and SEA, and in establishing the planning authority's approach towards identifying new development sites in the plan area. Heat Maps are used to identify the locations for renewable heat providers and new Development Sites (including Strategic Development Sites), maximising the potential for the use of heat generated, and are used to identify opportunities for schemes to promote heat networks, site-specific where possible. Cross boundary co-ordination is considered for development of heat networks and district heating schemes.



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Links with other development plan topic tables

Other relevant topic tables include:

Zero waste (for issues around alignment with the Thermal Treatment of Waste Guidelines)

The following table outlines our requirements and recommendations for Strategic and Local Development Plans relating to district heating and heat networks in more detail. If the following requirements are not met then we are likely to make formal representations to the emerging development plan.

Further details on the implementation of the requirements and recommendations and supporting information can be found in the District Heating and Heat Networks Background Paper.



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District heating and heat networks : Requirements and Recommendations

Strategic Development Plans	Local Development Plans
<p>Requirements:</p> <ol style="list-style-type: none"> 1. Policy wording which supports the construction of low carbon energy distribution district heating networks. 2. If substantial new development, such as a new town or sizeable development, is planned, a requirement to connect to an existing or proposed district heating network, or provide a heat network within the site, must be placed on the site. 	<p>Requirements:</p> <ol style="list-style-type: none"> 1. Policy wording which supports the construction of low carbon energy distribution district heating networks. 2. If substantial new development, such as a new town or sizeable development, is planned, a requirement to connect to an existing or proposed district heating network, or provide a heat network within the site, must be placed on the site. 3. New developments located adjacent to existing or proposed new heat networks or heat supplies should be designed to be capable of connecting to the heat supply. This could include incorporating space to be safeguarded for future pipework/piperuns within developments, incorporating grass/green corridors along footpaths or roads which could be excavated for installing heat network pipes without significant disturbance, and ensuring the new infrastructure does not obstruct the development of planned heat network and district heating systems
<p>Recommendations:</p> <ol style="list-style-type: none"> 1. Heat maps are used to identify opportunities for schemes to promote heat networks, site-specific where possible. Cross boundary co-ordination is considered for development of heat networks and district heating schemes. 	<p>Recommendations:</p> <ol style="list-style-type: none"> 1. Where possible, LDPs should identify the allocated development sites that can be grouped together to improve the viability of developing a heat network.



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2. Design/sustainable development policies require that new development located close to existing or proposed heat networks or sources of renewable heat should be designed to be capable of connecting to make use of district heating.
3. Any areas of search for water as a heat source should avoid sensitive and/or protected water environments.

