



Millenium East Wind Farm Section 36 Application:

Planning Statement

August 2025

nadara

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1. Introduction

1.1 Background

- 1.1.1 This Planning Statement has been prepared by David Bell Planning Ltd ('DBP') on behalf of Nadara Limited ('the Applicant') in relation to the proposed Millenium East Wind Farm ('the Proposed Development') as an extension to the existing Millenium Wind Farm located in The Highland Council ('the Council' or 'THC') administrative area.
- 1.1.2 The Proposed Development would involve the construction and operation of eight wind turbines (three with tip heights of up to 200 m, and five with tip heights of up to 180 m) and associated infrastructure. Each turbine is likely to generate approximately 6.2 Megawatts (MW) of electricity. The total installed capacity of the Proposed Development is expected to be approximately 50 MW. If consented, the Proposed Development would constitute an extension to an operational wind farm with an installed capacity in excess of 50 MW.
- 1.1.3 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.
- 1.1.4 The application is accompanied by an Environmental Impact Assessment Report ('EIA Report') which has been prepared in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the EIA Regulations'). The EIA Report presents information on the identification and assessment of the likely significant positive and negative environmental effects of the Proposed Development.
- 1.1.5 This Planning Statement presents an assessment of the Proposed Development against relevant policy with due regard given to 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 THC area, national energy and planning policy, and other relevant material considerations.
- 1.1.6 This Planning Statement is supplementary to, and should be read in conjunction with, the EIA Report 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 material considerations.

1.2 The Applicant

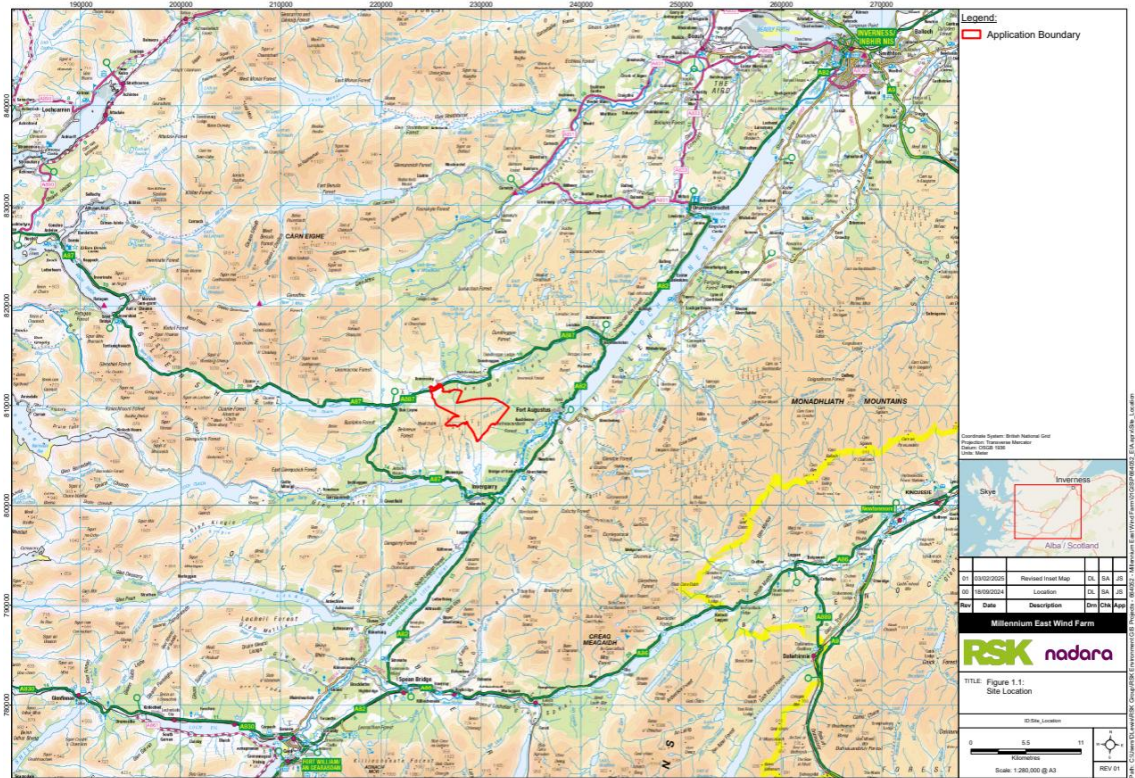
- 1.2.1 The existing Millennium Wind Farm is owned by Millennium Wind Energy Limited, a subsidiary to Nadara Limited.
- 1.2.2 The Applicant, an independent renewable energy generator, was formed through the coming together of Renantis (the new name for Falck Renewables) and Ventient Energy, in January 2024. Nadara designs, builds, owns and operates power plants from renewable sources, with an installed capacity of 1.1 Gigawatts (GW) across the United Kingdom.

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 which capacity exceeds 50 megawatts (MW) is significantly different from an application for planning permission for a generating station which 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 Schedule 8 of the 1989 Act references consents under Section 36 and Section 37 of the Act. 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 apply to the Applicant. 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 EIA Report identifies how various factors were taken into account in the formulation of the application. In addition, each EIA Report 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, along with proposed monitoring as appropriate. Details are set out within Chapter 2 of the EIA Report (Volume 1) and within Technical Appendices (Volume 4) of the EIA Report as follows:
- > Technical Appendix 2.1: Outline Construction Environmental Management Plan, and
 - > Technical Appendix 2.2: Schedule of Environmental Commitments.
- 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 material consideration which should be taken into account in the round with all other relevant material 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 is located approximately 7.5 km west of Fort Augustus, 8 km north of Invergarry, and 14 km south-west of Invermoriston. The Site Location is illustrated on Figure 1.1 Site Location below. The Site Boundary is shown in Figure 2.1 of the EIA Report. Parts of the existing Millennium Wind Farm (wind turbines, access tracks, and other ancillary infrastructure) are located within the Site Boundary, with the Proposed Development lying to the north east of the existing Millenium Wind Farm. Figure 2.2 Proposed Site Layout of the EIA Report illustrates the existing Millenium Wind Farm in the context of the Proposed Development.
- 1.4.2 The Site sits within broadly undulating upland moorland, gently sloping downwards from southwest to northeast. The elevations of the Site range from 670 m Above Ordnance Datum (AOD) at the mid-western section of the Site, to the Site access junction by A887 at 129 m AOD.
- 1.4.3 The 26 wind turbines of the existing Millennium Wind Farm are arranged in three arrays, at elevations ranging from 460 m AOD to 700 m AOD. Access to Millennium Wind Farm is via an existing access track running southwards from the A887, as illustrated on Figure 2.2 Proposed Site Layout of the EIA Report
- 1.4.4 As well as being used for the generation of renewable energy, the Site is currently used for livestock grazing and deer stalking. Surrounding land uses also include upland grazing and commercial forestry.

Figure 1.1: Site Location Plan



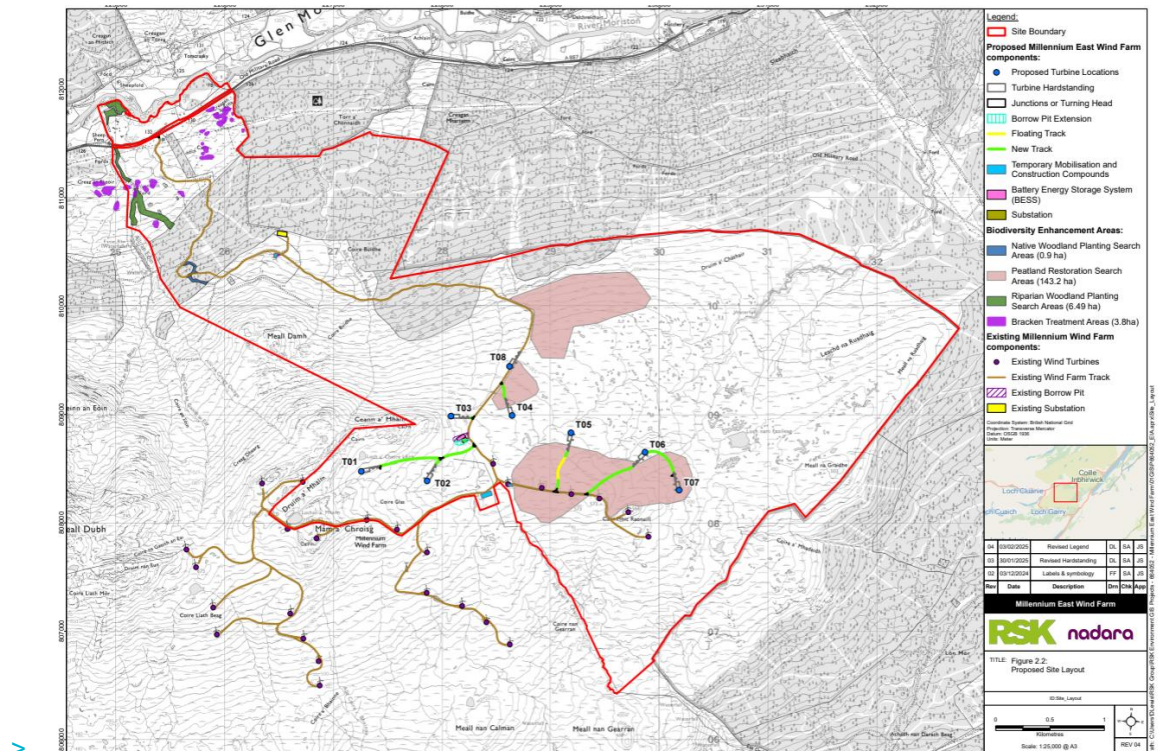
1.5 The Proposed Development: Summary

1.5.1 A detailed description of the Proposed Development is contained in Chapter 2 (Proposed Development) of the EIA Report. The Proposed Development layout is illustrated in **Figure 1.2**.

1.5.2 The key components of the Proposed Development are:

- > Eight wind turbines of approximately 6.2 MW each, five with a maximum tip height of up to 180 m and three with a maximum tip height of up to 200 m
- > Foundations supporting each wind turbine;
- > Onsite distribution sub-station and control building;
- > Temporary mobilisation and construction compounds;
- > A network of new on-site access tracks and associated watercourse crossings;
- > A network of underground cables to connect turbines to a distribution substation;
- > Borrow pit extension; and
- > Habitat and biodiversity enhancement measures.

Figure 1.2: Site Layout Plan



- 1.5.3 The Applicant has pledged a number of environmental commitments which are set out in Technical Appendix 2.2: Schedule of Environmental Commitments of the EIA Report.
- 1.5.4 The candidate turbine considered in the EIA Report is the Siemens-Gamesa SGRE 155.
- 1.5.5 For the purposes of the EIA, five turbines would have a maximum tip height of up to 180 m (T1, T2, T3, T7 and T8), and the remaining three turbines would have a maximum tip height of up to 200 m (T4, T5, and T6). All turbines would have a rotor diameter of up to 155 m. The actual model and dimensions of the wind turbines would be determined by the economic market and technological advances at the time of procurement.
- 1.5.6 The proposed turbine locations and ancillary infrastructure would be subject to a maximum micro-siting tolerance of 50 m in any direction. In those places where environmental features may be potentially affected by micro-siting, tolerance would be constrained to less than 50 m.
- 1.5.7 For the delivery of abnormal indivisible loads (AIL) components on Site, alternative ports of entry and delivery routes were considered in preliminary routing assessments. The port of entry for turbine blades has been confirmed as the Port of Kyle of Lochalsh, while Corpach Harbour would be used for tower sections and other large project components. The routing of these components to the Site will include sections of the A87, A887, A830, and A82.
- 1.5.8 Access on Site, for both AIL deliveries and construction vehicles, would be from the A887, turning right on the existing Millennium Wind Farm access junction and stone surface track. To accommodate AIL truck and oversail requirements (based on the candidate turbine and swept path analysis), resurfacing works may be required along the A887 and at the existing junction, as shown on the Indicative Site Access Arrangement drawings (Figure 10.6 of the EIA Report.)
- 1.5.9 The access route to turbines would be made up of a total of approximately 2.27 km of new and floating tracks from the access point off the A887 and existing wind farm access track.

- 1.5.10 There are no new borrow pits proposed: the majority of stone required is expected to be won from the two existing on-site borrow pits, albeit for the purposes of assessing worst case effects the traffic and transport assessment presented in Chapter 10 (Traffic and Movement) of the EIA Report has assumed a scenario where 50% of the stone requirement would be brought in from off site sources.
- 1.5.11 During borrow pit extension activities, blasting may be required. Blasting operations should take place under strictly controlled conditions with the agreement of the Council, at regular times within the working week, that is, Mondays to Fridays, between the hours of 10.00 and 16.00. Blasting on Saturday mornings would not be undertaken without the prior agreement of the Council.
- 1.5.12 A substation compound would contain a storage yard/laydown area. It would be enclosed by palisade type fencing. Lighting would be kept to a minimum, would be limited to working areas only, and would comply with health and safety requirements.
- 1.5.13 The Proposed Development would connect to the Auchterawe Substation. The precise route of connection has not yet been determined. The consent for grid connection would be progressed by the transmission network operator.
- 1.5.14 Turbines would 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.
- 1.5.15 The Applicant proposes a reduced lighting scheme, in which only four of the eight cardinal turbines of the Proposed Development (T1, T5, T7 and T8) would be lit by using 2,000 candela visible lighting, (reducing to 200 in good visibility) and positioned on the hubs. The reduced lighting scheme has been agreed with the CAA in January 2025, as set out within Chapter 4 (Environmental Assessment Process) of the EIA Report. Additionally Infra-red (IR) lighting would be installed on peripheral turbines to meet the requirements of the MOD. Subject to the evolution of CAA policy, the Applicant would also consider the installation of an aircraft detection lighting system (ADLS) on the turbines, whereby the visible lighting would be switched on when aircraft passes within specified distances. This is covered in further detail in Chapter 12 (Aviation and Radar) of the EIA Report.
- 1.5.16 Construction of the Proposed Development is anticipated to take approximately 17 months from mobilisation to completion. It is anticipated that the main construction hours for the Proposed Development would be between 07.00 and 19.00 from Monday to Friday, and 08.00 and 13.00 on Saturdays unless otherwise agreed with the Council.
- 1.5.17 The following biodiversity enhancement measures are proposed as part of the development and will be delivered on site:
- > Native woodland planting;
 - > Peatland restoration;
 - > Riparian woodland planting; and
 - > Treatment of bracken.
- 1.5.18 Details of these measures are set out in the Outline Biodiversity Enhancement Management Plan (OBEMP) as contained in Technical Appendix 6.7 of the EIA Report.
- 1.5.19 The operational life of the Proposed Development would be 35 years. Following the operational period, the Proposed Development would be fully decommissioned. Any alternative outcome would require separate consent such as to extend its operational life, or an application would be made to repower the turbines.

1.6 Planning History

- 1.6.1 The area's planning history includes a number of consents for wind farm development including:

- > Millennium Wind Farm: 16 turbines consented under the Town and Country Planning Act 1997 in June 2006 (Ref 03/00505/FULLO). In January 2008, a further consent granted by the council increased the capacity of Millenium Wind Farm by four more turbines. (Ref: 07/00105/FULLO)
- > Millenium Wind Farm Extension: a further 6 turbines, consented by the Scottish Ministers in August 2009, and increasing the capacity at the site to 65 MW. (Ref EC00005220)
- > Millenium Wind Farm South: 10 turbines granted consent by Scottish Ministers in February 2027 but which were never built out. The consent has now expired.

1.6.2 While each application requires to be considered on its own merits, the principle of wind farm development in this general location has therefore already been established.

1.7 Structure of Statement

1.7.1 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 (OWPS) 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 LDP 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 (GHG) emissions 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 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 targets 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 (UN) 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 °C above pre-industrial levels and to pursue efforts to limit global warming to 1.5 °C.
- 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 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 UN body for assessing the science related to climate change. 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 COP¹ negotiations.
- 2.2.5 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).
- 2.2.6 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)".
- 2.2.7 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

- 2.2.8 The 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"*.
- 2.2.9 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."*
- 2.2.10 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].
- 2.2.11 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).

COP 28, Dubai 2023

2.2.12 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.*”

2.2.13 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)

UN Emissions Gap Report (2024)

2.2.14 The UN Emissions Gap Report (October 2024) and its ‘key messages’ summary 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.

2.2.15 The Report states that against the background of GHG emissions reaching new highs and climate impacts intensifying globally, nations are preparing what are termed Nationally Determined Contributions (NDCs) for submission in early 2025, ahead of COP30 in Brazil.

2.2.16 The Report states that in order to avoid the present trajectory of temperature increase far beyond 2°C over the course of this century:

“Nations must use COP29 in Baku, Azerbaijan, as the launch pad to increase ambition and ensure the NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5°C will be gone within a few years and the 2°C target will be in danger”.

2.2.17 The Report adds “*It remains technically possible to get on a 1.5°C pathway, with solar, wind and forests holding real promise for sweeping and fast emissions cuts*”.

2.2.18 The Report also states (page 1) that there must be “*unprecedented cuts to greenhouse gas emissions by 2030 to keep 1.5°C alive*”.

2.2.19 In order to put the challenge of emissions reduction in context, the key messages document (page 2), sets out that if only current NDCs are implemented and no further ambition is shown in the new pledges to come, “*the best we could expect to achieve is catastrophic global warming of up to 2.6°C over the course of the century*”.

COP 29, Baku 2024

2.2.20 The 29th UN Climate Conference hosted in Baku, Azerbaijan concluded on 24 November 2024. New financial goals at COP 29 will build on the significant strides on global action at COP 27, which agreed a historic Loss and Damage Fund, and COP 28, which delivered a global agreement to transition away from fossil fuels in energy systems in a swift and fair manner as well as triple renewable energy and boost climate resilience. Unlike COP 27 and 28 however, COP 29 reached an agreement on carbon markets which will help countries deliver their respective climate plans on a quicker and cheaper basis, as well as make faster progress in halving global emissions.

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 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 seven, four-yearly carbon budgets, covering 2008 – 2042. 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**. Essentially, they are five yearly caps on emissions.
- 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.

Table 2.1: Carbon Budgets and Progress²

Budget	Carbon budget level	Reduction below 1990 levels	Progress on Budgetary Period
1 st carbon budget (2008 – 2012)	3,018 MtCO ₂ e	26%	-27%
2 nd carbon budget (2013 – 2017)	2,782 MtCO ₂ e	32%	-42%
3 rd carbon budget (2018 – 2022)	2,544 MtCO ₂ e	38% by 2020	-50% ³
4 th carbon budget (2023 – 2027)	1,950 MtCO ₂ e	52% by 2025	n/a
5 th carbon budget (2028 – 2032)	1,725 MtCO ₂ e	57% by 2030	n/a
6 th carbon budget (2033 – 2037)	965 MtCO ₂ e	78% by 2035	n/a
7 th carbon budget (2038 – 2042)	535 MtCO ₂ e	87% by 2042	n/a
Net Zero Target	100%	By 2050	

- 2.3.6 The Sixth Carbon Budget (CB6) requires a reduction in UK GHG 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).

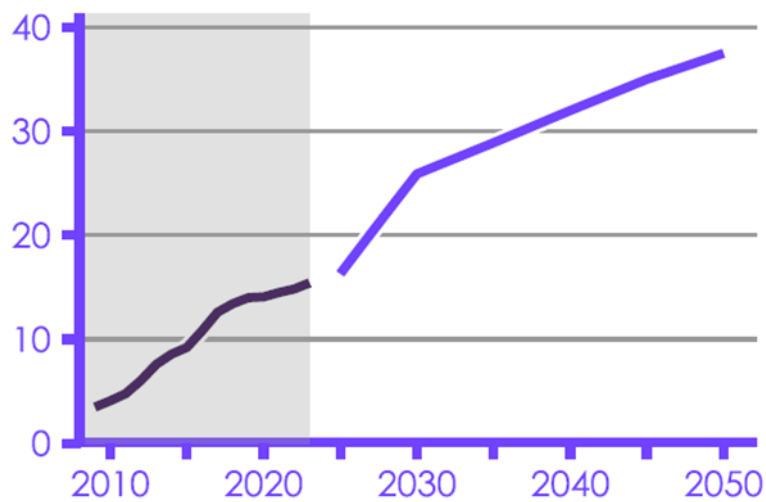
² Source: CCC.

³ Confirmed by CCC in ‘Final Statement for the Third Carbon Budget’ May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions.

- 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% by 2035 and double or even treble 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.
- 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)⁴) 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.
- 2.3.9 The Seventh Carbon Budget ('CB7') was published by the CCC in February 2025. The CCC's recommended level for CB7, namely a limit on the UK's GHG emissions over the five-year period 2038 to 2042, is 535 including emissions from international aviation and shipping.
- 2.3.10 Page 12 of the CB7 states:
- "By the middle of the Seventh Carbon Budget on our pathway, emissions in the UK will be only a quarter of the level they are today, and 80% lower than levels in 1990 (90% lower excluding emissions from international aviation and shipping.) Achieving this will require a significant reduction in emissions across sectors including surface transport, buildings, industry and agriculture."*
- 2.3.11 It sets out (page 12) that achieving CB7 will mean that UK based renewable energy provides the bulk of generation and this will replace oil and gas across most of the economy. It adds that *"this requires twice as much electricity as today by 2040"*.
- 2.3.12 In relation to onshore wind, capacity doubles to 32 GW. The anticipated growth of onshore wind capacity is shown in the Report (page 109) and illustrated in Figure 2.1 below

Figure 2.1: Onshore Wind Operational Capacity (GW) in CCC 'Balanced Pathway'

⁴ 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.



2.3.13 The report notes that this will require recent annual installation rates to treble this decade, requiring installation rates comparable to the annual roll-out rates previously sustained during the mid-2010s.

2.3.14 The Balanced Pathway requires an average deployment rate of 0.8 GW per year, with deployment peaking at 1.9 GW in 2030, which is comparable to the historical peak of 1.8 GW in 2017.

2.3.15 CB7 states that *“there are a range of barriers that will need to be overcome to enable the levels of deployment required. This will require concerted action on several areas, including planning, grid connections, and supply chain bottlenecks.”*

The UK Energy White Paper (December 2020)

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

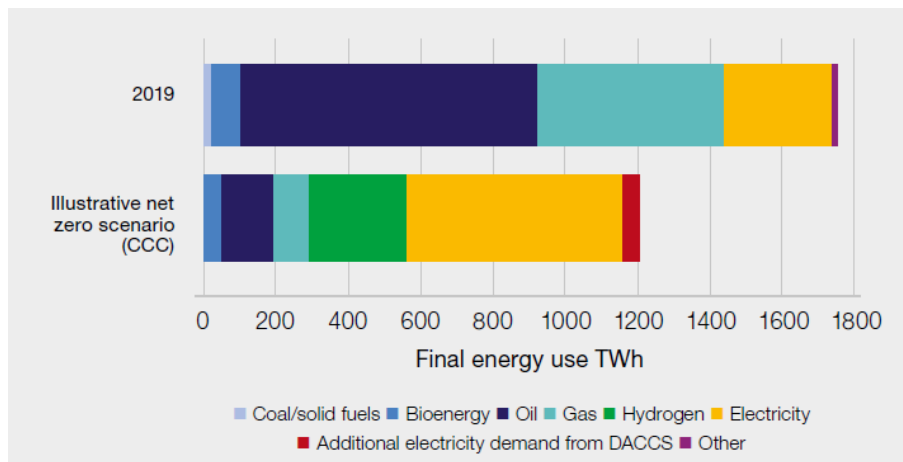
2.3.17 It sets out that *“electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050”*. A key objective is to *“accelerate the deployment of clean electricity generation through the 2020s”* (page 38).

2.3.18 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).

2.3.19 This anticipated growth of renewable electricity in the UK is illustrated in **Figure 2.2**.

Figure 2.2: Illustrative UK Final Energy Use in 2050⁵

⁵ Source: Energy White Paper page 9 (2020).



2.3.20 **Figure 2.2** illustrates that achieving net zero requires a significant increase in the use of electricity, all of which must be generated from low-carbon sources.

2.3.21 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)

The British Energy Security Strategy (April 2022)

2.3.22 The British Energy Security Strategy was published by the UK Government on 7 April 2022. It 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.”

2.3.23 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.

Climate Change Committee Report to UK Parliament (2024)

2.3.24 The CCC published the report ‘Progress in Reducing Emissions 2024 Report to Parliament’ in July 2024 (the “CCC Report”). The Executive Summary (page 8) states:

“The previous Government signalled the slowing of pace and reversed or delayed key policies. The new Government will have to act fast to hit the country’s commitments.

The cost of key low-carbon technologies is falling, creating an opportunity for the UK to boost investment, reclaim global climate leadership and enhance energy security by accelerating take-up. British-based renewable energy is the cheapest and fastest way to reduce vulnerability to volatile global fossil fuel markets. The faster we get off fossil fuels, the more secure we become.”

2.3.25 The CCC Report makes it clear that urgent action is needed to get on track for the UK’s 2030 emissions reduction target. In this regard it states:

“The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target

despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well.

Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm."

- 2.3.26 The CCC Report sets out priority actions (page 9) and they include:
- > The UK should now be in a phase of rapid investment and delivery, however CCC note that all indicators for low carbon technology roll out are *"off track, with rates needing to significant ramp up."* In this regard in terms of renewable technologies it states onshore wind installations will need to double.
- 2.3.27 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however *"future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero."* (Page 33).
- 2.3.28 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:
- "emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero."*
- 2.3.29 Chapter 3 of the CCC Report examines indicators of current delivery progress and it sets out (page 50) a number of key points including *inter alia*:
- "Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas..."*
- Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five."*
- 2.3.30 Reference is made to electricity supply (page 56). With regard to onshore wind the CCC Report states that only 0.5 GW of new onshore wind was installed in 2023 and *"this is considerably below the peak of 1.8 GW in 2017. Onshore wind installation rates will need to more than double compared to the average pace of deployment over the past three years."*
- 2.3.31 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.
- 2.3.32 With regard to the Fourth Carbon Budget (2023-2027) it states that although credible plans cover almost all of the emissions reductions required to meet it *"this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero..."*
- 2.3.33 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds *"that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals."*

Climate Change Committee Report to UK Parliament (2025)

2.3.34 The CCC published the report 'Progress in adapting to climate change' Report to Parliament in April 2025 (the "CCC 2025 Report"). The CCC 2025 Report's focus is on climate adaptation and an assessment of the UK's readiness for climate change. It states that

"Adaptation is needed now to ensure that the UK is prepared for today's extreme weather as well as the rapidly increasing severity of future risks. The costs of these impacts are already being felt, and the risks will continue to grow even if international targets to limit global warming are met. Action is needed now whilst we still have the opportunity to address these risks in a way that is both cost-effective and timely."

2.3.35 The Executive Summary (page 10) is very clear and sets out the following key messages to Government in terms of its assessment:

- > The UK's preparations for climate change are inadequate;
- > The government has yet to change the UK's inadequate approach to tackling climate risks; and
- > The government must act without further delay to improve the national approach to climate resilience.

2.3.36 The CCC 2025 Report's focus is on climate adaptation to the extreme weather already being experienced in the UK as a result of climate change. It is a reminder of the urgent ongoing need to increase energy generation from renewable sources to tackle the climate crisis.

Labour Government & Commitment to Renewables (2024)

2.3.37 The UK Government change at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero.

2.3.38 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 material consideration.

2.3.39 The Department for Energy Security and Net Zero ('DESNZ') issued a Statement on 8 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.

UK Government: Clean Power 2030 Action Plan (2024)

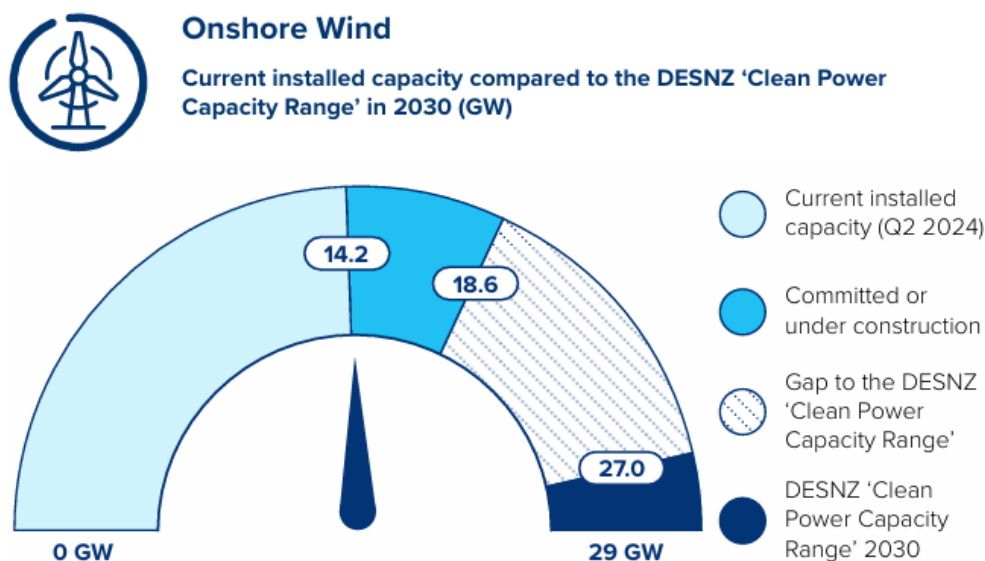
2.3.40 The Clean Power 2030 Action Plan was published by DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*".

2.3.41 It further adds (page 10):

"clean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals".

2.3.42 Within the Action Plan, it sets out that by 2030 there should be 27-29 GW of onshore wind operational within the UK. At present, there is only some 14.2 GW of installed onshore wind capacity in the UK as illustrated in Figure 2.2.

Figure 2.3: Onshore Wind: Current installed capacity compared to the DESNZ 'Clean Power Capacity Range' in 2030 (GW)& 'Gap' to reach 2030 UK Target



Source: Clean Power Action Plan 2024

2.3.43 The document adds that *"Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors... The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity"*.

2.3.44 There is therefore a significant gap between the target onshore wind capacity for 2030 compared to what is currently installed. The gap for onshore wind is some 14.8 GW of required new capacity and the bulk of that is expected to be delivered in Scotland.

2.3.45 Page 74 of the Action Plan states that *"Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace"*.

The Onshore Wind Taskforce Strategy

2.3.46 DESNZ published the Onshore Wind Taskforce Strategy in July 2025. The strategy sets out over 40 actions, primarily Government commitments to resolve key blocks to onshore wind within the UK. The Strategy's overall aims are to boost onshore wind deployment and to deliver economic benefits for local communities, businesses and the consumer.

2.3.47 The Ministerial Forward by the Secretary of State for Energy Security and Net Zero states:

"As one of the cheapest and fastest to build sources of power we have, onshore wind will play a critical role in boosting our energy independence with clean power by 2030. The reality is that every turbine we build helps protect families, businesses and the public finances from future fossil fuel shocks."

That's why in our first 72 hours in office, we lifted the onshore wind band in England - in place for nine years under the previous Government. And it's why last July we established the Onshore Wind Taskforce to bring Government, industry and trade unions together to explore how we can radically accelerate deployment of this critical technology."

The Onshore Wind Taskforce strategy is the outcome of that work. It sets out more than 40 steps Government and industry will take to help deliver up to 29GW of onshore wind by 2030. That includes driving ambitious reforms to planning, grid connections, and routes to market, while building the supply chains and skilled workforce we need."

2.3.48 In addition, within the forward the statement by the Head of Clean Power 2030 within DESNZ states inter alia:

“Clean Power 2030 is our ambitious mission to grow rapidly Britain's clean electricity infrastructure, reducing Britain's dependency on imported oil and gas, securing key clean industries and readying the country for the expected growth in electrical demand over the next 20 years.

Our Clean Power Action Plan targets a near doubling of onshore wind capacity up to 29GW by 2030. That will require rapid development of new onshore wind across Britain and repowering of existing sites to bring British consumers some of the cheapest homegrown power that can be produced. We are already working with NESO to slash the queue of projects waiting to connect to the grid to accelerate the best onshore wind development.

Rapid deployment of onshore wind is our first line of defence against future gas price spikes - every megawatt added displaces imported gas in the power system. With the steps in this new strategy, we will cement the growth of an important homegrown industry. The momentum behind clean power continues to grow.”

2.3.49 The various commitments and actions within the strategy cover:

- > Scoping, planning and consenting improvement for onshore wind projects;
- > Networks and systems reform;
- > Communities and public perception actions;
- > Aviation and defence commitments to improve the interface between wind energy and civil and military radar and related matters;
- > Finance and routes to market; and
- > Supply chains, skills and workforce.

2.3.50 The Strategy refers to the Government's Clean Power Action Plan, which was published in December 2024 and which set out a pathway to achieving the mission of clean power by 2030. Page 10 of the strategy states that:

“All routes to achieving this mission are reliant on mass deployment of renewable electricity technologies, including onshore wind. The Clean Power Plan stated that to decarbonise the power sector by 2030, 27-29GW onshore wind will be needed within GB⁶. That is a significant increase above the current installed capacity, which stands at 14.8 GW in GB (over 16GW in the UK)”.

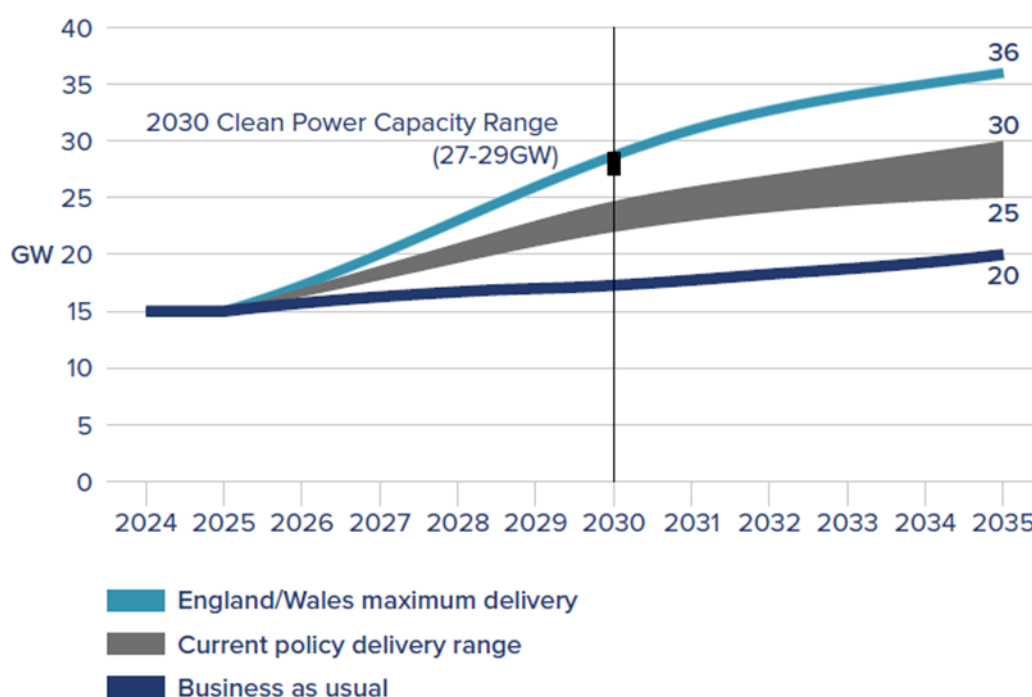
2.3.51 It is explained that the delivery of up to 29 GW of onshore wind by 2030 would involve around 10-12 GW more than would have been deployed under historic growth rates, with England contributing around 2 GW by 2030.

2.3.52 The strategy also emphasises the significant economic opportunity that further onshore wind deployment will deliver (page 10). It states that meeting the onshore wind 2030 targets together with the actions within the Strategy, could deliver up to 45,000 direct and indirect jobs in Great Britain and result in £70 million per year of extra investment in community benefits.

2.3.53 At page 18 of the Strategy, reference is made to illustrative deployment scenarios which it states emphasises *“the challenge in meeting the 2030 clean power range in GB which will require significant deployment in Scotland, England and Wales.”* This is illustrated in Figure 2.4 below.

Figure 2.4: Clean Power Deployment Scenarios (Onshore Wind)

⁶ The strategy explains that this means delivery of a system with at least 95% of GB's generation being produced from clean sources



2.3.54 The scenarios as illustrated in Figure 2.4 include:

- > *Business as usual* - under this scenario onshore wind only reaches in the region of 17 GW by 2030 and 20 GW by 2035.
- > *Current policy delivery range* - this assumes the implementation of the reform announced as part of the Clean Power 2030 Action Plan and the action set out in the Onshore Wind Taskforce Strategy. In this scenario around 25 GW is installed by 2030 and 30 GW by 2035.
- > *England / Wales maximum delivery* - this is set out as the most optimistic scenario and shows the potential of increasing onshore wind deployment through strengthened policies in England and Wales. Under this scenario onshore wind deployment could reach levels consistent with the 2030 Clean Power range but also increases to in excess of 35 GW by 2035.

2.3.55 The Strategy addresses implementation and states (page 71) that the Government is committed to delivering the level of onshore wind needed by 2030 and is establishing a new Onshore Wind Council to oversee the implementation of the Strategy.

2.4 Climate Change & Renewable Energy Legislation and Policy: 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% of energy to be attained from renewable sources 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*".

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. 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 Scottish 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)

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

2.4.5 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, it 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.

2.4.6 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. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act to set more ambitious targets, to reduce emissions by 100% by 2045 i.e. to achieve net zero.

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

2.4.7 The CCC produced a report to the Scottish Parliament titled ‘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.”

2.4.8 In the report, the CCC calls 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.

2.4.9 The related press release stated that there is a path to Scotland’s post-2030 targets, but stronger action is needed to reduce emissions across the economy.

2.4.10 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.”*

2.4.11 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’s 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.”*

2.4.12 Page 40 of the report 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.

2.4.13 In light of the CCC Report, the Scottish Government stated it remained committed to achieving net zero but would 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.

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024

- 2.4.14 The Climate Change (Emission Reduction Targets) (Scotland) Act received Royal Assent on 22 November 2024. The Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, to replace the concept of statutory annual and interim targets. The Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.
- 2.4.15 The Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved. The Act does not change the existing statutory target of net zero emissions by 2045.

2.5 The Onshore Wind Policy Statement

- 2.5.1 The Scottish Government published an updated OWPS on 21 December 2022. It replaced the version published in November 2017.
- 2.5.2 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".

- 2.5.3 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".

- 2.5.4 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

- 2.5.5 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."

- 2.5.6 It is explained that National Grid's Future Energy Scenarios⁷ 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

- 2.5.7 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*".
- 2.5.8 There are more recent figures available in relation to onshore wind deployment. The figures are reviewed regularly by BVG Associates as part of the Onshore Wind Sector Deal arrangements. An update report titled 'Scotland Onshore Wind Pipeline Analysis 2024-2030' was published by BVG Associates in November 2024 ('the BVG Report').
- 2.5.9 The report presents a database and 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.
- 2.5.10 **Table 2.3** shows the onshore wind pipeline figures as contained in the OWPS alongside the summary of the updated analysis from the BVG Report, allowing a comparison of the various pipeline category figures between those in the OWPS (June 2022) and the BVG Report figures of November 2024. The relative differences between the various categories are also shown.

Table 2.3: Onshore Wind Development Pipeline (OWPS 2022 & BVG Report 2024)

Status of Onshore Wind Projects	OWPS (GW)	BVG Report (April 2024) (GW)	Difference 2022 v 2024 (GW)	Comments
In the Planning / Process	5.53	6.70	+ 1.17	Footnote on page 6 of OWPS applies. Not all projects will receive consent.
Awaiting Construction (i.e. consented)	4.56	6.47	+ 1.91	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. Not all consented developments will proceed to construction.
Under Construction	1.17	0.97	- 0.2	
<i>Sub Total (less in planning category)</i>	5.73	7.44	+ 2.88	
Operational Onshore Wind in Scotland	8.70	10.02	+ 1.32	A number of projects will reach the end of their operational life. Not all will necessarily be repowered or life extended.

⁷ 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.

				A proportion of the operational capacity will have passed its notional design life by 2030 and will be under consideration for decommissioning or repowering.
<i>Total (less in planning category)</i>	14.43	17.46	+ 3.03	

- 2.5.11 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”.*
- 2.5.12 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.
- 2.5.13 Although the BVG 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:
- > 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 the end of their life and assume 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. However, extensions of operational life is likely to remain an attractive option in many cases.
- 2.5.14 The BVG Report cautions (page 20) that the ability to deliver 20 GW by 2030 is likely to be restricted by current resource constraints. Their analysis predicts that these constraints include that the number of current consent decisions from the ECU (Scottish Government) will need to at least double for at least three of the next five years.
- 2.5.15 The BVG Report (page 15) also states that *“it remains clear that a significant increase in consent decisions made each year at the ECU level will be required to reach the 20 GW by 2030 target, and that the reduced development times promised by the [Onshore Wind Sector Deal]will be essential if Scotland is to achieve the 20 GW operational onshore wind by 2030.”*
- 2.5.16 The BVG Report also highlights that the continued issue of Eskdalemuir (Seismic Array constraint), a potential Galloway National Park, and the recent designation of the Flow Country World Heritage Site is likely to result in a loss of some 1.9 GW and 3 GW of operational capacity in 2030 in the deployment scenarios considered.

- 2.5.17 There are therefore a number of factors which indicate that there is likely to be a significant shortfall in the minimum 20 GW 2030 onshore wind target.

Government commitment to 20GW of Onshore Wind by 2030

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

- 2.5.19 Paragraph 1.2.2 of the OWPS states that: "[the explanatory scenarios] *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*".

- 2.5.20 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. I The Programme for Government 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".

- 2.5.21 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"*.

- 2.5.22 Paragraph 2.4.2 of the OWPS states that *"onshore wind will play a crucial role in delivering our legally binding climate change targets"*.

- 2.5.23 The Scottish Government has made clear that the 20 GW ambition of installed capacity is a "minimum". 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.

- 2.5.24 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 scale and urgency of the stated Scottish Government policy position.

Delivering the Government's 20 GW Ambition for Onshore Wind

- 2.5.25 Chapter 2 of the OWPS titled '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.

- 2.5.26 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".

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

2.5.28 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.

2.5.29 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

2.5.30 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.

2.5.31 Section 3.3 addresses peat and carbon rich soils. It highlights that approximately 75% of Scotland's peatlands are degraded through drainage, extraction and other actions. It explains

that reversing degradation through peatland restoration is central to mitigating and adapting to the linked climate and nature crises.

- 2.5.32 Paragraph 3.3.6 states: *"The continued deployment of onshore wind and restoration of peatlands and carbon rich soil will both play vital roles in delivering Scotland's emissions reductions targets..... Given the established need for additional onshore wind turbines to tackle climate change and to ensure long term availability of cheap, renewable energy, in some cases it may be necessary to construct onshore wind farms on areas of peat"*.
- 2.5.33 The document goes on to explain that the onshore wind sector has made remarkable advances over the past decade in mitigation and restoration solutions for peatland. It states that the identification of the condition of existing peatland is a vital part of the wind farm design process and bespoke management plans have an important role. It adds that *"by assessing the net carbon impacts of proposed developments on carbon rich soils and peatlands we will ensure that planning and consenting regimes result in the right projects in the right places, with all applications considered on a case-by-case basis within the relevant planning regime."* (paragraph 3.3.13)
- 2.5.34 Section 3.5 addresses biodiversity and paragraph 3.5.6 states that *"as the rate of onshore wind deployment increases in the coming years, we see a great opportunity for wind energy developments to further contribute significantly to our biodiversity ambition. By proactively managing intact habitats and the species they support, restoring degraded areas and improving connectivity between nature rich areas, onshore wind projects will contribute to our climate change targets and help address the biodiversity crisis"*. (paragraph 3.5.6)
- 2.5.35 Landscape and Visual Amenity is addressed at Section 3.6 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."
- 2.5.36 As referenced below, NPF4 policy 11 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.
- 2.5.37 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"*.
- 2.5.38 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.
- 2.5.39 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 2022⁸ guidance.
- 2.5.40 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"*.

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

Energy Systems & Regulation

2.5.41 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".

2.5.42 The Proposed Development 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.

OWPS Conclusions

2.5.43 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).

2.5.44 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..."*.

2.5.45 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.

2.6 The Onshore Wind Sector Deal

2.6.1 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.

2.6.2 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.”

2.6.3 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.”

2.6.4 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.

2.6.5 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).

2.6.6 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.”

2.6.7 In terms of planning, a key matter is that there is an ambition to reduce the time it takes to determine Section 36 consent 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.”

2.7 The Draft Energy Strategy and Just Transition Plan

2.7.1 The Scottish Government published a new draft ‘Energy Strategy and Just Transition Plan’ titled ‘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.

2.7.2 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."

2.7.3 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.**
- > 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.
- > A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

2.7.4 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".

2.7.5 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....."

2.8 Green Industrial Strategy

2.8.1 The Scottish Government published a Green Industrial Strategy ('GIS') in September 2024. The Executive Summary sets out the mission of the GIS, namely:

"This Green Industrial Strategy's mission is to ensure that Scotland realises the maximum possible economic benefit from the opportunities created by the global transition to net zero".

2.8.2 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's wind economy, carbon capture and storage, supporting the green economy by way of

professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.

2.8.3 Page 6 sets out that the GIS forms a key part of the Government's broader National Strategy for Economic Transformation. It states that *"It also links explicitly to our Just Transition Plans which describe how the transition to net zero in the most emitting sectors will be achieved in a way that delivers economic, social and community benefits, including fair work, environmental preservation and reduced poverty and inequality."*

2.8.4 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states that this:

"is about making the most of our natural resources, established onshore and offshore wind sectors and first-mover advantage in floating offshore wind to generate clean electricity; participating in global supply chains as well as expanding our domestic supply chain capacity and seizing opportunities across the offshore wind supply chain, from infrastructure to manufacturing; positioning Scotland as a leader in material circularity of wind turbines and components."

2.8.5 Actions include, *inter alia*:

- > Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
- > Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
- > Delivering planning and consenting systems which enable Scotland's net zero development pipeline;
- > Exploring the circularity opportunity in onshore wind; and
- > Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.

2.8.6 Onshore wind is referred to in some detail at page 21 where the GIS states:

"Onshore wind is the biggest single technology in Scotland's current mix of renewable electricity generation, comprising 62% of installed capacity."

A thriving onshore wind sector is therefore critical to the decarbonisation in Scotland and the UK. As set out in our 2022 Onshore Wind Policy Statement, Government and industry are focused on delivering at least 20 GW of onshore wind by 2030 (doubling current capacity) and recent pipeline analysis shows that we should be on track to deliver this."

This trajectory is underpinned by the Onshore Wind Sector Deal which sets out a set of specific collaborative actions which include commitments by both the Scottish Government and the onshore wind industry to help deliver the 20 GW ambition."

A supportive policy environment and successful industry collaboration via the Onshore Wind Strategic Leadership Group confirms the shared commitment of Government and industry to achieve this successful and responsible growth."

The onshore wind workforce is highly skilled and opportunities in installation, consulting, operations and maintenance are anticipated to rise in response to growth ambitions. Specialised engineering consultancy services such as wind farm design and financial due diligence related to onshore developments are expected to grow and offer additional export potential. There is commercial opportunity in circular supply chains related to the UK wind industry. Scotland's established, and now ageing onshore wind assets may also offer opportunities for innovative solutions in remanufacturing, recycling, and decommissioning end of life assets."

2.8.7 It is clear therefore that to progress the Government's objectives with regard to wind energy there needs to be clear support for new investment and growth in onshore wind development. Realising the economic and social opportunities will only be achieved through the development and consenting of additional wind energy developments. Such deployment will not only be critical towards achieving the net zero target, given the important contribution that wind energy will make in that regard, but will also help deliver the Government's clear green infrastructure mission.

2.9 CCC Report, Scotland's Carbon Budgets, Advice for the Scottish Government

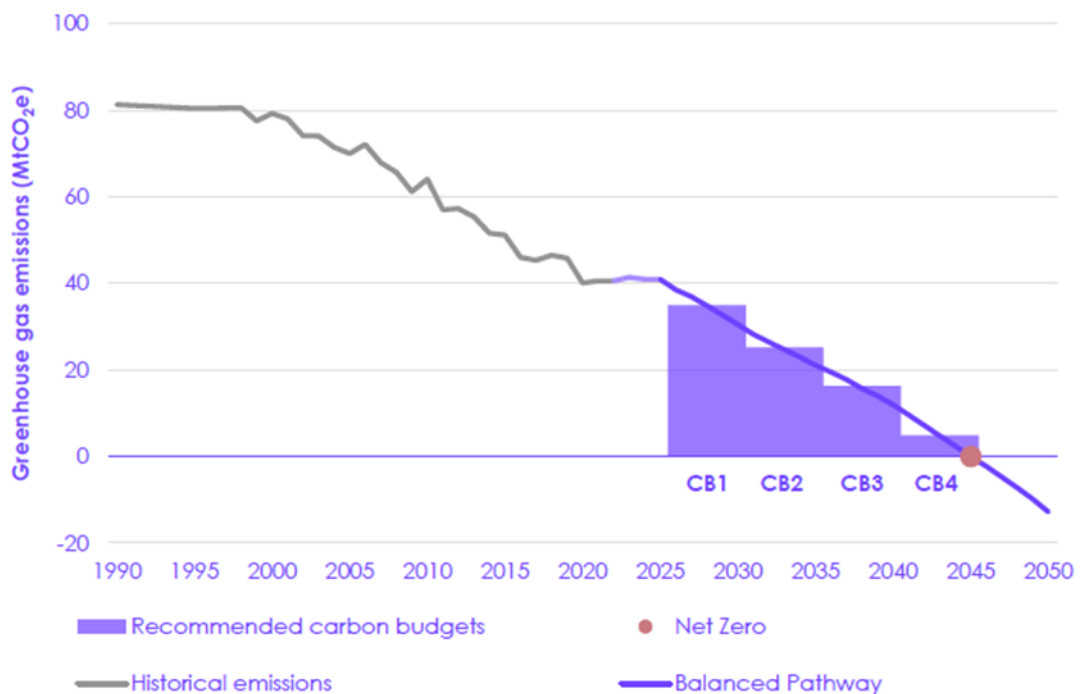
2.9.1 This CCC Report was published in May 2025, and it sets out the CCC's advice on the level of Scotland's four proposed carbon budgets, covering the period 2026 to 2045. It recommends that the Scottish Government sets its carbon budgets, at annual average levels of emissions that are:

- > 57% lower than 1990 levels for the First Carbon Budget (2026 to 2030);
- > 69% lower than 1990 levels for the Second Carbon Budget (2031 to 2035);
- > 80% lower than 1990 levels for the Third Carbon Budget (2036 to 2040); and
- > 94% lower than 1990 levels for the Fourth Carbon Budget (2041 to 2045).

2.9.2 The report sets out that the CCC's advice "*shows that the proposed carbon budgets are deliverable and Scotland can achieve its 2045 Net Zero target.*" (page 8)

2.9.3 The recommended carbon budgets are illustrated in Figure 2.5 below.

Figure 2.5: CCC Recommended Carbon Budgets for Scotland⁹



2.9.4 It states that getting to net zero by 2045 will require immediate action, at pace and scale and adds that decisions on the exact pathway and policies are for the Scottish Government.

⁹ CCC (May, 2025). The Report states that the 'Balanced pathway' sets the recommended level of Scotland's carbon budgets.

- 2.9.5 The Report explains that progress to date has largely come from electricity decarbonisation, reflecting Scotland's abundant renewable resources. It goes on to state (page 9) that:
- "Action will increasingly be required in predominantly devolved policy areas to hit the Net Zero 2045 target and the proposed carbon budgets. Now that the framework for climate action has been reset, the Scottish Government has the opportunity to use its powers to match its ambitions with action."*
- 2.9.6 The Report identifies priority actions, which over the period of the first two carbon budgets will be the remaining decarbonisation of electricity generation as well as further electrification of key technologies, particularly the roll-out of EVs and heat pumps.
- 2.9.7 The Report identifies the sources of future emissions reductions and notes that in the next decade, over the next two carbon budgets, they are predominantly met from electrification of key technologies across the economy and measures to reduce demand for high-carbon activities.
- 2.9.8 Specifically in relation to electricity and low carbon supply the Executive Summary explains (page 12) that in the Balanced Pathway set out by the CCC:
- "the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035, increasing to 66 GW by 2045. This provides 98% of electricity generation in Scotland in 2035 and caters for increasing demand in Scotland and the rest of Great Britain (GB). Grid storage, use of storable fuels on the GB-wide network, and smart demand flexibility ensure a reliable supply of electricity even in adverse weather years. These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process. To deliver clean electricity, the planning process to approve large electricity infrastructure projects in Scotland needs to be urgently improved."*
- 2.9.9 Scotland currently has approximately 17.6 GW of renewables operating capacity, therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 48.4 GW to be deployed.
- 2.9.10 The Report sets out in more detail the key actions to deliver the Balanced Pathway in electricity supply. At page 94 it refers to the key action for the Scottish Government which is to *"Urgently improve the planning process to approve large electricity infrastructure projects in Scotland, such as transmission lines and onshore wind farms."* citing that it can currently take up to four years to approve large electricity infrastructure projects in Scotland.
- 2.9.11 The Report makes reference to the Scottish Government and the UK Government's commitment to reform the energy consents system in Scotland, including through measures in the Planning and Infrastructure Bill. It states that *"Both governments should ensure that these reforms are now implemented at pace. All bodies involved in the planning and consenting process must also be adequately resourced and skilled."*
- 2.10 Scottish Government Commitment to Climate Targets, June 2025**
- 2.10.1 Following the publication of the CCC Report, Scotland's Carbon Budgets in May 2025, the Scottish Government announced in June 2025 its intention to set new climate targets in line with those set out by CCC. The carbon budgets approach will set limits on the amount of greenhouse gases Scotland will emit over the coming decades and are direct action to tackle climate change.
- 2.10.2 The carbon budgets propose five-year, statutory limits on emissions from 2026 to 2045. The proposed budgets are in line with the advice from the independent CCC and the Scottish Government's own assessments and by 2045 aims for average levels of emission to be 94% lower than 1990 levels (Full details are set out at Section 2.9 above, and are therefore not repeated.)
- 2.10.3 The proposals will be scrutinised by the Scottish Parliament before being voted on in the autumn 2025.

2.10.4 Once the Carbon Budgets have been agreed, the Scottish Government will publish and consult on a new draft Climate Change Plan outlining the specific actions required to reduce emissions so as to meet each of the first three carbon budget targets, as well as setting out the associated costs and benefits.

2.10.5 Scotland's Cabinet Secretary for Climate Action and Energy Gillian Martin said¹⁰:

"Scotland is now halfway to our 2045 climate change target and is ahead of the UK as a whole in reducing long term emissions.

"These Carbon Budgets will set clear limits on emissions for the coming decades in line with the independent advice of the UK Climate Change Committee.

"When we publish our draft Climate Change Plan later this year, it will set out the policies needed to continue to reduce our emissions and meet our first three carbon budget targets.

2.10.6 This announcement by the Scottish Government furthers the commitment to carbon budgets as a measurement tool for emissions reduction. The publication of the draft Climate Change Plan in due course will be an important tool in policy terms to see exactly how this will be achieved in practice within each of the key sectors.

2.11 Conclusions on the Renewable Energy Policy & Legislative Framework

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

2.11.2 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.

2.11.3 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.

2.11.4 The change from annual Scottish emission reduction targets to a system of carbon budgets has served to show that Scotland is not on track to attain net zero, and it strengthens the case for rapidly approving schemes that can contribute to this goal. The overall target of net zero remains unchanged.

2.11.5 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.

2.11.6 In terms of the energy policy considerations, it is helpful to reference the recent position of the Scottish Ministers with regard to a Section 36 wind farm decision. Section 36 consent was granted by the Scottish Ministers on 09 May 2025 for the Chrathaich Wind Farm. From paragraph 90 et seq of the Decision Letter, the Scottish Ministers in commenting on the acceptability of the development stated::

"As set out above, the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Ministers. Scotland's renewable energy targets and climate change ambitions, energy policies and planning policies are all relevant considerations when weighing up this proposed development. NPF4, Scotland's Energy Strategy and the Onshore Wind Policy Statement ("OWPS") make it clear that renewable energy deployment remains a priority of the Scottish Government. These are all matters which should be afforded significant weight in favour of the Proposed Development".

¹⁰ Scottish Government (2025) Press Release 19 June 2025 <https://www.gov.scot/news/new-climate-targets-set/>

The transition to a low carbon economy is an opportunity for Scotland to take advantage of our natural resources to grow low carbon industries and create jobs.

The Scottish Ministers are satisfied that the deployment of this amount of renewable energy the proposed Development could generate is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its target date for net zero emissions of all greenhouse gases by 2045."

- 2.11.7 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.
- 2.11.8 The draft Energy Strategy for Scotland forms part of the strengthened policy approach alongside NPF4. Together, 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.
- 2.11.9 It must follow that the need case for the Proposed Development 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, and the contribution of the Proposed Development to meeting net zero and low carbon energy targets. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in order to attain net zero.

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 approximately 50 MW of onshore wind energy, the Proposed Development would make a valuable and important contribution to attaining the aims of UK and Scottish Government policies of encouraging renewable energy developments; and in turn contributing to achieving 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 Proposed Development would generate enough renewable electricity to power the domestic electricity needs of approximately 29,918 average UK households per annum.
 - Overall, the Proposed Development in combination with the existing Millennium Wind Farm would generate enough electricity to power 66,749 average UK households per annum.
- > 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 energy capacity in the near term will have a disproportionately higher benefit than the same capacity delivered later.

Emissions Savings

- > The carbon balance calculations establish that the Proposed Development could result in the saving of approximately 35,167 tonnes of carbon dioxide equivalent emissions per annum if a grid mix of electricity generation were used as the counterfactual position.
 - Overall, the Proposed Development in combination with the existing Millenium Wind Farm could result in the saving of approximately 33,963 tonnes of carbon dioxide equivalent emissions per annum if a grid mix of electricity generation were used as the counterfactual position.

Security of Supply

- > 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, as a proven technology 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 renewable resources, and would enable the Proposed Development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.

Socio-Economic Benefits

- > The Proposed Development would support jobs during construction and operation, across the Scottish economy. The socio-economic benefits of the Proposed Development are set out in a separate Socio-economic Statement (SES) submitted with the consent application. The demonstrates that there is potential for the Proposed Development to bring significant economic benefits at local, regional, and national levels.
 - The assessment estimated that during the construction phase the Proposed Development could generate up to **£16.6 million GVA and 253.3 job years across Scotland**, with approximately **£5.66 million and 92.2 job years'** worth of this total directly **benefitting the Highlands**.
 - It is estimated that over the Proposed Development's 35-year operational lifetime, the operations and maintenance costs could generate up to **£39 million GVA and 540.3 job years across Scotland**, with approximately **£28.2 million and 390.1 job years'** worth of this total directly **benefitting the Highland economy**.
 - The Proposed Development would generate approximately **£527,267** per year in non-domestic rates payments, equivalent to **£18.45 million** if the Proposed Development is operational for the full 35-year period.
- > The Proposed Development would have a key role providing long-term job opportunities to the Highlands, whilst ensuring that community benefits are reinvested locally. The net-economic benefits as a result of the investment into the construction and operation of the Proposed Development would result in high quality, secure jobs through the demand created; and support of local services and a contribution of non-domestic rates.
- > There are opportunities for the Proposed Development to deliver wider and lasting economic benefits through: maximising local supply-chain content; developing future workforce skills; and investment in the local community. The Proposed Development provides opportunities for the involvement of suppliers from the Highlands, and Scotland. The range of activities that suppliers can be involved in include research and development, design, project management, civil engineering, component fabrication and/or manufacture, installation and maintenance.

Community Benefits

- > Should the Proposed Development be granted consent, a **Community Benefit Fund** would be made available to the community as set out within the SES. This is offered on the basis of a payment per MW of installed capacity at the Scottish Government recommended rate at the time of commissioning the Proposed Development. At present the recommended rate is £5,000 per MW (Scottish Government (2019) (index linked from first payment) of installed electricity generating capacity. The Proposed Development will provide approximately £250,000 per year to a community benefit fund, equivalent to £8.75 million if the Proposed Development is operational for the full 35-year period. It is acknowledged that such payments do not constitute a material planning consideration.

Biodiversity Enhancement

- > Significant biodiversity enhancements are proposed as set out in an Outline Biodiversity Enhancement Management Plan. Of note are the proposed measures for enhancement of riverine habitats, where riparian planting is proposed along Allt an Eòin, a tributary of the River Moriston SAC, as well as planting of native broadleaved woodland within an area of disused track. Further details of the proposed measures are set out in the next chapter in the context of NPF4 biodiversity policy.

Other Benefits

3.1.2

The Proposed Development presents an excellent opportunity to maximise the renewable energy output of an already established and operational wind farm site. The Proposed Development utilises existing wind farm infrastructure (access tracks, borrow pits, and areas of hardstanding), thus assisting in minimising the land-take and associated effects of the development.

4. Appraisal against NPF4

4.1 Introduction

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

4.1.2 A Chief Planner's Letter was issued on 8 February 2023 titled 'Transitional Arrangements for National Planning Framework 4'. It contained advice intended to support consistency in decision making ahead of new style LDPs 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 LDP.

4.1.4 Therefore, at the time of writing this Planning Statement, the statutory Development Plan applying to the site consists of NPF4 and the Highland wide Local Development Plan (2012).

4.1.5 The publication of NPF4 coincided with the coming into force of certain parts of the 2019 Act. A key provision is Section 13 of the 2019 Act which 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 2012. 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 8 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 Goals¹¹. 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 Plan¹² (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 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 Framework¹³.
- 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 of NPF4) as follows:

¹¹ 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'.

¹² 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.

¹³ 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 support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

4.2.8 A summary description of this National Development 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 National Developments and related Statements of Need. It explains that National Developments 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 National Development 3 (ND3) and 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; .." (emphasis added)

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

4.3.8 The National Spatial 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; and
- > Policy 11: Energy.

4.4.4 In terms of "liveable places", the most relevant policies to the Proposed Development include:

- > Policy 22: Flood risk and water management.

4.4.5 These policies are addressed in turn below.

4.4.6 The Chief Planner's Letter of 8 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." (emphasis added)

4.4.7 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 Crises

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, would make a positive contribution by helping to attain the outcome of net zero, and would also deliver biodiversity enhancement helping to address the nature crisis.

4.5.4 The Chief Planner's Letter 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 to Policy 1, but it is for the decision maker to decide if it is for or against the proposal. The Proposed Development’s contribution to the climate emergency and nature crisis is positive and therefore the significant weight in this case is in favour of 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 renewable energy generation and greenhouse gas reduction 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 emissions 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 chapter that it is important to recognise 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 achieving 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 Report¹⁴ 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.

4.6 NPF4 Policy 11: Energy

Policy 11 & Principles

4.6.1 For the consideration of wind 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

¹⁴ Sanquhar II, Section 36 Decision dated 31 August 2023, Supplementary Report of Inquiry dated 20 February 2023 (Case Reference WIN-170-2006).

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 clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development would 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 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 developments to “maximise net economic impact”. The socio-economic effects that would arise have been summarised in Chapter 3 above and set out in the SES which accompanies the application and there is considered to be 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 (international, 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 A 2 km study area was agreed with consultees at EIA Scoping stage in relation to residential amenity. There are no residential properties in this study area and therefore a detailed Residential Visual Amenity Assessment (RVAA) has not been included in the EIA Report, as it is judged that the Proposed Development would not give rise to effects that would result in the visual amenity of a residential property being so great that it would not be in the public interest to permit such conditions.
- 4.6.13 Significant visual effects are however predicted for receptors within two receptors groups at Dalchreichart approximately 3 km and at Dundreggan approximately 5 km . The Proposed Development would however be seen in the context of the existing Millenium turbines.

- 4.6.14 Overall, on balance, the limited significant effects on communities and dwellings is considered to be acceptable.

Noise and Shadow Flicker

- 4.6.15 Noise is addressed in Chapter 11 (Noise and Vibration) of the EIA Report. Overall construction noise effects are determined to be not significant. Noise generated during the construction phase, including traffic and site activities, is predicted to have minimal impact on nearby receptors due to the large separation distances (approximately 3 km) between construction areas and noise-sensitive properties.
- 4.6.16 Predictions of wind turbine noise emissions from the Proposed Development have been made in accordance with good practice using a candidate wind turbine.
- 4.6.17 During operation, noise from the wind turbines has been assessed using standard predictive models under worst-case conditions. The analysis shows that operational noise levels will comply with the most stringent industry-standard noise limits at all identified receptor locations. Accordingly, operational noise effects are concluded to be not significant.
- 4.6.18 Chapter 14 (Shadow Flicker) of the EIA Report considers the potential for shadow flicker on receptors.
- 4.6.19 On examination of the zone of potential shadow flicker (ZPSF) in relation to potential shadow flicker receptors within the vicinity of the Site, it has been identified that no sensitive receptors fall within the ZPSF. The nearest residential receptor is approximately 3.1 km away from the nearest turbine, well outside the ZPSF, of 1.7 km. Therefore, no shadow flicker effects or impacts on any residential receptors are predicted, and no mitigation would be required.

Landscape and Visual Considerations

- 4.6.20 Before examining the landscape and visual effects of the Proposed Development, paragraph e(ii) of NPF4 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 Landscape and Visual Impact Assessment (LVIA) (as contained within Chapter 5 of the EIA Report) should be referred to for its detail, but summary points are referenced below.

Design Evolution

- 4.6.21 Overarching principles influencing the design of the Proposed Development included maximising the amount of renewable energy generation whilst:
- > Minimising land take to construct infrastructure as far as possible;
 - > Minimising potential impacts on the natural and cultural environment through careful siting and design;
 - > Siting and designing to avoid or minimise significant landscape and visual impacts;
 - > Minimising the number of watercourse crossings required, as far as practicable; and
 - > Identifying potential opportunities for environmental enhancement.
- 4.6.22 Specifically in relation to landscape and visual matters, a key consideration for the design evolution has been the difference in height of the proposed turbines compared to the existing ones. The proposed turbines would be up to 180 m and 200 m in height with larger spacing between each turbine. The difference in height between the proposed and existing turbines has been an important consideration in the positioning of the turbines of the Proposed Development.

- 4.6.23 A number of landscape and visual design principles have guided the design of the array of the Proposed Development. These included:
- > Set turbines back from the edge of the plateau area to reduce impacts on the Great Glen, Fort Augustus and views from the south.
 - > Position turbines to avoid overlapping with each other in sensitive views.
 - > Position turbines to avoid the perception of overextending development at the Site.
 - > Use a mix of tip heights to respond to underlying topographic variations and create a more even arrangement of turbines.
 - > A reduced lighting scheme has been agreed with consultees.
 - > Use of existing site infrastructure where possible to minimise the land take footprint and reduce the length of new tracks required.
- 4.6.24 These design principles have influenced design alongside other factors such as hydrology and hydrogeology, peat and ecology.
- 4.6.25 The design considerations are explored in detail in the Design and Access Statement (DAS) supporting the application. The final layout design iteration of the Proposed Development, as shown in Figure 2.2 of the EIA Report has been developed through four principal iterations of the layout. The design evolution for the Proposed Development is set out in Chapter 2 (Proposed Development) of the EIA Report as well as within the DAS.
- 4.6.26 Insofar as was possible given other technical and environmental constraints, these principles sought to reduce significant effects through alterations to layout, design and siting, management practices and mitigation.
- 4.6.27 Landscape and visual considerations have therefore 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.
- 4.6.28 The assessment of landscape and visual effects is informed by 22 viewpoints and an additional three illustrative wirelines that represent visibility from locations around the LVIA study area, including visual receptors, a variety of LCTs, and landscape planning designations.
- Landscape Character
- 4.6.29 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.
- 4.6.30 All of the proposed turbines are located within the LCT 220 Rugged Massif – Inverness (host LCT). During operation there would be significant effects on landscape character within approximately 6 km of the Proposed Development thereby affecting LCT 220 Rugged Massif – Inverness (eastern part 2-4 km) and LCT 226 Wooded Glen - Inverness (significant within 5-6 km).
- Designated Landscapes
- 4.6.31 The Proposed Development is located within 12.5 km of Glen Affric National Scenic Area (NSA) with other NSAs (Kintail NSA; Glen Strathfarrar NSA; Knoydart NSA; and Ben Nevis and Glencoe NSA) over 25 km distant from the proposed turbines. At Scoping, it was agreed with NatureScot that a detailed assessment of Glen Affric NSA would not be required but an initial assessment would be undertaken, while the other NSAs were scoped out.
- 4.6.32 The Cairngorms National Park is situated 25 km to the south-east. Due to very limited areas of visibility from the National Park, an assessment of the Park has been scoped out.
- 4.6.33 Four Special Landscape Areas (SLAs) occur within the LVIA study area:

- > Loch Ness and Duntelchaig SLA (7 km, East);
- > Loch Lochy and Loch Oich SLA (5 km, South East);
- > Moidart, Morar and Glen Shiel SLA (10 km, West); and
- > Strathconon, Monar and Mullardoch SLA (18 km, North).

- 4.6.34 The assessment in the LVIA concludes that there would be no significant adverse effects on the Glen Affric NSA. Due to the intervening distance to the Proposed Development and the way in which the Special Landscape Qualities (SLQs) of the designation are experienced, there would be little or no impact on SLQs of Glen Affric NSA. There would be very small areas of visibility at the southern edge of the NSA with most of the visibility coinciding with the high mountains on the north side of the glen.
- 4.6.35 No significant adverse effects are predicted on the four SLAs identified or in relation to the integrity of the local designations.
- 4.6.36 The consideration of the effects of the Proposed Development in relation to Wild Land is addressed in the context of NPF4 Policy 4 (Natural places) below.

Visual Effects

- 4.6.37 The LVIA identified eight visual receptor groups that were included in the visual impact assessment. These included:
- > Dalchreichart (3 km north): the small settlement and the scattered dwellings along the minor road that runs between Torgyle Bridge in the east and Tomchrasky in the west;
 - > Torgyle and Dundreggan area (5 km north-east) which includes the community of Dundreggan that lies between Torgyle Bridge and Dundreggan reservoir;
 - > Bridge of Oich and Cullochry (6 km south) which includes the area at Bridge of Oich where there are a number of residential properties including those at Cullochry Lock on the Caledonian Canal;
 - > Aberchalder and Newton area (6 km south) which includes the community of Aberchalder on the east side of the glen and scattered properties between Aberchalder and Newton along the route of the A82;
 - > Ceannacroc (6 km, north-west) which includes the area around Ceannacroc including Ceannacroc Lodge, Coire Dho and the old military road that traverses open hill land to the west of Ceannacroc Lodge;
 - > Fort Augustus (7 km, east): the village of Fort Augustus and the areas between Fort Augustus and Borlum including dwellings on the east side of the floodplain;
 - > Borlum and Glendoe (8.2 km, east) which includes the eastern side of the Great Glen at Borlum and north-east around Glendoe where there are scattered dwellings mainly in wooded areas.
 - > Glen Garry (8 km, south-west): the settlement of Invergarry and environs and Glen Garry that extends west from the village to Inchlaggan and Tomdoun.
- 4.6.38 Additionally core transport routes, A82, A87, A887, B862 and Core paths along with other recreational receptors have been assessed in the LVIA.
- 4.6.39 Significant effects are predicted for users of one Core Path during construction, namely IN16.16.
- 4.6.40 During operation there would be significant effects on the following visual receptors:
- > Dalchreichart receptor group.
 - > Dundreggan receptor group.

- > A887 – for a short stretch at Dundreggan.

- > Core path IN16.16.

4.6.41 No significant effects are reported on specific viewpoints or key recreational routes.

4.6.42 No significant night-time effects are reported on any landscape or visual receptors.

Cumulative Effects

4.6.43 As well as assessing the effect of the Proposed Development itself, the LVIA considers the cumulative effect that may arise when the Proposed Development is added to various scenarios of operational, under-construction, consented and application-stage wind farms.

4.6.44 The main cumulative interactions would be with Tomchrasky (Consented), Culachy (In Planning) and Beinneun 2 (Scoping). It is explained in the assessment that other Consented, In Planning or Scoping developments are too far away from the Proposed Development and/or associated with established groups of wind farms to result in notable cumulative interactions from which significant effect could arise.

4.6.45 The cumulative assessment finds that the addition of the Proposed Development would not lead to an increase in the level of significant effects.

Public Access

4.6.46 The LVIA has addressed visual amenity considerations in relation recreation routes with the consideration of viewpoints and visibility. Whilst there would be some visibility of the Proposed Development from some walking and recreational routes, these are not considered to be unacceptable.

4.6.47 No core paths or recreational routes will be directly affected by the Proposed Development.

4.6.48 Parts of the Site are not easily accessible; however, most of the Site is well connected via the existing wind farm access tracks which are open to the public for recreational use.

4.6.49 To balance public access rights with construction and health and safety requirements, appropriate mitigation measures would be implemented during construction. Detailed mitigation measures and plans would be confirmed post consent and prior to the commencement of construction activities, following consultation with local community councils. As a minimum, the following measures would be adopted during construction:

- > Signage, clearly marking alternative recreational routes in the vicinity of the Site would be provided; and

- > Informative signage at key access points would be provided, notifying users of the reasons and duration of the closure, as well as directions to alternative recreational routes.

4.6.50 Upon completion of construction and commissioning of the Proposed Development, the paths would be re-opened for public use.

4.6.51 With respect to the existing and proposed access tracks, during the operational phase of the Proposed Development, vehicular access would be restricted to personnel directly involved in its maintenance. However, public access on foot, by cycle or horse would still be permitted.

4.6.52 Appropriate warning signs would be installed concerning restricted areas such as the substation compound, transformers, switchgear and metering systems, and in the vicinity of the turbines to highlight the potential risks of ice throw in winter conditions. All onsite electrical cables for the Proposed Development would be buried underground with relevant safety signage.

Aviation, Radar and Defence Interests

- 4.6.53 The EIA Report addresses impacts to aviation, radar and defence matters (Chapter 12). 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.
- 4.6.54 The Proposed Development is remote from all aerodromes. The nearest significant aerodrome is Inverness Airport, over 60 km to the north-east.
- 4.6.55 The site is beyond the limits of physical safeguarding surfaces for all aerodromes. There are also no potential impacts to key military or civil radar installations. The Site lies within an area identified as of low priority for military low flying and is beyond the limits of safeguarding areas for any navigational aids or radio communication stations.
- 4.6.56 The CAA and all other relevant aviation stakeholders have approved a reduced lighting scheme consisting of visible spectrum lighting on four of the eight turbines.

Telecommunications & Broadcasting

- 4.6.57 A telecommunications assessment in relation to the Proposed Development was undertaken. Through the impact assessment and subsequent consultation process, no telecommunication links were identified within, or in close proximity to the Site. Hence, no effects on the telecommunications network are anticipated as a result of the Proposed Development, and the topic of telecommunications was scoped out of the EIA.

Impacts on Road Traffic and Trunk Roads

- 4.6.58 Chapter 10 (Traffic and Movement) of the EIA Report addresses traffic and transport. As set out in the assessment, with the application of appropriate mitigation, there are no significant effects predicted.
- 4.6.59 The site would be accessed from the existing Millenium Wind Farm access track off the A887. The existing on-site wind farm track network would be used, with new track sections required to access turbines and certain infrastructure locations. Modifications would be required to the existing junctions to allow AIL vehicles to access and egress safely / unobstructed.
- 4.6.60 The origins of materials and goods related to the turbines are expected to be the Ports of Kyle of Lochalsh for turbine blades, and Corpach Harbour for tower sections and other large components. The main routeing of the construction traffic access routes would likely comprise sections of the following routes:
- > A87;
 - > A887;
 - > A830; and
 - > A82.
- 4.6.61 A review of the existing road capacity has been undertaken and details are set out in Chapter 10 (Traffic and Movement) of the EIA Report. The assessment concluded that there are no road capacity issues with the addition of construction traffic associated with the construction of the Proposed Development, and that ample spare capacity exists within the local road network to accommodate all construction phase traffic.
- 4.6.62 Additional mitigation is proposed as set out in the outline Construction Traffic Management Plan (CTMP) (Appendix 10.1c of the EIA Report) and Abnormal Load Transport Management Plan (ATMP).
- 4.6.63 Given the temporary nature of the construction programme and with the implementation of mitigation measures noted, all effects can be effectively managed and no significant residual effects are predicted.

- 4.6.64 The effects of the increase in traffic that would arise from the Proposed Development have also been considered in combination with other developments that are proposed or those that have consent but are unbuilt at the time of writing. Both the total traffic and HGV traffic flows assessment results indicate an increase on all links within the study area, including large increases on the links previously taken forward for assessment of effect significance, namely the A82, A887 and A87. Chapter 10 notes that it is unlikely that the peak construction period assessment associated with the cumulative developments would overlap with the peak period of the Proposed Development. This is due to a number of factors such as the applications being at different stages in the planning process; it is unlikely that all applications will be consented; those that do will have different grid connection dates and each will have varying lengths of construction period.
- 4.6.65 Furthermore, the high traffic generating activities, such as the importation of stone and concrete, tend only to occur over a few months of the whole construction period and it is also unlikely that local capacity for concrete and stone production could supply several developments under construction at once, further staggering those high traffic volume elements.
- 4.6.66 Finally, Police escort arrangements are a limiting factor on the frequency and timing of abnormal load deliveries. Currently experienced issues with police escort capacity mean it is not possible for more than one abnormal load convoy to be on the same road network in any 24-hour period.
- 4.6.67 Should the construction of committed developments take place at the same time as the Proposed Development, it would be mitigated through the use of an overarching Traffic Management Plan (TMP) for all of the sites and by introducing a phased delivery plan which would be agreed with the local roads departments and Police Scotland.
- 4.6.68 The construction period would be transitory in nature and all impacts would be short lived and temporary. Traffic volumes during the operational period would be minimal.

Historic Environment

- 4.6.69 Chapter 9 (Archaeology and Cultural Heritage) of the EIA Report 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. In summary, no significant adverse effects are predicted in relation to designated or undesignated heritage assets.
- 4.6.70 Effects in relation to the historic environment are further examined below in terms of NPF4 Policy 7 (Historic assets and places). In summary however, no likely significant effects have been identified in relation to heritage assets.

Hydrology, the Water Environment and Flood Risk

- 4.6.71 Chapter 8 (Hydrology, Geology, Hydrogeology and Peat) of the EIA Report addresses the potential impacts of the Proposed Development on hydrological features. An assessment has been undertaken of the potential effects on geology (including soils and peat) and the water environment (hydrology and hydrogeology) during the construction, operation and decommissioning phases of the Proposed Development.
- 4.6.72 Overall, the effects from the Proposed Development to the water and soil environment are assessed to be Minor (not significant).

Biodiversity

- 4.6.73 Chapter 6 (Ecology) of the EIA Report addresses potential effects on Important Ecological Features (IEFs) associated with the construction, operation and decommissioning of the Proposed Development. Chapter 7 (Ornithology) of the EIA Report assesses the potential significant effects on Important Ornithological Features (IOFs).
- 4.6.74 Ecology

- 4.6.75 The Site does not form part of any statutory designated site for nature conservation with ecological qualifying interests. The majority of designated sites with ecological qualifying interest were scoped out of detailed assessment at EIA Scoping stage due to spatial separation and/or absence of pathways. However, there is hydrological connectivity between the Proposed Development and the River Moriston Special Area of Conservation (SAC) via a number of tributaries which drain from the Site towards the River Moriston SAC. Additionally, the Site Boundary abuts the right-hand bank of the River Moriston SAC.
- 4.6.76 A suite of baseline ecology field surveys has been undertaken to inform the assessment, including for habitats including priority peatland habitat and vegetation, otter, water vole, badger, pine marten, red squirrel, bats, deer and fisheries.
- 4.6.77 Baseline surveys have established that majority of the Site is covered by open upland habitats, including wet dwarf shrub heath, blanket bog, wet modified bog, acid/neutral flush, grassland, bracken and standing water. Coniferous plantation woodland and mixed plantation woodland are present within the northern extent of the Site.
- 4.6.78 Annex I and Scottish Biodiversity List (SBL) habitat types have been identified across the Site.
- 4.6.79 Based on the results of the Peatland Condition Assessment (refer to Technical Appendix 6.1 of the EIA Report) in total, 874.18 ha of priority peatland within the Site is considered to be of 'possible national interest'.
- 4.6.80 In addition to protected and/or sensitive habitats identified, the surveys also recorded several habitat communities within the Site which are indicative of potential Ground Water Dependent Terrestrial Ecosystems (GWDTE).
- 4.6.81 Field surveys have not identified the Site as being important for anticipated significant effects on populations of the listed protected species namely otter, water vole, badger, pine marten and red squirrel, and the standard good practice measures are considered appropriate to avoid any potentially significant adverse effects on these species.
- 4.6.82 Chapter 6 (Ecology) of the EIA Report includes detailed assessment of priority habitat defined with reference to Annex I of the Habitats Directive, SBL priority habitats and priority peatland as well as bats (foraging/commuting) and deer.
- 4.6.83 The design approach has followed the mitigation hierarchy and has included a number of considerations to minimise adverse effects upon ecological resources including avoiding habitat losses; minimising watercourse crossings and designing those watercourse crossings required sensitively for wildlife; and buffering infrastructure from areas identified as being important for sensitive species.
- 4.6.84 In addition, embedded mitigation measures such as a CEMP, including a Peat Management Plan (PMP), pre-construction surveys, species protection plans, and presence of an Environmental Clerk of Works (ECoW) are all proposed during construction.
- 4.6.85 In relation to the River Moriston SAC, no direct effects, from construction activity are anticipated to occur as a result of the Proposed Development and the potential for indirect effects on the SAC have also been minimised, with all proposed infrastructure and construction corridors located approximately 150 m from the SAC. Overall habitat loss for freshwater pearl mussel and Atlantic salmon as a result of the Proposed Development would be negligible.
- 4.6.86 As part of the proposed ecological enhancements, improving/creating in-channel fish cover (i.e., placing boulders and/or woody debris within the watercourse) is proposed along with riparian planting on the banks of the River Moriston SAC. As such, information is provided in the chapter to inform the Habitats Regulations Appraisal (HRA) relating to these improvement works.
- 4.6.87 In relation to habitat losses, no significant adverse effects are predicted on dried dwarf shrub heath, wet dwarf shrub heath, blanket bog, wet modified bog, GWDTE and notable flora species.

- 4.6.88 No significant effects are predicted on deer. It is explained in the assessment that while the Proposed Development would result in the loss of open upland, moorland habitat, the availability of similar habitats within the immediate and wider surrounding area is extensive, and local deer populations would be able to move freely within the Site (with the exception of fencing around newly established plantation by the Achlain Estate as part of their forestry strategy) as well as moving freely into and out of the Site from the surrounding area.
- 4.6.89 The bat population on the Site has been valued at a Local level due to the species recorded being widespread and common and/or only likely to be present in low numbers. Given the largely suboptimal foraging/commuting suitability of the habitats which would be lost as a result of the Proposed Development, and the presence of woodland and watercourses in the wider area which offer higher suitability habitat, loss and damage to bat foraging or commuting habitat as a result of the Proposed Development is considered to be inconsequential at a population level. No significant adverse effects are therefore predicted.
- 4.6.90 No significant effects are predicted for IEFs during operation of the Proposed Development.
- 4.6.91 No significant cumulative effects are predicted for IEFs during construction or operation of the Proposed Development.
- 4.6.92 Habitat enhancement opportunities detailed in the OBEMP will also be implemented to improve habitat conditions on-site for many ecological receptors.
- 4.6.93 Proposed biodiversity enhancement measures within the OBEMP are further described at Section 4.7 with regard to NPF4 Policy 3 (Biodiversity).
- Ornithology
- 4.6.94 The assessment explains that two and a half years of ornithology surveys were carried out to support the application, as agreed through consultation with NatureScot. Surveys consisted of Vantage Point (VP) flight activity surveys, moorland breeding bird surveys, Annex I and Schedule 1 breeding raptor surveys, breeding black grouse surveys, breeding diver searches and scarce breeding bird surveys.
- 4.6.95 The assessment explains that the Site (and adjacent habitats) supports a relatively limited range of ornithology species regarded as 'target species' as evidenced from baseline surveys (and desk study records). Standard mitigation to be adopted will include:
- > embedded mitigation through Proposed Development design (avoidance);
 - > good practice control measures including production of a breeding bird protection plan (BBPP);
 - > pre-clearance surveys; and
 - > appointment of an ECoW to oversee the implementation of the ornithology mitigation measures.
- 4.6.96 Three designated sites for nature conservation have been identified:
- > West Inverness-shire Lochs Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) located 2.2 km to the south: Qualifying interests breeding black-throated diver; and common scoter; and
 - > Glen Afric SSSI located 8.58 km north west: Qualifying interest breeding bird assemblage including crested tit, Scottish crossbill, capercaillie and black grouse.
- 4.6.97 Detailed assessment of IOFs comprise golden eagle, black grouse, golden plover, greenshank, dunlin and qualifying species of the West Inverness-Shire Lochs SPA and component SSSI (common scoter and black-throated diver).
- 4.6.98 No significant effects upon IOFs are predicted to occur as a result of the Proposed Development and, as such, project-specific mitigation measures above and beyond those integrated into the design are not required.

- 4.6.99 In summary, the assessment concludes that no significant adverse direct and/or indirect effects on ornithological features are anticipated as a result of the Proposed Development. Notwithstanding, considering the precautionary principle, additional mitigation is to be adopted in relation to lekking black grouse to avoid unnecessary disturbance/possible displacement. This would take the form of a restriction on working within 500 m of the lek site before 9 am during April and May as well as no-stop policy in relation to works vehicles within at least 500 m of lek sites during the main lekking period. These lek sites are illustrated in Confidential Figure 7.11, with further details in Confidential Technical Appendix: 7.3 of the EIA Report.
- 4.6.100 Habitat enhancement opportunities detailed in the proposed OBEMP (Technical Appendix 6.7 of the EIA Report) will also be implemented to improve habitat conditions on-site for many IOFs. this will include bog restoration to the benefit of golden eagle, black grouse and golden plover. This is further referred to below in the context of NPF4 Policy 3 (Biodiversity).
- 4.6.101 No significant cumulative effects are predicted for the IOFs considered.
- 4.6.102 In relation to other considerations in NPF4 Policy 11 paragraphs x) – xiii) – impact on forestry was scoped out of the EIA as there would be no direct impact on trees or woodland and matters relating to future decommissioning has been addressed as far as it can be at this stage in the EIA Report. Cumulative considerations are addressed for all relevant topics in the EIA Report.

Balancing the Contribution of a Development and Conclusions on Policy 11

- 4.6.103 Paragraph 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 appropriate design mitigation, they should generally be acceptable. The LVIA concludes that the significant landscape and visual effects are localised, and that appropriate design mitigation has been adopted.
- 4.6.104 In addition, the Proposed Development is considered to be acceptable in relation to all of NPF4 Policy 11's environmental and technical topic criteria.
- 4.6.105 The second to last paragraph **of Paragraph e) of Policy 11** is expressly clear that in considering any identified impacts of renewable energy 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.
- 4.6.106 In terms of contribution to targets, the Proposed Development's contribution has been set out in Chapter 3.

4.7 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

- 4.7.1 Policy 3 has an intent to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Outcomes of the policy are that biodiversity is enhanced and better connected, including through strengthened nature networks and nature-based solutions.
- 4.7.2 In summary, there are no significant adverse 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.
- 4.7.3 **Policy 3** requires developments to, wherever feasible, provide nature-based solutions that have been integrated and made best use of and for significant biodiversity enhancements to be provided.

4.7.4 **Paragraph b) states that:**

“Development proposals for national or major development 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. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria.”

4.7.5 The policy goes on to reference the need for an understanding of the existing characteristics of a site and states that an assessment of potential negative effects should be undertaken which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.

4.7.6 Paragraph b) iv) of the policy sets out a requirement that *“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.”*

4.7.7 Paragraph d) adds 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 the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration”.*

Current Guidance Position

4.7.8 **The letter from the Chief Planner issued on 8 February 2023** refers to the application of Policy 3 where specific supporting guidance / parameters for assessment are not yet available to aid assessments.

4.7.9 NPF4 Policy 3 Biodiversity is specifically recognised as one such policy area where final guidance is not yet available. The Chief Planner's letter 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 developing 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)

4.7.10 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 such guidance is at present unclear.

4.7.11 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.’”

4.7.12 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”.

4.7.13 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.”

4.7.14 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).

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

4.7.16 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 at Section 4.6 key points in the guidance include the following:

- > It is set out that NPF4 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).

4.7.17 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”.

4.7.18 Section 4.14 of the guidance states that it will be for the decision maker 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.”

4.7.19 The guidance makes reference to the various considerations which are already set out in the NatureScot guidance issued in the Summer of 2023 with regard to NPF4 Policy 3 (as listed above).

- 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 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.
- 4.7.24 The **Highland Council has also consulted upon and approved (May 2024) their own non-statutory Biodiversity Planning Guidance (BPG)**. The guidance is intended for use by THC, applicants and agents to ensure the consistent and proportionate implementation and interpretation of NPF4 Policy 3. The BPG sets out what supporting information is required to be submitted to demonstrate that conservation, restoration and enhancement as required by Policy 3 is provided.
- 4.7.25 Key matters include a flexible approach to the use of a Biodiversity Net Gain (BNG) metric in relation to all development proposals of any scale until such time as the Scottish Government defines its own Scottish metric to support biodiversity net gain calculations. In the interim period, whilst this metric is being developed and is released, THC ‘recommend the English DEFRA metric, but do not require use of a metric’. The use of a ‘distance multiplier’ relative to the location of biodiversity from the development is also on hold until such time as the Scottish metric is agreed and released.
- 4.7.26 The BPG has set a requirement that biodiversity enhancement arising from development within the THC area must be delivered within the Highland geographical area.
- 4.7.27 The BPG has set out a desire for all development to deliver 10% biodiversity enhancement as a minimum. This ratio has been arrived at via benchmarking with England. However, as noted, until such time as a Scottish metric has been delivered the guidance allows applications (Major and National Development) to demonstrate significant biodiversity enhancement in alternative ways. Such proposals should clearly and robustly set out how policy will be met in this regard. Where 10% / significant enhancement cannot be met, on-site alternative measures should be proposed.
- 4.7.28 The BPG also puts in place provisions for a mechanism to be developed for a financial payment to be made to THC in exchange for THC taking responsibility for securing the delivery of biodiversity or enhancement. This option, whilst being retained in the guidance, will remain ‘unavailable’ until such time as a detailed and robust methodology to identify costs and delivery

payments is prepared and agreed. In the meantime the delivery of compensation and enhancement on land within the control of the developer but outwith the development areas, and use of third party offset providers / brokers to deliver enhancement off-site, are provided as options for developers.

The application of Policy 3

- 4.7.29 The Proposed Development has undergone several design iterations in response to the findings of baseline ecological and ornithological studies, to minimise potentially significant effects on sensitive ecological and ornithological features and peat reserves thereby complying with the first step of the mitigation hierarchy referred to in policy 3, i.e. avoidance, whilst balancing the need for the development to contribute a meaningful contribution to Scotland's net zero target. Specifically, the Proposed Development design has sought to: avoid habitat losses; minimise watercourse crossings, design those watercourse crossings required sensitively for wildlife and buffer infrastructure from areas identified as being important for sensitive species.
- 4.7.30 Notwithstanding the lack of policy guidance at the present time, in terms of environmental benefit, it can be concluded that there will be permanent biodiversity enhancement delivered through the Applicant's proposed enhancements to the natural habitat, offered as part of the Proposed Development.
- 4.7.31 The measures detailed within the OBEMP aim to achieve significant biodiversity enhancement at the Site
- 4.7.32 The finalisation of the OBEMP (into an agreed BEMP) would be completed prior to commencement of the construction works of Proposed Development. The BEMP would remain in place as agreed, subject to monitoring of effectiveness, for the remaining operational lifetime of the Proposed Development.
- 4.7.33 The BEMP would be prepared in line with relevant policy and guidance that would be applicable at the time of its preparation and submission. The Applicant is committed to the delivery of appropriate nature enhancement, which accords with up-to-date guidance, during future ongoing development of the ONEMP, and subsequent BEMP.
- 4.7.34 The purpose of the BEMP as implemented would be to ensure the creation, enhancement and ongoing management of habitats at the Site to benefit biodiversity (including but not limited to habitats, terrestrial mammals, birds, fish and invertebrates) in accordance with the principles outlined in Policy 3. Restoration and enhancement measures presented are focussed on improving the overall condition and connectedness of bog, heath, native woodland and riparian habitats at and adjacent to the Site.
- 4.7.35 The OBEMP sets out five key aims and related objectives under each aim to improve and enhance biodiversity at the Site as follows:
- > Aim 1: Restoration of degraded peatland and heath habitats.
 - Objective 1: Promote Improved Structural Diversity of Blanket Bog.
 - > Aim 2: Enhancement of Riverine Habitats.
 - Objective 1: Riparian Planting.
 - Objective 2: Management of Fish Cover.
 - > Aim 3: Native Woodland Creation.
 - Objective 1: Infill an Area of Disused Track with Trees.
 - Objective 2: Provide Uneven Edge Habitat Around the Conifer Block.
 - > Aim 4: Bracken Control.

- Objective 1: Selective Removal of Bracken.
- Objective 2: Increase tree and scrub coverage for target invertebrates.
- Objective 3: Increase wildflower diversity for target invertebrates.
- Objective 4: Improvement to conditions of watercourses for target invertebrates.
- > Aim 5: Reduction in Attraction Risks for Eagles.
 - Objective 1: Carrion Removal.

- 4.7.36 The OBEMP should be referred to for its detail but in summary, the measures proposed to achieve the above aims and objectives include the following:
- > Measures designed to mitigate and compensate for impacts on important habitat features, including blanket bog and bog pools and enhance habitats.
 - > Preliminary peatland restoration search areas totalling 143 ha have been identified – there is a commitment to control and manage some of the pressure factors which are contributing to the degradation of blanket bog habitat within the Site. This includes but is not limited to bracken control, and rewetting measures, including some blocking of suitable ditches present. This would result in an overall increase in the quality of blanket bog and modified bog habitats at the Site, and reverse some of the degradation of bog habitat which is already taking place under baseline conditions, and which it should be **noted may be expected to continue in the absence of the Proposed Development, potentially eventually leading to a loss of the further bog due to modification.**
 - > Measures for riparian planting of native broad-leaved trees, this would be carried out in appropriate areas within the Site, where such planting will not compromise the integrity of underlying habitat (i.e. planting would be avoided on areas of bog and pristine heath), and which would provide enhancement in relation to native broad-leaved woodland habitat. Location of tree planting would also be sensitive to turbine locations as to not potentially create linear corridors towards turbines which bats may use for foraging and commuting.
- 4.7.37 Monitoring is proposed as part of the BEMP, in particular regular monitoring during establishment of the habitat creation and enhancement measures (generally taken as years 1 to 5) and beyond up to year 10 with ongoing monitoring at decreased frequency carried out for the remainder of the operational lifetime of the Proposed Development.
- 4.7.38 A Habitat Management Steering Group (HMSG) would be established prior to the finalisation of the BEMP to meet or correspond regularly to discuss the effectiveness of prescribed management measures and monitoring techniques, monitoring results and recommendations for any amendments to the BEMP. The HMSG would meet at least annually. Reports detailing results and providing recommendations based on these results would be provided in all years where monitoring is carried out, including Years 1, 3, 5, and 10 of the operational life of the Proposed Development.
- 4.7.39 The BEMP would be intended to remain a ‘live’ document which would be updated and amended as necessary, based on results of the site investigation works and monitoring.
- 4.7.40 The enhancement 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.
- 4.7.41 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 generation, 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.

4.8 NPF4 Policy 4: Natural Places

Policy 4 and Principles

- 4.8.1 The policy has an intent to protect, restore and enhance natural assets making best use of nature-based solutions. Policy outcomes are stated as being natural places are protected and restored, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.
- 4.8.2 **Policy 4, 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.
- 4.8.3 **Policy 4 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.
- 4.8.4 **Policy 4, 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 NSA should be addressed. No national designations would be significantly affected as a result of the Proposed Development.
- 4.8.5 **Policy 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”.*
- 4.8.6 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*”.
- 4.8.7 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*”).*
- 4.8.8 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).”

4.8.9 **Paragraph e)** addresses the precautionary principle.

4.8.10 Paragraph f) sets out that *“development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application”*.

4.8.11 **Paragraph g)** of the policy deals with Wild Land Areas (WLA) and states that:

“Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:

i. will support meeting renewable energy targets; or

ii. is for small scale development directly linked to a rural business orcroft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.”

The application of Policy 4

4.8.12 Designated sites relating to the nature conservation have been assessed above under Policy 11 and no significant effects are predicted.

4.8.13 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 no significant effects in relation to any landscape designations. Paragraph d) of the policy allows development to 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”*. In this case, this element of the policy is not engaged as there would be no effects which would significantly adversely affect the landscape qualities or the integrity of a SLA.

4.8.14 In relation to Wild Land, the Proposed Development would be situated 7 km to the south-east of the closest Wild Land Area (WLA) 24 Central Highlands. A wild land impact assessment is therefore not required as per policy 4. Part g) of Policy 4 relates to developments within wild land areas, and the Proposed Development is located outwith a WLA. The policy goes on to state that *“Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.”*

4.8.15 It should also be noted that the EIA has fully addressed the relationship of the Proposed Development with international and national designations to inform necessary Habitat Regulations Assessments. Furthermore, studies to identify potentially impacted species

(including birds) were undertaken and detailed assessment of relevant species was also undertaken as necessary, as set out in the EIA Report.

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

4.9 NPF4 Policy 5: Soils

Policy 5 and Principles

4.9.1 The policy intent for Policy 5 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 the former SPP; however, a key difference, as set out in **paragraph c(ii)**, is that renewable energy proposals are one of the types of development expressly envisaged to be acceptable in principle on peatlands, reflecting the net benefits in carbon emissions reduction and peatland restoration potential which can be gained.

4.9.2 **Paragraph a)** states that “*development proposals will only be supported if they are designed and constructed:*

- i. in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and*
- ii. in a manner that protects soil from damage, including from compaction and erosion, and that minimises soil sealing.”*

4.9.3 **Paragraph d)** states: “*Where development on peatland, carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment will be required to identify:*

- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;*
- ii. the likely effects of the development on peatland, including on soil disturbance; and*
- iii. the likely net effects of the development on climate emissions and loss of carbon.*

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A Peat Management Plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.”

The application of Policy 5

4.9.4 The EIA Report (Chapter 8) assesses the potential impacts of the Proposed Development on geology, hydrology, hydrogeology and peat. The outline Peat Management Plan details proposed mitigations to reduce impacts on peat.

4.9.5 Chapters 2, 6, and 8 of the EIA Report address site selection and the various design considerations regarding avoiding deep peat. Furthermore, Chapter 8 of the EIA Report addresses the various mitigations as set out in the proposed Peat Management Plan to reduce impacts on peatland.

4.9.6 A Peat Landslide Hazard Risk Assessment was undertaken and the results indicate that almost the entire Site has ‘Low’ or Very Low likelihood of landslide, with only minor areas of moderate landslide.

4.9.7 The Proposed Development has been designed to minimise impacts on peat resource, alongside the need to take into account other environmental effects and technical design constraints. Chapter 8 notes that it has not been possible to avoid peat altogether. Construction techniques to reduce peat excavation, such as the use of floating tracks, are proposed where engineering requirements allow. Peat disturbance will be carefully

managed, with minimal excavation (only 0.5% of site peat volume). Plans include the reuse of excavated peat for restoration, potentially turning this into a minor beneficial effect if restoration succeeds.

- 4.9.8 Policy 5 part c) identifies instances where development on peat will be supported. This includes generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets. The Proposed Development would meet this criterion.
- 4.9.9 Chapter 8 concludes that the overall medium sensitivity of peat resource across the Site combined with the predicted low magnitude of effect results in a Minor (not significant) effect in relation to peat disturbance.
- 4.9.10 In addition the minor adverse effect on peat resource has the potential to become a minor beneficial effect depending on the degree of success of both the translocation of peat for restoration. The translocated peat aims to recover the currently compromised, and essentially devoid of carbon, upper layer of peat and aims to restore and enhance peatland habitat.
- 4.9.11 Overall, the assessment concludes that the significance of residual effects on geology, peat, hydrology and hydrogeology receptors following the implementation of mitigation measures are considered to be not significant. 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 The closest area of ancient woodland (of semi-natural origin) to the Proposed Development is located approximately 80 m south-west. The stand of ancient woodland is outwith the Site and no direct impacts on ancient woodland are anticipated.
- 4.10.5 As part of the ecological enhancements, bracken control is proposed within marshy grassland and dry dwarf shrub heath to the west/south-west of the ancient woodland. No encroachment from any construction activity into the ancient woodland is likely due to being separated by the Allt an Laoigh. Additionally, embedded mitigation, including pollution prevention control,

together with good practice measures to protect retained habitats, would be undertaken, in accordance with the proposed CEMP.

4.10.6 Coniferous plantation woodland and mixed plantation woodland are present within the northern extent of the Site, no direct effects are predicted as there is no requirement for removal of trees.

4.10.7 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 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 a)** states that “development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impact of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.”
- > **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. Historic buildings may also have archaeological significance which is not understood and may require assessment.”.

The application of Policy 7

4.11.3 Chapter 9 (Archaeology and Cultural Heritage) of the EIA Report 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, both within the Site and in the surrounding area, resulting from the construction, operation and decommissioning of the Proposed Development.

- 4.11.4 For the assessment, potential effects are characterised as either direct or indirect (physically altering archaeological remains), setting (by causing change within the setting of designated heritage assets) and/or cumulative (caused by the Proposed Development alongside other developments at application stage or consented).
- 4.11.5 No designated heritage assets are located within the Site. A number of designated heritage assets were identified within the outer study area (up to 20km) and following completion of the setting impact assessments two Scheduled Monuments were agreed with Historic Environment Scotland (HES) and THC, to be taken forward for detailed assessment. These heritage assets comprise:
- > Scheduled Monument SM794 Torr Dhuin, fort, Fort Augustus; and
 - > Scheduled Monument SM11484 Fort Augustus-Bernera Military Road, 1890m West of Ceannacroc Lodge,
- 4.11.6 No significant effects are predicted on either of the heritage assets. The assessment concludes that the understanding, appreciation and experience of the Scheduled Monuments would be adequately retained such that the integrity of setting would not be significantly adversely affected. Whilst the Proposed Development would change views from the monuments, it would remain possible to understand, appreciate and experience factors of its setting that contribute to its cultural significance.
- 4.11.7 The potential direct and indirect impacts upon non-designated heritage assets within the Site have also been considered.
- 4.11.8 For the assessment of non-designated heritage assets, both a desk-based assessment and an in-field walkover were conducted to confirm the presence of and identify any previously unrecorded archaeological features. This data was collated to assess the potential for further unknown archaeological remains within the site.
- 4.11.9 There are nine known heritage assets located within the Site, none of which would be directly/indirectly physically impacted through construction of Proposed Development infrastructure. There is potential for direct physical construction impacts upon two known heritage assets (MHG56580 Possible shieling hut - South of Glenmoriston; and MHG53757 Ceann a' Mhaim Cairn Rows) within the Site as a result of micro-siting (should this occur), or through accidental damage during the construction phase, which without mitigation would be considered not significant.
- 4.11.10 The archaeological potential of the turbine area is considered to be negligible for previously unrecorded sites of cultural heritage interest of all periods. This has been verified by a programme of mitigation in the form of a watching brief over groundworks during construction of the Millenium Wind Farm which found no archaeological remains were identified. Where construction impacts are unavoidable, these will be offset by excavation and recording of the remains in accordance with NPF4 Policy 7(o). Protection is recommended for the two heritage assets identified during the construction phase.
- 4.11.11 In summary, the Proposed Development would not affect the integrity of the setting of the Scheduled Monuments identified. The Proposed Development is considered to be in accordance with Policy 7.

4.12 NPF4 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 for the Proposed Development, 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).

Application of Policy 22

- 4.12.2 Effects on hydrology, the water environment and flood risk are an assessment criterion within NPF4 Policy 11 (Energy). Chapter 8 (Hydrology, Geology, Hydrogeology and Peat) of the EIA Report addresses hydrology matters in detail including matters relating to sensitive receptors and effects on the water environment, peat, flood risk, and private water supplies.
- 4.12.3 The Site supports the following sensitive receptors: modified peat, watercourses, water bodies, potentially GWDTE and shallow and deep groundwater. Overall, the effects from the Proposed Development to the water and soil environment are assessed to be Minor (not significant).
- 4.12.4 Chapter 8 notes that flood risk for the Site and immediate area is low. Flood risk is assessed as minor due to effective drainage management and limited impermeable surfaces.
- 4.12.5 There are no issues arising with regard to these topics subject to appropriate mitigation measures which are proposed. 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 and in relation to all other relevant NPF4 policies.
- 4.13.2 A key point within Policy 11 (Energy) is that any identified impacts must be weighed against a proposed 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 crises). 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 Significant adverse effects have been predicted only in relation to landscape and visual matters however these are considered to be localised in nature and appropriate design mitigation has been applied from the outset of the proposed development such that those effects which remained are considered acceptable.
- 4.13.6 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 elements of the statutory Development Plan covering the Site comprise:
- > The Highland-wide Local Development Plan (HwLDP) (adopted 2012);
 - > The Inner Moray Firth Local Development Plan 2 (IMFLDP) (adopted 2024);
 - > West Highlands and Islands Local Development Plan (WestPlan) (Adopted 2019); and
 - > Relevant supplementary guidance, particularly the Onshore Wind Energy Supplementary Guidance (OWESG) (adopted 2016) and Addendum Supplementary Guidance: Part 2b (adopted 2017).
- 5.1.2 The IMFLDP and WestPlan do not contain any relevant site-specific policies but do confirm the boundaries of SLAs.
- 5.1.3 The HwLDP was prepared and adopted prior to NPF4 coming into force and reflects the provisions of the former SPP, now superseded. Where incompatibilities exist between the LDP and NPF4, or where the LDP is silent, the policies of NPF4 prevail.
- 5.1.4 Relevant policies from the HwLDP are referenced below. This chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 4 against the policy provisions of NPF4. An appraisal of key policy and consideration of areas of conflict or contradictions with NPF4 is provided.

5.2 The Lead LDP Policy

- 5.2.1 Policy 67 is the key or 'lead' HwLDP policy for the assessment of onshore wind farm developments. The policy contains a number of criteria which generally address the environmental topics that are referred to in other policies within the HwLDP and indeed the topics are already covered by the provisions of NPF4 Policy 11 which has been considered in the previous chapter.
- 5.2.2 Policy 67 firstly refers to the need for renewable energy development proposals to be "*well related to the source of the primary renewable resources that are needed for their operation*". The Proposed Development meets this requirement as the "*primary renewable resource*" for its operation is wind.
- 5.2.3 Secondly, Policy 67 states THC will consider a proposed development's contribution "*towards meeting renewable energy generation targets*". The Proposed Development would make a valuable (and nationally important) contribution to unmet international, UK and Scottish Government climate change and renewable electricity and energy generation targets.
- 5.2.4 Thirdly, Policy 67 states THC will consider any positive or negative effects a proposed development is likely to have on the local and national economy. The Proposed Development would contribute to the attainment of economic development objectives at local and national levels.
- 5.2.5 Fourthly, a proposed development is to be assessed against other policies of the Development Plan and regard must be had to any other material considerations.
- 5.2.6 Fifthly, THC will have regard to proposals able to "*demonstrate significant benefits including by making effective use of existing and proposed infrastructure or facilities*". The Proposed Development will realise a range of benefits, as noted in Chapter 4 and detailed in the EIA

Report. The proposed Development also makes effective use of existing and proposed infrastructure minimising the extent of new access tracks and other infrastructure required for the Proposed Development.

5.2.7 Finally, Policy 67 requires a proposed development to be assessed against 11 factors with regard to predicted significant effects, and a judgement has to be reached as to whether or not such effects would be “*significantly detrimental overall*”. These factors are similar to those listed in NPF4 Policy 11 with the exception of tourism.

5.2.8 Based on the appraisal set out in Chapter 4 with regard to the NPF4, it is considered that the landscape and visual and wider environmental effects that the Proposed Development would give rise to would not be unacceptable and would not be significantly detrimental overall as per the terms of Policy 67.

5.2.9 It should be noted that the Reporter in the Meall Buidhe Appeal Decision Notice¹⁵ of 14 June 2023, commented on the relationship between the HwLDP and NPF4 and stated (paragraph 76):

“I find some inconsistency overall between the Local Development Plan approach and the relevant balance of considerations now applied through NPF4.

The later adopted document places emphasis on the significant weight to be placed on the contribution to renewable energy targets. It also states that landscape and visual impacts of a localised scale will generally be acceptable subject to appropriate design mitigation. The Act advises that in the event of any incompatibility between the provision of National Planning Policy Framework 4 and the provision of an LDP, the later in date is to prevail. In that context I rely on my conclusions above in relation to the topic specific National Planning Framework 4 Policy 11.”

5.3 Other LDP Policies

5.3.1 The other policies of relevance in the HwLDP are summarised below in **Table 5.1** with brief comment added with regard to how the policies relate to the policies of NPF4, where relevant:

Table 5.1: Relevant HwLDP Policies & Comment regarding NPF4

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
Policy 28	Sustainable Design	Provides support for development which promotes and enhances social, economic and environmental wellbeing to communities in Highland. Proposals will be assessed on the extent to which they are compatible with a range of factors and should utilise good siting and design etc. Developments which are considered detrimental will not accord with the LDP. All development must demonstrate compatibility with the Sustainable Design Guide: Supplementary Guidance to conserve and enhance the character of the area, use resources efficiently, minimise environmental impact and enhance the viability of Highland Communities. Where appropriate a Sustainable Design Statement	The provisions of this general policy insofar as relevant are contained within the scope of NPF4 Policy 11. No conflicts or contradictions with NPF4.

¹⁵ Meall Buidhe Wind Farm Appeal Decision Notice Reference PPA-270-2277.

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
		should be submitted. The precautionary principle will be applied where appropriate, developments with significant detrimental impact will only be supported where there is demonstrable over-riding strategic benefit or if satisfactory mitigation measures are incorporated.	
Policy 30	Physical Constraints	Requirement to consider physical constraints to development and refer to Supplementary Guidance of same name if relevant. Main principles are to ensure proposed developments do not adversely affect human health and safety or pose risk to safeguarded sites.	NPF4 Policy 11 deals with impacts in relation to aviation, hydrology (and private water supplies) and other infrastructure safeguarding. No conflicts or contradictions with NPF4.
Policy 51	Trees and Development	Support for development which promotes significant protection to existing hedges, trees and woodlands on and around sites. Where appropriate, woodland management plans will be required. Enables the Council to secure additional planting to compensate for removal.	NPF4 Policy 6 deals with forestry, woodland and trees. No conflicts or contradictions with NPF4.
Policy 52	Principle of Development in Woodland	Requires applicants to demonstrate the need to develop a woodland site and to show that the site has capacity to accommodate that development. A strong presumption in favour of protecting woodland resources. Support is provided only where development offers clear and significant public benefit and where compensatory planting is provided.	NPF4 Policy 6 deals with forestry, woodland and trees. No conflicts or contradictions with NPF4.
Policy 55	Peat and Soils	Requires proposals to demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance will not be accepted unless it is shown that the adverse effects are clearly outweighed by social, environmental or economic benefits arising from the proposals. Requirement for Peat Management Plans where development on peat is demonstrated as unavoidable in order to show how impacts have been minimised and mitigated.	NPF4 Policy 5 deals with soils including peatland and related habitat. There is conflict with NPF4. The Reporter in the <u>Meall Buidhe decision</u> (paragraph 82) commented in relation to Policy 55 as follows: “ <i>Framework Policy 5: Soils applies in relation to peat and peatland habitat. Similar considerations are applied in Policy 55 of the Highland-wide Local Development Plan.</i> ”

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
			<i>However, this is the older expression of Development Plan policy and unlike Policy 5, it does not specifically reference the location of energy generation proposals, nor does it reflect Part (d) of that policy. Consequently, I have applied the more recent statement of Development Plan Policy."</i>
Policy 57	Natural, Built and Cultural Heritage	Requires proposals to be assessed taking into account the level of importance and type of heritage features, the form and scale of development and the impact on the feature and its setting. The policy sets a series of criteria based on level of feature importance (local, regional or international). Appendix 2 of the HwLDP defines the features. For features of local / regional importance – developments will be permitted if it can be demonstrated that they will not have an unacceptable effect. For features of national importance, where any significant adverse effects arise, they must be clearly outweighed by social or economic benefits of national importance. For international designations development with adverse effects on integrity will only be allowed where no alternative solution exists and there are imperative reasons of overriding public interest (IROPI).	NPF4 Policies 4 and 7 deal with natural heritage and historic assets and places respectively. There is conflict with NPF4. The Reporter in the <u>Meall Buidhe decision</u> (paragraph 81) commented in relation to Policy 57 and stated that the HwLDP Policy does not contain: "<i>the same clarification as Policy 4(g). Consequently, I rely on the terms of Framework Policy 4.</i>" The policy is also considered to be in conflict with the NPF4 Policy 4 provisions in relation to local landscape designations (SLAs in this case).
Policy 58	Protected Species	Requirement for surveys to establish presence of protected species and to consider necessary mitigation to avoid or minimise any impacts. Development likely to have an adverse effect, individually or cumulatively on European Protected Species will only be permitted where there is no satisfactory alternative, the development is required in the public interest, health or safety, where there is no other satisfactory solution, or it can be demonstrated the effects will not be detrimental to the population of species concerned, or impact on the conservation status thereof.	NPF4 Policy 4 deals with natural heritage matters. No conflicts or contradictions with NPF4.

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
Policy 59	Other Important Species	Protection of other species not protected by other legislation or nature conservation site designations.	NPF4 Policy 4 deals with natural heritage matters. No conflicts or contradictions with NPF4.
Policy 60	Other Important Habitats	Safeguards the integrity of features of the landscape which are of major importance because of their linear or continuous structure or combinations. The Council will also seek to create new habitats which are supportive of this concept.	NPF4 Policy 4 deals with natural heritage matters. No conflicts or contradictions with NPF4.
Policy 61	Landscape	New development should be designed to reflect the landscape characteristics and special qualities identified in the area they are located as well as considering cumulative effects. Measures to enhance landscape characteristics of the area in which they are located are encouraged. The policy requires the Council to take into account Landscape Character Assessments.	NPF4 Policy 4 deals with natural heritage matters including landscape designations. NPF4 Policy 11 addresses the landscape impacts of renewable energy developments. No conflicts or contradictions with NPF4.
Policy 63	Water Environment	Supports proposals that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection of the water environment.	NPF4 Policies 11 and 22 deal with hydrology, the water environment and flood risk. No conflicts or contradictions with NPF4.
Policy 64	Flooding	The policy addresses flood risk issues and flood management.	NPF4 Policy 22 addresses flood risk matters. No conflicts or contradictions with NPF4.
Policy 66	Surface Water Drainage	All proposals must be drained by Sustainable Urban Drainage Systems (SUDs) designed in accordance with CIRIA C697.	NPF4 Policy 22 deals with hydrology, the water environment and flood risk. No conflicts or contradictions with NPF4.
Policy 72	Pollution	Proposals that may result in significant pollution (noise, air, water and light) will only be approved where a detailed assessment on the levels, character and transmission and receiving environment of the potential pollution is provided and mitigated if necessary.	NPF4 Policy 11 deals with impacts in relation to amenity arising from energy developments. No conflicts or contradictions with NPF4.
Policy 77	Public Access	Provides protection to Core Paths and access to water or rights of way and presumption of retention and enhancement of amenity value. It also advises on the use of alternative access.	NPF4 Policy 11 addresses public access and recreational routes. No conflicts or contradictions with NPF4.

- 5.3.2 It is considered that the Proposed Development would be in accordance with all of the relevant policies in the HwLDP as set out in **Table 5.1** above.

5.4 The Onshore Wind Supplementary Guidance

- 5.4.1 The OWESG gives further advice and guidance relating to Policy 67 of the HwLDP.
- 5.4.2 The OWESG was adopted by the THC in November 2016 and forms part of the statutory Development Plan. Policy 67 refers to the OWESG and its role in providing further criteria for the consideration of onshore wind energy proposals. Accordingly, the OWESG supplements Policy 67 and assists with its application.
- 5.4.3 Paragraph 1.8 of the OWESG is helpful in understanding its role. It states: *“The advice that follows provides a fuller interpretation of HwLDP policies as they relate to onshore wind energy development. The Council will balance these considerations with wider strategic and environmental and economic objectives including sustainable economic growth in the Highlands, and our contribution to renewable energy targets and tackling climate change...”*.
- 5.4.4 At paragraph 4.16, the OWESG states *“the following criteria set out key landscape and visual aspects that the Council will use as a framework and focus for assessing proposals, including discussions with applicants”*.
- 5.4.5 Paragraph 4.17 adds that the criteria do not set absolute requirements but rather seek to ensure developers are aware of key potential constraints to development. Following paragraph 4.17 there is a list of 10 criteria, together with associated thresholds and measures for development.
- 5.4.6 An assessment of the Proposed Development against the criterion set out in the Council’s Onshore Wind Energy Supplemental Guidance (OWESG) is provided within Appendix 5.5 of the EIA Report. A review of that assessment has been carried out and commentary is provided below as to the Applicant’s compliance with the criteria.
- 5.4.7 The OWESG lists ‘key views’, ‘key routes’ and ‘gateways’. The Proposed Development lies within the Loch Ness Strategic Capacity study area and, where relevant, the key views, key routes and gateways identified in that study area are referred to in Table 5.2 and within the LVIA.
- 5.4.8 It should be noted that the Reporter in the Meall Buidhe decision also set out a clear position in relation to THC’s OWESG. At paragraph 85 of the Decision Notice, the Reporter stated in this regard:
- “This [Supplementary Guidance] is also part of the Development Plan. However, much of this is focused on the principles set out in Policy 67 and setting out a Spatial Framework, in line with Table 1 of the previous Scottish Planning Policy. The National Planning Framework 4 approach no longer includes Spatial Frameworks and some of the previous criteria as stated in Scottish Planning Policy has been updated. Consequently, as I find incompatibility between the Local Development Plan and the Framework. I rely on the Framework as the later expression of Development Plan policy.”*
- 5.4.9 In addition, when this guidance was drafted several years ago, turbine heights were much lower than those of today and Government policy documents such as the current OWPS, have made it very clear that turbine heights are increasing and have to increase to attain targets. This is as a result of technological change, market availability and the falling away of Government fiscal support for onshore wind development.

Table 5.2: Review of OWESG Landscape and Visual Criteria

Criterion / Measure	Applicant's Position
1. Relationship between Settlements/Key locations and wider landscape respected: <i>the extent to which the proposal contributes to perception of settlements or key locations being encircled by wind energy development.</i> Development should seek to achieve a threshold where: <i>turbines are not visually prominent in the majority of views within or from settlements/key locations or from the majority of its access routes.</i>	There would be limited visibility of the Proposed Development from Fort Augustus and no visibility from other settlements defined in the HWLDP although there would be visibility looking south from Dalchreichart and Dundreggan where Significant impacts are identified. There would be limited visibility from the A82, A87, A887 and B862. Significant impacts are identified on a short stretch of the A887. It is considered that this criterion is met, as the very intermittent significant effect on views from localised settlements, the limited significant effects on views from settlement access routes, and the absence of significant cumulative effects ensures that the Proposed Development has achieved a threshold where “<i>turbines are not visually prominent in the majority of views within or from settlements/key locations or from the majority of its access routes</i>”.
2. Key Gateway locations and routes are respected: <i>the extent to which the proposal reduces or detracts from the transitional experience of key Gateway Locations and routes.</i> Development should seek to achieve a threshold where: <i>Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes.</i>	It is considered that this criterion is met, as the Proposed Development has achieved a threshold where “<i>Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes</i>” of the A887 corridor through Glen Moriston and the B862.
3. Valued natural and cultural landmarks are respected: <i>the extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks.</i> Development should seek to achieve a threshold where: <i>the development does not, by its presence, diminish the prominence of the landmark or</i>	There would be visibility of the Proposed Development from a small area of the Great Glen. Where visible it would not affect the scale or importance of the Great Glen and Loch Ness as a valued natural feature. Other notable cultural heritage features such as Fort Augustus Abbey, Urquhart Castle and the Caledonian Canal would not be affected due to separation distance to the Proposed Development. It is considered that this criterion is met, as the Proposed Development has achieved a threshold where it “<i>does not, by its presence, diminish the prominence of...or disrupt its relationship to its setting</i>” of the landmarks considered.

Criterion / Measure	Applicant's Position
<i>disrupt its relationship to its setting.</i>	
4. The amenity of key recreational routes and ways is respected: The extent to which the proposal affects the amenity of key recreational routes and ways (e.g. Core Paths, Munros and Corbetts, Long Distance Routes etc.) Development should seek to achieve a threshold where: Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways.	In relation to visibility of the Proposed Development from key recreational routes and ways, these have been assessed above and in the LVIA. There would be limited visibility of the Proposed Development from the Great Glen Way. There would be views from NCR 78 to the east of Fort Augustus although impacts would not be significant. Impacts on the South Loch Ness Trail to the east of Fort Augustus would not be significant. The Proposed Development would be visible from core paths situated at elevated locations with open views and would slightly increase the number of wind turbines visible but would not overwhelm views. The Proposed Development would be visible from Munros and Corbetts but would not notably increase the number of wind turbines already visible. The Proposed Development would be a noticeable feature in views from a short section of the A887 and a Significant impact is recorded for that short section of the route. The Proposed Development would not overwhelm or significantly detract from the overall visual appeal of the A887. Significant impacts are not identified for any other transport routes. It is considered that this criterion is met as while the Proposed Development is assessed as having localised significant effects on views from some routes and walking destinations it would not overwhelm or otherwise detract from the visual appeal of the routes.
5. The amenity of transport routes is respected: the extent to which the proposal affects the amenity of transport routes (tourist routes as well as rail, ferry routes and local road access). Development should seek to achieve a threshold where: Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes.	In relation to visibility of the Proposed Development from transport routes, the Proposed Development would be a noticeable feature in views from a short section of the A887 and a Significant impact is recorded for that short section of the route. The Proposed Development would not overwhelm or significantly detract from the overall visual appeal of the A887. It is considered that this criterion is largely met as while the Proposed Development is assessed as having localised significant effects on views from one small section of the A887, there are no locations where it might be considered to "overwhelm...the visual appeal".

Criterion / Measure	Applicant's Position
6. The existing pattern of Wind Energy Development is respected: the degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: - turbine height and proportions; - density and spacing of turbines within developments; - density and spacing of developments; - typical relationship of development to the landscape; - previously instituted mitigation measures; and - Planning Authority stated aims for development of area. Development should seek to achieve a threshold where: the proposal contributes positively to existing pattern or objectives for development in the area.	The Proposed Development would be seen as an extension to existing Millennium Wind Farm. Most of the turbines would be situated on lower ground than the operational turbines. The height and spacing of turbines would be greater than the operational turbines which is unavoidable given the size of currently available turbines. However, the design of the array has sought to minimise the increase in horizontal and vertical extent of turbines by using a mix of tip heights and siting turbines away from the edge of the plateau. The resulting design overlaps with the operational turbines and appears within the same visual extents when viewed from different directions. It is considered that this criterion is met, as the Proposed Development has achieved a threshold where <i>"the proposal contributes positively to existing pattern [of] development in the area"</i> due to its relationship with other wind farms.
7. The need for separation between developments and/or clusters is respected: the extent to which the proposal maintains or affects the spaces between existing developments and/ or clusters. Development should seek to achieve a threshold where: The proposal maintains appropriate and effective separation between developments and/ or clusters.	The Proposed Development would result in a slight increase in the number of wind turbines at the edge of an existing cluster of wind farms. The Proposed Development would not adversely affect the spacing between clusters of development. It is considered that this criterion is met, as the Proposed Development has achieved a threshold where <i>"the proposal maintains appropriate and effective separation between developments and/ or clusters."</i>

Criterion / Measure	Applicant's Position
8. The perception of landscape scale and distance is respected: the extent to which the proposal maintains or affects receptors' existing perception of landscape scale and distance. Development should seek to achieve a threshold where: the proposal maintains the apparent landscape scale and/or distance in the receptors' perception.	The Proposed Development would be introduced into a large scale landscape and would be set back from adjacent broad straths and glens. The proposed turbines would be larger than operational turbines and there would be some adverse scale comparisons with localised landscape features. However, the perception of landscape scale would not be significantly affected. It is considered that this criterion is met.
9. Landscape setting of nearby wind energy developments is respected: the extent to which the landscape setting of nearby wind energy developments is affected by the proposal. Development should seek to achieve a threshold where: proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines.	The design of the Proposed Development integrates with the operational turbines of Millennium Wind Farm through a combination of mixed tip heights and positioning of most of the proposed turbines on lower ground to the north-east. When viewed from the south or west the proposed turbines would mostly be seen behind the operational turbines with blade tips level or slightly above existing turbines. In views from the elevated locations to the north the proposed turbines would appear larger, slightly increasing the amount of development visible but not increasing the prominence of existing turbines. The similarities in the landscape setting of the Proposed Development and other nearby development ensures that the setting of these developments is respected. It is considered that this criterion is met, as the Proposed Development has achieved a threshold where the "<i>proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines</i>".
10. Distinctiveness of Landscape character is respected: the extent to which a proposal affects the distinction between neighbouring landscape character types, in areas where the variety of character is important to the appreciation of the landscape. Development should seek to achieve a threshold where: integrity and variety of Landscape Character Areas are maintained.	The Proposed Development would result in a slight increase in the amount of wind energy development in LCT 220 Rugged Massif – Inverness adding to a cluster of operational wind farms. It would be seen adjacent to LCT 226 Wooded Glen – Inverness. The proposed turbines would introduce new features that provide a scale comparison with features on the upper slopes of the glen, although this would not change the perceived scale of the glen and the change from small, enclosed to large scale open spaces that characterise the valley floor and sides. The Proposed Development would also be visible from the adjacent LCT 225 Broad Steep Sided Glen. It would be set back from this LCT and be seen with a group of operational turbines in an area of open moorland and forest plantation. The proposed turbines would not alter the perception of the key characteristics of LCT 225 to a degree that would affect the distinction between the LCT 225 and LCT 220. It is considered that this criterion is met, as the Proposed Development has achieved a threshold where the "<i>integrity and variety of Landscape Character Areas are maintained</i>".

5.5 Conclusions on the LDP

- 5.5.1 The relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and have not been repeated with reference to the HwLDP.
- 5.5.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of Policy 67 or indeed other relevant policies within the HwLDP.
- 5.5.3 Moreover, through considering the other relevant policies, including the advice contained in the OWESG, it is considered that the Proposed Development accords with the HwLDP when it is read as whole.
- 5.5.4 The renewable energy policy provisions of the HwLDP are based on those of the pre 2014 SPP. In addition, there are a number of incompatibilities between the HwLDP and the policies of NPF4 as explained above. This means, as per the amendments made to the 1997 Act, the provisions of NPF4 (which is part of the development plan) must prevail.
- 5.5.5 Insofar as there are other relevant policies within the HwLDP, a few inconsistencies have been highlighted, and in these circumstances NPF4 will prevail. Of those remaining policies, given the appraisal set out above in Chapter 4 in relation to the various environmental and technical topics of relevance to the Proposed Development, 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 energy generation 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 energy generation 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’ publication¹⁶. 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 2022 OWPS, that a very substantial quantity of new onshore wind energy generation is required to meet the onshore wind energy target requirement by 2030 – namely a minimum of 20GW of operational capacity. Deployment of more onshore wind energy 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 would help address the issue of tackling climate change, meeting 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 Section 36 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 energy generation in doing so, and the scale and urgency of onshore wind energy deployment required. As described in this Planning 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*”¹⁷. 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

¹⁶ CCC, Net Zero, The UK’s contribution to stopping global warming (May, 2019).

¹⁷ NPF4, page 2.

- > Both NPF4 and the OWPS are clear that further onshore wind energy 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 energy 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”*¹⁸.
- 6.2.5 Publication of the OWPS followed and cross-refers to NPF4 and, for the first time, sets an onshore wind energy generation target: a Scottish Government ambition for a minimum of 20 GW of installed onshore wind energy capacity by 2030. New policy therefore supports an increase in the installed capacity of onshore wind energy generation 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”**¹⁹ (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 explains²⁰ *“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 energy 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.
- 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 (Tackling the climate and nature crises), 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 20GW 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:

¹⁸ OWPS 2022, paragraph 1.1.2.

¹⁹ Energy Strategy and Just Transition Plan, page 55.

²⁰ 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. NPF4, which forms part of the Development Plan, is clear 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 11 provides in principle support for wind farm development in all locations with the exception of National Parks and NSAs;
- > 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. As discussed, there would be no adverse impacts on the integrity of each of the SLA considered.
- > In terms of cultural heritage matters, NPF4 Policy 7 (Historic assets and places) makes it clear that development affecting Scheduled Monuments will be supported if significant effects on the integrity of the setting of a monument are avoided. As discussed, there would no significant effects in relation to any heritage assets from the Proposed Development.
- > In relation to biodiversity matters, NPF4 Policy 3 (Biodiversity) requires that for national and EIA development, that significant biodiversity enhancements be provided. The Applicant has proposed such measures as set out in the OBEMP.
- > In relation to NPF4 Policy 5 (Soils) the policy framework now supports development proposals on peatland and carbon rich soil where they relate to the generation of energy from renewable sources. Such development requires to be subject to a site-specific assessment which has been undertaken in this case for the Proposed Development. As explained, the siting and design approach has sought to minimise adverse impacts on peatland and carbon rich soils and appropriate restoration proposals have been set out.

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 Proposed Development 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 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 to 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 Sanguhar 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 II²¹ 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 Rig²² Section 36 case, the Reporters in their original IR 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*

²¹ Clashindarroch II, Section 36 Decision dated 26 June 2023, Supplementary Report of Inquiry dated 3 March 2023 (Case Reference WIN-110-2).

²² Shepherd's Rig, Section 36 Decision dated 21 August 2023, Supplementary Report of Inquiry dated 2 March 2023 (Case Reference WIN-170-2005).

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."

6.2.19 It is accepted that each individual application needs to be considered on its respective merits; however, it is evident from these 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.

6.2.20 In this case, the Proposed Development is National Development and essential infrastructure which will help to deliver the National Spatial Strategy set out in NPF4. The Proposed Development 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 substantial weight should be given to this contribution when weighing the need for the Proposed Development and its limited 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 Proposed Development, 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 onshore wind 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.

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 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 policies of the Development Plan, and with the Development Plan when read as a whole.

David Bell Planning Ltd
26 Alva Street
Edinburgh
EH2 4PY

dbplanning.co.uk

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