

The background of the slide features the Falkirk Council Coat of Arms. It consists of a shield divided into four quarters. The top-left quarter contains a saltire (X-shaped cross). The top-right quarter contains a stag's head facing left. The bottom-left quarter contains a castle tower. The bottom-right quarter contains a lion passant guardant. Above the shield is a crown with four fleurs-de-lis. Below the shield is a ribbon with the motto 'A'NE FOR A'.

## **Agenda Item 7**

# **Falkirk Local Development Plan 2**

## **Supplementary Guidance SG14: Renewable and Low Carbon**

**Falkirk Council**

**Title:** Falkirk Local Development Plan 2  
Supplementary Guidance SG14: Renewable and Low Carbon Energy  
**Meeting:** Executive  
**Date:** 30 November 2021  
**Submitted By:** Acting Director of Development Services

**1. Purpose of Report**

- 1.1 The purpose of this report is to seek approval of Supplementary Guidance SG14: Renewable and Low Carbon Energy.

**2. Recommendation**

**2.1 It is recommended that the Executive:**

- **agrees to submit SG14: Renewable and Low Carbon Energy, as attached at Appendix 2, to Scottish Ministers, and**
- **agrees to adopt the guidance following clearance from Scottish Ministers.**

**3. Background**

- 3.1 The Town and Country Planning (Scotland) Act 1997 gives planning authorities the power to prepare Supplementary Guidance (SG) to provide additional detailed guidance on the implementation of policies in Local Development Plans. Once adopted, the SG will become part of the statutory Development Plan.
- 3.2 At its meeting on 27 August 2019, the Executive authorised officers to prepare and undertake consultation on the fourteen SGs associated with the Falkirk Local Development Plan 2 (LDP2). The SGs were divided into two groups. Group 1 contained more technical and design/heritage focused SGs where minimal changes were anticipated from the previous versions which supported LDP1. Group 2 contained SGs where more significant changes were anticipated or which had greater policy implications. For Group 1, SGs would be progressed to adoption without referral to the Executive, provided any consultation comments received were of a minor nature. For Group 2, finalised drafts would be reported back to the Executive following consultation, prior to submission to Scottish Ministers and adoption.

- 3.3 SG14: Renewable and Low Carbon Energy falls into Group 2. A draft was prepared, and consultation on the document was undertaken from 12<sup>th</sup> August until 24<sup>th</sup> September 2021. It now requires consideration and approval by the Executive.

## 4. Considerations

- 4.1 LDP2, adopted in August 2020, contains a number of policies in relation to renewable and low carbon energy and the requirements which such developments must meet, alongside promoting such developments. These policies include:

- **IR12 Energy Generation Development:** Policy setting out general criteria for the assessment of all energy generation proposals.
- **IR13 Low and Zero Carbon Development:** Aimed at securing renewable energy equipment as an integral part of proposals thereby reducing carbon emissions associated with development. Policy IR13 sets out the requirement for the inclusion of Low and Zero Carbon Generating Technologies (LZCGT) as part of new development, and the requirement for an Energy Statement
- **IR14 Heat Networks:** Requires new developments to consider the potential for heat networks, including futureproofing of sites for future connection to such networks, within their Energy Statements.

- 4.2 This Supplementary Guidance (SG) expands on these policies. It consolidates information previously contained within three separate guidance documents relating to Wind Energy Developments, Renewable Energy, and Low and Zero Carbon Development. It is intended to provide a toolkit for developers, communities and individuals seeking to develop a range of renewable and low carbon technologies. These include biomass, Combined Heat & Power (CHP), solar/PV, ground, air and water source heat, deep geothermal and hydro, as well as the potential for district heating within the Falkirk Council area.

- 4.3 In terms of the content of the SG, this can be broadly summarised as follows:

- An introduction, setting out the policy context and, in particular, the Scottish Government's net zero carbon targets (Section 1)
- An overview of each technology, alongside locational guidance across the Council area (Section 2),
- Specific Development Management Guidance to inform the assessment of planning applications for renewable and low carbon energy (Section 3).
- Guidance on incorporating LZCGT into new development, in order to meet the requirements of Section 72 of the Climate Change (Scotland) Act 2009 and LDP2 policy (Section 4).

- A series of Appendices which includes supporting mapping to the locational guidance (Appendix 1); specific guidance for developers on landscape capacity (Appendix 2); a Development Management Checklist for officers and developers (Appendix 3); and an Energy Statement template (Appendix 4) to assist developers.
- 4.4 Following approval by the Executive, SG14 will be submitted to Scottish Ministers along with a statement setting out the publicity measures that have been undertaken, the comments received and an explanation of how these comments have been taken into account. After a period of 28 days has elapsed the authority may adopt the SG unless Scottish Ministers have directed otherwise.

## **5. Consultation**

- 5.1 Around 550 key agencies, organisations and individuals were notified by email of the commencement of the consultation process and the availability of consultative draft SG14 on the Council website. Press adverts were placed in the Falkirk Herald and Bo'ness Journal, and a Facebook post also advertised the start of the consultation. Consultation took place over a 6 week period between 12<sup>th</sup> August and 24<sup>th</sup> September 2021. Responses were received from the following individuals/organisations:
- Scottish Environment Protection Agency (SEPA)
  - Historic Environment Scotland
  - NatureScot
  - Scottish Government
  - Grangemouth Chemical Cluster Companies
  - Pat Mason
  - Elaine Mackie
- 5.2 A detailed summary of those comments received and the Council's draft responses is contained in Appendix 1. Observations from Scottish Government and SEPA suggested the inclusion of additional information on technologies such as hydrogen, and constraints such as peat. The additions sought have generally been included in the finalised version. Grangemouth Chemical Cluster Companies submitted comments which were largely objecting to the content of the LDP2 policies themselves, which is beyond the scope of the SG. Comments from individuals related to the Council's and national government's approach to energy and climate change. Overall, the consultation process has not raised any significant issues that would require further changes to the draft SG.

## **6. Implications**

### **Financial**

6.1 None

### **Resources**

6.2 None.

### **Legal**

6.3 The requirements and procedures for the preparation of SGs are set out in Section 22 of the Town & Country Planning (Scotland) Act 1997, as amended by the Planning, etc. (Scotland) Act 2006, and in the Town & Country Planning (Development Planning) (Scotland) Regulations 2008.

### **Risk**

6.4 None.

### **Equalities**

6.5 An Equality and Poverty Impact Assessment has been undertaken for LDP2 to ensure that the plan is robust, and that there is no potential for discrimination to groups protected under the Equality Act 2010. This has concluded there is no adverse impact on protected groups.

### **Sustainability/Environmental Impact**

6.6 The LDP2 policies which SG14 supports have been subject to Strategic Environmental Assessment. SG14 itself has been screened for Strategic Environmental Assessment (SEA). The screening was undertaken and submitted to the consultation authorities (Scottish Environment Protection Agency, NatureScot and Historic Environment Scotland) under the Environmental Assessment (Scotland) Act 2005. It has been determined, in consultation with the consultation authorities, that SG14 is unlikely to have significant adverse environmental effects, beyond what were assessed through the LDP process. A full SEA is therefore not required.

6.7 The adoption of SG14 assists the progress of the Council's climate emergency action plan and will support a number of LDP2 objectives, namely supporting a low carbon economy, building resilience to climate change; and protecting and enhancing the area's natural environment and resources.

## **7. Conclusion**

- 7.1 As part of the ongoing update of Supplementary Guidance in association with LDP2, the consultative draft of SG14 has been published for public consultation. Responses to comments received have been drafted, and a finalised version has been prepared for approval by the Executive, prior to its submission to Scottish Ministers for clearance to adopt.
- 7.2 SG14 will provide a helpful addition to LDP2's suite of Supplementary Guidance. By setting out more detailed guidance on the provision of renewable and low carbon energy, SG14 will provide a helpful reference point for individuals and developers in preparing development proposals that will complement the Council's aims of moving towards net zero and addressing the declared climate emergency.

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## **Appendices**

Appendix 1 - Table of proposed Council responses to comments received on  
SG14: Renewable and Low Carbon Energy

Appendix 2 - SG14: Renewable and Low Carbon Energy –  
Finalised Version

## **List of Background Papers:**

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

None.