

BACKGROUND NOTE FOR S6W-15610

(To be completed as necessary with any additional information)

MSP Background

1. [Redacted]
2. [Redacted]
3. Question reference: S6W-12900 - Answered by Tom Arthur on 16 December 2022
 - a. To ask the Scottish Government what criteria it uses when deciding what landscape visual effect is deemed acceptable for onshore windfarm developments.
 - b. Answer: All planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Currently, Scottish Planning Policy (SPP) outlines that development plans should set out the criteria that will be considered in deciding all applications for wind farms of different scales – taking account of the considerations set out at paragraph 169 of SPP which include landscape and visual impacts. The Revised Draft National Planning Framework (NPF4) makes clear the Scottish Government’s support for onshore wind energy other than in National Parks and National Scenic Areas. Criteria for assessing proposals are included in draft policy 11, and impacts on communities, nature and other receptors, including significant landscape and visual impacts, remain important considerations in the decision-making process. I published and laid the [Revised Draft](#) NPF4 in the Scottish Parliament on 8 November 2022 for Parliament’s consideration and approval. If approved and adopted, NPF4 will form part of the statutory development plan and will replace SPP.
4. Question reference: S6W-11551 – Answered by Michael Matheson on 9 November 2022
 - a. To ask the Scottish Government whether it plans to introduce legislation which would set a minimum megawatt hour community benefit contribution rate for onshore wind developments that increases in line with inflation.
 - b. Answer: It is not possible for the Scottish Government to introduce legislation to mandate the provision of community benefits through energy regulation because the relevant powers are reserved to the UK Government. Through our existing guidance for onshore renewable developments, we continue to promote community benefits of the value equivalent to £5,000 per installed megawatt per annum, index linked for the operational lifetime of the project.

The Scottish Government is in the process of reviewing its Good Practice Principles for Community Benefits from Offshore Renewable Energy

Developments. We will consult on revised draft guidance in Spring 2023, and as part of this process we will gather evidence to help inform the need for further updates to our Good Practice Principles for: Community Benefits from, and Shared Ownership of Onshore Renewable Energy Developments.

Background Briefing

5. Noise from wind farms is assessed against onshore commercial wind turbine noise assessment guidance (a document known as ETSU-R-97). This is guidance rather than legislation and has been adopted across the whole of the UK.
6. ETSU-R-97 guidelines relating to wind farm noise had not been reviewed in over 25 years and given the innovation within the sector (e.g. increased tip heights, efficiency improvements and blade optimisations) there was a gap in knowledge on the impact of noise from wind farms.
7. The Scottish Government provided [Redacted] to a short-term review project managed by the UK Government (DESNZ). The project aimed to answer the question: in view of government policies on noise and commitments to Net Zero, should the existing ETSU-R-97 noise assessment guidance for wind turbines be updated. The report was published on 10 February 2023. [Redacted]
8. Our Onshore Wind Policy Statement (December 2022) states – “The Scottish Government is aware that the UK Government has been considering the extent to which ESTU-R-97 may require updating to ensure it is aligned with the potential effects from more modern turbines. The Scottish Government supports this work and we anticipate the results of a short-term review project in due course. Until such time as new guidance is produced, ETSU-R-97 should continue to be followed by applicants and used to assess and rate noise from wind energy developments.”

Planning and reporting

9. If noise is reported as a nuisance (for any reason not just wind farms), this can be investigated under the Environmental Protection Act 1990 as amended. The powers under this act are implemented by the Local Authorities and it is usually their Environmental Health Officers that respond to concerns raised.
10. In terms of wind farms, there are conditions limiting noise attached to a consent therefore any breach to the conditions of the consent can be investigated under Town and Country Planning (Scotland) Act.

The Report

11. [Redacted]

12. [Redacted]

13. [Redacted]

14. The Scottish government engages in the ETSU steering group with the UK Government and the devolved administrations, and this group will meet to consider and prioritise the short term updates. [Redacted]

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