

Community and Renewable Energy Scheme Project Development Toolkit Planning Module



Module structure

The Community and Renewable Energy Scheme Project Development Toolkit is intended to be used as a reference by Community Groups of all kinds. This module is one part of a series of documents forming the Community Renewables Toolkit and is designed to cover all sizes of project, although the scale and complexity of multi-MW projects may require more detailed evaluation than smaller projects. Other modules that may also be of particular interest to those reading this module are as follows.

- Establishing a community group
- Project finance
- Securing the site
- Planning
- Grid connection
- The Feed-in-Tariff.

This module should be used in conjunction with the appropriate technology-specific documents.

This module is structured in four parts to act as a guide and reference document for Community Groups in the development of a renewable energy project in Scotland.

The planning system

An overview of planning within a renewable energy project.

The role of local planning authorities

An introduction to planning authorities and what the planning authorities are responsible for.

Planning application

A more detailed look at the planning application and process, including how and when to contact your local planning authority.

Further information

Appropriate links, definitions and references to other information, collated for quick reference.

The planning system

The Scottish Government has published a guide to the planning system in Scotland, which provides a good starting point for those unfamiliar with the system (see further information).

The planning system is there to address the legal requirement to obtain permission for the development or use of land. It is a way for planning authorities to control unsuitable development by refusing permission or by granting permission for appropriate development (generally subject to conditions). The legislation allows a council to approve developments that fit the plan and reject developments that do not. The Scottish planning system has three stages in its hierarchy of developments:

- National development (e.g. new Forth crossing, high-speed rail link to London).
- Major development (e.g. 50 or more houses, onshore wind farm with an installed capacity of over 20MW – other criteria also apply).
- Local development (all developments that are not national or major).

The main pieces of legislation that form the planning system today are the Town and Country Planning (Scotland) Act 1997, Town and Country Planning (Environmental Impact Assessment (Scotland)) Regulations 2017 and the Planning etc. (Scotland) Act 2006.

Under the EIA Regulations a further hierarchy of development types can require energy developments with a footprint larger than 0.5 hectares to need a full EIA. Depending on the scale of development the community are looking to undertake, an EIA would usually not be required and the development will be considered as a local development. However, this should be confirmed with a formal; screening and scoping request a formal pre-application consultation process.

The National Planning Framework 3 (NPF3) was issued in June 2014, along with the new Scottish Planning Policy (SPP).

In summary, NPF3 outlines that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the Low Carbon Scotland report. This strategy facilitates the development of electricity generation technologies that will help to reduce greenhouse gas emissions from the energy sector, hence supporting renewable technologies.

The updated Scottish Planning Policy, published on 23 June 2014, sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

Delivery of the planning services in Scotland is through the 32 local authorities and two national park authorities. This means that planning in Scotland is essentially a local function, but within the framework of NPF3 and SPP. The planning authority in your area should be your first point of contact for all planning applications and enquiries.

The planning system and renewable energy

Planning Aid for Scotland (PAS) is an independent and impartial organisation that works across Scotland to help people shape their communities and engage more effectively with the planning

system. PAS provides specific guidance for community-led development. In addition, the Scottish Government provides planning policy guidance on renewable energy. The PAS guidance gives specific advice for each technology including guidance on location, cumulative impacts, etc. and provides links to other guidance on particular areas of potential concern (e.g. landscape issues, good practice during construction and specific issues with wildlife).

Permitted development

Some renewable energy projects are permitted without planning permission. This is called permitted development. Permitted development rights apply for solar panels, ground and water source heat pumps, and flues forming part of biomass and combined heat and power systems installed on non-domestic premises (see further Information). There are, however, important limits and conditions which must be met to benefit from these permitted development rights which should be discussed with your local authority. The rules on permitted development are subject to change, so it is important to always consult with your local authority.

The full details are included in Part 1B Installation of non-domestic microgeneration equipment of the Amendment of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. It should be noted that separate permitted development rules apply to renewable energy systems fitted to dwellings. These are not within the scope of the CARES programme.

Permitted development rights for non-domestic microgeneration are available for:

- Ground-source and water source heat pumps
- Solar PV or solar thermal systems
- Generation (including cogeneration) of energy from burning biomass
- Generation (including cogeneration) of energy from anaerobic digestion of biomass
- Storing of biomass.

While the rights may not apply to all systems, there are important definitions that apply to each category of microgeneration. Examples of these include:

- Restrictions in areas such as national parks, on listed buildings, proximity to airports.
- Size restrictions such as 50kW for solar PV and 45kW for solar thermal.
- Constraints over visibility (e.g. for solar PV and solar thermal).

These definitions need to be studied carefully. Given the cost and risk associated with planning, many schemes are developed to avoid the need for planning permission. For example, there are a significant number of non-domestic solar PV schemes in Scotland just under the 50kW threshold.

Other forms of non-domestic renewable energy (e.g. wind, hydro) are not offered permitted development rights, hence planning applications will be needed in all cases. A certificate of lawful development can be sought from a local authority to ensure that the development does not require a formal planning application

The role of local planning authorities

Planning authorities will generally discuss renewable energy in their local development plan and, if relevant, their strategic development plan.

Local development plans contain policies that are designed to balance the benefits of renewable energy developments against the need to protect natural and cultural heritage, and landscape values. They also provide helpful guidance on the information that will be required by applicants when considering renewable energy developments and the best practice to ensure that development takes full account of potential impacts on the natural and built environment.

The local plan will include:

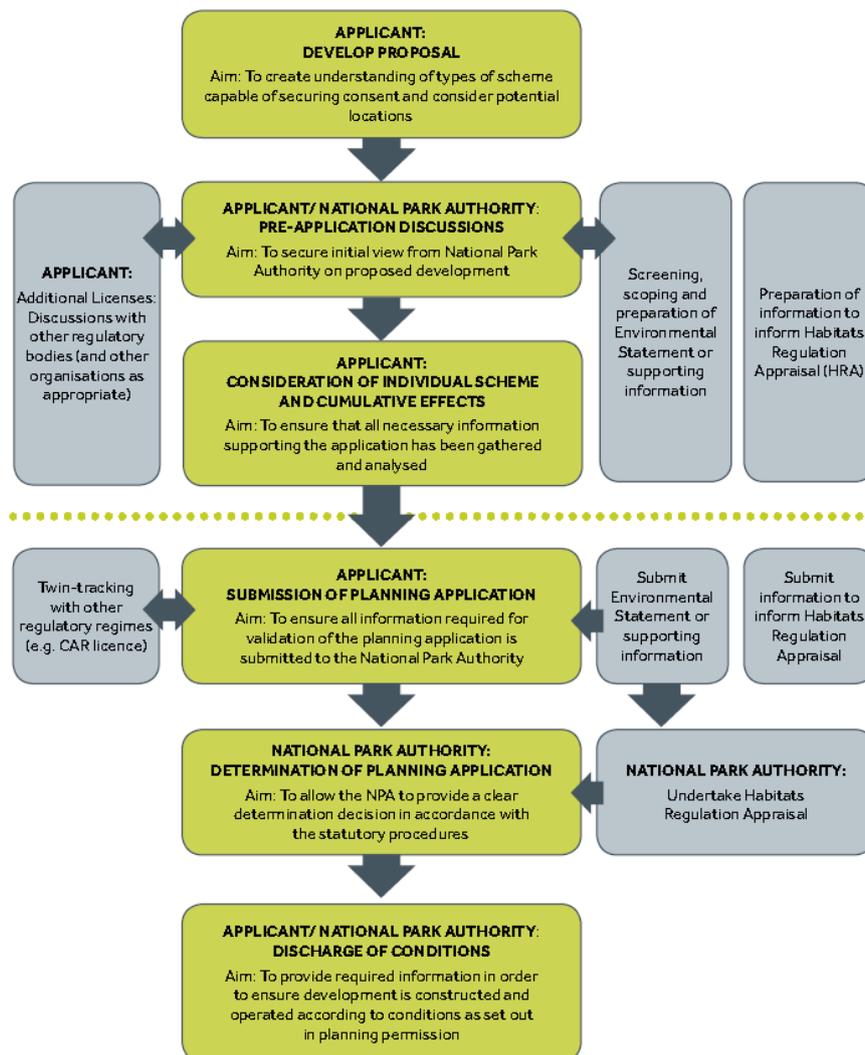
- Planning and development in the local authority
- Local development strategy
- Enabling and management policies produced by the local authority.

In some cases, planning authorities will also produce supplementary planning guidance covering specific types of renewable energy. The supplementary planning guidance might cover:

- key sensitivities and standards
- Technical feasibility and scope
- Locational guidance
- Natural and built heritage considerations
- Process advice and links to other regulatory regimes.

The supplementary planning guidance of some local authorities provides an overview of the planning process. Figure 1 is the overview provided by Loch Lomond and The Trossachs National Park

Figure 1: Loch Lomond and The Trossachs National Park Planning Process (source: <http://www.lochlomond-trossachs.org/images/stories/Planning/PDF/LocalPlan/SPG/SPG-Renewables-final.pdf>)



It is important that this national and local guidance is followed. If it is not, it is highly likely that a planning application will be harder and more costly to obtain and may even be refused.

The planning authority in your area should be your first point of contact for all planning applications and enquiries. It is helpful to engage with your local planning officer early in the development of your project and discuss any proposals at the earliest opportunity (e.g. initial viability assessment stage).

Planning application

Pre-application considerations

Before preparing and submitting a planning application, there are a number of steps that a community group should carry out to help improve the chances of a successful planning application.

Step 1: Identify your local planning authority.

Identify your local planning authority and review any specific guidance relating to renewable energy. Information on your local planning authority can be found via the Scottish Government’s website. It

can also be useful to review the planning database of the local planning authority to identify planning applications of projects of a similar nature to the community group's proposed development. Reviewing planning applications of these can help to identify specific considerations that will need to be taken into account and any reasons for refusal of planning permission, so that they can be taken account of during preparation of the planning application. Each planning authority will have an online register of current and past planning applications. These include:

- The planning application (e.g. forms, maps and supporting reports)
- The responses from statutory consultees (e.g. Scottish Environment Protection Agency (SEPA), Scottish National Heritage (SNH))
- Responses from the public
- Reports and decisions made by the planning authority.

Step 2: Establish a dialogue with your local planning authority.

Establishing a dialogue with the relevant planning authority and engaging with your local planning officer early in the development of your project, before you make an application, will increase the likelihood of your planning application being successful. It can identify unsuitable proposals at an early stage and lead to better quality submissions, which can be dealt with faster by the planning authority.

Early contact with a local planning officer will provide the community group with pre-planning guidance and also help identify planning considerations that you should focus on and identify relevant surveys that need to be completed. It would be beneficial if such contact this could be carried out face to face on your site. Some councils will be unable to provide large amounts of pre-application support, and where this is not available, an initial opinion can be sought via a scopi opinion.

To make an enquiry it is useful to prepare the following basic information:

- The address (or co-ordinates) of the proposed development
- A written description of your proposal
- A site plan at a scale of not less than 1:2500 or a plan marked with clear metric measurements
- If you propose building works, a sketch of the proposal, to scale or with metric measurements (height, width, length, distance from boundaries, etc.)
- If you propose a change of use, details of the existing and proposed uses.

Often Local Plans become out of date and a new one needs developing, especially when National guidance changes. Sometimes old Plans can be out of date before new ones are in place. In this instance, a Planning Statement as part of the application needs to explain why the Local Plan needs to be set aside, especially if it is inconsistent with national guidance.

Your local authority may have specific planning policies or planning guidance for renewable energy projects referred to as Supplementary Planning Guidance. It is essential that you become familiar with these and how they may apply to the type of project that you envisage developing.

Step 3: Engage with the local community.

It is important to note that the community group will, in effect, become an energy developer and so must take responsibility for community engagement. Community engagement should be begun as early as possible in the development process. Initial consultation is best carried out from project

conception. However, it is important to continue engagement throughout all stages of the development process, particularly once there is some level of detail around the potential size, outputs and benefits of a development (i.e. following a project feasibility study). More information on community engagement can be found in the Toolkit section '**Establishing a Community Group**'. In addition, under the Town and Country Planning (Scotland) Act, you will be required to notify neighbours of your submission of a planning application. Your planning consultant or CARES development officer will provide you with further information on this.

It is well recognised that early engagement of the local community will reduce the likelihood of a planning application being rejected. It is recommended that, at the least, neighbours are notified. An example neighbour notification letter is provided in Appendix 1. This should be sent to all residents and businesses within a 1km radius of the project development.

If you have a planning consultant, they can provide you with further information on community engagement in the planning process

Step 4: Carry out a feasibility study.

It is advisable for the community group to carry out a feasibility study to determine the viability of the development and appropriate scale. Such a study can be used to help support the planning application and provide initial information for development of a business case. A feasibility study would typically include the following elements:

- An overview of the technology or technologies under consideration.
- An assessment of the technical feasibility of each technology options, including potential advantages, disadvantages, opportunities and constraints.
- An assessment of the energy generation potential and potential CO₂ savings over the lifetime of the project.
- A financial assessment of the technology options, including estimated costs and expected income streams. An initial business case could be developed that would provide initial estimates of return on investment.
- Recommendations for the most suitable development options and next steps for development.

Step 5: Collate information required for the planning application.

All information required for the planning application will need to be collated, paying specific attention to aspects which may have been highlighted in the first four steps. In particular, any elements highlighted by the planning officer will require consideration. These could include an Environmental Impact Assessment (EIA) or the impact of the development on the landscape and any cumulative landscape and visual impacts.

Environmental Impact Assessment (EIA) is the process by which information about the likely significant environmental effects of a project are gathered and reported. The EIA also identifies the potential for reducing, avoiding or offsetting any adverse impacts.

If the community group is unsure if their development requires an EIA, they can request that the local planning authority to provide a screening opinion on the need for Environmental Impact Assessment (EIA). This would typically be carried out when completing the feasibility study. In the case of community-based energy projects, it is likely to be the location will dictate the need for an EIA. A

screening opinion request usually takes 2 months for a response, although some councils may take longer.

Even if a formal EIA is not required, as part of the planning process, it will be necessary to understand local designations of the land close to the development. Scottish Natural Heritage provides information on designations. Consideration also will need to be given to the impact on the landscape and any cumulative landscape and visual impacts of any development. This will be an important part of the planning process, particularly for developments that will be more visible in the landscape, such as wind turbines. This is of particular importance in protected areas or in the vicinity of protected sites, such as National Scenic Areas, National Parks, and Heritage assets. There will be greater scrutiny of developments in these areas. A directory on protected areas designations in England, Scotland and Wales is also provided by the Joint Nature Conservation Committee (JNCC). This is provided in the Further Information section.

Additionally, the local planning authority in association with the Environmental Health Department will scrutinise the development for its impacts on residential amenity in the surrounding area. This includes a range of issues covering noise impacts, air quality, shadow flicker and, glint and glare. Where the development is nearby to residential areas more detailed analysis will be required.

The screening response from the local authority will usually detail areas where they feel there is some concern about the potential impacts of the development which should be considered within the full planning application.

Submitting a planning application

Once the pre-application steps have been completed, the next step will be for the community group to submit a planning application to the local planning authority. Steps 1 to 5 should ensure that the community group has all the required information in hand and a dialogue already established with the local planning authority.

Step 6: Planning application process

There are a number of stages in the planning application process.

1. **Submit planning application.** When submitting a planning application, applicants should take note of the planning guidance on making an application. The planning system is now automated in Scotland with planning applications being submitted online through a national portal and being then passed to the relevant local authority.
2. **Notification and consultation with community and statutory consultees.** The planning authority must give consultees at least 14 days to respond before they determine the application. Specific publicity requirements depend on the application. With national or major developments, suitable timescales should be agreed in a processing agreement although such timescales cannot be less than the statutory 14 days.
The wider community will typically have 28 days to comment on the planning application and lodge their support or objection.
3. **Determination of application.** The planning authority has 4 months to determine applications for planning permission for national developments or major developments and 2 months to determine applications for planning permission for local developments. These time periods

run from the date the last piece of information required by the regulations on content of applications is received, i.e. the validation date. Where an application is subject to environmental impact assessment, the EIA Regulations amend the time periods such that a 4 month period for determination applies.

The time frames outlined by the Scottish Government in planning policy act as a guide and don't consider the extra environmental assessment associated with renewable energy. Most planning authorities look to issue a decision between 6 to 12 months, rather than the statutory limit.

4. **Decision.** The planning authority must provide a decision notice to the applicant or their agent and notify every person who made written representations (and provided an address, including an e-mail address) on the application of their decision and where a copy of the decision notice is available for inspection. This decision can be granted by either a local planning authority planner (this is called a delegated grant) or by a planning committee, made up of local councillors. Where the application is for a local development, and if the application gains more than 5 representations from the wider public (in support or against), the application will be considered by the planning committee.
5. **Option to appeal decision.** An applicant has a right to appeal to Scottish Ministers or require a local review of the planning authority's decision or failure to make a decision. This is detailed further in the Planning Appeals section.

Planning Approval

Even once the development has been approved, the planning process is not complete, since there are a number of actions which need to be addressed before construction works can begin and once installation is complete.

Approval Notice

An approval notice will be issued once the planner, planning committee, local review body or Scottish Ministers have approved a development. The approval notice will state the address and location of the development, what has been approved and a number of planning conditions.

Length of approval

Typically, a renewable energy development in Scotland will be approved for between 20 and 25 years, depending on the local planning authority. Near to the end of the consent period considerations will need to be made about if the development will continue and if any changes need to be made. The length of the approval begins once the local authority has been notified of the development being complete.

Development Timescales

Once approval has been issued the community has three years to begin development (the development does not need to have been completed but ground requires to have been broken). An application to extend planning permission should be started before the current approval has lapsed.

Changes to the Permission

Non-Material Variations

There are a number of different reasons why elements of a development may change after it has been approved; the specified technology might not be available or suitable, the access might need to be

adapted etc. Where a minor change is required, that does not significantly change the developed proposed in the granted application a non-material variation can be sought. This should be agreed with the local planning authority; new plans should be submitted detailing the changes. A new application will be required where changes require planning consent or require neighbour notification.

New Applications

Sometimes after a development has been approved changes need to be made to the design which fundamentally alter the development, these require a new application to be submitted. This requires the planning process to be repeated, should a fundamental change be required an initial step should be to consult with your local planning authority to establish a scope of works and a time frame for progressing.

Changes to Planning Conditions

If the planning conditions are not favourable to the development a non-material variation can be sought to change the condition, alternatively planning conditions can be appealed at part of the appeals process.

Planning Conditions

Once approved developments are usually subject to a number of planning conditions, these ensure the development is built in line with the approval and to protect the wider environment.

Discharging Conditions

The conditions must be discharged by the local planning authority to allow for construction of a development to begin. Discharging planning conditions can be a lengthy process and can require varying levels of information, acknowledgement and reporting. There are no standardised conditions produced by local authority and they can vary from planning officer to planning officer. A number of planning conditions will reiterate information provided during the planning process ensuring what has been approved is constructed, more detailed conditions will require further information to be submitted and agreed with the council. Conditions usually relate to construction times, environmental impacts, construction and the movement of vehicles. All conditions which require discharging prior to construction must be addressed prior to construction beginning.

The conditions can be split into three loose categories development design, pre-construction, construction and post-construction conditions. These serve to protect the projects neighbours and the wider environment.

Development Design

Within the approval notice the initial conditions will usually address the elements of the planning application which the approval is based on, for renewable energy developments this will usually detail the scale, output and location. Changes to any development design may require a change in the wording of a condition, or the whole condition, this can potentially require a non-material variation or new application.

Pre-Construction Conditions

Before the development works begin on site conditions detailing the existing condition of the site and how the works will be undertaken are usually required. These conditions will request details describing

the environmental condition of the site, the condition of roads and the surrounding area and potentially the current noise level or air quality. The information gathered in these initial stages of construction will then be used in post construction conditions. Some of this information will be gathered simultaneously in a Traffic Management Plan, detailing how the construction materials will be delivered to site and the conditions surrounding the site.

Construction Conditions

Conditions relating to the construction phase of the development will usually be to ensure the safety on the site, work force and public. Local planning authorities can ask for Construction Method Statements or Construction Management Plans to be produced detailing the construction works to be undertaken, how they will be managed and what the wider impacts will be.

Post Construction Conditions

A number of conditions will relate to the development's operation after construction has ended and the development has started producing energy. These conditions will usually specifically relate to impacts the development could possibly have on the wider environment, particularly residential amenity. These conditions usually focus on noise, emissions and production. Conditions will require there to be recording of outputs from the technology, and potentially annual monitoring of noise or air emissions. These conditions are enforced post construction, to discharge the conditions for the development to begin you must acknowledge that the conditions should be adhered to. Where the conditions are not met the development could face enforcement action; stop notices, amendment orders or unlawful development notices. These enforcement actions potentially mean the development will have to be turned-off, altered or have existing conditions changed to allow for energy production to continue.

In addition to conditions relating to during operation, conditions for the site to be returned to its pre-construction state will usually be included. This can be enforced in a number of ways; traditionally through a remediation plan detailing the site's condition, to be used as a guide for when the technology is removed.

Planning Appeals

If an application is refused at local level by the planner or by the planning committee, an appeal can be sought and the decision reconsidered. The Scottish Planning system works on the general principle of one application, one appeal.

Where the decision has been made by a local planning authority planner the decision will be considered by the Local Review Body (LRB). Where the decision has been made by a planning committee the decision will be considered by the Planning and Environmental Appeals Division (DPEA), this is also sometimes referred to as the Scottish Ministers. The notice of appeal to either the LRB or DPEA must be done within 3 months of the planning decision notice being issued.

The LRB considers three types of appeal:

- Non-determination of a local development;
- Refusal from a council planner;
- Change of conditions from the approval notice (for local developments).

There are three types of appeal considered by the DPEA:

- Non-determination of a national or major development;
- Refusal by a local authority planning committee;
- Formal notices requiring action.

The community can submit information to the local authority or DPEA about your development along with the original application. There is no opportunity to represent during like appeal process, unlike during a planning committee meeting, so the information provided in the notice of appeal must cover any points the community feels are valuable to support the appeal. The LRB and reporter for the DPEA can request further information or a site visit to assist their decision.

Unless a legal challenge is sought, the decision of the LRB and DPEA is the last step in the planning process.

Consultancy support

No matter how simple the Scottish Government has tried to make the process of preparing and making a planning application, and how much support from organisations such as PAS is available, it can still be a major undertaking. The complexity of the process can also be linked to technology, with large wind projects presenting more challenges than large solar schemes.

For this reason, you may choose to employ a specialist planning consultant to help you gain planning permission. This will get around the issues of complexity if you are not familiar with the planning process and can be cost-effective relative to having to deal with a planning rejection.

It is important to note that the cost of obtaining planning permission can be high. Your local CARES development officer can assist you to apply for a CARES loan which can cover up to 95% of pre-planning costs. However, it is important for a community group to be aware of the potential cost of project development beyond this phase. Costs such as staged turbine payments and grid connection costs will generally have to be paid before capital for development has been secured by a major lender. CARES can also provide access to post-planning loans that can provide gap funding until your project has reached financial close. The **Finance Module** covers this in more detail.

CARES Investment Ready Tool

All information related to your pre-planning activities, as well as your planning application and any conditions, should be included and updated within your [CARES Investment Ready](#) project monitoring tool. Obtaining planning permission is a key requirement before lenders will fund a project. Showing progress in submitting your planning application is important in the early stages of engaging with a lender. Your CARES Investment Ready Tool shows the progress you have made and highlights your awareness of the steps you need to complete, which will be sufficient to initiate discussions with lenders.

Further information

Those looking for a deeper understanding of the planning system in Scotland should be aware of the following documents:

- To establish who your local planning authority is, and for links to their website, see the following: <http://www.gov.scot/Topics/Built-Environment/planning/Roles/Planning-Authorities/Information>
- A **Guide to the Planning System in Scotland** has been published by the Scottish Government, which provides a good starting point for those unfamiliar with the system: <http://www.gov.scot/Publications/2009/08/11133705/1>.
- Further information about **how the planning system operates in Scotland** can be found at <http://www.gov.scot/Topics/Built-Environment/planning>.
- More information on the **National Planning Framework 3 (NPF3)** and the new **Scottish Planning Policy** can be found here: <http://www.gov.scot/Topics/Built-Environment/planning/NPF3-SPP-Review/NPF3> and <http://www.gov.scot/Topics/Built-Environment/planning/Policy>.
- Permitted development rights are covered in the Amendment of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (http://www.legislation.gov.uk/ssi/2011/136/pdfs/ssi_20110136_en.pdf).
- More information on how planning applications are processed is provided in the document Circular 4/2009 Development Management Procedures (<http://www.gov.scot/Resource/Doc/278370/0083656.pdf>).
- More information on Environmental Impact Assessment in Scotland: <http://www.gov.scot/Publications/2017/05/6292>

Further information on the overarching planning legislation can be found in the following Planning Acts:

- **Town and Country Planning (Scotland) Act 1997:** <http://www.legislation.gov.uk/ukpga/1997/8/contents>
- **Planning etc. (Scotland) Act 2006:** <http://www.legislation.gov.uk/asp/2006/17/contents>

Further information on planning and renewable energy can be found via the following links:

- **‘Low Carbon Scotland - Meeting our Emissions Reduction Targets 2013-2027’** is a report on proposals and policies setting out specific measures for reducing greenhouse gas emissions to meet Scotland's ambitious statutory targets: <http://www.gov.scot/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets>
- Community groups looking to develop renewable energy projects should take consideration of the Planning Aid for Scotland (PAS) guidance document for **community-led development:** http://www.pas.org.uk/wp-content/uploads/2013/07/PAS_community_developments.pdf.
- Community groups looking to develop renewable energy projects should take consideration of the Scottish Government **planning policy guidance on renewable energy:** <http://www.gov.scot/Topics/archive/National-Planning-Policy/themes/renewables>

- Examples of **Supplementary Planning Guidance** documents can be found below. Community groups should check whether their local planning authority has SPDs that are specifically related to renewable energy:
 - Scottish Borders Council: http://www.scotborders.gov.uk/directory_record/23635/renewable_energy)
 - Perth and Kinross: <http://www.pkc.gov.uk/supplementaryguidance>.
 - For further information on the designations and whether you are in a designated wildness and wild land area, please visit Scottish Natural Heritage (<http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/landscape-policy-and-guidance/wild-land/mapping/>). It is necessary to provide the designation of the land under consideration for development in your planning application.
 - Further information on the regulations relating to Environmental Impact Assessments, can be found in the Town and Country Planning (**Environmental Impact Assessment**) (Scotland) Regulations 2011 (<http://www.gov.scot/Publications/2011/06/01084419/0>).
- These regulations are split into three schedules:
- **Schedule 1** developments include large-scale developments with obvious potential for environmental effects, such as crude oil refineries, major chemical and steel works, and larger scale quarries and open-cast mines, and will require an EIA in every case.
 - **Schedule 2** developments will only require an EIA if applicable thresholds and criteria are met; i.e. only if the specific development in question is judged likely to give rise to 'significant' environmental effects. To determine whether an EIA is needed, a screening opinion will usually be required. Examples of Schedule 2 development include certain large pig and poultry rearing units, certain energy generation developments and some urban development projects. Detailed guidance on identifying Schedule 2 development is provided in Planning Circular 3/2011 (<http://www.gov.scot/Publications/2011/06/01084419/0>).
- The local planning authority will complete an EIA screening exercise which will be based on the checklist provided by the Scottish Government. An example of the checklist can be found here (<http://www.gov.scot/Topics/Built-Environment/planning/Roles/Scottish-Government/Environmental-Assessment/EIA/Screening>). It is useful to review this and make sure as much of the information the planning officer will use in his assessment is provided to them.
 - The JNCC directory of **protected area designations** can be found at <http://jncc.defra.gov.uk/page-1527>. This should be used to determine whether your site falls in or near a protected area.
 - Information on barriers that may be faced by local energy projects, including a section on obtaining planning consent can be found in the **Energy and Climate Change – Sixth Report** (specifically in section 4: 'Overcoming barriers to local energy projects – planning') (www.publications.parliament.uk/pa/cm201314/cmselect/cmenergy/180/18007.htm)
 - Further information on community engagement in the planning process can be found at: <http://www.gov.scot/Topics/archive/National-Planning-Policy/themes/communities>. The Development Trusts Association Scotland has guidance on community development plans (<http://www.dtascot.org.uk/>).

Appendix 1: Example of a CARES early wind project neighbourhood information letter

This should be sent to properties within 1km of the turbine.

Date

Rural business/Community Group name
address

Correspondent name
Correspondent address

Dear Sir or Madam

Early notification regarding our intention to develop X wind turbine(s) on land at XXX.

We are writing to make you aware that we are starting the process to develop a wind turbine at the above location.

As a neighbour, I am writing to you and other neighbours within 1km of the turbine to make you aware of our plans. This will be a locally owned renewable project which will **(delete as appropriate)** be fully community owned investing profits back into local community projects **or** contribute a proportion of the income (at least £10k/MW installed) to support local community causes.

If feasible, we intend to submit a planning application at which point there will be full details of the project and an opportunity for you to engage in the planning process.

I look forward to discussing this with you further as our project progresses.

Yours faithfully,

[Signoff]

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