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**By email: [sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk)**

Dear Ms. Thomson,

#### **THE CROWN ESTATE RESPONSE TO THE REVIEW OF SCOTTISH PLANNING POLICY (SPP)**

The Crown Estate welcomes the opportunity to provide comments on the early stages of the development of a revised Scottish Planning Policy (SPP). We support the Scottish Government's intention to focus the SPP on delivering sustainable economic growth and place-making. We consider this an opportunity to review the current consolidated SPP, which is an amalgamation of previous Scottish Planning Policies, to ensure the SPP provides an up-to-date, concise and coherent policy steer to support the delivery of the Scottish Government's policy objectives.

The Crown Estate in Scotland has interests in the rural, coastal and marine environment. As such we have set out below a number of comments on the key elements of the current SPP that the revised SPP should seek to retain, and where applicable, we have suggested some additional areas for consideration, in particular suggesting where greater linkages could be made across policy areas.

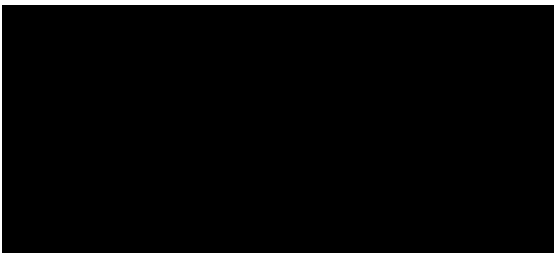
Our key comments are summarised below and more detailed comments are set out in annex 1:

- We see the revision of SPP as an opportunity to heighten the links between the terrestrial and marine planning systems and would welcome efforts to link SPP coherently to the emerging National Marine Plan, Regional Marine Plans and Sectoral Plans for marine energy.
- We welcome the policy level support given to renewable energy in the existing SPP. Since the consolidation of the SPP in 2010, policy support for renewables in Scotland, particularly for offshore wind, wave and tidal energy, has been strengthened and targets increased. Therefore, we would like to see the SPP revised to reflect this enhanced policy support as this provides a positive signal to investors and provides clarity for developers and stakeholders in bringing forward and assessing applications at the consenting stage.
- SPP also has a key role to play in the delivery of the onshore infrastructure which is essential to the successful delivery of offshore renewable energy developments and we would like to see this element of the current SPP retained, and where possible, enhanced.
- The revision of SPP presents an opportunity to support the emerging carbon capture and storage (CCS) sector in Scotland by translating existing policy level support into the revised SPP and where appropriate, we would welcome further recognition of this within national planning policy.

- The revised SPP should also continue to play an important role in supporting Scotland's rural economy by providing planning policy support for digital infrastructure, transport infrastructure, provision of housing, economic and tourism development for rural areas and encouraging the consistent application of national policy across local authority boundaries.

I hope these comments are of assistance in the development of the draft revised SPP and we look forward to providing further input in due course. In the meantime, please do not hesitate to get in touch if you require further clarification or would like to discuss any of these points further.

Yours sincerely,



Annie Breaden  
Policy & Consents Manager (Scotland)

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## **Annex 1: Review of Scottish Planning Policy - The Crown Estate Response**

### **The Crown Estate in Scotland**

The Crown Estate in Scotland owns and manages around 50% of the foreshore and beds of tidal rivers, together with almost all the seabed out to the 12 nautical mile limit. The Crown Estate also has the vested rights to lease the generation of renewable energy on the continental shelf within the Renewable Energy Zone out to 200nm and to allow the offshore area to be used for methane gas and carbon dioxide storage. Our Rural Portfolio in Scotland is responsible for 43,000 ha (106,253 ac) of land including 5,000 ha (12,355 ac) of forestry. The portfolio comprises five rural estates which include around 200 agricultural tenancies and more than 100 residential properties. These are located in Dumfries and Galloway, Midlothian and Moray where our land management activities make a significant contribution to the economy of remote rural areas. We also manage important mineral resources and almost 140 salmon fishing tenancies.

### **General comments**

The Crown Estates welcomes the opportunity to provide comments on the early stages of the development of a revised Scottish Planning Policy (SPP). We support the Scottish Government's intention to focus the SPP on delivering sustainable economic growth and place-making. We consider this an excellent opportunity to review the current consolidated SPP, which is an amalgamation of previous Scottish Planning Policies, to ensure the SPP provides an up-to-date, concise and coherent policy steer to support the delivery of the Scottish Government's policy objectives.

The Crown Estate has interests in the rural, coastal and marine environments and as such we have set out below a series of comments on the key elements of the current SPP that the revised SPP should seek to retain, and where applicable we have suggested additional areas for consideration, in particular suggesting where greater linkages could be made across policy areas.

### **Comments on SPP Policy Areas**

#### Renewable Energy

We welcome the clear policy level support given to renewable energy in the existing consolidated SPP. This provides a positive signal to investors and provides a clear framework in which to consider development proposals. We would like to see the revised SPP retain this support and make reference to Scotland's ambitious targets to generate 50% of Scotland electricity from renewable energy by 2015 and equivalent of 100% of electricity demand by 2020.

Since the publication of the consolidated SPP in February 2010, the offshore wind, wave and tidal energy sectors in Scotland have grown steadily in response to the increased Government aspirations for these sectors, as set out in the Scottish Government's current and emerging sectoral plans. The SPP should reflect the Scottish Government's offshore energy aspirations and the revision of SPP should place an increased emphasis on supporting the growth of the offshore wind, wave and tidal energy sectors over the lifetime of the revised SPP and to 2020 to facilitate the delivery of Scotland's energy generation targets.

While planning and consenting of offshore wind, wave and tidal energy development will fall largely within the Marine Licensing and Marine Planning regimes, many of the essential elements of infrastructure required to deliver these projects will need to be delivered onshore via the terrestrial planning and electricity (section 36 and 37) consents systems (e.g. grid infrastructure, onshore substations and construction, operations and maintenance

facilities). The current SPP sets this out in paragraph 192, providing a clear steer that Local Planning Authorities should consider the infrastructure required for offshore renewables when preparing their Local Development Plans. We see benefit in the revised SPP also linking to other existing plans and policies such as the offshore energy sectoral plans and the National Renewables Infrastructure Plan<sup>1</sup> in order to provide a clear steer for Local Planning Authorities when identifying appropriate locations for facilities linked to the manufacture, installation, operation and maintenance of offshore wind farms and wave and tidal devices.

### Grid

The current SPP makes reference to grid capacity in terms of onshore wind farm developments in paragraphs 191, stating that *“existing and approved grid capacity should be maximised wherever possible. However, grid constraints should not be used as a development constraint where renewable energy potential exists.”* It also makes reference to the need for grid capacity to be secured for offshore renewable energy developments (paragraph 192) and it is important that policy support for grid infrastructure is retained within the revised SPP.

### Marine and Coastal Planning

The consolidated SPP precedes the Marine (Scotland) Act. Therefore we see the review of SPP as an opportunity to heighten the links between the terrestrial and marine planning systems, ensuring that SPP reflects the legislative requirements set out in Scotland's first Marine Act. This will help to provide consistency between both the terrestrial and marine planning systems and highlight the interface between SPP and the forthcoming National Marine Plan, Regional Marine Plans and sectoral plans for offshore renewables. It is important that SPP (and the forthcoming NPF3) links coherently with on-going marine planning work to ensure that marine activities are planned positively and consistently across Scotland.

### Fish farming

We broadly welcome the approach set out in the current SPP which provides a clear policy steer for Local Planning Authorities when assessing and regulating applications for aquaculture in Scottish waters. It is important that national level policy is applied consistently across Local Authority boundaries and we welcome efforts by the Scottish Government to support Local Planning Authorities in delivering this.

We would also like to see the revised SPP support a more pragmatic approach to the regulation of aquaculture licensing that reflects the nature and requirements of the businesses in the sector, particularly those farming a number of sites across a wide geographic area and across Local Authority boundaries. Adequate recognition and consideration of the net strategic value accruable from aquaculture in the revised SPP will provide an opportunity to enable the industry to optimise economic benefits whilst minimising environmental impacts. For example, adopting a strategic approach to permitting development applications will facilitate improved opportunity for the fallowing of particular areas, where available, thereby reducing risk of disease and improving control of parasites across the wider industry. The revised SPP should also encourage Local Planning Authorities to adopt a 'planning for business' approach to aquaculture development, considering at a strategic level where the most viable areas are for the nature and scale of developments industry requires, and how these can be best supported whilst ensuring environmental, social and economic objectives are met.

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<sup>1</sup> National Renewables Infrastructure Plan (2010)

<http://www.scottishenterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewablesinfrastructure-plan.ashx>

## Minerals

Minerals reserves are of strategic importance and should be considered the review of SPP. The revised SPP should also consider the possible demand for extraction of marine minerals and the associated infrastructure required to deliver this.

## Rural Development

Rural Scotland plays a vitally important part in Scotland's economy, and this should continue to be reflected in national policy. The Crown Estate welcomes the current SPP's encouragement of Local Development Plan policies which support and sustain rural settlements through appropriate development. We would seek continuing support at the national policy level for rural diversification, rural development, and business and tourism development within rural areas.

The Crown Estate's Rural Estate in Scotland extends to 43,000ha of land, within which there is potential to deliver sustainable economic growth within the rural economy without a negative impact on the distinct environmental quality of these rural areas. There are further opportunities to encourage continued environmental stewardship of rural Scotland, whilst promoting economic diversification and development where appropriate.

Housing development continues to be an important issue in rural areas, and The Crown Estate would encourage a continued recognition that Development Plans should allocate an appropriate supply of land for housing in rural areas. The SPP should also encourage provision of access to services and infrastructure as a key element of ensuring Scotland's rural areas are maintained and thrive. The SPP should continue to provide a supportive policy framework to encourage business to locate in rural areas with access to services, and physical and digital infrastructure which is critical to maintaining thriving communities.

The SPP could also consider providing policy support for the concept of "brownfield" sites in rural areas to help realise the benefits which could stem from their redevelopment (as is the case in urban areas).

The Crown Estate would encourage continued recognition within the SPP of the important role which tourism plays in rural areas and throughout Scotland as a whole. Tourism development within rural areas should be encouraged and facilitated through the SPP and carried into Strategic and Local Development Plan policy to encourage the sustainable economic growth of this sector.

## Retailing and Rural Linkages

Retailing in rural areas should be considered carefully in the SPP. At present retailing policies have a largely urban focus and do not always reflect the need for a more flexible approach in rural areas. Adopting more innovative policy approaches may allow and encourage developments like the Loch Fyne Oysters range of businesses at Cairndow and The House of Bruar. Such developments are not usually supported by local planning policy despite providing key economic growth drivers for their rural environment.

## **Additional Policy Areas for Consideration**

The following additional policy areas should be considered in the development of the revised SPP.

### Carbon Capture and Storage (CCS)

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The Scottish Government's Electricity Generation Policy Statement<sup>2</sup> sets out the need for a balanced electricity mix, with thermal generation progressively fitted with CCS playing an important role in Scotland's future energy mix. The policy statement also sets out Scotland's ambition to demonstrate CCS "at commercial scale in Scotland by 2020, with full retrofit across conventional power stations thereafter by 2025-30". In order to deliver these aspirations and ensure the planning system is well equipped to facilitate the delivery of CCS projects, it is important that SPP contains policy support for this technology and the associated infrastructure required to deliver it (and NPF3 translates this policy into spatial guidance).

CCS has the potential to play an important role in managing climate change and security of energy supply issues as part of a balanced energy mix and projects in Scotland, such as the Peterhead power station, have the potential to be a world-leading demonstration sites for retrofitting carbon capture technology on a commercial scale. Scotland is also uniquely placed to access suitable CO2 storage locations in the depleted gas fields of the North Sea. Policy level support for CCS in SPP would provide a clear steer that CCS is a technology supported by the planning system in Scotland and will give added certainty regarding the feasibility of the project in relation possible UK and EU funding streams.

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<sup>2</sup> Electricity Generation Policy Statement (2012) <http://scotland.gov.uk/Resource/0038/00389294.pdf>