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| Issue: | Policy 16 Energy Generation | | |
| Objector(s): | Badenoch & Strathspey Conservation Group | Objection ref(s): | 400 f (i) |
| | Scottish and Southern Energy | | 447e |

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| Reporter | Mr. Hugh Begg |
| Procedure: | Informal hearing |

Rebuttal

- I.1 **(400f(i)) Objection:** There is no reference to the potential negative impacts of an Energy from Waste plant on reduction, reuse and recycling of waste. This situation can arise through an EfW plant requiring minimum quantities of waste and therefore conflict developing between the EfW plant's requirement for waste minimisation and recycling. Want a reference to the CNPA's commitment to reducing, reusing and recycling waste, and assessing the types of waste going to a EfW plant accordingly.
- I.2 **CNPA Rebuttal:** There can be potential negative impacts arising from any energy project. These will be assessed as part of the planning application process for compliance with all relevant policies in the Local Plan, not only Policy 16. In the case of this type of project Policy 32 will also be of particular relevance and proposals would have to demonstrate their consistency with the National Waste Strategy, National Waste Plan and Area Waste Plans which are focused on reducing, reusing and recycling waste. The supporting text to Policy 32, and the strategic objectives in the National Park Plan, make it quite clear that the CNPA is committed to reducing waste. An energy project that was dependent on increasing levels of waste would therefore not accord with policy.
- I.3 **(447e) Objection:** In 2.3.26 and 2.3.27 p11/12 of their statement of case SSE consider that there is a conflict between SPP6, PAN45 and SPP Consultative Draft (April 2009) and Policy 16 on the basis that the latter does not facilitate large scale energy projects and sterilises the renewable energy potential of the Park and as a consequence the contribution towards addressing climate change. The use of the word "unacceptable" in the second paragraph of Policy 16 is questioned. Revisions to the text of the policy are suggested.
- I.4 **CNPA Rebuttal:** Policy 16 has already been revised in the course of modifications to give greater flexibility on the scale of projects that can be accommodated within the Park. The National Park Plan approved by Scottish Ministers in March 2007 and adopted by the CNPA in April 2007 clearly states on p49 that "*large-scale wind farms are not appropriate in the National Park due to landscape and natural heritage impacts, but the development of domestic, business and community scale facilities in a full range of energy options should be pursued in appropriate locations.*" Policy 16 as currently drafted clearly articulates that strategic position. SSE do not agree with the National Park Plan on this issue, but it has been approved by Scottish Ministers and there is a duty under both the National Parks (Scotland) Act 2000 and the 1997 Planning Act to have regard to the adopted National Park Plan. For the avoidance of doubt, an "unacceptable impact" equates to a "significant adverse impact".

Conclusion

- I.5 The CNPA has considered the points made by these objectors. With regard to **(400f(i))** it is considered that assessment of any proposal against all policies in the Local Plan deals with the scenario that they highlight and no change is considered necessary. With regard to **(447e)**, Policy 16 clearly reflects the position in the National Park Plan as approved by Scottish Ministers

and facilitates a range of energy projects compatible with the National Park context that will contribute to addressing the climate change agenda, so no change is considered necessary.

CNPA Commendation to Reporter

- 1.6 It is commended to the Reporter that the objections to Policy 16 as listed above are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider the approach deficient.