M74 West Renewable Energy Park

Other Documents

Planning Statement

September 2024

Contents

1. Introduction

1.1 Background

1.1.1 This Planning Statement has been prepared by David Bell Planning Ltd (DBP) on behalf of M74 West Limited (the Applicant) in relation to the proposed M74 West Renewable Energy Park ("the Proposed Development") located in the South Lanarkshire Council ("the Council" or 'SLC') administrative area.

1.1.2 The Planning Statement supports a section 36 application submitted under the Electricity Act 1989 ("the 1989 Act"), for consent to construct and operate the Proposed Development. In addition, the Applicant is also seeking consent for deemed planning permission under Section 57 of the Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"), as amended.

1.1.3 The application is accompanied by an Environmental Impact Assessment Report (EIAR) which has been undertaken in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the EIA Regulations"). The EIAR presents information on the identification and assessment of the likely significant positive and negative environmental effects of the proposal.

1.1.4 This Planning Statement presents an assessment of the proposal against relevant policy with including the provisions of the statutory Development Plan now made up of both National Planning Framework 4 (NPF4) and the Local Development Plan (LDP) for the SLC area, national energy and planning policy, and other considerations. The planning policy framework in Scotland changed significantly in early 2023 when NPF4 came into force and with the publication of the new Onshore Wind Policy Statement (OWPS) published in December 2022.

1.1.5 This Planning Statement is supplementary to, and should be read in conjunction with, the EIAR submitted with the application. The Planning Statement considers the potential benefits and adverse effects which may arise and concludes as to the overall acceptability of the Proposed Development in relation to the planning policy framework and relevant considerations.

1.2 The Applicant

1.2.1 M74 West Ltd is a wholly owned subsidiary of Renewco Power Ltd. Renewco Power is a specialist renewable energy developer focused on onshore wind, solar PV, battery storage and green hydrogen projects. The Glasgow based company is actively developing over 4 GW of renewable projects in four markets: the UK, Spain, Italy and the US. The company was formed by a highly experienced team of entrepreneurs and renewable sector specialists with significant development, technical, project structuring, construction, and financing expertise across all renewable technologies.

1.3 The Statutory Framework

1.3.1 An application under Section 36 of the 1989 Act for consent for the construction of an electricity generating station whose capacity exceeds 50 megawatts (MW) is significantly different from an application for planning permission for a generating station whose capacity is 50MW or less.

1.3.2 Section 25 of the 1997 Act does not apply to the determination of applications under Section 36 of the 1989 Act, as confirmed in the case of William Grant & Sons Distillers Ltd v Scottish Ministers [2012] CSOH 98 (paragraphs 17 and 18).

1.3.3 In addition, there are certain environmental duties in relation to preservation of amenity and fisheries provisions in Schedule 9, paragraph 3 that apply to the Scottish Ministers as decision maker.

1.3.4 The Applicant does not hold a generation licence or exemption under the 1989 Act and therefore the statutory duties set out in paragraph 3(1) of Schedule 9 to the 1989 Act do not currently apply to the Applicant when formulating proposals for consent under Section 36 of the 1989 Act. The Applicant has however, through the EIA process, had full regard to the matters set out in paragraph 3(1)(a) of Schedule 9.

1.3.5 The EIAR identifies how various factors were taken into account in the formulation of the application. In addition, each EIAR chapter includes assessment of the likely significant effects and also, where appropriate, the identification of appropriate mitigation. This includes both embedded mitigation which is integral to the design, construction and operation of the Proposed Development and also additional specific measures which have been identified.

1.3.6 In accordance with paragraph 3(2) of Schedule 9 to the 1989 Act, the Scottish Ministers are obliged to have regard to the desirability of the matters mentioned in paragraph 3(1)(a). The Applicant has provided sufficient information to enable the Scottish Ministers to address their duties under sub-paragraph 3(1)(a) of Schedule 9 to the 1989 Act. The duty on the Ministers is to have regard to the matters specified in Schedule 9 which is not a development management test.

1.3.7 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a consideration which should be taken into account in the round with all other relevant considerations. It is important to note, however, that Section 25 of the 1997 Act is not engaged as there is no 'primacy' of the Development Plan in determining an application made under the 1989 Act.

1.4 Site Location and Description

1.4.1 The Site covers an area of approximately 1,275 hectares (ha) in area and is located northwest of Abington and approximately 4.5 km southeast of the settlement of Douglas. The Site currently comprises open moorland, improved and semi-improved grassland, an area of forestry and is intersected by the M74 motorway and B7078 local road.

1.4.2 The Site has been subject to extensive sand and gravel quarrying, with quarrying activity currently being concluded at Thirstone Quarry, located to the north of the B7078 and M74 in the central and northern parts of the Site. Previous quarrying activity took place in the northern and western parts of the Site. In addition, there are a number of utility and telecommunications links that cross the Site, including two high pressure gas pipelines, Scottish Water pipelines and fixed telecommunications links operated by Vodafone Ltd.

1.4.3 There are two residential properties within the application boundary; Thirstone Cottage and the Strand. It is intended that both properties will be used as part of the Proposed Development and not continue in residential use. In addition, there are a number of residential properties in close proximity to the Site, including Blackburn Farm, Netherton Farm, Crawfordjohn Mill Farm, Craighead Farm and Duneaton House, as well as residential settlements at further distance, concentrated particularly within the villages of Abington, Crawfordjohn, Roberton and Douglas.

1.4.4 The Site landscape is typical of the wider location, with the Site positioned in the northern portion of the Southern Upland Hills, with Tinto Hill located approximately 8 km to the north. The Duneaton Water, a tributary of the River Clyde, passes through the eastern part of the Site and forms part of the northern and southern boundary. The A702 forms the eastern boundary.

1.4.5 There are numerous existing wind farms within 15-20 km of the Site, including large developments such as Clyde and its extension to the east, and Andershaw and Middlemuir occupying the western part of the wider moorland area. A number of relevant developments are proposed in the immediate vicinity, including the Redshaw 400 kV substation and Bodinglee Wind Farm on land immediately adjacent to the northwest of the Site, north of the B7078 and M74 respectively.

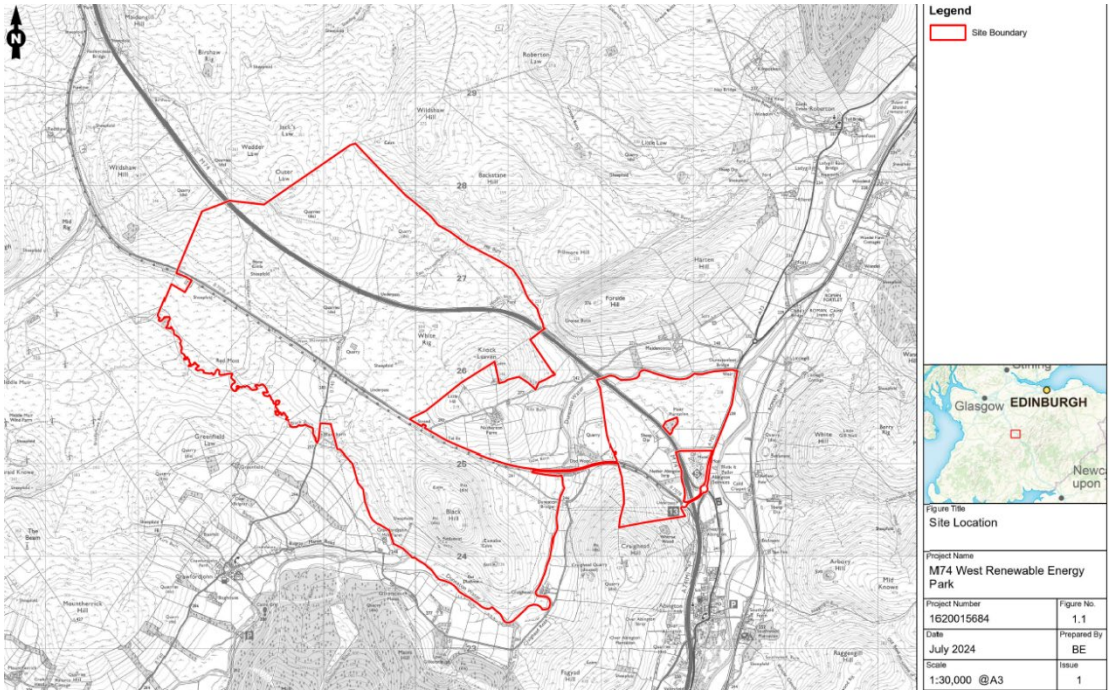
1.4.6 There are two statutory sites designated for nature conservation within 5 km of the Site: Red Moss Special Area of Conservation (SAC) and Red Moss Site of Special Scientific Interest (SSSI), both designated for raised bog. The Site boundary slightly overlaps with the Red Moss SAC and SSSI: no development would be undertaken within this part of the Site however, habitat management for waders is proposed in this area as part of the Outline Biodiversity Enhancement Management Plan.

1.4.7 There are five designated heritage assets (all of which are Scheduled Monuments) within the Site boundary, as well as two sites recorded in the Historic Environment Record (HER) classed as being of potential national importance. Ten listed buildings have been identified as being within 5 km of the Site: eight of Category B and two of Category C.

1.4.8 A number of watercourses run through the Site. Mill Burn is present along the northeastern boundary of the Site and Black Burn is present at the southern boundary. The Duneaton Water forms the southern-most part of the Site boundary.

1.4.9 A single area of ancient woodland, Dod Wood, is located adjacent to the Site boundary, immediately north of the B7078. In addition, a further area of ancient woodland, Whitrae Wood, is located approximately 100 m south of the application boundary, on the north-eastern slopes of Craighead Hill.

Figure 1.1: Site Location Plan



1.5 The Proposed Development: Summary

1.5.1 A detailed description of the Proposed Development is contained in Chapter 2 (Development Description) of the EIAR. In summary, the Proposed Development will comprise the following key components:

- Up to 22 wind turbines with a maximum tip height of 200 m;
- permanent foundations supporting each wind turbine, and associated permanent and temporary crane hardstanding at each wind turbine base;

- a main site entrance for use during construction and operation, at the current entrance to Thirstone Quarry;
- two site entrances to the south of the B7078 and one site entrance off of the B740 directly south of the B7078, which will be designed to accommodate abnormal indivisible loads (AIL) required for turbine component delivery;
- a further site entrance from the M74 motorway to the northern part of the site only, to allow delivery of AIL required for turbine component delivery. Empty loads will return to the road network via the existing underpass and the B7078, rejoining the M74 at Junction 13;
- five further site entrances to the solar array area, four from the B7078 (two to the north and two to the south) and one from the A702 immediately north of Abington Services;
- a series of new on-site access tracks with associated watercourse crossings and turning heads;
- underground cable arrays within the Site connecting the turbines and solar panels to the on-site substation;
- substation compound and control building;
- repurposing of the house at Thirstone Cottage as a site office;
- repurposing of the property at The Strand as a strategic spares store;
- solar power generators, of approximately 80 MW generating capacity;
- a Battery Energy Storage System (BESS) with approximately 50 MW capacity and 200 MW/h of storage; and
- four temporary construction compounds and laydown areas, the main one located adjacent to the substation and BESS sites and three satellite areas: one located in the northern area of the turbine array and the other two located in the solar array area, one adjacent to the B7078 and other adjacent to the A702 road.

1.5.2 In addition, the following ancillary works would be necessary:

- habitat management plan areas, including plantation forestry felling and replacement planting;
- extraction of rock from borrow pits; five borrow pit search areas have been sized and located within the turbine area, a sixth borrow pit search area is proposed within the solar area;
- temporary on-site concrete batching plant may be required. This would be located within the temporary compound areas and/or borrow pit search area; and
- works on land outside the main development area and immediately adjacent to the M74 to allow the delivery of abnormal loads to the northern area of the site (e.g. construction of over-run areas, temporary modifications to street furniture).

1.5.3 The exact model of wind turbine to be installed will be selected through a competitive procurement process; however, for the purposes of the assessments presented in the EIAR, currently available wind turbine models have been considered which fit the turbine height parameters and which have a total electricity generating capacity range of 6.1-7.5 MW per turbine giving a total generating capacity for the wind energy element of the Proposed Development in a range between 134.2 MW and 165 MW.

1.5.4 The Proposed Development would connect to the proposed Redshaw Substation, which is to be located on a site approximately 2 km northwest of the on-site substation. The grid connection would be the responsibility of the transmission licence holder (Scottish Power Energy Networks); however, it is understood that the connection would be made via underground cable. This would be subject to a separate permitting process; as such the details of the grid connection route are unknown at this stage.

1.5.5 For the proposed turbine locations and other infrastructure, access tracks and associated infrastructure, a micro-siting allowance of up to 100 m is requested.

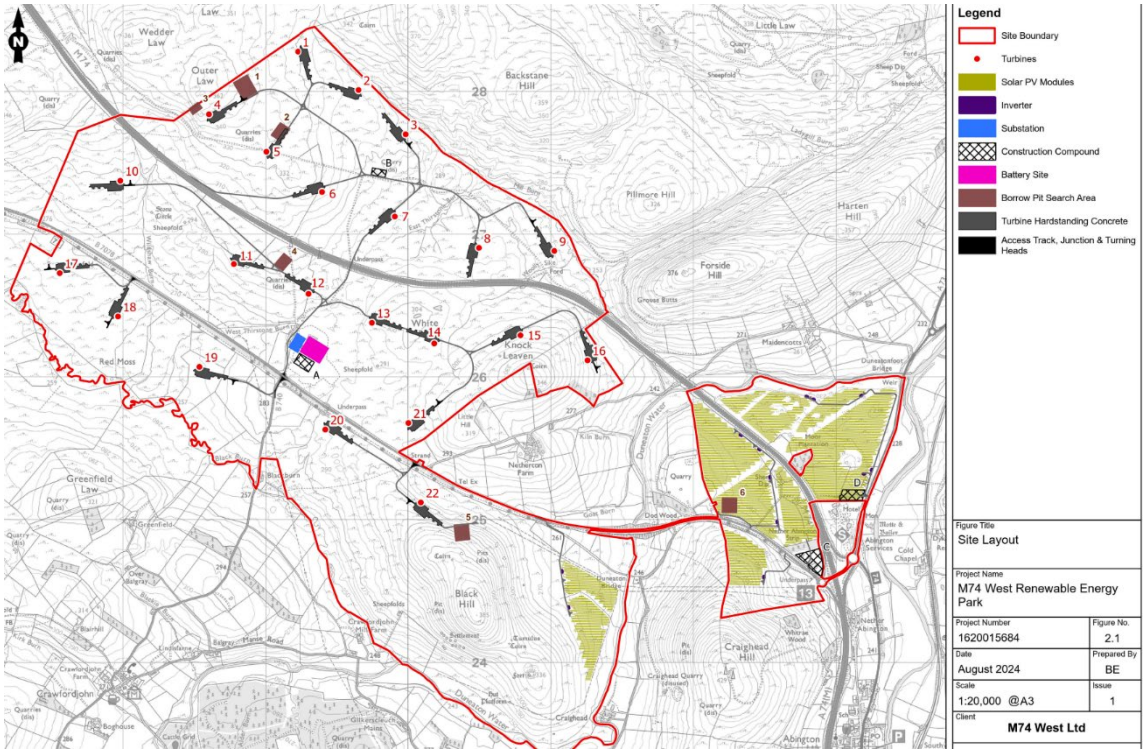
1.5.6 Turbines will be fitted with aviation obstacle lighting to meet the requirements of both the Civil Aviation Authority (CAA) and the Ministry of Defence (MOD). As the turbine tip heights exceed 150 m they are within the scope of Air Navigation Order 2016 (ANO) Article 222 for aeronautical obstacle lighting.

1.5.7 The Applicant proposes a reduced lighting scheme, in which the corners and perimeter of the wind farm would be identified by using 2,000 candela visible red lights and infra-red lights on eight of the 22 turbines. The remaining perimeter turbines would be fitted with infra-red lighting only. It is not proposed to fit mid-tower lighting to the turbines.

1.5.8 The lights would be capable of being dimmed to 10% of peak intensity when the visibility as measured at the wind farm exceeds 5 km.

1.5.9 The operational life of the Proposed Development would be 40 years. Following the operational period, the Proposed Development would be fully decommissioned, or an application made to extend its operational life or to replace the turbines.

Figure 1.2: Site Layout Plan



1.6 Structure of Statement

1.6.1 This Planning Statement is structured as follows:

- **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emissions reduction legislative framework and includes reference to the Onshore Wind Policy Statement and the Scottish Government's Draft Energy Strategy and Just Transition Plan;
- **Chapter 3** describes the benefits of the Proposed Development;
- **Chapter 4** appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- **Chapter 5** appraises the Proposed Development against the relevant provisions of the Local Development Plan and related guidance; and
- **Chapter 6** examines the planning balance and presents overall conclusions.

2. The Renewable Energy Policy & Legislative Framework

2.1 Introduction

2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions (GHG) reduction law is based. This underpins what can be termed the need case for renewable energy from which the Proposed Development can draw a high level of support.

2.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These covering onshore wind, solar PV and battery storage, taken together provide very strong support for the Proposed Development in principle.

2.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

2.1.4 The Proposed Development would make a valuable contribution to help Scotland meet its renewable energy and electricity production targets, while supporting emissions reduction to combat climate change in the current climate emergency.

2.1.5 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

2.2 International Commitments

The Paris Agreement (2015

2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). It entered into force in November 2016. The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2^0C above pre-industrial levels and to pursue efforts to limit global warming to 1.5^0C.

2.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's (CCC) advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into new legislative provisions and targets for both 2045 (Scotland) and 2050 (UK). This is referred to below.

2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

United Nations - Intergovernmental Panel on Climate Change

2.2.4 The Intergovernmental Panel on Climate Change (IPCC) is the United Nations Body for assessing the science related to climate change.

2.2.5 The IPCC prepares comprehensive assessment reports about the state of scientific, technical and socio-economic knowledge on climate change, its impacts and future risks and options for reducing the rate at which climate change is taking place. IPCC reports are commissioned by the world's Governments and are an agreed basis for COP[1] negotiations.

2.2.6 The IPCC's Special Report on Warming of 1.5°C, published in 2018, was a key piece of evidence for the CCC's recommendation to the UK Government for a 2050 net zero greenhouse gas emission target. The IPCC's reports since 2018 have provided an up-to-date estimate of how close global temperatures are to 1.5°C of warming above pre-industrial levels and the remaining volume of global cumulative carbon dioxide that could be emitted to be consistent with keeping global warming below any particular threshold (such as the 1.5°C and 2°C levels referred to in the Paris Agreement).

2.2.7 The IPCC's 6th Assessment Report was published in March 2023. The Summary for Policymakers Report (page 10) states that it is likely that warming will exceed 1.5°C during the 21st century and make it harder to limit warming 2°C. It states (page 12):

"*Continued greenhouse gas emissions will lead to increasing global warming, with the best estimate of reaching 1.5°C in the near term in considered scenarios and modelled pathways. Every increment of global warming will intensify multiple and concurrent hazards (high confidence). Deep, rapid and sustained reductions in greenhouse gas emissions would lead to a discernible slowdown in global warming within around two decades, and also to discernible changes in atmospheric composition within a few years (high confidence)*".

2.2.8 Page 24 of the report states "*There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence)*".

United Nations Statement, July 2023

2.2.9 The United Nations (UN) issued a statement on 27 July 2023 with regard to increasing global temperatures. The UN Secretary General Antonio Guterres stated that it was "*virtually certain that July 2023 will be the warmest on record*".

2.2.10 The Secretary General stated "*Climate change is here. It is terrifying. And it is just the beginning. The era of global warming has ended, and the era of global boiling has arrived*."

2.2.11 The statement refers to climate conditions in the month of July 2023 as being remarkable and unprecedented, and that there is virtual certainty that the month of July as a whole was set to become the warmest July on record and the warmest month on record. In addition, the statement sets out that ocean temperatures are at their highest ever level recorded for this time of year [July].

2.2.12 The statement also refers to the net zero goal and the Secretary General stated "*The need for new national emissions targets from G20 members and urged all countries to push to reach net zero emissions by mid-century*."

[1] United Nations Framework Convention on Climate Change, Conference of the Parties (COP).

UN Emissions Gap Report (2023)

2.2.13 The UN Emissions Gap Report (2023) provides the annual independent science-based assessment of the gap between the pledged GHG) reductions, and the reductions required to align with the long-term temperature goal of the Paris Agreement. The report set out that not only have temperature records continued to be broken, but global greenhouse emissions and atmospheric concentrations of carbon dioxide have increased since 2022. The report sets out that energy is the dominant source of GHG emissions, currently accounting for 86% of global CO_2 emissions.

2.2.14 The report (page 1) states the world is witnessing a disturbing acceleration in the number, speed and scale of broken climate records. 2023 was the warmest year on record[2].

COP 28, Dubai 2023

2.2.15 The United Nations Climate Change Conference (COP28) closed on 13 December 2023. The UN press release of the same date states that the agreement reached "*Signals the 'beginning of the end' of the fossil fuel era by laying the ground for swift, just and equitable transition, underpinned by deep emissions cuts and scaled up finance*."

2.2.16 The statement adds:

"*The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to 2019 levels, to limit global warming to 1.5°C. But it notes parties are off track when it comes to meeting their Paris Agreement goals.*

The stocktake calls on parties to take actions towards achieving, at a global scale, a tripling of renewable energy capacity and doubling of energy efficiency improvements by 2030. The list also includes accelerating efforts towards the phase down of unabated coal power, phasing out inefficient fossil fuel subsidies, and other measures that drive the transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, with developed countries continuing to take the lead." (underlining added)

2.3 UK Climate Change & Energy Legislation & Policy

The Climate Emergency

2.3.1 A critical part of the response to the challenge of climate change was the climate emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new emissions reduction law).

The Climate Change Act 2008 & Carbon Budgets

2.3.2 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing through its own legislation to net zero by 2045.

2.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

2.3.4 The CCC has produced six, four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below. Essentially, they are five yearly caps on emissions.

[2] Met Office, Globally 2023 was the warmest year on record (Met Office, press office, 12 Jan 2024).

2.3.5 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament. All six carbon budgets have been put into law and run up to 2037.

Table 2.1: Carbon Budgets and Progress[3]

Budget	Carbon budget level	Reduction below 1990 levels	Progress on Budgetary Period
1st carbon budget (2008 – 2012)	3,018 $MtCO_2e$	26%	-27%
2nd carbon budget (2013 – 2017)	2,782 $MtCO_2e$	32%	-42%
3rd carbon budget (2018 – 2022)	2,544 $MtCO_2e$	38% by 2020	48.7%[4]
4th carbon budget (2023 – 2027)	1,950 $MtCO_2e$	52% by 2025	n/a
5th carbon budget (2028 – 2032)	1,725 $MtCO_2e$	57% by 2030	n/a
6th carbon budget (2033 – 2037)	965 $MtCO_2e$	78% by 2035	n/a
7th carbon budget (2038 – 2042)	To be set in 2025	-	n/a
Net Zero Target	100%	By 2050	

2.3.6 The Sixth Carbon Budget (CB6) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "*decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement*" (CB6, page 13).

2.3.7 Page 23 of CB6 refers to the devolved nations and sets out that UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland. Key points from CB6 include:

> UK climate targets cannot be met without strong policy action in Scotland.

> The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.

> CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.

> The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.

[3] Source: CCC.
[4] This figure is a provisional estimate and will not be confirmed by HM Government until later in 2024.

2.3.8 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)[5]) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

The UK Energy White Paper (December 2020)

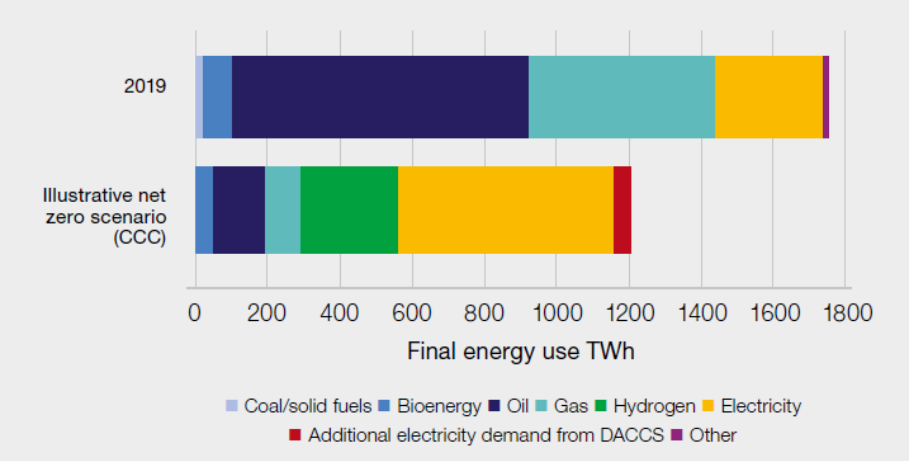
2.3.9 The Energy White Paper 'Powering our Net Zero Future' was published on 14 December 2020, represents a sea change in UK policy, and highlights the importance of renewable electricity.

2.3.10 It sets out that "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050".* A key objective is to *"accelerate the deployment of clean electricity generation through the 2020s*" (page 38).

2.3.11 Electricity demand is forecast to double out to 2050, which will "*require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target*" (page 42).

2.3.12 This anticipated growth of renewable electricity is illustrated in the graph below – **Figure 2.1**.

Figure 2.1: Illustrative UK Final Energy Use in 2050[6]



2.3.13 Figure 2.1 illustrates that achieving net zero requires a significant increase in the use of electricity, all of which must be generated from low-carbon sources.

2.3.14 Whilst offshore renewables are expected to grow significantly, the White Paper also sets out that "*onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios*" (page 45). (underlining added)

[5] The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

[6] Source: Energy White Paper page 9 (2020).

The British Energy Security Strategy (April 2022)

2.3.15 The British Energy Security Strategy ("the Strategy") was published by the UK Government on 7 April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

"*Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables….*

The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets."

2.3.16 In terms of solar development, the Strategy states:

"*With the sun providing enough daily energy to power the world 10,000 times over, solar power is a globally abundant resource. There is currently 14GW of solar capacity in the UK split between large scale projects to smaller scale rooftop solar. The cost of solar has fallen by around 85% over the past decade and can be installed in just one day on a domestic roof. We expect a five-fold increase in deployment by 2035*." (underlining added)

2.3.17 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

2.3.18 As regards networks, storage and flexibility it is clearly stated that *"Within this decade, our modern system will prioritise two key features: anticipating need because planning ahead minimises cost and public disruption; and hyper flexibility in matching supply and demand so that minimal energy is wasted"* (page 24). In doing so a key aim as regards flexibility is stated as *"Encouraging all forms of flexibility within sufficient large-scale, long duration electricity storage to balance the overall system…"* (underlining added)

CCC – Report to Parliament (2023)

2.3.19 The CCC published its report to Parliament 'Progress in Reducing Emissions' in June 2023. It sets out (page 13) that despite the UK Government having issued the CBDP, "*policy development continues to be too slow and our assessment of the CBDP has raised new concerns. Despite new detail from Government, our confidence in the UK meeting its medium-term targets has decreased in the past year*".

2.3.20 The CCC adds that:

"*At COP26, the UK made stretching 2030 commitments in its Nationally Determined Contribution (NDC) – now only 7 years away. To achieve the NDC goal of at least a 68% fall in territorial emissions from 1990 levels, the rate of emissions reduction outside the power sector must almost quadruple. Continued delays in policy development and implementation mean that the NDCs achievement is increasingly challenging*".

2.3.21 Key messages include (pages 14 and 15):

- A lack of urgency – the CCC note that the net zero target was legislated in 2019 but there remains a lack of urgency over its delivery. It states, "*the net zero transition is scheduled to take around three decades, but to do so requires a sustained high intensity of action. This is required all the more, due to the slow start to policy development so far. Pace should be prioritised over perfection*".
- Planning policy needs radical reform to support net zero – the CCC state in this regard that: "*In a range of areas, there is now a danger that the rapid deployment of infrastructure required by the Net Zero transition is stymied or delayed by restrictive planning rules. The planning system must have an overarching requirement that all planning decisions must be taken given full regard to the imperative of Net Zero*".

The UK Battery Strategy (2023)

2.3.22 The UK Government published the UK Battery Strategy on 26 November 2023. The Strategy brings together Government activity to achieve a globally competitive battery supply chain by 2030 that supports economic prosperity and the net zero transition in the UK.

2.3.23 In summary, the Government's vision is for the UK to continue to grow a thriving battery innovation system and to become a world leader in sustainable design, manufacture and use.

2.3.24 The Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. The Strategy is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:

> Design and develop batteries for the future;

> Strengthen the resilience of UK manufacturing supply chains; and

> Enable the development of a sustainable battery industry.

2.3.25 In the foreword to the document, the Minister of State for Industry and Economic Security at the Department of Business and Trade states that (page 3):

"Batteries will play an essential role in our energy transition and our ability to successfully achieve net zero by 2050."

2.3.26 Batteries are seen as key to the net zero transition as they enable more flexible use of energy such as maximising use of intermittent low carbon generation.

CCC - Report on COP28: Key Outcomes and Next Steps for the UK (January 2024)

2.3.27 The CCC issued a report and related Statement[7] in January 2024 with reference to COP28 and next steps for the UK. The Statement set out that:

"*2023 was the hottest year on record, with worsening extreme weather events across the world. With global greenhouse gas emissions at an all-time high, COP28 took important steps to try to change the direction of travel.*

The UK played an important role in this hard-fought COP28 outcome. We may be further into the decarbonisation journey than many nations, but the obligation on every country is now to push even harder. This also frames the economic challenge for the UK. We must rapidly replace fossil fuels with low-carbon alternatives to get back on track to meet our 2030 goal."

2.3.28 In terms of next steps for the UK, the Statement sets out that:

"*In June 2023, the Committee noted a significant delivery gap to the UK's Nationally Determined Contribution (NDC) of reducing emissions by 68% by 2030. The agreements made at COP28 require a sharper domestic response and time is now short for the gap to be bridged.*

Achieving the 2030 NDC will require the rate of emission reductions outside of the electricity sector to quadruple from that of recent years. Addressing these gaps in a transparent way remains one of the most important ways for the UK to show climate leadership."

2.3.29 The related Outcomes Report, in addressing next steps for the UK sets out the following points (page 5) *inter alia*:

> "*The Global Stocktake undertaken at COP28 marks the first formal assessment of progress of the Paris Agreement process and it reinforced the growing momentum in renewables and other low carbon technology deployment.*

[7] CCC Statement 'COP28 outcomes must lead to acceleration of action in the UK' (30 January 2024).

> *Countries were called upon to support a trebling of renewables globally….. Alongside this was the crucial brokering of recognition of the need to transition away from all fossil fuels to achieve a net zero energy system by 2050.*

> *The UK can continue to lead by example and support actions elsewhere to accelerate the pace of the low carbon transition and develop resilience to climate impacts. It must demonstrate delivery towards to its ambitious 2030 and 2035 targets on the path to Net Zero.*"

2.3.30 Section 1.2.2 of the Outcomes Report specifically addresses 'next steps for the UK'. Reference is made to opportunities for climate leadership and in terms of energy there is a clear statement (page 21) which refers to a number of actions that will be important for ensuring domestic action is consistent with the language the UK signed up to at COP28. This includes *inter alia*:

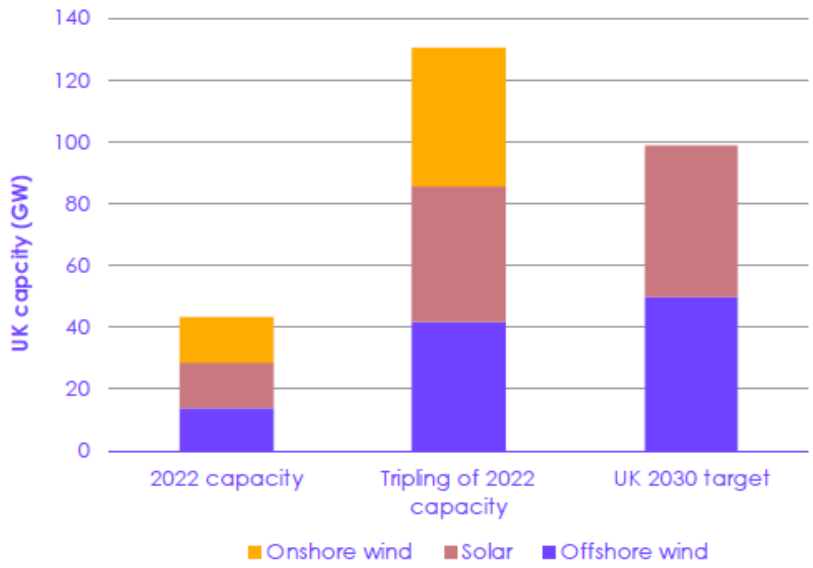
> Delivering rapid deployment of renewables. The report states that solar and onshore wind is progressing too slowly due to barriers around planning and consenting and access to network connections, despite being the cheapest form of generation.

> In terms of the UK's 2030 NDC, the report states that the UK must continue to focus on addressing delivery gaps to the 2030 NDC. Reference is made to the CCC's 2023 Progress Report which established that if the UK is to achieve its 2030 NDC then the rate of emissions reduction "*outside electricity supply must almost quadruple from 1.2% annual reductions to 4.7%*".

> In terms of the tripling of renewable energy capacity by 2030, the Outcomes Report sets out (page 23) that the UK Government only has renewables deployment targets for offshore wind (aiming for up to 50 GW by 2030) and solar PV (aiming for up to 70 GW by 2035).

2.3.31 **Figure 2.2** below contrasts the level of deployment implied by a tripling of 2022 levels with UK targets.

Figure 2.2: The tripling of Renewable Energy Capacity in a UK Context[8]



[8] Source: CCC, COP28: Key Outcomes and next steps for the UK, page 24, (January 2024).

2.3.32 The CCC report makes it clear that (page 23) that:

"*UK targets for offshore wind and solar PV are broadly consistent with COP28 calls to triple renewable energy capacity by 2030. However, a tripling of total renewable energy capacity (on 2022 levels) would also require growth in onshore wind."*

2.3.33 The CCC also highlight that their 2023 Progress Report (referred to above) showed that the Government is currently off-track to meeting its renewables targets. It states that in order to support the ambitions agreed at COP28 "*and to meet the target of a decarbonised electricity supply by 2035, the Government must increase efforts to deliver against its existing targets on time*". (page 23)

UK Solar PV Target Shortfall

2.3.34 In terms of the UK solar target of 70GW by 2035, the latest UK statistics[9] show that only 1.3GW of solar PV was installed in the UK in 2023. UK solar PV deployment as of July 2024 was only 17GW indicating that there is a shortfall against the 2035 targets of some 53GW with 11 years to run until the target date.

Labour Government & Commitment to Renewables (2024)

2.3.35 The recent UK Government change at Westminster and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero. The Labour Party Manifesto states that it has "a national mission for clean power by 2030" and it explicitly states that this is achievable "and should be prioritised". The Manifesto sees the clean energy transition as a huge opportunity to generate growth and also to tackle the cost-of-living crisis. This objective is set out as Labour's "second mission" for the UK.

2.3.36 The policy detail has yet to be seen; however, from the information available it is clear that the new administration will accelerate the pace of renewable development to achieve net zero. Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important relevant consideration.

2.3.37 The Department for Energy Security and Net Zero issued a Statement on 08 July 2024 which included references:

- to double UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030; and
- to triple UK solar capacity from its current level of around 14 GW to a planned capacity of 50 GW by 2030.

2.4 Climate Change & Renewable Energy Policy & Legislation: Scotland

The Scottish Energy Strategy (2017)

2.4.1 The Scottish Energy Strategy (SES) was published in December 2017. The SES preceded the important events and publications referred to above but nevertheless sets out that onshore wind is recognised as a key contributor to the delivery of renewable energy targets – specifically 50% energy from renewable sources to be attained by 2030. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain the new legally binding 'net zero' targets so it is out of date in that respect.

2.4.2 The SES refers to "*Renewable and Low Carbon Solutions*" as a strategic priority (page 41) and states "*we will continue to champion and explore the potential of Scotland's huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets*".

[9] UK Government, Digest of UK Energy Statistics (July 2024).

2.4.3 The SES sets out what is termed the "opportunity" for onshore wind and there is explicit recognition that onshore wind is amongst the lowest cost forms of power generation[10]. It is also recognised as "*a vital component of the huge industrial opportunity that renewables creates for Scotland*".

2.4.4 The SES sets out the Government's clear position on onshore wind namely:

"*our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand."* (page 44)

2.4.5 In terms of solar PV, the SES states at page 47 that solar will play an important role in a low carbon energy system, helping meet Scotland's renewable generation ambitions. Combining storage with wind and solar assets presents a valuable solution for the energy system as a whole, offering the potential for demand to be managed locally.

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

2.4.6 Against this severe backdrop, the Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve "net zero" by 2045. It is clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.

2.4.7 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. However, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and has set the even more ambitious targets.

2.4.8 The Cabinet Secretary for Wellbeing Economy, Net Zero and Energy made a Statement to the Scottish Parliament on 18 April 2024 with regard to the report to the Scottish Parliament prepared by the (CCC, 'Progress in reducing emissions in Scotland' (March 2024)). The Statement focussed on the implications the CCC report contains for Scottish emission reduction targets as set out in legislation, namely as set out in the Climate Change (Scotland) Act 2009. The Statement sets out that the Scottish Government will bring forward expedited legislation to address matters raised by the CCC and this is expected to be a change to the 2030 emissions reduction target. This is further referenced below.

CCC, Progress in reducing emissions in Scotland Report to Parliament (December 2022)

2.4.9 The report from the CCC published in December 2022 addresses Scotland's progress in emissions reduction. The report is specifically referenced in the Inquiry Report for the Corriegarth Wind Farm Extension, which was prepared by Reporters (21 August 2023) and which informed the decision on the proposal by the Scottish Ministers (20 December 2023). At paragraph 128 of the Inquiry Report, the Reporters state that with regard to the CCC report it "*includes several findings that are relevant to this application".* The Reporters then note the following from the report:

- Scotland met its 2020 target because of the impact of the Covid-19 pandemic.
- To date, Scotland has missed 7 out of its 11 annual targets.
- There is a significant risk of the remaining annual targets for 2020s being missed.
- A stepped change in action across all sectors of the economy will be required.

[10] The UK Government's shows that improvements in turbine technology for onshore wind and decreases in capital costs and increases in plant capacity for solar technologies have driven down the Levelised Cost of Electricity for these technologies. Source: Department of Energy Security & Net Zero, 'Electricity Generation Costs 2023'.

> If targets for the 2020s and early 2030s are not met, there will require to be compensatory overperformance against the later targets; and

> It is not yet clear how much overperformance would be required in that later period.

2.4.10 The Reporters go on at paragraph 129 to state:

"*On the basis of those findings, together with NPF4 Policy 1 on giving significant weight to the climate crisis, we conclude that the fact the proposed development would contribute towards reducing Scotland's greenhouse gas emissions, and achieving its targets thereon, should be given significant weight in the planning balance for this case*."

2.5 Scottish Emission Reduction Targets

Current Progress against Emission Reduction Targets

2.5.1 The Scottish Government publishes an annual report that sets out whether each annual emissions reduction target has been met. **Table 2.2** below sets out the annual targets for every year to net zero.

2.5.2 In their 2024 Progress in Reducing Emissions in Scotland report, the CCC stated that Scotland has missed its annual emission reduction targets eight times and Table 2.2 shows that in the years since 2018 where data is available, Scotland has only met its emissions reduction target once. This was in 2020, during which lockdown restrictions severely reduced commercial, industrial and transport emissions.

Table 2.2: Scotland's Annual Emission Reduction Targets to Net Zero

Year	Original % Reduction Target	New Targets (2023)	% Actual Emissions Reduction	Year	Original % Reduction Target
2018	54	-	50	2032	78
2019	55	-	51.5	2033	79.5
2020	**56**	**48.5**	**58.7**	2034	81
2021	57.9	51.1	49.9	2035	82.5
2022	59.8	53.8	-	2036	84
2023	61.7	56.4	-	2037	85.5
2024	63.6	59.1	-	2038	87
2025	65.5	61.7	-	2039	88.5
2026	67.4	64.4	-	**2040**	**90 (Interim)**
2027	69.3	67.0	-	2041	92
2028	71.2	69.7	-	2042	94
2029	73.1	72.3	-	2043	96
2030	**75**	**75**	**Interim Target**	2044	98
2031	*76.5*		-	***2045***	***100% Net Zero***

2.5.3 Notwithstanding the above noted intention of the Scottish Government to move away from annual targets, the targets set out in the above Table clearly illustrate the speed and scale of change that is required up to and beyond 2030. If there is a continuous growing shortfall each year, then it will be increasingly difficult to attain targets.

2.5.4 Scotland has already made good progress in decarbonising its electricity supply through the development of onshore and offshore wind and other renewables, as well as through the closure of coal fired power stations in the last decade. Emissions reductions now need to come from other sectors through the electrification of the energy they consume, or the substitution of fossil fuels in their energy supply for low-carbon energy sources.

2.5.5 This means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and although the 2020s is a critical decade, all the indicators are that the 2030s will be even more critical, because of slower-than-planned action to date.

CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024)

2.5.6 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland' in March 2024. The related press release of the same date states that Scotland's 2030 climate goals are no longer credible. It states:

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.*

The Scottish Government delayed its draft Climate Change Plan last year despite the 2030 target being only six years away. This has left a significant period without sufficient actions or policies to reach the target; the required acceleration in emissions reduction in Scotland is now beyond what is credible."

2.5.7 The CCC calls in the report for Scotland's Climate Change Plan to be published urgently in order that the CCC can assess it and identify the actions which will deliver on its future targets.

2.5.8 The press release states that there is a path to Scotland's post-2030 targets, but stronger action is needed to reduce emissions across the economy.

2.5.9 The main report (page 10) states that "*The Scottish Government should build on its high ambition and implement policies that enable the 75% emissions reduction target to be achieved at the earliest date possible*."

2.5.10 Page 18 of the report addresses electricity supply, and it states that there has been some progress in delivering renewable electricity generation in Scotland. Reference is made to the Government aim to develop 8-11 GW of offshore wind and 20 GW on onshore wind capacity, both by 2030. The report notes that "*The growth in onshore wind capacity has slowed, however, and is slightly off track to deliver its 2030 target, which will require operational capacity to more than double*."

2.5.11 Page 40 states that in terms of onshore wind, Scotland must increase the deployment rate by more than a factor of 4 to an average annual rate of 1.4 GW.

Statement to the Scottish Parliament (18 April 2024)

2.5.12 In light of the CCC Report, the Cabinet Secretary made a statement to the Scottish Parliament on 18 April 2024 entitled 'Climate Change Committee Scotland Report – Next Steps: Net Zero Secretary Statement'.

2.5.13 The key points in the statement include:

- The Scottish Government has an "*unwavering commitment to ending our contribution to global emissions by 2045 at the latest, as agreed by Parliament on a cross-party basis*".
- The Cabinet Secretary states that she is "*announcing a new package of climate action measures which we will deliver with partners to support Scotland's transition to net zero*" and the Statement goes out to reference these specific measures.
- The Statement states sets out that in terms of the policies for these measures that "*they sit alongside extensive ongoing work that will be built upon through our next Climate Change Plan and Green Industrial Strategy*."
- The Cabinet Secretary states that, "*The Climate Change Committee is clear that the 'UK is already substantially off track for 2030' and achieving future UK carbon budgets 'will require a sustained increase in the pace and breadth of decarbonisation across most major sectors'. Indeed, we do see climate backtracking at UK level*."

2.5.14 The Cabinet Secretary adds:

- "*And with this in mind, I can today confirm that, working with Parliament on a timetable, the Scottish Government will bring forward expedited legislation to address matters raised by the CCC and ensure our legislative framework better reflects the reality of long-term climate policy making*."

2.5.15 The last reference in the Statement (as set out above) is key, namely that the Scottish Government intends to work with Parliament to amend existing legislation. This is anticipated to be a change from the current 75% emissions reductions target by 2030 to a lower figure, possibly around 65% to match the UK position.

2.5.16 A further key point in the Statement is that the Scottish Government has reiterated its commitment to achieving net zero by 2045. It would seem therefore that the proposed approach to dealing with the position set out by the CCC in relation to the 2030 target being unachievable, is to amend the emissions reduction target for 2030 such that it better reflects reality and move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which would bring the Scottish Parliament in line with the Welsh and UK approaches. There is, as yet, no clarity on what the new target will be, however it will remain a 'stepping stone' en route to achieving the net zero legally binding target by 2045.

2.5.17 Furthermore, in the CCC's May 2024 letter to the Scottish Government advising on the approach to carbon budgets they recommended 5 yearly approach in line with UK and Wales. Among the key messages is:

"*The Committee strongly urges the Scottish Government to act quickly to implement a new legal framework, bringing its approach in line with the other nations of the UK. This is crucial to restore confidence and avoid a vacuum of ambition around Net Zero*."

Scottish Government: Programme for Government (2024)

2.5.18 The Scottish Government's new Programme for Government (2024-25) entitled 'Serving Scotland' was published on 4th September 2024. The programme sets out the key actions the Scottish Government will take in the coming year and beyond. The document is clear (Chapter 3) that one of the four key priorities of the Government is tackling the climate emergency and describes the imperative of reducing emissions and the country's vulnerability to future impacts of climate change.

2.5.19 It also confirms that the potential for renewable energy generation is one of our greatest environmental and economic opportunities, and states measures to "progress a renewables revolution" (page 25).

2.5.20 Onshore wind is also specifically identified as being a priority for quicker decision-making for a new Planning Hub alongside only two other forms of development - hydrogen and good quality homes.

2.6 The Onshore Wind Policy Statement

2.6.1 The Scottish Government published an updated Onshore Wind Policy Statement (OWPS) on 21 December 2022. It replaced the version published in November 2017.

2.6.2 The Ministerial Foreword makes it clear that seeking greater security of supply and lower cost electricity generation are now key drivers alongside the need to deal with the climate emergency. In this regard, the Cabinet Secretary for Net Zero, Energy and Transport states (page 3):

"*that is why we must accelerate our transition towards a net zero society. Scotland already has some of the most ambitious targets in the world to meet net zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage*".

"*Scotland has been a frontrunner in onshore wind and, while other renewable technologies are starting to reach commercial maturity, continued deployment of onshore wind will be key to ensuring our 2030 targets are met*".

2.6.3 The Foreword states that onshore wind has the ability to be deployed quickly, is good value for consumers and is also widely supported by the public. The Minister further states that:

"*This Statement, which is the culmination of an extensive consultative process with industry, our statutory consultees and the public, sets an overall ambition of 20 GW of installed onshore wind capacity in Scotland by 2030.*

While imperative to meet our net zero targets it is also vital that this ambition is delivered in a way that is fully aligned with, and continues to enhance, our rich natural heritage and native flora and fauna, and supports our actions to address the nature crisis and the climate crisis".

2.6.4 The OWPS is structured on the basis of eight chapters which contain a mix of policy guidance and also technical information. Key content of relevance to the Proposed Development is referenced below.

Increasing the Rate of Deployment & Forecast Increase in Electricity Demand

2.6.5 Chapter 1 "Ambitions and Aspirations" (page 5) refers to current deployment of onshore wind in Scotland and states:

"*We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes*."

2.6.6 It is explained that National Grid's Future Energy Scenarios[11] project concludes that Scotland's peak demand for electricity will at least double within the next two decades and that this will require a substantial increase in installed capacity across all renewable technologies.

Onshore Wind Target & Development Pipeline

2.6.7 In terms of existing deployment, paragraph 1.1.5 of the OWPS states that as of June 2022 the UK had 14.6 GW of installed onshore wind, with around 8.7 GW of this capacity within Scotland. Reference is made to a figure of 11.3 GW of onshore wind "*currently in the pipeline, spread over 217 potential projects*".

[11] National Grid has set out a range of different, credible ways to decarbonise the energy system with regard to attaining Net Zero for the UK by 2050.

2.6.8 The Onshore Wind Sector Deal (page 14) states that by the end of 2023 an analysis will be provided of the expected pipeline of new onshore wind projects, extensions to existing projects, life extensions and repowering projects expected in the period between 2023 and 2030. The information is to be updated at least bi-annually to enable Government and statutory consultees to plan ahead for the resources that would be required to process applications. In this regard a report entitled 'Scotland Onshore Wind Pipeline Analysis 2023-2030' was published by BVG Associates in November 2023.

2.6.9 The report presents the database and initial pipeline analysis, providing insights into different scenarios under which Scotland could achieve its ambition of 20 GW of onshore wind by 2030. It examines various sensitivities to assumptions on key parameters including matters such as the duration of the planning process for applications, repowering and also project viability. The assumptions in relation to the planning process reflect the aims of the Onshore Wind Sector Deal. If these are not met then there will be negative consequences for the onshore wind pipeline.

2.6.10 The BVG report provides an update as of August 2023 of Scotland's pipeline of onshore wind developments and the breakdown of projects is consistent with the project lifetime stages that were set out in the OWPS.

2.6.11 **Table 2.3** below also shows the onshore wind pipeline figures as contained in the OWPS but also contains the summary of the BVG Associates analysis allowing a comparison of the various pipeline category figures between those in the OWPS (June 2022) and the BVG figures of August 2023. The relative differences between the various categories are also shown.

Table 2.3: Onshore Wind Development Pipeline (OWPS & BVG Report)

Status of Onshore Wind Projects	OWPS (GW)	BVG Report (GW)	Difference 2022 v 2023 (GW)	Comments
In the Planning / Process	5.53	6.80	+ 1.27	Footnote on page 6 of OWPS applies. Not all projects will receive consent.
Awaiting Construction	4.56	6.14	+ 1.58	The figures are subject to some duplication – e.g. where some projects have consent but are also subject say to applications for tip height increases.
Under Construction	1.17	0.96	- 0.21	
Sub Total	11.26	13.09	+ 1.83	
Operational Onshore Wind in Scotland	8.70	9.32	+ 0.62	A number of projects will reach the end of their operational life. Not all will necessarily be repowered or life extended. A proportion of the operational capacity will have passed its notional design life by 2030 and will be under consideration for decommissioning or repowering.
Total	19.96	22.41	+ 2.45	

2.6.12 The footnote to the figures set out on page 6 of the OWPS is pertinent and is as follows:

"*Developments in the planning/consenting process have not yet been considered and given permission to proceed. Some of these projects will receive consent, but some may not, and it is unlikely that all of this noted capacity will be fully realised. A degree of duplication within the planning system must also be considered, where developments which have consent re-apply to adjust the parameters of that consent. This will also reduce the capacity which is deliverable from this overall figure*".

2.6.13 The analysis of the pipeline in the BVG Report is based upon a model which applies several filters which result in projects being removed from the pipeline and these include matters such as:

- Projects which remain in the same development status for too long which is a reasonable indication that they are likely to be dormant and therefore are not likely to proceed;
- Projects with turbine attributes which today would likely put that project at a commercial disadvantage such as relatively low blade tip height such as 150 m or less; and
- Application of an attrition rate in relation to applications being refused consent.

2.6.14 The BVG Report sets out that with the application of all the nine filters considered in the model, then the expected onshore wind operating capacity by 2030 would be around 18.8 GW (page 9 of the BVG Report).

2.6.15 Although the Report sets out some suggested actions which could increase the likelihood of reaching 20 GW in 2030, these have various limitations. For example, the suggested actions include:

- Reinstating projects removed by the limits of 150 m tip height. The Report acknowledges that this approach ignores the practicalities that may be required in reality, such as preparing applications for consent for larger turbines and there is also the much more limited availability in the market for turbines of that relatively low tip height;
- An action is suggested to reduce the default planning determination duration times to shorter ones; however, this would be very much dependent upon the allocation of additional resources in the planning system and there is no evidence of that happening at the present time; and
- A further action is to assume repowering of all onshore wind developments at end of their life and assuming an uplift on original capacity of 100%. Again, this assumption has its limitations and there is also no evidence that widespread repowering is going to be undertaken on such a basis. Extensions of operational life is likely to remain an attractive option in many cases.

2.6.16 Overall, the BVG Report states that based on the analysis undertaken: "*reaching a target of 20 GW by 2030 with the current pipeline is possible*".

2.6.17 However, this relies upon various actions coming to fruition which cannot be assumed with high confidence. Therefore, whilst the overall tenor of the BVG Report is positive, it is considered that it remains imperative that schemes that are acceptable progress through the planning system swiftly and that as much capacity as possible is consented such that it can be deployed by 2030.

2.6.18 In this case, as set out in this Planning Statement, the Applicant's position is that the Proposed Development is acceptable.

2.6.19 Section 1.2 of the OWPS refers to the Deployment Ambition to 2030. Reference is made to the Climate Change Committee's position as set out in their exploratory scenarios for emissions to 2050 and also as referred to within the Sixth Carbon Budget.

2.6.20 Paragraph 1.2.2 of the OWPS states that: "*these estimate that, in every scenario, the UK will require a total of 25-30 GW of installed onshore wind capacity by 2050 to meet government targets - which would mean doubling the current UK installed capacity*".

2.6.21 Section 1.3 of the OWPS further refers to the new 20 GW ambition and acknowledges that the Scottish Government's Programme for Government 2022/2023 committed Government to enabling up to 12 GW of onshore wind to be developed and it is stated that:

"*It is vital to send a strong signal and set a clear expectation on what we believe onshore wind capacity will contribute in the coming years.*

In line with this commitment, and reflecting the natural life cycles of existing wind farms, this statement sets a new ambition for the deployment of onshore wind in Scotland:

A minimum installed capacity of 20 GW of onshore wind in Scotland by 2030.

This ambition will help support the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to net zero whilst other technologies reach maturity".

2.6.22 This statement is followed by reference to the "Legislative Context", in particular the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the related net zero greenhouse gas emissions targets. The OWPS states (paragraph 1.4.1) "*meeting these targets will require decisive and meaningful action across all sectors*".

2.6.23 Paragraph 2.4.2 states that "*onshore wind will play a crucial role in delivering our legally binding climate change targets*".

2.6.24 The Scottish Government has made clear that the 20 GW ambition of installed capacity is a "minimum" (paragraph 1.3.2). In short, there is a substantial shortfall to address in order to attain that figure and projects that are not yet in the planning system are unlikely to provide installed capacity by 2030. This underlines the importance of the benefits that the Proposed Development can deliver – namely near-term delivery of a substantial volume of installed capacity.

2.6.25 This means that the Scottish Government's ambition, as stated in December 2022, is to increase the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms in Scotland in a period of around eight years. The Proposed Development and its contribution must be considered in the context of the sheer scale and urgency of the stated Scottish Government policy position.

Delivering the Government's 20 Giga Watt Ambition for Onshore Wind

2.6.26 Chapter 2 of the OWPS entitled 'Delivering on our Ambition for Onshore Wind in Scotland' states that the Scottish Government is to form an Onshore Wind Strategic Leadership Group (SLG) and "*will task this SLG with taking forward the aspirations of this policy statement, and the development of an Onshore Wind Sector Deal*". This reflects the importance of the onshore wind sector.

2.6.27 Section 2.3 refers to a "Vision for Onshore Wind in Scotland" and states that Scottish Renewables, on behalf of the sector in Scotland, has produced a Vision Statement which the Government considers "*to lay the basis of a more detailed sector deal that the SLG will develop*".

2.6.28 The Onshore Wind Sector Deal was finalised and published in September 2023 and is referenced further below.

2.6.29 The **Vision Statement** is contained within Annex 5 of the OWPS (page 66). A summary of the Vision for the onshore wind industry in Scotland is a future where:

- An additional 12 GW of new onshore wind generation is constructed by 2030.
- Onshore wind continues to play a key role in decarbonising the power sector, reducing consumer costs and ensuring security of supply whilst playing a key role in the electrification of heat and transport.

- The selection of wind farm locations and technologies enables the use of the most productive modern turbines and balances the need to respect biodiversity and natural heritage.
- Land use for onshore wind is optimised and combined with other initiatives including reforestation and peatland restoration, as well as providing enhanced access to green space for recreation.
- New and repowering projects consistently receive high levels of public support.
- High skilled and sustainable jobs are created, including long term jobs in the operational phase.
- Material use is optimised, and carbon impact is minimised, through the principles of a circular economy.
- Community benefit and shared ownership provides lasting social and economic benefits; and
- Onshore wind plays a central role in ensuring a just transition for communities and people.

2.6.30 The Vision Statement states (page 67) that:

"*Onshore wind remains vital to meeting this increasing demand, providing fast deployment whilst minimising cost to the consumer. This will be achieved by deploying the most productive modern turbines that are taller than older models, by re-powering existing sites where possible and by maximising the use of our exceptional natural wind resource where environmental effects are acceptable*."

Balancing Environmental Considerations and Benefits

2.6.31 Chapter 3 of the OWPS "Environmental Considerations: Achieving Balance and Maximising Benefits" refers to matters relating to specific environmental topics as follows:

- Shared Land Use;
- Peat and Carbon-Rich Soils;
- Forestry;
- Biodiversity;
- Landscape and Visual Amenity; and
- Noise.

2.6.32 Landscape and Visual Amenity is addressed at Section 3.6 in Chapter 3 of the OWPS with direct cross references to NPF4. Paragraph 3.6.1 states (original emphasis):

"*Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."*

2.6.33 As referenced below, NPF4 policy expressly recognises that significant landscape and visual impacts are to be expected and the OWPS emphasises that as a result there will be changes in Scotland's landscape.

2.6.34 Paragraph 3.6.2 of the OWPS, in cross-referencing NPF4, makes it clear that outside of National Parks and National Scenic Areas "*the criteria for assessing proposals have been updated, including stronger weight being afforded to the contribution of the development to the climate emergency, as well as community benefits*".

2.6.35 There is therefore express direction of greater weight attaching to the benefits of the development in terms of how it contributes to tackling the climate emergency. The removal of the Spatial Framework for onshore wind farms, as previously required by Scottish Planning Policy (SPP), also gives rise to fewer locational constraints.

2.6.36 Paragraph 3.6.5 makes reference to Landscape Sensitivity Studies and makes it clear that these should not be used in isolation to determine matters of acceptability but can be a useful tool in assessing specific sensitivities within an area. It should be noted that the term is now landscape sensitivity, in comparison with SPP paragraph 162 which encouraged Landscape Capacity Studies. This reflects NatureScot's 2022[12] guidance.

2.6.37 Paragraph 3.6.3 also makes reference to the NPF4 Policy 11 criteria with regard to energy development stating that "*where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable*".

Energy Systems & Regulation

2.6.38 Chapter 8 of the OWPS deals with 'Onshore Wind, Energy Systems and Regulation'. Section 8.2 refers to network planning and delivery and states:

"*Delivering our ambition of 20GW of onshore wind by 2030 will create demands on our electricity infrastructure. New developments will need to connect quickly to Scotland's distribution and transmission networks. Networks must be able to invest quickly and ahead of need in order to ensure swift and efficient connections for onshore wind developments*".

2.6.39 The Proposed Development will connect to the national grid at the proposed Redshaw substation, located immediately adjacent to the site. Therefore, the Proposed Development would facilitate timely delivery of new generation and is expected to contribute to the 2030 target. It should also be noted that NPF4 Policy 11 advises that grid capacity should not constrain renewable energy development, therefore any challenges facing developers in getting connected, including delays, are not matters for the planning decision makers to be concerned with.

2.6.40 Section 8.4 of the OWPS refers to security of supply and storage potential. Paragraph 8.4.1 recognises that onshore wind can play a greater part in helping to address the substantial challenges of maintaining security of supply and network resilience in a decarbonised electricity system.

OWPS Conclusions

2.6.41 Page 49 of the OWPS sets out overall conclusions and these include *inter alia* the following key points:

- Deployment of onshore wind is "*mission critical for meeting our climate targets*".
- As an affordable and reliable source of electricity generation, "*we must continue to maximise our natural resource and deliver net zero in a way that is fully aligned with, and continues to protect our natural heritage and native flora and fauna*".
- A renewed commitment to this technology will ensure we keep "*leading the way in onshore wind deployment and support within the UK*".
- The Scottish Government has established "*a clear expectation of delivery with our ambition for a **minimum installed capacity of 20GW** of onshore wind in Scotland by 2030 and providing a vehicle for that delivery through the creation of* [the] *Onshore Wind Strategic Leadership Group*" (emphasis added).

[12] NatureScot, Landscape Sensitivity Assessment Guidance, paragraph 8 (2022).

2.6.42 It is stated that "*Onshore wind will remain an essential part of our energy mix and climate change mitigation efforts, but we are also in a nature crisis. Onshore wind farms must strike the right balance in how we care for and use our land…*".

2.6.43 The term "mission critical" is strong language and indicates onshore wind is crucial and extremely important to the attainment of the Government's policy and legislative objectives. This is fundamentally different policy language to that contained within National Planning Framework 3 (NPF3) and SPP.

2.7 The Onshore Wind Sector Deal

2.7.1 The Onshore Wind Sector Deal (the 'Sector Deal') for Scotland was finalised in September 2023. It sets out a series of key measures which will support the Scottish Government in reaching its target of 20 GW of onshore wind by 2030. It describes how the Scottish Government, and the onshore wind sector will work together to deliver onshore wind farms quickly, sustainably and to the benefit of local communities and with the overall objective of attaining Scotland's net zero target.

2.7.2 The Foreword sets out that:

"*The Government is committed to working with developers and stakeholders, understanding the operational barriers to delivering onshore wind projects and setting out processes to help reduce them. We also commit to speeding up consenting decisions, working with planning authorities and statutory consultees to increase skills and resources, as well as streamlining approaches.*

Jointly, we will work together on ensuring a balance is struck between onshore wind and the impacts on land use and the environment. We will collaborate to enable information to be collected and shared from monitoring and evidence purposes, and we jointly want to capitalise on the unique opportunity for Scotland to become a world leader in decommissioning, re-manufacturing and recycling of onshore wind assets."

2.7.3 It further adds that:

"*The Sector Deal is more than just a document; it is a testament to our determination, a celebration of our potential, and a promise to future generations. Let us work together to usher in an era where innovation, sustainability, and prosperity converge, as we power Scotland's greener future through the boundless energy of onshore wind*."

2.7.4 The matters within the Sector Deal to be actioned by a collaborative approach and also by specific actions from the sector and Government relate to:

- Supply chain, skills and the circular economy;
- Community and benefits;
- Land use and the environment;
- Planning;
- Legislative and regulatory actions; and
- Technical actions.

2.7.5 In terms of land use and the environment, the Sector Deal sets out that NPF4 Policy 1 makes it clear that significant weight needs to be given to the global climate and nature crisis and that "*New onshore wind projects in Scotland will enhance biodiversity and optimise land use and environmental benefits*" (page 11).

2.7.6 It further adds that:

"*Balancing the need for more wind farms with the safeguards defined in NPF4 will be a crucial aspect of achieving the 2030 onshore wind ambition. Scotland will continue to be a world*

leader in responsible onshore wind development, demonstrating how onshore wind can co-exist with a diversity of species, sensitive habitats, peatland, carbon rich soils and forestry, ensuring positive outcomes for the climate and nature."

2.7.7 In terms of planning, a key matter is that there is an ambition to reduce the time it takes to determine Section 36 applications. The Sector Deal also states (page 13) in relation to planning that:

"*The ambition of 20 GW of installed onshore wind capacity by 2030 will require a significant number of new sites, the repowering and extension of existing sites and the realisation of unbuilt consented sites. Meeting this ambition will require the determination of applications to be made much more quickly than in recent years.*"

2.8 The Draft Energy Strategy and Just Transition Plan

2.8.1 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. The new Strategy is to replace the one previously published in 2017. The consultation period ended in April 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.

2.8.2 The Ministerial Foreword states:

"*The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition…*

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises….

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities….

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

2.8.3 The Foreword adds that the draft Strategy sets out key ambitions for Scotland's energy future including:

- **More than 20 GW of additional renewable electricity on and offshore by 2030**.
- **Increased contributions from solar**;
- Accelerated decarbonisation of domestic industry, transport and heat.
- Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- **Energy security through development of our own resources and additional energy storage** (emphasis added).
- A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

2.8.4 The draft Strategy states (page 7, Executive Summary) that the vision for Scotland's energy system is:

"*…that by 2045 Scotland will have a flourishing, climate friendly energy system that delivers affordable, resilient and clean energy supplies for Scotland's households, communities and*

business. This will deliver maximum benefit for Scotland, enabling us to achieve a wider climate and environmental ambitions, drive the development of a wellbeing economy and deliver a just transition for our workers, businesses, communities and regions.

In order to deliver that vision, this Strategy sets out clear policy positions and a route map of actions with a focus out to 2030".

2.8.5 A fundamental part of the Strategy is expanding the energy generation sector. The Executive Summary states (page 8) that Scotland's renewable resources mean that:

"….*we can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.*

We are setting an ambition of more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind….

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030……"

Recognition of the role of Battery Storage

2.8.6 With regard to the potential of battery storage the draft strategy recognises:

"Batteries can be combined to provide energy storage: In a domestic setting supporting the energy efficiency of individual homes; In communities and neighbourhoods, supporting the energy efficiency of the local low energy network; In strategic locations and through aggregating a large number of fixed and vehicle batteries to support regional energy and grid balancing a high energy network".

2.8.7 Furthermore, it adds:

"Utility scale battery storage offers fast responding, dispatchable power when required. As of September 2021, only 124 MW of the total 864 MW of energy storage was provided by Battery Energy Storage Systems (BESS) capacity installed in Scotland. However, there is a further 2.1GW that has secured planning permission. Typically, these systems use lithium-ion technology, and only contain energy to dispatch full power continuously for a short number of hours. They also provide a number of ancillary services required to maintain stability within the electricity networks". (Page 130).

2.8.8 The Draft Strategy reiterates the support for energy storage set out in NPF4 (page 130).

2.8.9 The Draft Strategy further recognises the potential contribution BESS can make to achieving net zero in summarising the key areas where it is considered that the UK Government needs to take action to support the delivery of the strategy with particular regard to energy system flexibility stating: *"We urge the UK Government to make ancillary markets more accessible for Battery Energy Storage Systems (BESS) and other low carbon technologies ahead of fossil fuel powered alternatives".*

The role of Solar PV

2.8.10 The Draft Strategy states (page 22 / 24) that by 2030 there will be "*substantial growth…in solar capacity*" and therefore there will need to be a substantial "scaling up" of solar deployment. It is set out on page 71 that: "*we see a strong role for solar thermal, as well as domestic and commercial solar PV combined with battery storage systems*…".

2.8.11 Subsequently, in 2023 the Scottish Government announced[13] a Scotland specific target for solar PV of 4-6[14] GW by 20230. The target is therefore ten times the current installed capacity.

2.9 Conclusions on the Renewable Energy Policy & Legislative Framework

2.9.1 It is considered that the Proposed Development is very strongly supported by the climate change and renewable energy policy and legislative framework.

2.9.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper and it is essential that rapid progress is made otherwise the legally binding target in Scotland of net zero by 2045 will not be met.

2.9.3 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

2.9.4 The CCC has stated (June 2023) that there is declining confidence in the UK meeting its target obligations. Following COP28 the CCC has advised that the agreements made at COP28 require a sharper domestic response and "*time is now short for the gap to be bridged*".

2.9.5 Any amendments to interim targets only serve to show that we are not on track and strengthen the case for rapidly approving schemes that can contribute to targets. Whilst emission reduction targets may be adjusted at the interim stage (2030) in terms of attaining net zero, all this means is that there is a change to the trajectory, but the overall target of net zero remains unchanged. Indeed, as set out in the Cabinet Secretary's Statement referenced above, the Government retains its "unwavering" commitment to attaining that legally binding target for net zero.

2.9.6 Decisions through the planning and wider consenting system must be responsive to this position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance in a given case.

2.9.7 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge and imperative of attaining and sustaining net zero and the need to substantially increase renewable capacity, notably onshore wind.

2.9.8 The Draft Energy Strategy for Scotland forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.

2.9.9 It must follow that the need case for the Proposed Development (relating to onshore wind, solar PV and battery storage) is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be.

[13] Scottish Government announcement on Solar PV target, 29th October 2023 – target to be contained in the final new Energy Strategy and Just Transition Plan expected to be published in late 2024.

[14] The Draft Strategy (2023) states that Scotland has 411 MW of installed solar capacity. Statistics on the Scottish Energy Statistics Hub as of September 2024 show that in Q2 2023 there was an installed capacity of 548 MW of solar PV in Scotland, with a pipeline of consented projects awaiting construction of some 1045 MW.

3. The Benefits of the Proposed Development

3.1 The Benefits: Summary

3.1.1 This Chapter summarises the benefits that would arise from the Proposed Development.

Renewable Energy Generation

> With an installed capacity of between approximately 134.2 and 165 MW of onshore wind, approximately 80 MW of solar and 50 MW of BESS, the Proposed Development would make a valuable and important contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Scottish Government renewable energy and net zero targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the climate emergency.

> The UK legally binding target of net zero GHG emissions by 2050 and the Scottish Government target of net zero by the earlier date of 2045 are major challenges, as explained in the previous Chapter. The Scottish Government has made it clear that onshore wind plays a vital and indeed "*mission critical*" role in the attainment of future targets in relation to helping to combat the crisis of global heating.

> The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development's delivery of renewable capacity in the near term will have a disproportionately higher benefit than the same capacity delivered later.

> Based on the Proposed Development's location and estimated capacity factor, the annual indicative total electricity output from the Proposed Development would be an estimated 550,697 MWh per annum from the turbines alone, depending on the final turbine selected.

> On that basis, the Proposed Development would generate enough electricity to power approximately 170,021 average Scottish households per annum.

Emissions Savings

> The carbon balance calculations establish that the Proposed Development (wind element) could result in the saving of approximately 102,785 tonnes of carbon dioxide equivalent emissions per annum if a grid mix of electricity generation were used as the counterfactual position.

Security of Supply & Benefits of Battery Storage

> The British Energy Security Strategy has been referenced. It provides an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.

> With this context, the attractiveness of onshore wind and solar, as proven technologies which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear.

- The Proposed Development, if consented, would provide a valuable contribution to security of supply for the wider region, Scotland and for the wider Great Britain (GB) area. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the Proposed Development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.
- BESS will play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. BESS imports renewable energy when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low (e.g. still, cloudy days).
- Furthermore, the BESS also has the potential to supply the grid with essential energy security functions including:
  - **Voltage support services:** Batteries can supply the network with quickly dischargeable energy during low voltage periods or blackouts; to date these scenarios have typically been managed by reliance on quickly dispatchable fossil fuel energy generators (typically gas peaking plants); and
  - **Grid stabilisation services (inertia):** Inertia is incredibly important for the stable operation of the electricity system; it is a by-product of coal and gas-fired generators, however renewables like wind and solar are not able to provide inertia. As older coal and gas plants come off the system and renewable energy generation becomes the dominant source of energy nationally, we need to find new ways to provide grid stability. BESS are able to provide these stability services.

Economic & Socio-Economic Benefits

- The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment and GVA to the economy would be beneficial (short term during construction, long term during operation). The socio-economic benefits of the Proposed Development are set out in and Economic and Community Impact Report submitted in support of the Section 36 application.
- The assessment estimated that the expenditure associated with development and construction activity could generate:
  - £28.4 million Gross Value Added (GVA) and support c.320 job years in South Lanarkshire (with peak employment of 162 jobs);
  - £95.0 million GVA and c.1,114 job years across Scotland (with peak employment of 520 jobs); and
  - £152.6 million GVA and c.1,787 job years in the UK (with peak employment of 742 jobs)
- The expenditure required for the operations and maintenance of the Proposed Development could generate the following each year:
  - £1.7 million GVA and support c.10 jobs in South Lanarkshire;
  - £3.8 million GVA and support c.30 jobs across Scotland; and
  - £5.2 million GVA and support c.42 jobs in the UK.
- The assessment explains that the Proposed Development is expected to support the provision of local public services and the investment priorities of local communities.

During its operations, it is expected to generate approximately £1.7 million in non-domestic rates per annum.

Community Benefits

> The Proposed Development could make a material, positive impact to community wealth building within the local area. The main contributions relate to:

- the proposed community benefit fund which is expected to provide an annual contribution of approximately £825,000[15] in community benefits which could support up to 13 jobs each year;
- local supply chain building and the opportunities for local employment, capital investment and skills development.
- Initiatives such as the provision of a grant scheme in conjunction with Solar Zero to install solar panels and batteries into local homes to enable sustained lower household electricity costs.

> The Applicant is committed to working collaboratively with the local community and stakeholders to ensure targeted and relevant support.

> It is understood that community benefit is not a material planning consideration, however the Applicant is committed to offering a package of community benefits as part of the Proposed Development.

Biodiversity Enhancement

> Significant biodiversity enhancements are proposed as set out in an Outline Biodiversity Enhancement Management Plan (OBEMP)[16]. The details of the proposed measures are set out in the next chapter in the context of NPF4 biodiversity policy.

[15] Based on a notional installed capacity for the wind farm element of the project of 165 MW, M74 West would provide a minimum of £825,000 of funding annually to community focussed projects in the local area. Calculating the funding based on the installed capacity of the candidate turbine used in the EIA would result in a minimum funding package of £725,000. However, based on developing wind turbine technology, it is possible that a higher capacity wind turbine would ultimately be delivered at M74 West.

[16] The OBMP is provided in Technical Appendix 6.6 of the EIAR.

4. Appraisal against NPF4

4.1 Introduction

4.1.1 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and came into force on 13 February 2023.

4.1.2 A Chief Planner's Letter was issued on 8 February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contained advice intended to support consistency in decision making ahead of new style Local Development Plans being in place.

Development Management

4.1.3 Section 13 of the Planning (Scotland) Act 2019 Act amends Section 24 of the 1997 Act regarding the meaning of the statutory 'Development Plan', such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:

> The National Planning Framework; and

> Any Local Development Plan (LDP).

4.1.4 Therefore, at the time of writing this Planning Statement, the statutory Development Plan covering the site consists of NPF4 and the South Lanarkshire Local Development Plan 2 (2019).

4.1.5 The publication of NPF4 coincided with the implementation of certain parts of the 2019 Act. A key provision is Section 13 of the 2019 Act amends Section 24 of the 1997 Act to provide that:

"*In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail*."

4.1.6 In this case the LDP was adopted in 2021. It contains some policies which have aspects that are now incompatible with national policy in NPF4, and this will further reduce the weight to be afforded to this element of the Development Plan.

4.1.7 In terms of emerging LDPs prepared prior to the adoption and publication of NPF4, the Chief Planner's Letter of 8th February 2023 states that it may be that there are opportunities to reconcile identified inconsistencies with NPF4 through the Examination process. In this case, there is not yet an emerging LDP.

4.1.8 The Chief Planner's Letter also states with regard to Supplementary Guidance associated with LDPs which were in force before 12 February 2023 (the date on which Section 13 of the 2019 Act came into force) that they will continue to be in force and be part of the Development Plan.

How NPF4 is to be used

4.1.9 Annex A (page 94) of NPF4 explains how it is to be used. It states:

"*The purpose of planning is to manage the development and use of land in the long-term public interest … Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places*."

4.1.10 Annex A states that NPF4 is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It adds:

"*It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals*[17]*. NPF4 includes a long-term spatial strategy to 2045*."

4.1.11 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan[18] (IIP).

4.1.12 NPF4 therefore for the first time, introduces centralised development management policies which are to be applied Scotland wide. It also provides guidance to Planning Authorities with regard to the content and preparation of LDPs.

4.1.13 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Proposed Development, "*meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity*".

4.2 The National Spatial Strategy – Delivery of Sustainable Places

4.2.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):

"*The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change*."

4.2.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework[19].

4.2.3 The Spatial Strategy is aimed at supporting the delivery of:

- 'Sustainable Places': "*where we reduce emissions, restore and better connect biodiversity*";
- 'Liveable Places': "*where we can all live better, healthier lives*"; and
- 'Productive places': "*where we have a greener, fairer and more inclusive wellbeing economy*".

4.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

"*Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030…Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment*."

4.2.5 The new Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4) was published as a consultative draft on 10 January 2023 (see above).

4.2.6 The National Spatial Strategy in relation to 'sustainable places' is described (page 7) as follows:

[17] The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include *inter alia* 'affordable and clean energy' and 'climate action'.
[18] The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive net zero emissions economy.
[19] The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

"*Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.*

Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.

Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."

4.2.7 Six National Developments (NDs) support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

4.2.8 A summary description of this ND is provided at page 7 of NPF4 as follows:

"*Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply*".

4.2.9 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regard to reducing greenhouse gas emissions. It states:

"*The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment*."

4.2.10 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy. Recognising that tackling climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

4.3 National Developments

Overview

4.3.1 Page 97 of NPF4 sets out that 18 National Developments have been identified. These are described as:

"*significant developments of national importance that will help to deliver the spatial strategy … National development status does not grant planning permission for the development and all relevant consents are required*".

4.3.2 It adds that:

"*Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors. … In addition to the statement of need at Annex B, decision makers for applications for consent for national developments should take into account all relevant policies*".

4.3.3 Annex B of NPF4 sets out the various NDs and related Statements of Need. It explains that NDs are significant developments of national importance that will help to deliver the Spatial Strategy. It states (page 99) that:

"*The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes*".

National Development 3 "Strategic Renewable Electricity Generation and Transmission Infrastructure"

4.3.4 Page 103 of NPF4 describes ND3 and it states:

"*This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.*

A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions."

4.3.5 The location for ND3 is set out as being all of Scotland and in terms of need it is described as:

"*Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas*."

4.3.6 Reference is made to the designation and classes of development which would qualify as ND3, and it states in this regard:

"*A development contributing to 'Strategic Renewable Electricity Generation and Transmission' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development:*

(a) ***on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity****;*

(b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and

(c) new and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations." (emphasis added)

4.3.7 The Proposed Development would have national development status, it would make a valuable contribution to the delivery of the national Spatial Strategy.

4.3.8 The Strategy requires a "*large and rapid increase*" in electricity generation from renewables and the National Spatial Strategy makes it clear (NPF4, page 6) that "*we must make significant progress*" by 2030.

4.3.9 The Proposed Development would provide renewable generation and would make a meaningful contribution to targets. As explained in Chapter 2, the recently published BVG Report underlines the importance of the delivery of projects that can make a successful deployment by 2030.

4.4 National Planning Policy

4.4.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.

4.4.2 In terms of planning, development management and the application of the national level policies, NPF4 states:

"*The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies*".

4.4.3 In terms of "sustainable places" the most relevant policies to the Proposed Development include the following:

- Policy 1: Tackling the climate and nature crises;
- Policy 3: Biodiversity;
- Policy 4: Natural places;
- Policy 5: Soils;
- Policy 6: Forestry, woodland and trees;
- Policy 7: Historic assets and places;
- Policy 11: Energy; and
- Policy 22: Flood risk and water management.

4.4.4 These policies are addressed below.

4.4.5 The Chief Planner's Letter of 8th February 2023 provides advice in relation to applying NPF4 policy. It states that the application of planning judgement to the circumstances of an individual situation remains essential for all decision making, informed by principles of proportionality and reasonableness. It states:

"*It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement.*"

4.4.6 The Letter adds:

"*It is recognised that it may take some time for planning authorities and stakeholders to get to grips with the NPF4 policies, and in particular the interface with individual LDP policies. As outlined above, in the event of any incompatibility between the provision of NPF and the provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible*".

4.5 NPF4 Policy 1: Tackling the Climate and Nature Crisis

Policy 1 & Principles

4.5.1 The intent of Policy 1 is "*to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

4.5.2 Policy 1 directs decision makers that "*when considering all development proposals significant weight will be given to the global climate and nature crises.*"

4.5.3 This is a radical departure from the usual approach to policy and weight, and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1 and would make a positive contribution by helping to attain its outcome of net zero and would also deliver biodiversity enhancement helping to address the nature crisis.

4.5.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

"*This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises*."

4.5.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal. The Proposed Development's contribution is positive and therefore the significant weight in this case is for the proposal.

4.5.6 The term "Tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with regard to Policy 1 that the policy gives significant weight "*to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions*".

The application of Policy 1

4.5.7 Given the nature of the Proposed Development it would make a valuable contribution in relation to targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The specific emission and carbon saving benefits are set out below in the context of NPF4 Policy 11 which requires the contribution that a development would make to targets to be taken into account.

4.5.8 The point is made later in this appraisal against NPF4 that it is important to recognise that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of renewable energy, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is also to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.5.9 The Reporter's comments on this particular policy in the Sanquhar II Inquiry Report[20] are informative. At paragraph 2.48 of the Supplementary Report, the Reporter addresses NPF4 Policy 1 and states that:

"*tackling the nature crisis is required to be given significant weight alongside the climate crisis. There is no indication that one strand should be given greater priority over the other. That does not necessarily mean that an individual proposal must be shown to respond to both crises in equal measure, however. The two matters are also inextricably linked, with the nature crisis being, in part, exacerbated by climate change*."

4.5.10 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development. Therefore, and notwithstanding the interrelationship between the climate and nature crises, the Proposed Development would make a net positive contribution to addressing the nature crisis via these enhancements.

[20] Sanquahr II, Section 36 Decision dated 31 August 2023, Supplementary Report of Inquiry dated 20 February 2023 (Case Reference WIN-170-2006).

4.6 NPF4 Policy 11: Energy

Policy 11 & Principles

4.6.1 For the consideration of renewable energy development, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

"*to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.*"

4.6.2 Policy Outcomes are identified as: "*expansion of renewable, low carbon and zero emission technologies*".

4.6.3 Policy 11 is as follows:

"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;

ii. enabling works, such as grid transmission and distribution infrastructure;

iii. energy storage, such as battery storage and pumped storage hydro;

iv. small scale renewable energy generation technology;

v. solar arrays;

vi. proposals associated with negative emissions technologies and carbon capture; and

vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:

i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;

ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;

iii. public access, including impact on long distance walking and cycling routes and scenic routes;

iv. impacts on aviation and defence interests including seismological recording;

v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;

vi. impacts on road traffic and on adjacent trunk roads, including during construction;

vii. impacts on historic environment;

viii. effects on hydrology, the water environment and flood risk;

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;

xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and

xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity".

The application of Policy 11

4.6.4 **Paragraph a) of Policy 11** states a position of express "support" for wind farm development.

4.6.5 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the proposed development will help to deliver.

4.6.6 The wording of Policy 11 Paragraph (a)(i) makes it clear that the policy supports new wind farms and paragraph (vii) provides clear support for proposals including co-location of the wind farms and energy storage technology.

4.6.7 **Paragraph b)** of Policy 11 does not apply in this case.

4.6.8 **Paragraph c) of Policy 11** requires socio-economic benefits to be maximised. The socio-economic effects that would arise have been summarised in Chapter 3 above and in the detailed Economic Impact Report supporting the application and there is considered to be full accordance with this aspect of Policy 11.

4.6.9 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations "*will be assessed in relation to Policy* 4".

4.6.10 Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such (national and local) designations is examined further below with specific regard to the provisions of NPF4 Policy 4.

4.6.11 **Paragraph e) of Policy 11** states that project design and mitigation "will demonstrate how" impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below.

Impacts on Communities and Individual Dwellings - Residential Visual Amenity

4.6.12 It is explained in the Landscape and Visual Impact Assessment (LVIA) that two settlements were considered to have the potential to receive significant views as follows:

- Crawfordjohn – 2.1 km west of the nearest turbine; and
- Roberton – 3.5 km east of the nearest turbine.

4.6.13 Views from Crawfordjohn were judged to be significant (major) on account of the village's high sensitivity combined with proximity to the Proposed Development which would be seen in conjunction with part of Clyde Wind Farm. Only the turbine array would be visible from the village occupying a considerable part of the ridgeline to the east. The vertical extent of the turbines visible would include towers and hubs with the northern turbines being fully to partially screened by intervening landform.

4.6.14 Roberton was also judged to receive a significant effect (moderate) from the southern part of the village close to the junction with the A702 road and from elevated modern properties. From these locations, the turbines would be seen above the foreground landform at a relatively close distance. The northerly part of the village would not receive views due to screening from landform and is judged to receive a not significant effect.

4.6.15 As set out in the LVIA careful consideration has also been given to the visual effects of the proposal from individual dwellings.

4.6.16 A Residential and Visual Amenity Assessment (RVAA) has been undertaken and is contained in the LVIA (Technical Appendix 4.7, EIAR Volume 4).

4.6.17 The RVAA has considered the change to visual amenity at each property, including consideration of likely views from the property, its curtilage (garden) and approach. Consideration is given as to whether or not the visual effect arising would reach what in current Landscape Institute guidance is called a 'Residential Visual Amenity Threshold'.

4.6.18 It is explained in the RVAA that there are 24 property groups within 2.5 km of the Proposed Development, which have been considered. Most properties are located to the south and southeast of the Site, and most properties look south-eastwards across lower land rather than up towards the hills.

4.6.19 The assessment found that whilst there will be medium to high magnitude of change to the views from most properties within approximately 2.5 km, these will not translate into effects on visual aspects of residential amenity such that the properties would reach the 'Residential Visual Amenity Threshold'. Two properties which are also the nearest to the Site are financially involved and have not been included in the assessment.

Noise and Shadow Flicker

4.6.20 Noise is addressed in Chapter 10 (Noise) of the EIAR (Volume 2). Overall construction noise impact is determined to be not significant, and noise will be controlled and minimised as much as possible during the construction phase of the development via the proposed Construction and Environmental Management Plan (CEMP) which will be prepared prior to the commencement of construction. The CEMP will be secured by way of a standard planning condition.

4.6.21 Predictions of wind turbine noise from the Proposed Development have been made in accordance with good practice using a candidate wind turbine.

4.6.22 Predicted operational noise levels from the operation of the Proposed Development indicate that for noise sensitive receptors neighbouring the Proposed Development, wind turbine noise would meet the necessary noise limits consistent with ETSU-R-97 and therefore operational noise from the Proposed Development is deemed to be not significant.

4.6.23 Predicted cumulative operational noise levels indicate that for noise sensitive receptors neighbouring the Proposed Development, cumulative wind turbine noise (which considers noise predictions from all nearby operational, consented and proposed wind farms and the Proposed Development) would meet the Total ETSU-R-97 Noise Limits at all Noise Assessment Locations.

4.6.24 Operational noise from the co-located BESS and solar array was also assessed. Predicted levels were assessed in accordance with the guiding principles set out in BS 4142 and the guideline internal noise levels presented in BS 8233. Assessment of predicted noise levels from the BESS against both sets of standards also resulted in no significant effects.

4.6.25 In terms of shadow flicker, an assessment has been undertaken and is presented in Chapter 12 of the EIAR.

4.6.26 The assessment explains that four properties were assessed within the shadow flicker study area. However, mitigation in the form of a shadow flicker protocol is proposed to avoid significant shadow flicker effects. This is a matter that can be addressed by way of a standard planning condition.

Landscape and Visual Considerations

4.6.27 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that significant landscape and visual impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable. The LVIA should be referred to for its detail, but summary points are referenced below.

Overview of Design Approach – Landscape Considerations

4.6.28 In order to minimise negative effects on the landscape and views, a number of design principles were considered. Insofar as was possible given the other technical and environmental constraints, these principles sought to reduce significant effects through alterations to layout, design and siting, management practices and mitigation.

4.6.29 The design evolution for the Proposed Development is set out in Chapter 3 (Design Evolution) of the EIAR. This details the early evaluation of feasibility, based primarily on landscape and visual amenity.

4.6.30 It is explained in the LVIA that on the basis of the large scale of the landscape and landform of the area, the design of the Proposed Development relates to the existing large topographic features and large-scale infrastructure. The landscape has a simple visual pattern without any predominant visual features. The only ground-based features that reinforce the northwest to southeast linear character of the landscape through the valleys that accommodate the Site are the M74, the West Coast Mainline, overhead transmission lines and fences. In addition, the River Clyde and its tributaries form a strong landscape feature in the eastern part of the Site. It was therefore considered that the turbine layout should be designed so as to create an immediately legible composition.

4.6.31 The design was influenced by a series of factors including:

- land ownership boundaries;
- the gentle curving M74 motorway;
- the alignment of a 400 kV overhead transmission line; and
- the alignment of the B7078 road.

These considerations contributed the to the development of a strong geometric layout, a grid like pattern of turbines that creates a visual interaction between the M74 motorway and the turbines.

4.6.32 Furthermore, when considering cumulative effects, the Proposed Development fills a 'gap' between Middlemuir and Andershaw wind farms to the southwest, Bodinglee (in planning) and Grayside (in planning), Priestgill (consented) and Clyde to the south.

4.6.33 Landscape and visual considerations have played a key role in the design process and have sought to reduce the effects of the wind farm. It is considered that appropriate "design mitigation" has been applied.

Landscape Character

4.6.34 Landscape Effects are concerned with how the Proposed Development would affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape, and its distinctive character. Effects on landscape character were considered using Landscape Character Types (LCTs) identified by NatureScot as units of landscape with consistency of character. The Proposed Development is located within a transitional landscape covering the following LCTs:

- LCT 207: Upland River Valley -Glasgow & Clyde Valley;
- LCT 208: Broad Valley Upland;
- LCT 209: Upland Glen – Glasgow & Clyde Valley;
- LCT 213: Plateau Moorland – Glasgow & Clyde Valley; and
- LCT 217: Southern Uplands – Glasgow & Clyde Valley.

4.6.35 The majority of the Proposed Development will be located within the Plateau Moorland – Glasgow and Clyde Valley LCT including 21 of the turbines. The other LCTs would include limited parts of the Proposed Development including permanent infrastructure, solar PV array modules, invertors, and temporary construction compounds.

4.6.36 The significant landscape effects identified in the LVIA occur for six LCTs within approximately 8 km of the outermost turbines of the Proposed Development. This is as a result of the Proposed Development being located within a transitional area in which different components of the Proposed Development would be situated, resulting in both direct effects upon the physical fabric of the LCTs as well as indirect effects associated with visibility of the Proposed Development, in particular, the turbine array. This would occupy a localised area, reducing with distance beyond 8 km to not significant levels.

Designated Landscapes

4.6.37 Approximately 328 ha of the Site at its southern extent falls within the Leadhills and Lowther Hills Special Landscape Area (SLA). The Proposed Development within this area includes two turbines (T20 and T22), two hardstanding's, 1.4 km of access track, approximately 463 solar panels, a borrow pit search area and two inverters.

4.6.38 The remaining part of the Site is not subject to any landscape designation. The eastern side of the Site is abutted by the Upper Clyde Valley and Tinto SLA.

4.6.39 Analysis of the ZTV identified a further three designated landscapes which have been taken forward for detailed assessment as follows:

- Middle Clyde Valley SLA;
- Upper Clyde Valley and Tinto SLA; and
- Douglas Water SLA.

4.6.40 The assessment of effects on landscape designations is based on the effect that the Proposed Development may have on their 'special qualities' and integrity. A summary position on each designation is as follows:

- In terms of the **Leadhills and Lowther Hills SLA**, it is set out in the LVIA that this is a large landscape designation and in this context the effects would be localised to the north eastern side of the SLA. It is recognised that the Proposed Development would alter the special qualities of the SLA in a localised area the 'sense of emptiness', from the north east of the designation. However, it is explained that when visible the Proposed Development would generally be experienced in a larger-scale upland landscape where there are views of existing wind farm development (including Clyde Wind Farm and Middlemuir Wind Farm) located just beyond the north western and eastern boundary of the SLA which have altered the context of views beyond the SLA boundary. The LVIA concludes that overall, the special qualities of the Leadhills and Lowther Hills SLA would be unaffected by the introduction of the Proposed Development.
- In terms of the **Middle Clyde Valley SLA**, it is located approximately 10.5 km at its closest point to the north west of the Site. It is explained in the LVIA that the turbine array would be the most visible part of the Proposed Development and would be widespread within the SLA. Although it should be noted that this would be beyond 10.5 km and actual visibility would be substantially reduced by woodland and built development within the SLA. Potential effects on the special qualities are be indirect and the Proposed Development would feature within distant views from parts of the SLA and be viewed to the east of Middlemuir Wind Farm, both of which are more distant than the nearby wind farms of Douglas West and Andershaw to the south east. The addition of the Proposed Development is not considered to compromise the special qualities of the Middle Clyde SLA due to distance and influence of screening.
- In relation to the **Upper Clyde Valley and Tinto SLA**, it abuts the Site boundary to the east and covers a large part of the north eastern side of the LVIA study area. The LVIA explains that theoretical visibility of the turbine array and to a lesser extent the solar array would be widespread within 6 km from the Site. This is predicted within the River Clyde Valley, high ground to the south, and the prominent summits of Dungavel Hill 510 m AOD and Tinto Hill 711 m AOD to the north east. Potential effects on the special qualities would be indirect and associated with views beyond the SLA boundary. The Proposed Development would be viewed to the east of Middle Muir Wind Farm and experienced in the context of other nearby wind farms mainly from a localised area within the River Clyde Valley and from elevated areas of the Tinto Hills. The turbine array would be seen against the 'enclosing hills of the Southern Uplands' to the south but in the context of other wind farm development. The LVIA concludes that overall, the special qualities of the SLA are not considered to be compromised by the addition of the Proposed Development to the landscape beyond the designation boundary.
- In relation to the **Douglas Water SLA**, it is located 2.1 km to the north west of the Site and covers the Douglas Water. Due to the landform of the river valley, theoretical visibility is predicted to be limited to the upper parts of both sides of the valley covering the summits and south facing slopes some of which are forested, on the north side of the valley facing the Proposed Development, and in the southern periphery of the designation including Earls Hill 329 m AOD and Pagie Hill 388 m AOD. Potential effects on the special qualities of the designation would be indirect and from a limited area along the periphery. The LVIA explains that the special qualities tend to focus on features and perceptual experience from within the valley rather than the periphery. The addition of the Proposed Development to the landscape would not compromise these special qualities on account of screening by landform, and forestry and woodland. In addition, areas of the SLA affected would experience the Proposed Development alongside Middle Muir Wind Farm.

4.6.41 There would be no adverse effects on the integrity of any of these local landscape designations.

Visual Effects

4.6.42 The assessment of landscape and visual effects is informed by a series of viewpoints, which are selected to represent visibility from landscape character types, landscape designations and principal visual receptors around the LVIA Study Area. These include points of specific importance such as recognised viewpoints, designated landscapes, settled areas and important routes.

4.6.43 The topography of the Southern Upland hills around the Site would influence visibility of the Proposed Development. It is explained in the LVIA that widespread theoretical visibility is predicted within 5 km, extending beyond onto plateau farmland either side of the M74 motorway to the northwest, and summits and upper slopes of the Southern Uplands to the east, west and south, gradually reducing in geographical coverage as the distance increases.

Analysis of the Zone of Theoretical Visibility of the turbines

4.6.44 The Zone of Theoretical Visibility (ZTV) analysis in the LVIA examines the theoretical visibility of the proposed turbines based on a 'bare earth' model and as such represents the maximum visibility of the turbines. The actual visibility is expected to be less in some parts of the LVIA Study Area due to screening afforded by vegetation/woodland and buildings.

4.6.45 Visibility of the turbines would be generally curtailed by the rounded hills to the northeast of the Site, and the Southern Uplands to the east, west and south. Theoretical visibility is generally widespread within 5 km reducing to facing slopes and summits within 10 km, in particular, to the east and west; thereafter, reducing to summits and the upper hill slopes within the Southern Uplands. To the northwest, theoretical visibility is predicted to be widespread along the M74 motorway corridor, reducing on account of intervening field boundaries, forestry and woodland, and the built environment closer to Glasgow.

4.6.46 It is noted that the LVIA Study Area includes many well-wooded landscapes with frequent shelterbelts, roadside vegetation, and plantations. Actual visibility of the Proposed Development will therefore be considerably more limited than indicated by the ZTV appraisal.

Theoretically Visibility of Solar PV Arrays

4.6.47 The ZTV for the solar arrays has been modelled to the proposed height of the solar panels (2.86 m). Analysis is run to 5 km, as ground level structures are likely to be more difficult to make out beyond this distance. This can be used as a proxy for theoretical visibility of other ground-level elements such as the BESS, substation and tracks.

4.6.48 The ZTVs indicate that the arrays will be visible from:

- Widespread area within 1 km of the Site;
- Along the floor and slopes of the River Clyde valley to the northeast;
- On high ground east and west of the M74 motorway; and
- High ground south of the Site and west of Crawfordjohn.

Consideration of Viewpoints

4.6.49 Viewers within the LVIA Study Area who will be affected by the changes in views and visual amenity include local residents, tourists, walkers and recreational route users, road users etc. The assessment of visual effects considers the changes that people will see in views from various locations around the LVIA Study Area, using representative viewpoints, as well as considering views from settlements and from along routes.

4.6.50 A total of 15 viewpoints were selected to represent the most sensitive receptors. A total of 7 viewpoints were assessed as receiving a significant effect as follows:

- VP3: M74 Southbound, B7078 near Parkhead – 2.4 km (from nearest turbine) to the north west of the Proposed Development;

- VP4: M74 within Site – 1.5 km to the north west;
- VP5: Abington Services – 2.3 km to the south east;
- VP6: Castle Hill – 6.7 km to the south east;
- VP7: Crawfordjohn – 2.4 km to the west;
- VP9: A702 near Hartside – 5.4 km to the east; and
- VP11: Tinto Hill – 8.5 km to the northeast.

4.6.51 Visual analysis of the viewpoints indicates significant effects at locations within 5 km of the nearest turbine and further significant effects from elevated locations within 10 km. All of these viewpoints have open views, and the Proposed Development would occupy an area of the landscape east of Middle Muir Wind Farm which is situated in a similar type of moorland setting but further away from the M74 motorway, and northwest of Clyde Wind Farm which is higher in elevation and within the Southern Uplands. The addition of the Proposed Development would infill the landscape between the two operational wind farms, but it would still be perceived as a separate development within views.

4.6.52 The turbine array would be the most noticeable component of the Proposed Development visible from viewpoint locations. Views of the turbines would vary with unobstructive visibility occurring around the periphery of the Site where other components such as the substation and BESS within the former Thirstone Quarry, and the solar array would also be visible. Further away, partial views of turbines above intervening landform would screen the lower lying components of the Proposed Development.

4.6.53 The viewpoints are considered to experience a significant effect on account of the extent of the view that would be affected combined with the size and scale of the change, which would be long-term and reversible following decommissioning.

4.6.54 Similarly, the turbine array would be most noticeable component from the viewpoints judged to receive not significant effects. A combination of factors would contribute to reducing the effect to not significant levels. These include distance to the nearest turbine which would contribute to reducing the size and scale of the change of view, and partial screening by landform ranging between the turbine bases and towers to full turbines.

Visibility from Routes

4.6.55 Two routes, the M74 motorway and B7078 road pass through the Site and would experience significant effects as a result. Three routes, the A702, B740 and West Coast Main Line roads would receive significant effects for short sections adjacent to the Proposed Development where close views of all the components would be experienced, reducing beyond 2 km to not significant effects.

4.6.56 Two footpaths, SHT 57 Roberton to Douglas and SHT 58 Douglas to Wanlockhead would receive close views of the turbine array, and partial views of the substation and BESS within the restored Thirstone Quarry, and part of the solar array resulting in a significant effect.

Aviation Lighting

4.6.57 It is explained in the LVIA that, subject to agreement with the Civil Aviation Authority (CAA), the Proposed Development will be lit with eight turbines, T1, T3, T4, T9, T16, T17, T19 and T22, each having medium intensity 2,000 candela (cd) steady red lights on the top of the hub (a second light on each hub will be installed as backup, but will not be lit when the primary light is functional). No mid-tower lights will be used.

4.6.58 The hub lights will come on at half an hour after sunset and will be switched off at half an hour before sunrise (to be on during nautical twilight). Agreed mitigation includes the reduction of intensity of the lights during conditions of clearer visibility, such that the lights will only operate at full intensity of 2,000 cd when visibility is less than 5 km; at other times they will be at 10%, i.e. 200 cd. Meteorological data for the local area suggests that the 2000 cd lights will be at 2000 cd for 7-10% of the time and at 200 cd for 90-93% of the time. The lights used will be designed to emit a horizontal beam of light with reduced upward and downward spill of light, such that the brightness of the light emitted is decreased for viewers close to the turbines viewing the lights from below.

4.6.59 The assessment of the effects of the lighting on views after dark considered each viewpoint and selected routes and assessed the appearance of the proposed lighting relative to existing lights in the views and the change to the night time viewing experience. Off-road locations are likely to have very few viewers, but the potential for people to be out at night is also considered for off-road viewpoints.

4.6.60 The assessment of aviation lights established that of the 15 viewpoints assessed, only Viewoint 6: Castle Hill would receive a significant (Moderate) effect. It is explained in the LVIA that a total of eight lit turbines would be seen from the summit of this hill which has a medium sensitivity as people visiting the summit are likely to have some appreciation of the dark skies. The remaining turbines would be seen as dark structures or silhouettes. Due to the higher elevation, the aviation lights would be viewed at their strongest intensity and at approximately 5.2 km between 0 to 3 degrees. Views of aviation lights would be within the context of lights from foreground Abington, and vehicles travelling on the M74 motorway, and A702 road.

Cumulative Effects

4.6.61 As part of the LVIA a cumulative assessment has been undertaken and is set out in Technical Appendix 4.4 of the EIAR. The cumulative assessment considers those sites that are operational, under construction, consented and awaiting construction, or the subject of a current planning application or appeal.

4.6.62 The assessment of cumulative effects considers the effect of the introduction of the Proposed Development to the landscape in addition to other wind farms and considers three possible cumulative scenarios. It explains that the future pattern of development is likely to lie somewhere between no additional development, and a maximum of all currently proposed (and potentially more proposals not currently in the planning system) being consented and built. In the minimum scenario, the future pattern of development will be very similar to the current pattern, as assessed in the LVIA. In the maximum development scenario, existing wind farm clusters may be enlarged, others may be introduced, and clusters may start to coalesce. The assessment concludes that there are no instances in which the effects of the Proposed Development in the context of those wind farms is judged to be increased above the LVIA finding.

Public Access

4.6.63 The LVIA has addressed visual amenity considerations in relation to public access and recreation and the topic is also addressed in Chapter 9 of the EIAR in relation to traffic and transportation matters. In addition, the Economic & Community Impact Report examines potential direct impacts on public access and indirect impacts on recreational amenity.

4.6.64 Whilst there would be some visibility of the Proposed Development from some walking and recreational routes, these are not considered to be unacceptable.

4.6.65 Furthermore, subject to appropriate mitigation, no issues would arise in terms of any access route being obstructed either in the construction or operational period of the Proposed Development. The access tracks would be open for public access during the operational phase.

Aviation, Defence Interests and Telecommunications

4.6.66 The EIAR addresses aviation and radar matters (Chapter 11). The assessment was undertaken in relation to the potential effects of the Proposed Development on existing and planned military and civil aviation activities, including those resulting from impacts to radar.

4.6.67 The assessment undertaken examined the potential effects of the Proposed Development on the air traffic control primary surveillance radars (PSRs) at Lowther Hill and Cumbernauld; the air traffic control secondary surveillance radar (SSR) at Lowther Hill; the Green Lowther distance measuring equipment (DME) aeronautical radio navigation aid; Glasgow Airport instrument flight procedures (IFPs); and hang gliding/paragliding activity on Tinto Hill.

4.6.68 The assessment found that mitigation measures would not be required for the effects on the Lowther Hill SSR, Green Lowther DME, Glasgow Airport IFPs or Tinto Hill hang gliding/paragliding.

4.6.69 Mitigation measures for the effects on the Lowther Hill and Cumbernauld would be necessary and would consist of technical measures secured via a commercial agreement with NATS and a planning condition.

4.6.70 The residual effects on the Lowther Hill and Cumbernauld PSRs, following implementation of mitigation, would be minor and therefore not significant.

4.6.71 The Site is located within the 50 km Ministry of Defence (MoD) Safeguarding zone for the Eskdalemuir Seismic Array (ESA) an asset that contributes to the Nuclear Test Ban Treaty. As the site is ~43 km from the array, it is an extremely efficient use of any available vibration budget.

4.6.72 Wind turbines can interfere with seismic monitoring and the MoD sets what is known as a 'noise budget', based on the findings of research for the 50 km radius surrounding the array. The budget is managed by the MoD.

4.6.73 The Applicant is supportive of the Eskdalemuir Working Group and will abide by the allocation process and required mitigation once fully agreed.

4.6.74 The Applicant has contracted subject matter experts Xi Engineering Consultants to determine the impact of the Proposed Development on the ESA. Technical Appendix 1.5 in the EIAR (Volume 4) calculates the required Seismic Vibration budget for the Site and compares this to the available budget based on most up to date science. It is expected that the Proposed Development will be capable of accommodation within the revised noise budget and safeguarding policy that are under consideration by the Scottish Government and the MoD.

4.6.75 The proposed Government policy to maximise deployment within the safeguarding zone is to enforce a Seismic Impact Limit (SIL). The analysis shows that the preferred Government and Industry SIL levels of 2-2.5 GW would provide sufficient budget for the Site to be built out within the cumulative seismic budget and therefore not compromise the safeguarding of the ESA.

Telecommunications & Broadcasting

4.6.76 Technical Assessment 1.6 of the EIAR (Volume 4) addresses telecommunications. It is explained in the assessment that the Proposed Development is anticipated to have effects on telecommunications infrastructure; however, mitigation solutions are set out. The Applicant will work closely with telecommunications operators to ensure that there are no unacceptable impacts on potentially unidentified links.

Impacts on Road Traffic and Trunk Roads

4.6.77 Chapter 9 of the EIAR addresses access, traffic and transport. As set out in the assessment, there are no significant impacts predicted and the Proposed Development is considered to be satisfactory in relation to this topic.

4.6.78 The assessment explains that a suitable vehicular route to the Site has been identified and assessed for the construction period. It has been determined that the turbine components can be safely delivered to the Site and that suitable management plans will be implemented, and which can be secured by way of standard planning conditions. The Proposed Development will be mainly accessed via four access junctions in relation to the turbine array, three on the B7078, and one on the M74. There are also a further five access points to the solar array proposed, four from the B7078 and one from the A702.

4.6.79 A Construction Traffic Management Plan (CTMP) would be conditioned and approved by relevant planning, roads and emergency authorities.

4.6.80 Whilst the Proposed Development would lead to a temporary increase in traffic volumes on the study area road network during the construction phase, traffic volumes would decrease considerably outside peak periods of construction. Overall, the construction period would be transitory in nature and all impacts would be short lived and temporary.

Historic Environment

4.6.81 Chapter 5 of the EIAR addresses the archaeological and historic environment value of the Site and assesses the potential both for direct and setting effects on archaeological features and heritage assets resulting from the construction and operation of the Proposed Development.

4.6.82 Effects in relation to the historic environment are further examined below in terms of NPF4 Policy 7 (Historic Assets and Places). In summary, significant effects are identified from the Proposed Development in relation to three Scheduled Monuments and also in relation to five Scheduled Monuments on a cumulative basis.

4.6.83 However, the conclusion is reached in the assessment that the effects of the Proposed Development and the cumulative impacts would not adversely affect the integrity or heritage value or cultural significance of these assets.

Hydrology, the Water Environment and Flood Risk

4.6.84 Chapter 8 of the EIAR addresses the potential impacts of the Proposed Development on hydrology, hydrogeology and geology. This includes potential impacts on surface watercourses, groundwater, water abstractions, designated receptors and flood risk within the local area. Potential impacts on peat are also assessed.

4.6.85 The assessment explains that, through the design approach for the Proposed Development, a suitable buffer from watercourses has been achieved, minimising the number of proposed watercourse crossings. Development has also been sited away from deeper peat locations where practicable. The implementation of best practice measures during the construction, operational and decommissioning phases of development and the implementation of mitigation measures is proposed such that no significant effects to the water environment or to peat resources are predicted.

4.6.86 Technical Appendix 8.2 of the EIAR (Outline Peat Management Plan) outlines the proposed working methods where the excavation of peat would be required and provides further details on potential volumes of peat excavated and the likely requirements for reinstatement and how the excavated peat would be reused and managed. This document would be updated during the detailed design stage prior to construction and would be included in the final version of the CEMP.

4.6.87 The mitigation measures are considered to be robust and implementable and will reduce the potential impacts on peat resources, watercourses and groundwater. The CEMP and related measures would be secured by way of a standard planning condition.

Biodiversity

4.6.88 The EIAR assesses the potential significant effects on important bird species (Chapter 7) and terrestrial ecological (Chapter 6) interests associated with the construction, operation and decommissioning of the Proposed Development.

4.6.89 Overall, no significant effects to bird communities or in relation to terrestrial ecological interests associated with the development site are expected during the construction, operational and decommissioning stages.

4.6.90 In addition to habitat reinstatement following the cessation of construction works, the Proposed Development will also provide for the delivery of long-term beneficial habitat enhancement measures for bird species and other species and habitats, including:

- In areas away from operational infrastructure where specific management for breeding waders, black grouse and roosting raptors will be undertaken.
- Delivery of long-term beneficial habitat enhancement measures for habitats and species, away from operational infrastructure, including specific management for blanket bog enhancement and riparian broadleaved planting.

4.6.91 Proposed biodiversity enhancement measures are described below with regard to NPF4 Policy 3 (Biodiversity) and would give rise to lasting beneficial effects.

Balancing the Contribution of a Development and Conclusions on Policy 11

4.6.92 Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. This is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable. The LVIA concludes that the significant landscape and visual impacts are localised, and that appropriate design mitigation has been adopted.

4.6.93 In relation to cultural heritage effects, although significant effects are identified in relation to a number of Scheduled Monuments, the effects arising are not such that they would adversely affect the integrity or heritage value or cultural significance of these assets.

4.6.94 In addition, the Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.6.95 The second last paragraph **of Paragraph e) of Policy 11** is expressly clear that in considering any identified impacts of developments, significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets. The "contributions" are inextricably related to the scale of a proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.

4.6.96 In terms of contribution to targets, the Proposed Development's contribution has been set out in Chapter 3 above.

4.7 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

4.7.1 The policy intent of Policy 3 is to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

4.7.2 **Paragraph (a)** of the policy sets out the development proposals "*will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them*."

4.7.3 **Paragraph (b)** states that "*development proposals for national or major developments, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management*."

4.7.4 **Paragraph (c)** of the policy goes on to state that proposals within these categories "*will demonstrate how they have met all of the following criteri*a". The criteria are as follows:

"(i) the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

(ii) wherever feasible, nature-based solutions have been integrated and made best use of;

(iii) an assessment of potential negative impacts which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;

(iv) significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and

(v) local community benefits of the biodiversity and/or nature networks have been considered."

4.7.5 Part (d) of the policy states that "*any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration*."

Current Guidance Position

4.7.6 The **letter from the Chief Planner issued on 08 February 2023** refers to the application of new policy where specific supporting guidance / parameters for assessment are not yet available to aid assessments.

4.7.7 NPF4 Policy 3 Biodiversity is specifically recognised as one such policy area where final guidance is not yet available. The Chief Planner letter of February 2023 states:

"recognising that currently there is no single accepted methodology for calculating and / or measuring biodiversity 'enhancement' – we have commissioned research to explore options for development a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise for opportunities to contribute to the enhancement of biodiversity, and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case". (underlining added)

4.7.8 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance, but a timescale for the production of this is at present unclear.

4.7.9 **NatureScot Guidance** (online) was issued in Summer 2023 in support of NPF4 Policy 3 c). This states that the selection and design of enhancement measures will be a matter of judgment based on the circumstances of the individual case but should take into account a number of considerations. These considerations include:

> The location of the development site and the opportunities for enhancing biodiversity;

- The character and scale of development;
- The requirements and cost of maintenance and future management of the measures proposed;
- The distinctiveness and scale of the biodiversity damaged or lost; and
- The time required to deliver biodiversity benefits and any risks or uncertainty in achieving this.

4.7.10 The Scottish Government published '**Draft Planning Guidance: Biodiversity**' in November 2023. Paragraph 1.1 states that it:

"*Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity*."

4.7.11 The draft guidance makes reference to Scotland's Biodiversity Strategy, which it states sets targets for halting biodiversity loss by 2030 and restoring and regenerating biodiversity by 2045.

4.7.12 Section 1.9 of the guidance states that NPF4 Policy 3 (Biodiversity) "*in particular plays a critical role in ensuring that development will secure positive effects for biodiversity*".

4.7.13 The guidance refers to 'key terms' and with regard to 'enhancement', states at Paragraph 1.10:

"*The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver*".

4.7.14 The guidance addresses development planning and, in terms of development proposals, references 'core principles.' At Paragraph 3.1 the guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal. Section 3.2 of the guidance states:

"*Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time*."

4.7.15 The principles set out are as follows:

- Apply the mitigation hierarchy;
- Consider biodiversity from the outset;
- Provide synergies and connectivity for nature;
- Integrate nature to deliver multiple benefits;
- Prioritise on-site enhancement before off-site delivery;
- Take a place-based and inclusive approach;
- Ensure long term enhancement is secured and
- Additionality (ensuring that enhancement delivered is additional to any measures which would have been likely to happen in the absence of the development).

4.7.16 These core principles have been applied as appropriate with regard to the Proposed Development.

4.7.17 Page 15 of the draft guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points in the guidance include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised; and
- Assessments can be qualitative or quantitative (for example through use of a metric).

4.7.18 Section 4.12 of the guidance states:

"*In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required. Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out*".

4.7.19 Section 4.14 of the guidance states that it will be for a planning authority to determine whether the relevant policy criteria have been met, taking into account the circumstances of the particular proposal. The guidance adds:

"*NPF4 does not specify how much enhancement or 'net gain' should be delivered, though biodiversity should clearly be left in a 'demonstrably better state' than without intervention. Rather, the selection and design of enhancements will be a matter of judgement based on the circumstances of the individual case, taking into account a range of considerations*."

4.7.20 The draft guidance also makes reference to off-site delivery of enhancement proposals and states at Paragraph 4.19 that:

"*Where the relevant policy tests cannot be met on site, off-site provision may be considered alongside on site. In these circumstances, off-site delivery should be as close as possible to the development site, with consideration being given firstly to the immediate landscape context and existing ecological value of the site*."

4.7.21 In early 2024 **NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'**. The consultation ended on 10 May 2024. The consultation paper outlines work that NatureScot has been commissioned by the Scottish Government to develop a biodiversity metric for Scotland's planning system, to support delivery of NPF4 policy 3(b).

4.7.22 This consultation paper does not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlight here the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, as referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making

4.7.23 The commission's final outputs will include:

- a Scottish biodiversity planning metric tool (to be hosted on the NatureScot website), which is based on current understanding of science and evidence, clear and transparent in its workings, accessible and easy to use by relevant professionals with outputs understandable by decision makers, and which informs siting and design of development as well as evidence-based decision making;
- a user guide supporting the metric (together with any supporting information); and

- recommendations on any requirements for maintaining and updating the metric and supporting information.

The application of Policy 3

4.7.24 Notwithstanding the lack of policy guidance at the present time, in terms of environmental benefit, there will be enhancement delivered through the Applicant's proposed enhancements to the natural habitat.

4.7.25 Technical Appendix 6.6 of the EIAR (Volume 4) contains an Outline Biodiversity Enhancement and Habitat Management Plan (OBEMP).

4.7.26 The OBEMP sets out that biodiversity enhancement measures are proposed to be delivered for a number of habitats and species by way of specific aims and objectives identified through the baseline ecological and ornithological assessments of the Site and the wider area. In addition, the aims of the Fourth South Lanarkshire Biodiversity Strategy (2024-2030) have been taken into account.

4.7.27 A number of aims have been formulated relating to specific proposed habitat management areas and in summary, they relate to the following:

- Aim 1: peatland restoration / enhancement;
- Aim 2: native woodland creation;
- Aim 3: riparian and riverine enhancement;
- Aim 4: woodland planting;
- Aim 5: grassland / scrub planting;
- Aim 6: species rich meadow/grassland creation;
- Aim 7: species rich hedgerow creation; and
- Aim 8: enhance and conserve breeding wader productivity.

4.7.28 The overall goal of the OBEMP is to restore, enhance, create and conserve habitats of ecological value in the identified habitat management areas, which in turn will benefit existing flora and fauna, as well as increased biodiversity in general.

4.7.29 The OBEMP will be refined, post-consent and a final BEMP will be agreed with SLC, in consultation with NatureScot prior to the commencement of construction of the Proposed Development.

4.7.30 A Biodiversity Advisory Committee (BAC) is proposed, which would oversee the finalisation and implementation of the agreed BENMP. In terms of monitoring and reporting, an annual report (for each of the first five years) is proposed. Management prescriptions in the BEMP may be amended, considering the monitoring results, to ensure that progress towards the stated aims and objectives of the plan is achieved.

4.7.31 As noted above, although there is as yet no metric in relation to biodiversity enhancement in biodiversity enhancement in Scotland, the approach set out in the OBEMP contains a Biodiversity Net Gain Assessment (BNG). It sets out that a BNG metric has been utilised to demonstrate that measures proposed for the creation and enhancement of habitats would compensate for predicted habitat and biodiversity losses and would importantly, provide further enhancement that would result in an increase and net gain for biodiversity in the order of 11.8% over and above the baseline and pre-development value of the site post-construction.

4.7.32 The proposals would therefore result in the site, from a biodiversity perspective, being in a "*demonstrably better state*" than without intervention, consistent with the provisions of Policy 3.

4.7.33 It is important to keep in mind that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of renewable energy, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.7.34 In summary, there are no unacceptable effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 **Policies 3 and 4** (the latter in terms of designations – see below) respectively address.

4.8 NPF4 Policy 4: Natural Places

Policy 4 and Principles

4.8.1 **Paragraph a)** of the policy states that development proposals which by virtue of type location or scale will have an unacceptable impact on the natural environment will not be supported.

4.8.2 **Paragraph b)** refers to development proposals which are likely to have a significant effect on a European designated site and sets out in such circumstances the requirement for appropriate assessment.

4.8.3 **Paragraph c)** deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or a National scenic Area (NSA) should be addressed. No national designations would be affected.

4.8.4 **Paragraph d)** deals with local landscape designations and contains a different policy approach to that which was contained within the former SPP. Policy 4, Paragraph d) is as follows:

"*Development proposals that affect a site designated as …a local landscape area in the LDP will only be supported where:*

- *i Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- *ii Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance*".

4.8.5 The policy now follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "*integrity*" of the area or "*the qualities for which it has been identified*".

4.8.6 The policy set out in the second limb of NPF4 Policy 4, Paragraph d) provides that development proposals that affect a site designated as a local landscape area will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:

- this policy provision, reflects the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or NSA) must be balanced against the benefits of a proposed development;
- the second limb is independent of the first ("or") and is to be applied where a decision-maker concludes that a proposed development will have significant adverse effects on the integrity of a local designation;
- NPF4, Policy 4, Paragraph d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").

4.8.7 In considering this policy it is informative to note the Reporter's position in the Sanquhar II Supplementary Inquiry Report. In that case (paragraph 2.70 of the Report) the Reporter made

reference to the impact of the proposed development in relation to a Local Landscape Area, which in that case was a Regional Scenic Area (RSA). The Reporter had concluded that the proposed development would not affect the integrity of the designation but would result and some significant adverse effects. The Reporter stated:

"*even if the opposite conclusion was reached and the integrity of the RSA was considered to be significantly adversely affected by this proposal, I consider part (d)(ii) of the policy would continue to give support to the development. This is because, in my view, a national development which by definition supports the delivery of the national spatial strategy, must offer benefits of more than local importance. Having regard to the benefits of the development in the round, as outlined in chapter six of my original Report, I am firmly of the view that this proposal is capable of support under policy 4(d)(ii).*"

4.8.8 Policy 4 Paragraph g) also deals with Wild Land Areas and states that the effects of development outwith WLAs "*will not be a significant consideration*". There are no issues arising with regard to impacts on any Wild Land Areas.

The application of Policy 4

4.8.9 There would be no significant effects arising in relation to any designated European site.

4.8.10 With regard to landscape designations, as set out in the LVIA and as explained above in the context of NPF4 Policy 11, there would be some limited adverse effects on some special qualities of SLAs. However, there would not be any adverse effects on the integrity of any local landscape designation. The benefits that would arise from the Proposed Development would be more than of 'local importance', would clearly outweigh the adverse effects and therefore the proposal should be supported.

4.8.11 Given the above position, it is considered that the Proposed Development is in accordance with Policy 4 overall.

4.9 NPF4 Policy 5: Soils

Policy 5 and Principles

4.9.1 In terms of soils, **Policy 5** states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects. The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position that was in SPP; however, a key difference is that renewable energy proposals are one of the types of development expressly envisaged to be acceptable in principle on peatlands (Paragraph c) reflecting the net benefits in carbon emissions and peatland restoration potential which can be gained.

The application of Policy 5

4.9.2 The EIAR assesses the potential impacts of the Proposed Development on hydrogeology and peat. As explained above there would be no significant effects arising in relation to peat. The Proposed Development is considered to be in accordance with Policy 5.

4.10 NPF4 Policy 6: Forestry, Woodland and Trees

Policy 6 and Principles

4.10.1 The policy intent is to protect and expand forests, woodland and trees. It states that development proposals that enhance, expand and improve woodland and tree cover will be supported.

4.10.2 **Paragraph b)** states that "*development proposals will not be supported where they will result in*:

"*i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;*

ii. Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

iv Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry."

4.10.3 **Paragraph c)** states that:

"*Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered*".

The application of Policy 6

4.10.4 Forestry is addressed in the EIAR at Technical Appendix 2.3. It is explained in the assessment that the Forestry Study Area for the purposes of the EIA is 36.12 ha of primarily conifer woodland planted in 2017, known as Blackburn Farm Woodland. This woodland was grant aided as a "conifer option" under a Forestry Grant Scheme. The Proposed Development requires the permanent removal of 8.13 ha conifer woodland for infrastructure and environmental buffers.

4.10.5 In order to enhance biodiversity and improve the nearby Red Moss priority habitat the Applicant proposes to remove the remaining 24.09 ha thicket stage non-native conifer plantation and replace in situ with low density native broadleaved trees. Further tree planting within the Site includes screening of some infrastructure. The planted native broadleaved (3.90 ha) will be unaffected by the Proposed Development and will be maintained as part of the final BEMP. Planting plans will be formed as part of the BEMP which clearly identify the areas of new woodland which is compensatory planting.

4.10.6 The Proposed Development is considered to be in accordance with Policy 6.

4.11 NPF4 Policy 7: Historic Assets and Places

Policy 7 and Principles

4.11.1 Finally, in terms of **Policy 7** which deals with Historic Assets and Places, the policy is very similar to that which was in SPP (paragraph 145).

4.11.2 The intent of the policy is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:

- **Paragraph c)** states that "*development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest*".
- **Paragraph d)** states that "*development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced*".
- **Paragraph h)** states that "*development proposals affecting Scheduled Monuments will only be supported where:*

  i) direct impact on the Scheduled Monument are avoided;
  ii) significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or

iii) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised.

- **Paragraph i)** states that "*development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site or its setting*".
- **Paragraph o)** states that "*non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact*".

The application of Policy 7

4.11.3 Chapter 5 of the EIAR addresses the presence of cultural heritage assets which may be affected by the Proposed Development. The assessment considers the archaeological and cultural heritage value of the Site and assesses the potential for significant effects on archaeological features and heritage assets resulting from the construction, operation and decommissioning of the Proposed Development.

4.11.4 The assessment states that an effect of moderate significance is predicted on the setting of three Scheduled Monuments - Wildshaw Hill, cairn 500m WSW of summit (SM 4511), Netherton, cairn 800m SW of (SM 4513) and Thirstone, stone circle 1,300m NNW of (SM 5094), which are assets of national importance and high sensitivity, and a possible burial cairn Knock Leaven cairn (WoSAS 10454) determined by WoSAS to be potentially of national importance and assessed on that basis as being of high sensitivity.

4.11.5 The effects, which would not adversely affect the features' integrity or cultural significance, would last for the duration of the operational phase of the Proposed Development individually and cumulatively with other operational, consented, or proposed developments.

4.11.6 In relation to the context of existing operational wind farms in the wider landscape, the assessment states that significant cumulative effects are predicted arising from the Proposed Development in combination with the proposed (at application) Bodinglee Wind Farm and Redshaw 400 kV substation (at Scoping). The predicted effects would occur on the setting of Auchensaugh Hill, cairn (SM 4324), Wildshaw Hill, cairn 500m WSW of summit (SM 4511), Netherton, cairn 800m SW of (SM 4513) and Thirstone, stone circle 1300m NNW of (SM 5094) and Knock Leaven Cairn (WoSAS 10454). The conclusion is reached in the assessment that the combined developments would not, however, adversely affect the integrity or heritage value or cultural significance of these assets.

4.11.7 In summary, the Proposed Development would not unacceptably affect the fabric or setting of any Listed Buildings, or directly impact Scheduled Monuments or the integrity of their setting. Furthermore, there would be no significant effects arising in relation to any Gardens and Designed Landscapes (GDLs) or Conservation Areas or undesignated heritage assets. The Proposed Development is considered to be in accordance with Policy 7.

4.12 Policy 22 – Flood Risk and Water Management

4.12.1 The intent of Policy 22 is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Paragraph C is the most relevant part of the policy which states that development proposals should not increase the risk of surface water flooding to others, or itself be at risk. In addition, all rain and surface water should be managed through Sustainable Urban Drainage Systems (SUDs).

4.12.2 As set out above, effects on hydrology, the water environment and flood risk are an assessment criterion within NPF4 Policy 11 (Energy). Chapter 8 of the EIAR addresses hydrology matters in detail including flood risk and sustainable drainage and there are no issues arising with regard to these topics. The Proposed Development is therefore considered to be in accordance with Policy 22.

4.13 Conclusions on NPF4 Appraisal

4.13.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.13.2 A key point within Policy 11 (Energy) is that any identified impacts must be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case.

4.13.3 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crisis). This policy direction fundamentally alters the planning balance compared to the position that was set out in NPF3 and SPP.

4.13.4 The term "tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.13.5 Overall, the Proposed Development, is considered to be one that would make a valuable contribution to the NPF4 Spatial Strategy and would help deliver a 'sustainable place'. Overall, it is considered that Proposed Development would accord with relevant policies of NPF4, and with NPF4 when read as a whole.

5. Appraisal against the Local Development Plan

5.1 Introduction

5.1.1 The other element of the statutory Development Plan covering the Site comprises the South Lanarkshire Local Development Plan 2 (LDP2) (adopted 9th April 2021).

5.1.2 The renewable energy policies in the LDP2 are supported by Supporting Planning Guidance (SPG) 'Renewable Energy' (2021) which is a consideration but does not form part of the statutory Development Plan.

5.1.3 Other SPG includes the South Lanarkshire Landscape Capacity Study for Wind Turbines (2016) and its Addendum 'Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance' (2016).

5.1.4 This Chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 4 of this Statement against the policy provisions of NPF4. As explained earlier, NPF4 is now part of the Development Plan and in the event of any conflict, its provisions prevail as it is the later document.

5.2 LDP2 and relevant Policies

5.2.1 The LDP2 documentation includes two Volumes as follows:

> LDP2 Volume 1: which contains a Vision and Strategy and development management policies; and

> LDP2 Volume 2: which contains additional policies and furthermore detailed criteria against which development proposals are to be considered.

5.2.2 The policies of relevance in LDP2 Volume 1 are summarised below in **Table 5.1** followed by comment with regard to how the policies relate to the policies of NPF4, where relevant:

Table 5.1: Relevant LDP2 Volume 1 Policies

Policy	Policy Summary
Policy 1: Spatial Strategy	The spatial strategy seeks to encourage sustainable economic growth and regeneration and move towards a low carbon economy, protect the natural and historic environment and mitigate against the impacts of climate change. To do this the Council will inter alia protect and enhance the natural and historic environment and support renewable energy developments in appropriate locations.
Policy 2: Climate Change	New development must seek to minimise and mitigate against the effects of climate change. The policy contains various considerations including the need for sustainable locations, avoiding flood risk, ensuring no unacceptable effects on the environment and avoiding or minimising disturbance of carbon rich soils and, where appropriate, include provision for restoration of damaged peatlands.
Policy 14: Natural & Historic Environment	All development proposals will be assessed in terms of their impact on the natural and historic environment, including biodiversity, geodiversity, landscape and townscape. The policy sets out that the Council will seek to protect natural and historic designations from adverse impacts.

Policy	Policy Summary
Policy 15: Travel & Transport	New development proposals must consider and mitigate the resulting impacts from traffic growth, particularly development related traffic, and have regard to the need to reduce the effects of greenhouse gas emissions.
Policy 16: Water Environment & Flooding	Any development proposals which will have a significant adverse impact on the water environment will not be permitted. Sites where flood risk may be an issue shall be the subject of a local flood risk management assessment.
Policy 18: Renewable Energy	*See below*

5.2.3 Within Volume 1, Policy 18 'Renewable Energy' is as follows:

"*Applications for renewable energy infrastructure developments will be supported, subject to an assessment against the principles set out in the SPP, in particular the considerations set out at paragraph 169.*

The Spatial Framework for Wind Energy set out in Table 7.2 and shown on Figure 7.1 applies to applications for wind energy developments of 15m or greater in height, including extensions and repowering proposals.

All renewable energy proposals shall be assessed against the relevant criteria and requirements set out in the Assessment Checklist for Renewable Energy Proposals contained in Volume 2.

Development proposals must also accord with other relevant policies and proposals in the development plan. Refer to Appendix 1 for relevant Volume 2 policies and additional guidance."

5.2.4 Policy 18 is considered to be incompatible with NPF4 Policy 11 and should not be afforded weight. Policy 18 states that developments will be supported subject to an assessment against the principles set out in SPP and, in particular, the various considerations set out at paragraph 169 of SPP. The policy also cross refers to a Spatial Framework for wind energy development. SPP (and its Spatial Framework approach) is no longer a material consideration for development management purposes.

5.2.5 Appendix 1 of Volume 1 of LDP2 lists relevant policies in LDP Volume 2 stemming from Policy 18 as Policies SDCC6 'Renewable Heat', RE2 'Biomass' and RE1 'Renewable Energy'. It is only Policy RE1 that is of relevance to the consideration of the application.

5.2.6 Policy 18 therefore defers the development management policy provisions to Policy RE1 and its associated 'checklist' and to related non statutory guidance.

5.2.7 In terms of 'additional guidance', Appendix 1 of Volume 1 of the LDP lists this as follows:

- SLC Supporting Planning Guidance 'Renewable Energy';
- Landscape Capacity Study for Wind Energy (2016) and its Addendum (2017);
- Tall Wind Turbines Landscape Capacity, Siting and Design Guidance (2019);
- South Lanarkshire Landscape Character Assessment (2010); and
- South Lanarkshire Validating Local Landscape Designations (2010).

5.2.8 LDP2 Volume 2 contains additional policies and detailed criteria against which development proposals are to be considered. These are summarised in **Table 5.2** below.

Table 5.2: Relevant LDP2 Volume 2 Policies

Policy	Policy Summary
DM1 - New Development Design	New development will be required to ensure there is no conflict with adjacent land uses and no adverse impact on existing or proposed properties in terms of noise or disturbance.
Policy SDCC2 - Flood Risk	The Council will seek to prevent increases in the level of flood risk and refuse development where it would be at risk from flooding.
Policy NHE2 – Archaeological Sites and Monuments	Seeks to preserve scheduled and non-scheduled monuments in situ and in an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting will not be permitted unless there are exceptional circumstances.
Policy NHE3 – Listed Buildings	Development affecting a Listed Building or its setting shall, as a first principle, seek to preserve the building and its setting, and any features of special architectural interest which it has.
Policy NHE4 – Gardens and Designed Landscapes	Development affecting sites listed in the Inventory of Gardens and Designed Landscapes shall protect, preserve and, where appropriate, enhance such places and shall not significantly impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.
Policy NHE6 – Conservation Areas	Development and demolition within a Conservation Area or affecting its setting shall preserve or enhance its character and be consistent with any relevant Conservation Area appraisal or management plan that may have been prepared for the area.
Policy NHE7 – Natura 2000 Sites	All development which would have a likely significant effect on Natura 2000 sites will be subject of an appropriate assessment. The requirements of the policy apply to all proposed or designated Natura sites which could be affected by the proposals, including those which are located out with the boundary of South Lanarkshire Council.
Policy NHE8 – National Nature Reserves and Sites of Special Scientific Interest	Seeks to protect SSSI/National Nature Reserves. Development which affects either designation will be expected to demonstrate that the overall integrity will not be compromised or any significant adverse effect on the qualities of the area are clearly outweighed by social, environmental or economic benefits of national importance.
Policy NHE9 – Protected Species	Development that would impact on a European Protected Species will be resisted unless there is demonstratable evidence that the development is required, there is no satisfactory alternative, or the development would not be detrimental to the maintenance of the population of the species.
Policy NHE11 – Peatland and Carbon Rich Soils	The Council shall seek to protect peatland and carbon rich soils from adverse impacts resulting from development. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO2) emissions. Where peatland is drained or otherwise disturbed, there is likely to be a release of CO2 to the atmosphere. Developments should aim to minimise this release.

Policy	Policy Summary
Policy NHE12 – Water Environment and Biodiversity	Development proposals should protect and where possible enhance the water environment in accordance with the Water Framework Directive. Development proposals which will have a significant adverse impact on the water environment will not be permitted. Consideration will be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment.
Policy NHE13 – Forestry and Woodland	Development proposals should seek to manage, protect and enhance existing ancient semi-natural woodland (ASNW), other woodlands, hedgerows and individual trees. In all cases involving the proposed removal of existing woodland, the acceptability of woodland removal and the requirement for compensatory planting will be assessed against the criteria set out in the Scottish Government's Policy on Control of Woodland Removal.
Policy NHE16 – Landscape	Sets out criteria for the assessment of development proposals within Special Landscape Areas (SLAs) and seeks to protect and enhance the wider landscapes of SLC through the maintenance and enhancement of landscape character.
Policy NHE18 – Walking, Cycling and Riding Routes	Walking, cycling, riding routes core water routes and water access/egress points will be safeguarded. Development proposals adjacent to or on the line of any route will require to take account of the route in the design and layout.
Policy NHE20 – Biodiversity	Development should demonstrate that they have no significant adverse impact on biodiversity. Where proposals are likely to lead to significant loss of biodiversity, they will only be supported if adequate mitigation and offsetting measures can be agreed with the council. Developments should consider opportunities to contribute positively to biodiversity conservation and enhancement.
Policy RE1 - Renewable Energy	*See below*

5.2.9 From a review of the LDP2 policies, they are largely compatible with the policy provisions of NPF4, with the exception of the following:

> Policy NHE2 'Archaeological Sites and Monuments' is considered to be incompatible with NPF4 policy 7 (Historic assets and places). The Policy states that "Developments which have an adverse effect on Scheduled Monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances". NPF4 Policy 7 states that development will not be supported where they would have "*significant adverse impacts on the integrity of the setting of a scheduled monument*", it is not simply whether or not they have an adverse effect on a Monument, which is referenced in the first part of the LDP policy. NPF4 Policy 4 goes on to state that development can also be supported where "*exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised*".

- LDP2 Policy NHE11 'Peatland and Carbon Rich Soils' states that the Council will seek to protect peatland and carbon rich soils from adverse impacts resulting from development. NPF4 Policy 5 (Soils) changed the national policy position in relation to peatland, making it more permissive in relation to renewable energy developments. NPF4 Policy 5 states that development proposals on peatland, carbon rich soils and priority peatland habitat, will only be supported for various types of development, including "essential infrastructure" and also in relation to "the generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets". In the case of the Proposed Development, it is essential infrastructure and also generates energy from renewable sources. The LDP2 Policy makes no such provision for these uses located within peatland and carbon rich soils.
- Policy NHE16 'Landscape' relates to SLAs and states development will only be permitted if it can be accommodated "without having an unacceptable significant adverse effect on the landscape character, scenic interest and special qualities and features for which the area has been designated". The LDP2 policy provisions are therefore significantly different from the provisions of NPF4 Policy 4 (Natural places), which allows for development to be supported, even if it has significant adverse effects on the integrity of a local landscape designation, if the benefits that would arise from it are of at least local importance.

5.2.10 **Policy RE1 'Renewable Energy'** (in Volume 2) relates to the assessment of proposals for renewable energy developments and is as follows:

"*Applications for renewable energy development will only be acceptable if they accord with the relevant requirements and guidance set out in:*

Volume 2 Appendix 1 Assessment Checklist for Renewable Energy Proposals;

Supporting Planning Guidance on Renewable Energy;

Landscape Capacity Study for Wind Energy (2016) (as amended by the Tall Wind Turbines Guidance 2019);

Other relevant policies in LDP2."

5.2.11 Appendix 1 of Volume 2 contains a '**renewable energy assessment checklist'**. This is intended to supplement Policy 18 in LDP2 which as noted sets out general policy relating to renewable energy.

5.2.12 The checklist in turn makes cross references to **The LDP2 'Supporting Planning Guidance' (SPG) entitled 'Renewable Energy'**. As noted, this is non-statutory guidance and does not form part of the Development Plan. Chapter 5 of the SPG contains development management considerations "*to be used in the assessment of all scales and types of renewable energy proposals*" (page 3).

5.2.13 It is also considered that Policy RE1 is not compatible with NPF4 and in particular, NPF4 Policy 11 (Energy). Policy RE1 cross refers to, as noted, a renewable energy assessment checklist. The checklist, however, cross-refers in a number of places to the policy provisions of LDP2 and as explained above, a number of these are incompatible with the applicable policies of NPF4. The checklist also contains a number of specific development management provisions which are not contained within NPF4 Policy 11.

5.2.14 A further very important point is that the LDP2 policy for renewable energy does not require decision makers to place significant weight on the contribution of a proposal for renewable energy generation to targets, when considering the impacts of a development – in contrast to NPF4 Policy 11.

5.2.15 For these reasons, Policy RE1 of LDP2 should only be afforded very limited weight and the same approach should also be taken to those topic policies identified above, which would be incompatible with the policy provisions of NPF4.

5.3 The Landscape Capacity Study

5.3.1 The 'checklist' within Appendix 1 of Volume 2 of the LDP sets out that wind energy proposals will be assessed against the guidance for specific landscape character types contained in Table 6.1 of the Landscape Capacity Study for Wind Energy (February 2016) as amended by the Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance (2019).

5.3.2 The design approach for the Proposed Development has taken into account the guidance in these studies as referenced in the LVIA.

5.4 Conclusions on the LDP

5.4.1 As explained above, LDP2 Policies 18, NHE2, NHE11, NHE16 and RE1 are considered to be incompatible with the policy provisions of NPF4. Nevertheless, the environmental and topic considerations within these LDP Policies (and by association, the assessment checklist in LDP2 Volume 2 and Supplementary Guidance) are encompassed within the broad remit of NPF4 Policy 11 and other NPF4 policies. Each of the relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 and are not repeated.

5.4.2 Furthermore, the renewable energy policy provisions including a Spatial Framework approach within the LDP are based on those of the now revoked SPP. This means, as per the amendments made to the 1997 Act, that as a result of these incompatibilities, the provisions of NPF4 prevail. Insofar as there are other relevant policies within the LDP, these are considered to be generally compatible with those of NPF4 and given the appraisal set out above in Chapter 4, there would be no conflict with their terms.

6. Conclusions

6.1 The Climate Crisis & Renewable Energy Policy Framework

6.1.1 The urgent need for onshore wind has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Scottish Government commitments – most recently expressed in the OWPS and in NPF4.

6.1.2 Onshore wind was already viewed and described as "vital" to the attainment of targets in 2017. This imperative has only increased since a 'climate emergency' was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) 'net zero' publication[21]. Furthermore, the drive to attain net zero emissions is now legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

6.1.3 Achieving net zero is a legal requirement, and the Scottish Government has recognised, most recently in the new OWPS, that a very substantial quantity of new onshore wind is required to meet the onshore wind target requirement by 2030 – namely a minimum of 20GW of operational capacity. Deployment of more onshore wind is described as being "*mission critical for meeting our climate targets*" in the OWPS.

6.1.4 The important benefits of the Proposed Development have been set out in the context of the current climate emergency and they would help address the issue of global heating and very challenging 'net zero' targets and contribute to improving security of supply.

6.2 The Planning Balance

6.2.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the climate emergency and the contribution of individual developments to tackling climate change.

6.2.2 The revised OWPS was published in December 2022. NPF4 came into force on 13 February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of this planning application. Both should be afforded very considerable weight in decision-making.

6.2.3 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required. As described in this Statement:

- The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "*at the heart of our vision for a future Scotland*" so that "*the decisions we make today will be in the long-term interest of our country*"[22]. The policy position, and the priority afforded to combatting the climate emergency, is different to that which was set out in the former NPF3 and SPP;
- NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global climate emergency in all decisions. This is a radical departure from the usual approach to policy and weight, and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and

[21] CCC, Net Zero, The UK's contribution to stopping global warming (May, 2019).
[22] NPF4, page 2.

- Both NPF4 and the OWPS are clear that further onshore wind development, of scale and utilising modern, larger turbines, has a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including onshore wind farms.

6.2.4 It is important to fully recognise both the scale and urgency of the challenge set out in these documents, and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030 requiring, as set out in the OWPS, that "*we must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes*"[23].

6.2.5 Publication of the OWPS followed and cross-refers to NPF4 and, for the first time, sets an onshore wind target: a Scottish Government ambition for a minimum of 20 GW of installed onshore wind capacity by 2030. New policy therefore supports an increase in the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms in Scotland in a period of around 6 years. This is also embedded in the Scottish Government's consultative draft Energy Strategy and Just Transition Plan, together with the commitment to "***place the climate and nature at the centre of our planning system***"[24] (original emphasis) in line with the NPF4.

6.2.6 By any measure, the identified need for delivery of this additional capacity is a massive challenge requiring an urgent and positive response. As noted above, unless projects are in the planning system now, there is a high likelihood that they will not contribute to this ambition before 2030. The 'window' until the key date of 2045 for net zero is also getting narrower.

6.2.7 As the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains[25] "*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets*."

6.2.8 The Statement of Need relates to the attainment of Government renewable generation and emission reduction targets. Moreover, it relates to the importance of developing electricity supplies which are not dependent on volatile international markets and are located within the UK's national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels is now enormous, in order to protect consumers from high and volatile energy prices. Moreover, such a system would reduce opportunities for destructive geopolitical intrusion into national electricity supplies and this matter has grown in importance in recent months.

6.2.9 Other policy support for development of wind farms is found in NPF4 and the OWPS:

- In addition to the cross-cutting NPF4 Policy 1, NPF Policy 11 (Energy) directs that in considering the identified impacts of an onshore wind proposal significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets;

- The OWPS expressly recognises that meeting the ambition of a minimum installed capacity of 20GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines and that "*this will change the landscape*;

  On this specific point it is relevant to take into account the Reporter's position on the target as referenced in the OWPS in the Meall Buidhe Appeal Decision Notice. The Reporter set out with regard to the OWPS at paragraph 87 of the Decision that:

[23] OWPS 2022, paragraph 1.1.2.
[24] Energy Strategy and Just Transition Plan, page 55
[25] NPF4, page 103.

"*It also provides some further supporting detail on increasing the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational wind farms in Scotland in the period of around 8 years. This is clearly a challenging target and there is an acceptance in the Policy Statement of the consequent change in the landscape. I find this further supports my conclusion above in terms of consistency with relevant provisions of NPF4. This policy statement does not form part of the Development Plan but is a material consideration in this case*."

- NPF4 Policy 11 confirms that significant landscape and visual impacts are to be expected for some forms of renewable energy. Scottish Government policy, which forms part of the Development Plan, is that where such impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to be acceptable. Notably, policy recognises that significant landscape and visual effects are inevitable and generally acceptable;
- NPF4 Policy 4 provides in principle support for wind farm development in all locations with the exception of National Parks and NSAs, unless the conditions in NPF4 Policy 4 c) are met;
- NPF4, Policy 4, Part d) specifically relates to a proposed development that may adversely affect the integrity of a local landscape designation. It provides that development will be supported where significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. There would be no adverse impacts on the integrity of a local landscape designation;
- In terms of cultural heritage matters, NPF4 Policy 7 makes it clear that development affecting Scheduled Monuments will be supported is significant effects on the integrity of the setting of a monument are avoided. As explained, although there would be some significant effects in relation to Scheduled Monuments, these would not be on the integrity of the assets.

6.2.10 The Applicant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the Proposed Development. In short, appropriate design mitigation has been applied. Potentially significant adverse landscape and visual effects resulting from the proposal have been addressed through an iterative design process (i.e. 'mitigation by design') and a well-considered proposal has been established, which has acceptable effects.

6.2.11 NPF4 and the OWPS require that the decision-maker must also identify and weigh the adverse effects of a proposed development. However, increased weight is to be given to the benefits of a proposed development in the planning balance owing to the seriousness and importance of energy policy related considerations and the contribution of the Proposed Development in meeting climate change targets.

6.2.12 It is considered that this approach is very clearly reflected and articulated in NPF4 and the OWPS (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development's contribution towards meeting targets). Moreover, Section 3.6 of the OWPS states that the criteria for assessing proposals (in NPF4) have been updated "*including **stronger weight** being afforded to the contribution of the development to the climate emergency*".

6.2.13 In considering the change to policy which has been introduced by NPF4, the conclusions of the Reporter in his supplementary Inquiry Report (IR) in relation to the Sanquhar II development are informative. At paragraph 4.5 of the Report (Overall Conclusions) the Reporter stated:

"*in paragraph 8.50 of my original report I found that, at the time of writing "…I do not consider that at this present time there has been a tangible shift in policy of a scale or nature which would be capable of being pivotal…" having reviewed the terms of NPF and the OWPS, I now consider that a tangible shift in planning policy has been made at the national level. In my view it is likely that this shift may be sufficient to result in some wind farm proposals, which would previously have been refused under the former policy regime, to potentially now be granted consent*." (underlining added)

6.2.14 In the Clashindarroch II[26] Section 36 decision, the Reporter in the Supplementary IR with reference to the new policy position and with specific regard to 'changes to the balancing exercise' (paragraph 2.45) with reference to the OWPS stated that:

"*The new policy approach is clearly guiding decision makers towards supporting wind farm proposals that would make a meaningful contribution to the onshore wind target, unless those adverse effects were of such significance that they would override the imperative for more onshore wind capacity. The natural consequence of this approach must lead to changes in the scale or extent of adverse effects that the decision maker might now deem to be acceptable*." (underlining added)

6.2.15 In addition, the Reporter stated at paragraph 2.51:

"*The balancing exercise is integral to the OWPS, NPF4 and the draft Scottish Energy Strategy and Just Transition Plan 2023 but the heightened priority of tackling climate change as expressed in the national and UK energy policy context must inevitably increase the weight given to those matters. Particularly now when NPF4 directs the decision maker to give significant weight to these matters within Policies 1 and 11*." (underlining added)

6.2.16 Furthermore, the Reporter added at paragraph 2.90 that "*The new policy expects me to give less importance to such [landscape and visual] effects in unprotected areas*." (underlining added)

6.2.17 In the Shepherds Rig[27] Section 36 case, the Reporters in their original Inquiry Report considered that the adverse effects of that development were such that it was contrary to national planning policy and the Development Plan, and a position of objection was recommended to the Scottish Ministers. However, in the Supplementary Report of Inquiry which considered the implications of NPF4 and the OWPS, the Reporters changed their position. At paragraph 3.14 of the Supplementary Report the Reporters stated:

"*Taking into account all of the above, we recognise the urgent policy imperative in the OWPS and NPF to deliver additional installed wind farm capacity. These recently published policy statements demonstrate a significant strengthening of policy support for renewable energy development, to which the proposal would make an obvious contribution. In our original report, we found that the significant effects on the area's recreational resources should be given significant weight, to the extent that they outweighed the aims of delivering renewable energy. In the updated policy context, we find that the proposal's obvious contribution to renewable energy targets causes the benefits as a whole to now clearly outweigh the significant landscape and visual effects*."

6.2.18 The Reporter added at paragraph 3.4:

"*National policy has a clear expectation that more renewable proposals may be granted consent, focusing down on a tighter set of circumstances under which proposals would not be supported*."

[26] Clashindarroch II, Section 36 Decision dated 26 June 2023, Supplementary Report of Inquiry dated 3 March 2023 (Case Reference WIN-110-2). This decision is now subject to Judicial Review but not in relation to NPF4 policy matters.

[27] Shepherd's Rig, Section 36 Decision dated 21 August 2023, Supplementary Report of Inquiry dated 2 March 2023 (Case Reference WIN-170-2005).

6.2.19 It is accepted that each individual application needs to be considered on its respective merits; however, it is evident from these two recent Section 36 decisions, that the Reporters have recognised that there has been a material and tangible shift in planning policy support for onshore wind development and that this has clear implications for the planning balance and changes the calculus regarding the scale and extent of adverse effects which may now be found acceptable. In all of these cases referenced above the Scottish Ministers accepted the Reporters' positions in full, as set out in the respective Decision Letters.

6.2.20 In this case, the Proposed Development is essential infrastructure which will help to deliver the National Spatial Strategy set out in NPF4. The Proposed Development, consistent of onshore wind, solar PV and battery storage would make a valuable contribution to help Scotland, and the UK attain net zero, security of supply and related socio-economic objectives. It is submitted that very substantial weight should be given to this contribution when weighing the need for the Proposed Development and its identified effects within the planning balance.

6.2.21 The effects of the Proposed Development, including how relevant effects listed in NPF4 Policy 11 Paragraph (e) have been addressed, are detailed in the supporting information to the application. In terms of Policy 11, in considering the identified impacts of the proposal, significant weight must be placed on its nationally important contribution to renewable energy generation and greenhouse gas emissions reduction targets.

6.3 Overall Conclusion

6.3.1 The policy set out in NPF4 and the OWPS requires a rebalancing of the consenting of renewable energy developments in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the important benefits of the Proposed Development, it is considered that the benefits that would result clearly outweigh its adverse effects in relation to landscape and visual and cultural heritage matters.

6.3.2 The up-to-date policy set out in NPF4 and the OWPS and the policy being consulted upon in the draft Energy Strategy and Just Transition Plan provide strong and increased support for the grant of consent.

6.3.3 The conclusion is that the Proposed Development would be consistent with all relevant considerations, including the policies of the Development Plan, and with the Development Plan when read as a whole.

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