



**NORTHCONNECT**  
CONNECTING RENEWABLES

## Chapter 5: Planning and Marine Policy

---



**Co-financed by the European Union**  
Connecting Europe Facility

**NorthConnect KS**  
Serviceboks 603, Lundsiden  
N-4606 Kristiansand  
Norway

**Phone +47 38 60 70 00**  
Mail: [post@northconnect.no](mailto:post@northconnect.no)  
Web: [www.northconnect.no](http://www.northconnect.no)

## Contents

5	Planning and Marine Policy.....	5-1
5.1	Introduction .....	5-1
5.1.1	EIA Regulations Transitional Provisions .....	5-1
5.2	Onshore Planning Policy .....	5-2
5.2.1	National Planning Framework.....	5-2
5.2.2	Scottish Planning Policy .....	5-3
5.2.3	Planning Advice Notes .....	5-4
5.2.4	Electricity Generation Policy Statement .....	5-4
5.2.5	Local Development Plans .....	5-5
5.2.6	Other Material Considerations .....	5-7
5.3	Marine Policy .....	5-8
5.3.1	European Union Directives .....	5-8
5.3.2	The Scottish National Marine Plan (NMP) .....	5-8
5.3.3	Regional Marine Plans: North-East Marine Planning Partnerships .....	5-10
5.4	Summary .....	5-10
5.5	References .....	5-11

## 5 Planning and Marine Policy

### 5.1 Introduction

This section provides a summary of national, regional and local planning and marine policies that will apply to the determination of the consent applications. These policies have informed the assessment of potential environmental impacts undertaken, in respect of the proposed development.

As mentioned in Chapter 1 during the course of the development of the Environmental Impact Assessment (EIA) the EIA Regulations have changed, the transition provisions and NorthConnects approach are also addressed within this Chapter.

#### 5.1.1 EIA Regulations Transitional Provisions

A request for a scoping opinion was made before the 16<sup>th</sup> May 2017 and, as such, it was submitted under the 2007 Marine Works EIA Regulations and the 2011 Town and Country Planning EIA Regulations. Therefore, this EIA is being conducted in accordance with the transitional provisions within the 2017 Marine Works and Town and Country Planning EIA Regulations. This means that some terminologies such as 'flora and fauna' are still termed as such, rather than as 'biodiversity', the term used under the new 2017 Regulations. It also means that some additional requirements, for example to assess risk of major accidents and disasters, are not required for this EIA. This was confirmed by Marine Scotland on 9<sup>th</sup> November 2017. Whilst this EIA is being carried out under the transitional provisions, Table 5.1 demonstrates how the majority of the requirements of the new regulations are addressed in this EIAR.

Table 5.1 Summary of EIA Regulation Differences.

2017 EIA Regulations	2007/2011 EIA Regulations	How NorthConnect EIA addresses this.
"population and human health"	"human beings" and "population"	Population and human health are covered particularly in Chapter 9: Air Quality and Chapter 21: Local Community and Economics.
"biodiversity"	"flora and fauna"	Biodiversity is covered within Chapters 13-17 (Terrestrial Ecology; Benthic Ecology; Fish and Shellfish Ecology; Marine Mammals; and Ornithology).
"land, soil, water, air and climate"	"soil, water, air, climate and the landscape"	Specific chapters which encompass land and soil quality (Chapter 8), water quality (Chapters 10 and 11); air quality (Chapter 9) are included. Greenhouse gas emissions, specifically CO <sub>2</sub> are also considered in the air quality chapter. Landscape with material assets in 2017 EIA Regulations.
"material assets, cultural heritage and the landscape"	"material assets and cultural heritage"	Chapter 12 encompasses Archaeology and Cultural heritage, as the cables will be buried underground and therefore have no effect on the landscape, this topic was scoped out of the EIA.
"vulnerability of the works to risk...of major accidents and disasters"	"the risk of accidents"	The main risk of accidents associated with the development are associated with Navigation and as such are considered within Chapter 19 Navigation and Shipping.
"...the EIA report must be prepared by competent experts" and "the EIA report must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of those experts"		Appendix A.1 comprises a table outlining each of the authors' expertise for each of the EIA chapters.

In addition to the above in accordance to advice given from Marine Scotland, NorthConnect have ensured there has been ‘enhanced transparency’ during the project by ensuring website publications are up to date and any consultations are advertised online.

## 5.2 Onshore Planning Policy

This section sets out the planning policy context relating to the onshore elements of the proposed development which include: buried HVDC cabling; HDD requirement at the cable landfall; and temporary construction requirements. The relevant national, regional and local policy frameworks are discussed, along with other relevant material considerations.

### 5.2.1 National Planning Framework

Scotland’s Third National Planning Framework (NPF3) (Scottish Ministers, 2014b) sets out the Scottish Government’s development vision for Scotland (Scottish Ministers, 2014a). The NPF3, published in June 2014, guides Scotland’s spatial development to 2030 by identifying national developments and other strategically important development opportunities in Scotland, and setting out strategic development priorities to support the Scottish Government’s central purpose of promoting sustainable economic growth.

NPF3’s Section 3 - A Low Carbon Place identifies a number of key themes which align to the NorthConnect project drivers as shown in Table 5.2 NorthConnect Drivers Compared to NPF3 ThemesTable 5.2 .

Table 5.2 NorthConnect Drivers Compared to NPF3 Themes

NorthConnect Driver	NPF3 – Quote
<b>Security of Supply</b>	Maintaining security of supplies and addressing fuel poverty remain key objectives.
<b>Move to a Low Carbon Future</b>	Our ambition is to achieve at least an 80% reduction in greenhouse gas emissions by 2050.
<b>Reduced Price Fluctuation</b>	Maintaining security of supplies and addressing fuel poverty remain key objectives.

The NPF3 spatial strategy shows where there will be opportunities for investment in the low carbon economy and highlights Peterhead as one of the hubs. Within Section 3 ‘A low carbon place’ the Scottish Government specifically mentions international interconnectors in relation to Peterhead:

*‘...The area may also be the landfall for an international North Sea interconnector and could be a focus for onshore connections to support offshore renewable energy. These can support wider aspirations for growth, including the Energetica corridor where energy-driven opportunities are being used to focus investment and promote a place-based approach to development.’*

A number of key National Developments are identified in NPF3 as needed to help deliver the Scottish Government spatial strategy. ‘An Enhanced High Voltage Energy Transmission Network’ is needed to facilitate renewable electricity development and its export. Annex A of NPF3 identifies national developments and includes statements of need for such developments. Annex A includes development consisting of:

*‘4. High Voltage Electricity Transmission Network:*

*d. new and/or upgraded offshore electricity transmission cabling of or exceeding 132 kilovolts’*

In short, the development of the NorthConnect project would assist Scottish Government to meet their strategic ambitions.

## 5.2.2 Scottish Planning Policy

The Scottish Planning Policy (SPP) (Scottish Ministers, 2014b) sits alongside the NPF3 in the Scottish Government's planning policy series. The SPP sets out the Scottish Ministers' priorities for operation of the planning system, with regards to how nationally important land use planning matters should be addressed across the country. It is intended that the document be used in the preparation and development of plans, the design of development from concept to delivery, and the determination of planning applications.

Within the SPP there are a number of key principals which are relevant to the NorthConnect project, all of which have been considered at the planning stage and are fulfilled in the design. These aspects are summarised in Table 5.3.

Table 5.3 NorthConnect Project Rational and SPP Principles.

SPP Principals	North Connect
Promote business and industrial development that increases economic activity while safeguarding the natural and built environments as national assets.	The interconnect will help to ensure the availability of affordable electricity to the industrial sector, and encourage the development of the Scottish renewable energy sector. As detailed in Chapter 21: Local Community and Economics, NorthConnect has a significant associated socio-economic benefit. The design process has safeguarded the surrounding environment.
Enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.	As discussed in Chapter 12: Archaeology and Cultural Heritage, the project has been developed taking account of the historical assets in the vicinity. The project has mitigated against adverse impacts and is promoting understanding of the assets through the inclusion of interpretation boards as part of the Converter Station development.
Support the development of a wide range of electricity generation from renewable energy technologies, including the expansion of renewable energy generation capacity.	Increasing electricity interconnectivity allows a greater renewable energy contribution to the energy mix. Facilitating increased harnessing of Scotland's renewable energy resources. See Chapters 2: Project Description and 9: Air Quality for more details.
Policies and decisions should be guided by the principle of supporting climate change mitigation and adaptation.	The NorthConnect project will facilitate significant carbon savings, hence supporting climate change mitigation, see Chapter 9: Air Quality.

The SPP recognises the importance of planning decisions on both Scotland's social and economic futures, in that:

*'...By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life.'*

and,

*'...By allocating sites and creating places that are attractive to growing economic sectors, and enabling the delivery of the necessary infrastructure, planning can help provide the confidence required to secure private sector investment, thus supporting innovation, creating employment and benefiting related business.'*

Peterhead has been identified by NPF3 as the right place to locate a subsea interconnector landfall. Furthermore, the design and rationale of the project aligns well to all relevant principals of the SPP.

As such, the guidance within the SPP suggests that the North Connect project will provide significant socio-economic benefits, to both the local area and Scotland as a whole.

### 5.2.3 Planning Advice Notes

Planning Advisory Notes (PANs) are published by the Scottish Government and supplement the planning policy documents. PANs provide point in time guidance and technical information, including best practice, on certain policy areas. As such, relevant PANs need to be considered both during a projects design, and as part of the planning considerations. The PANs relevant to the NorthConnect development include:

- PAN 1/2011: Planning and Noise (Scottish Government, 2011a)
- PAN 1/2013: Environmental Impact Assessment (Scottish Government, 2013b)
- PAN 2/2011: Planning and Archaeology (Scottish Government, 2011b)
- PAN 3/2010: Community Engagement (Scottish Government, 2010)
- PAN 51/2006: Planning, Environmental Protection and Regulation (Scottish Government, 2006a)
- PAN 60/2008: Planning for Natural Heritage (Scottish Government, 2008)
- PAN 61/2001: Planning and Sustainable Urban Drainage Systems (Scottish Government, 2001)
- PAN 68: Design Statements (Scottish Government, 2003)
- PAN 75: Planning for Transport (Scottish Government, 2005)
- PAN 79: Water and Drainage (Scottish Government, 2006b)

### 5.2.4 Electricity Generation Policy Statement

The Electricity Generation Policy Statement (EGPS) (Scottish Government, 2013a) examines the way in which Scotland generates electricity, and considers the changes which will be necessary to meet Scottish Government renewable energy targets. It looks at the sources from which electricity is produced, the amount of electricity required to meet Scotland's needs, and the technological and infrastructural advances which Scotland will require over the coming decade and beyond. The EGPS states that Scotland's generation mix should deliver:

*'...a secure source of electricity supply, at an affordable cost to consumers; which can be largely decarbonised by 2030 and which achieves the greatest possible economic benefit and competitive advantage for Scotland'.*

The EGPS highlights the Scottish Governments target of:

*'...delivering the equivalent of at least 100% of gross electricity consumption from renewables by 2020 as part of a wider, balanced electricity mix'.*

In order to do this, it is stated that Scotland will be:

*'Seeking increased interconnection and transmission upgrades capable of supporting projected growth in renewable capacity'.*

This confirms the importance of interconnectors, and the relevance of the NorthConnect project:

*'Our vision is to connect, transport and export Scotland's full energy potential. Scotland can and must play its part in developing onshore and offshore grid connections to the rest of the UK and to European partners – to put in place the key building blocks to export energy from Scotland to national electricity grids in the UK and Europe.'*

## 5.2.5 Local Development Plans

### 5.2.5.1 Introduction

Under Section 25 of the Town and Country Planning (Natural Scotland) Act 1997 (as amended) (Scottish Parliament, 1997), the onshore components of the NorthConnect project will be determined against the policies contained within the local development plans, unless material considerations indicate otherwise. The development plan for the area comprises:

- Aberdeen City and Shire Strategic Development Plan.
- Aberdeenshire Local Development Plan.

### 5.2.5.2 Aberdeen City and Shire Strategic Development Plan

The Aberdeen City and Shire Strategic Development Plan (Aberdeen City and Shire Strategic Development Planning Authority, 2014), approved in March 2014, is a joint plan prepared by Aberdeen City Council and Aberdeenshire Council, which sets a clear direction for the future development of the North East. The plan replaces the Aberdeen City and Shire Structure Plan (2009). The plan recognises the importance of improving links and connections, and providing opportunities for high quality sustainable growth. The Plan covers the whole of Aberdeen City and Shire, except those areas within the Cairngorms National Park.

The plan aims to identify the challenges that Aberdeen City and Shire will face looking forward through the next 20 years. This is to allow the region to adapt to these challenges, to create its vision for the future. The plans vision for a successful and sustainable future is:

*‘Aberdeen City and Shire will be an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business’.*

To achieve this vision, the main aims of the plan are to:

*‘provide a strong framework for investment decisions which help to grow and diversify the regional economy, supported by promoting the need to use resources more efficiently and effectively’*

and

*‘take on the urgent challenges of sustainable development and climate change’.*

The plan recognises the influence of climate change and sustainability on its own design:

*‘We have developed a spatial strategy which promotes development in places that meet the needs of business and, at the same time, are sustainable and take on the challenges of climate change.’*

As part of the plans spatial strategy, four strategic growth areas are identified as the main focus of development in the area up to 2035. One of these four areas is the Aberdeen-Peterhead area, and within this section Peterhead is specifically cited as an area of key importance in the energy future due to its suitability for interconnectors:

*‘Peterhead also has the potential to be an important hub in transmitting renewable energy both within the UK and more widely as part of a European network. Its coastal location and existing connections make it an attractive choice for subsea cables and their onshore infrastructure’.*

The plan sets out a number of key objectives which must be fulfilled in order to achieve the aims of the plan, and ultimately realise the overriding vision. Three of these objectives are at the heart of the rationale behind the NorthConnect Project:

- Economic Growth:

*‘To provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries,*

*while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.'*

- Sustainable development and climate change:

*'To be a city region which takes the lead in reducing the amount of carbon dioxide released into the air, adapts to the effects of climate change and limits the amount of non-renewable resources it uses'.*

- Quality of the environment:

*'To make sure new development maintains and improves the region's important built, natural and cultural assets'.*

The NorthConnect Project fulfils both the aims of the Councils Strategic Development Plan and, in addition, the spatial strategy for Peterhead supports subsea energy cables and the associated onshore infrastructure. The project also satisfies three of the key objectives and, as such, will help Aberdeen City and Shire achieve their vision for the future.

### 5.2.5.3 Aberdeenshire Local Development Plan

The updated Aberdeenshire Local Development Plan (LDP) 2017 – Shaping Aberdeenshire, and associated supplementary planning guidance, has been adopted since April 2017 (Aberdeenshire Council, 2017). This Local Development Plan (LDP) replaces the older Aberdeenshire LDP from 2012 (Aberdeenshire Council, 2012). The LDP sets out an ambitious framework and a clear vision for the future development of the North East over the next 20 years.

The LDP is founded on the principle of supporting and encouraging sustainable development. In addition to policies relating to economic growth, sustainable communities, designated sites and housing, the plan seeks to take on the challenges of sustainable development and climate change. The LDP has introduced policies and proposals to:

- Reduce greenhouse gases from development in the area;
- Reduce the need to, and encourage active, travel;
- Protect and improve natural, built and cultural heritage;
- Avoid risks associated with flooding;
- Encourage the sensitive development of renewable energy resources; and
- Increase and diversify the economy.

The LDP contains a number of policies applicable to NorthConnect including:

- Section 11, Policies B1 and B4 – Business Development outlines Aberdeenshire Council's support for business development and sustainable economic growth, with particular emphasis on the Energetica corridor;
- Section 13, Policy P1 – Layout, siting and design of new development sets out advice on how new development proposals will be assessed, using a process that includes public consultation and appropriate standards for design, open space, accessibility, safety, sustainability, and the provision of associated services;
- Section 15, Policy E1– Natural heritage seeks to improve and protect designated nature conservation sites and the wider biodiversity and geodiversity of the area;
- Section 15, Policy E2– Landscape conservation promotes the protection, management and planning of the landscape;



- Section 16, Policy HE1 and HE2 – Protecting, improving and conserving the historic environment supports the protection, improvement and conservation of the historic environment, and there will be a presumption against development that would have a negative effect on the quality of these historic assets; and
- Section 17, Policy PR1– Safeguarding of Resources and Areas of Search supports protecting the water environment, important mineral deposits, prime agricultural land, open space, trees and woodlands.
- 

Within Appendix 8b of the LDP NorthConnect is mentioned within the Peterhead development area as a:

*“possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments as set out in National Planning Framework 3”*

This documentation states that any development within the Peterhead area should comply with Policy P4: Hazardous and potentially polluting developments and contaminated land, due to the proximity of one of more oil or gas pipelines. NorthConnect’s cable route minimises the number of oil and gas pipeline crossings. Crossings will be carried out by agreement with the asset owners following appropriate protocols to minimise risk of damage to pipelines. Appropriate response protocol’s will be in place to contain any pollution events in the unlikely event that one occurs.

## 5.2.6 Other Material Considerations

### 5.2.6.1 Energetica Supplementary Planning Guidance

The Energetica Supplementary Planning Guidance (SPG) was updated in 2017 by Aberdeen City and Shire Economic Future, a public/private partnership led by Aberdeen City Council, Aberdeenshire Council and Scottish Enterprise (Aberdeen City and Shire, 2017).

The proposed NorthConnect project is located within the Energetica Framework Area. The SPG states:

*‘Within the Energetica area, as defined on the attached map, development must make a contribution to the quality of life, environmental performance and economic development targets’.*

The SPG sets out a number of criteria that developments in the Energetica Framework area have to meet, including the need for an Energetica Compliance Statement. To demonstrate compliance with the Energetica SPG, all proposed developments in the corridor must have an accompanying Energetica Compliance Statement. An Energetica Compliance Statement was submitted with the planning application for the Converter Station and HVAC Cable Route. The HVDC elements of the project are all below ground and as such will have minimal effect on the surrounding area once installed, the wider benefits are associated with the project as a whole and have already been considered. It has therefore been agreed with Aberdeenshire Council that there is no need submit an additional Energetica Compliance Statement.

### 5.2.6.2 Peterhead Southern Gateway Environmental Improvement Masterplan

The Peterhead Southern Gateway Environmental Improvement Masterplan was commissioned by Energetica and Aberdeenshire Council, and published in May 2012 (Energetica, 2012). The Masterplan recommends in section 8 that:

*‘any future development proposals for the proposed converters at Peterhead power station conform with the principles of the Peterhead Southern Gateway Landscape Masterplan and Design Guide’.*

The construction for the onshore cables will only have temporary effects on the landscape, once installed all elements will be below ground. The project therefore will not contravene any of the Masterplan principles.

### 5.3 Marine Policy

This section sets out the marine policy context relating to the offshore elements of the proposed development which include: HVDC cable installation and protection. Marine planning is governed at the international, national and regional levels. The relevant policy frameworks are discussed, along with other relevant material considerations.

#### 5.3.1 European Union Directives

There are a number of Directives relevant to the NorthConnect project which contribute towards governing marine management. These include:

- Marine Strategy Framework Directive;
- Water Framework Directive;
- EU's Common Fisheries Policy; and
- UN Convention on the Law of the Sea (UNCLOS).

#### 5.3.2 The Scottish National Marine Plan (NMP)

As the HVDC Interconnector will cross the area between Scotland's MHWS and the 12 NM limit, it falls within the remit of the Marine (Natural Scotland) Act 2010 (Scottish Parliament, 2010). In combination with the executive devolution of the marine planning, conservation, marine licensing and enforcement from 12NM to 200NM through the Marine and Coastal Access Act 2009 (UK Government, 2009), allows Scottish Ministers to manage Scotland's Seas from MHWS to 200NM limit. The Scottish National Marine Plan (NMP) covering inshore waters to 12NM and offshore waters from 12-200NM was adopted in 2015. The NMP lays out Scottish Minister's policies for the sustainable development of Scotland's seas, and also lays out actions to help mitigate against the effects of climate change (Scottish Government, 2015).

##### 5.3.2.1 NMP General Planning Principles

The Scottish NMP provides General Planning Principles (GEN), most of which apply to the NorthConnect project. These are taken from the Scottish Government (2015) document.

- GEN 2 Economic benefits: Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of this Plan;
- GEN 3 Social benefits: Sustainable development and use which provides social benefits is encouraged when consistent with the objectives and policies of this Plan;
- GEN 5 Climate change: Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change;
- GEN 6 Historic environment: Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance;
- GEN 7 Landscape/seascape: Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account;
- GEN 8 Coastal process and flooding: Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding;
- GEN 9: Natural heritage: Development and use of the marine environment must:
  - Comply with legal requirements for protected areas and protected species;
  - Not result in significant impact on the national status of Priority Marine Features;
  - Protect and, where appropriate, enhance the health of the marine area;

- GEN 10: Invasive non-native species: Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made;
- GEN 11 Marine Litter: Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers;
- GEN 12: Water quality and resource: Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply;
- GEN 13 Noise: Development and use of the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects;
- GEN 14 Air Quality: Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits;
- GEN 18: Engagement: Early and effective engagement should be undertaken with the general public and all interested stakeholders to facilitate planning and consenting processes; and
- GEN 19: Sound evidence: Decision making in the marine environment will be based on sound scientific and socio-economic evidence.

#### 5.3.2.2 NMP Sub-sea Cable Policies

The NMP also lays out sector specific objectives and policies. The relevant objectives for subsea cables are as follows:

- *Protect submarine cables whilst achieving successful seabed user co-existence.*
- *Achieve the highest possible quality and safety standards and reduce risks to all seabed users and the marine environment.*
- *Safeguard and promote the global communications network.*
- *Support the generation, distribution and optimisation of electricity from traditional and renewable sources to Scotland, UK and beyond.*

The relevant Marine Planning Policies for subsea cables are:

- *CABLES 1: Cable and network owners should engage with decision makers at the early planning stage to notify of any intention to lay, repair or replace cables before routes are selected and agreed. When making proposals, cable and network owners and marine users should evidence that they have taken a joined-up approach to development and activity to minimise impacts, where possible, on the marine historic and natural environment, the assets, infrastructures and other users. Appropriate and proportionate environmental consideration and risk assessments should be provided which may include cable protection measures and mitigation plans;*
- *CABLES 2: The following factors will be taken into account on a case by case basis when reaching decisions regarding submarine cable development and activities:*
  - *Cables should be suitably routed to provide sufficient requirements for installation and cable protection.*
  - *New cables should implement methods to minimise impacts on the environment, seabed and other users, where operationally possible and in accordance with relevant industry practice.*
  - *Cables should be buried to maximise protection where there are safety or seabed stability risks and to reduce conflict with other marine users and to protect the assets and infrastructure.*

- *Where burial is demonstrated not to be feasible, cables may be suitably protected through recognised and approved measures (such as rock or mattress placement or cable armouring) where practicable and cost-effective and as risk assessments direct.*
- *Consideration of the need to reinstate the seabed, undertake post-lay surveys and monitoring and carry out remedial action where required;*
- *CABLES 3: A risk-based approach should be applied by network owners and decision makers to the removal of redundant submarine cables, with consideration given to cables being left in situ where this would minimise impacts on the marine historic and natural environment and other users; and*
- *CABLES 4: When selecting locations for land-fall of power and telecommunications equipment and cabling, developers and decision makers should consider the policies pertaining to flooding and coastal protection in Chapter 4, and align with those in Scottish Planning Policy and Local Development Plans.*

### 5.3.2.3 NMP Transport Policies for Shipping

Relevant policies relating to shipping within the NMP are as follows:

- **TRANSPORT 1:** Navigational safety in relevant areas used by shipping now and in the future will be protected, adhering to the rights of innocent passage and freedom of navigation contained in United Nation Convention on the Law of the Sea (UNCLOS).
- **TRANSPORT 2:** Marine development and use should not be permitted where it will restrict access to, or future expansion of, major commercial ports or existing or proposed ports and harbours which are identified as National Developments in the current NPF or as priorities in the National Renewables Infrastructure Plan.
- **TRANSPORT 3:** Ferry routes and maritime transport to island and remote mainland areas provide essential connections and should be safeguarded from inappropriate marine development and use that would significantly interfere with their operation. Developments will not be consented where they will unacceptably interfere with lifeline ferry services.
- **TRANSPORT 6:** Marine planners and decision makers and developers should ensure displacement of shipping is avoided where possible to mitigate against potential increased journey lengths (and associated fuel costs, emissions and impact on journey frequency) and potential impacts on other users and ecologically sensitive areas (Scottish Government, 2015).

### 5.3.3 Regional Marine Plans: North-East Marine Planning Partnerships

Marine Planning Partnerships are to be made up of relevant stakeholders within each region of Scotland. For NorthConnect, this will be under the North-East region. The goal is to produce regional marine plans for all 11 regions across Scotland. Marine Scotland will be heavily involved in the support of the partnerships and will provide guidance of policy development. As of July 2018, the North-East Marine planning partnership has not yet been established.

## 5.4 Summary

This chapter has introduced the key planning policies that apply to applications for planning permission and marine licences with respect to the NorthConnect project. These policies have informed the design and the assessment of the project as outlined in the technical chapters.

## 5.5 References

- Aberdeen City and Shire. (2017). Aberdeenshire Local Development Plan Supplementary Guidance 3 Energetica.
- Aberdeen City and Shire Strategic Development Planning Authority. (2014). Aberdeen City and Shire Strategic Development Plan. *Aberdeen City and Shire*.
- Aberdeenshire Council. (2012). Aberdeenshire Local Development Plan.
- Aberdeenshire Council. (2017). Aberdeenshire Local Development Plan.  
<https://www.aberdeenshire.gov.uk/planning/plans-and-policies/aberdeenshire-local-development-plan-2017/>.
- Energetica. (2012). Peterhead Southern Gateway Environmental Improvement Masterplan.
- Natural Scotland. (2015). The river basin management plan for the Scotland river basin district: 2015-2027. In (pp. 44). Edinburgh: The Scottish Government
- Scottish Government. (2001). Planning Advice Note PAN 61: Planning and Sustainable Urban Drainage Systems.
- Scottish Government. (2003). Planning Advice Note PAN 68: Design Statements.
- Scottish Government. (2005). Planning Advice Note PAN 75: Planning for Transport.
- Scottish Government. (2006a). Planning Advice Note PAN 51: Planning Advice Note on Planning, Environmental Protection and Regulation.
- Scottish Government. (2006b). Planning Advice Note PAN 79: Water and Drainage.
- Scottish Government. (2008). Planning Advice Note PAN 60 Planning for Natural Heritage.
- Scottish Government. (2010). Planning Advice Note PAN 3/2010 Community Engagement.
- Scottish Government. (2011a). Planning Advice Note PAN 1/2011 Planning and Noise.
- Scottish Government. (2011b). Planning Advice Note PAN 2/2011 Planning and Archaeology.
- Scottish Government. (2013a). Electricity Generation Policy Statement.
- Scottish Government. (2013b). Planning Advice Note PAN 1/2013 Environmental Impact Assessment.
- Scottish Government. (2015). *Scotland's National Marine Plan: A single framework for managing our seas*. Retrieved from <http://www.gov.scot/Publications/2015/03/6517/downloads#res-1>.
- Scottish Ministers. (2014a). Scotland's Third National Planning Framework (NPF3) SG/2014/100.
- Scottish Ministers. (2014b). Scottish Planning Policy (SPP).
- Scottish Parliament. (1997). Town and Country Planning (Scotland) Act Statutory Instrument 2002/410.
- Scottish Parliament. (2010). Marine (Scotland) Act 2010
- UK Government. (2009). Marine and Coastal Access Act 2009