

An Càrr Dubh Wind Farm

March 2023

Planning Statement



Statkraft

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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 An Càrr Dubh Wind Farm Ltd (the Applicant) to construct and operate a 13-turbine wind farm (with associated infrastructure) known as An Càrr Dubh Wind Farm (hereafter referred to as 'the Proposed Development') in the Argyll and Bute Council (ABC) administrative area.
- 1.1.2 As the Proposed Development has a generating capacity in excess of 50 megawatts (MW), consent is required from Scottish Ministers under Section 36 of the Electricity Act 1989 ('the 1989 Act'). In addition, a request is being made by the Applicant that planning permission is deemed to be granted under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended ('the 1997 Act').
- 1.1.3 The application for consent is accompanied by an Environmental Impact Assessment Report (EIA Report) which presents the findings of an EIA undertaken 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 environmental effects of the Proposed Development.
- 1.1.4 This Planning Statement makes various cross references to information contained in the EIA Report and 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 National Planning Framework 4 and the Local Development Plan for the Argyll and Bute (ABC) area, and other relevant material considerations.
- 1.1.5 This Planning Statement also considers the potential benefits and harm which may arise and concludes as to the overall acceptability of the Proposed Development in relation to the new planning policy framework and relevant material considerations.

1.2 The Applicant

- 1.2.1 An Càrr Dubh Wind Farm Ltd is a wholly owned subsidiary of Statkraft UK Ltd. Statkraft is a global company in energy market operations and is Europe's largest generator of renewable energy, active in wind power, solar power and hydropower. Employing over 4,800 people, Statkraft is active in 20 countries. Statkraft is at the heart of the UK's energy transition. Since 2006, Statkraft has gone from strength to strength in the UK, building experience across wind, solar, hydro, storage, grid stability, EV charging, green hydrogen and a thriving markets business. Statkraft has invested over £1.3 billion in the UK's renewable energy infrastructure and facilitated over 4GW of new-build renewable energy generation through Power Purchase Agreements (PPA). Across the UK businesses, Statkraft employs over 300 staff in England, Scotland and Wales and they play a key role in helping the global business reach its goal of 9GW of developed wind and solar power by 2025.

1.3 Site Location and Description

- 1.3.1 The Site is located on the plateau between Loch Awe to the north-west and Loch Fyne to the south-east. The Site rises to a height of 526m Above Ordnance Datum (AOD) at Ben Bhreac adjacent to the southern boundary of the Site. The Site is characterised by undulating moorland plateau with rocky outcrops, orientated north-east to south-west, with frequent lochans in lower lying areas. The ground cover is mainly moorland heath and heather.
- 1.3.2 Large areas of forestry are located adjacent to the Site, extending down the lower slopes to the east, south and west, with the access to the site also passing through an area of forestry to the west of Inveraray.

1.3.3 Settlements nearby are generally located within the glens and between adjacent lochs, with the closest settlements to the Site comprising Inveraray (located to the east approximately 5.5km from the closest turbine), Dalavich (located to the west, on the other side of Loch Awe, approximately 4.5km from the closest turbine) and Inverinan (located to the north, approximately 5.3km from the closest turbine). A number of small clusters of residential properties are found scattered along the shores of Loch Awe, with the closest properties to the Site located at Ardchnonell and Blarghour, both of which are located over 2.5km from the closest turbines.

1.3.4 The eastern extents of the Site are located within the West Loch Fyne Coast Area of Panoramic Quality (APQ) and also within the Inveraray Castle Garden and Designed Landscape (GDL), however no turbines are located in this part of the Site.

1.4 The Proposed Development

1.4.1 The Proposed Development is described in detail in Chapter 4 (Project Description) of the EIA Report. In summary, it will comprise:

- > Up to 13 wind turbines (including internal transformers), each up to a maximum tip height of 180m. The currently considered candidate turbine has a rated capacity of 6.6MW, therefore the overall installed capacity would be approximately 85.8MW;
- > Foundations supporting each wind turbine;
- > Associated crane hardstandings and adjacent laydown areas at each turbine location;
- > A network of onsite access tracks of approximately 23.1km (of which 6.6km will be upgraded existing track and 16.5km will be new track);
- > 106 watercourse crossings and associated infrastructure, i.e. culverts (34 upgraded existing crossing and 72 new crossings);
- > A network of underground cables and cable trenches to connect the turbines to the onsite substation;
- > A permanent meteorological mast of up to 122.5m in height and associated track;
- > Vehicle turning heads;
- > Onsite passing places (location and size to be determined by the turbine supplier);
- > Site signage;
- > A permanent compound containing the control building, substation and energy storage facility; and
- > An Outline Restoration and Enhancement Plan (OREP) (Peat, Biodiversity, Landscape and Forestry).

1.4.2 In addition to the above components of the operational Proposed Development, construction of the Proposed Development will also require the following components:

- > One temporary construction compound;
- > The creation of one temporary borrow pit for the extraction of stone, and the reopening/use of two existing borrow pits;
- > Junction widening and upgrades at the A83 and the A819; and
- > Felling of approximately 3.77 hectares (ha) of forestry to facilitate access during construction.

1.4.3 The expected operational life of the Proposed Development is 40 years from the date of commissioning.

1.5 The Statutory Framework

1.5.1 An application under section 36 of the 1989 Act for consent for the construction of an electricity generating station whose capacity exceeds 50MW is significantly different from an application for planning permission for a similar station whose capacity is less than 50MW.

1.5.2 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).

1.5.3 In addition, there are potentially certain environmental duties in relation to Preservation of Amenity and Fisheries Provisions in Schedule 9, paragraph 3 that are likely to apply.

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

1.5.5 The EIA Report identifies how various factors were taken into account in the formulation of the application. In addition, each EIA 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 and also active specific measures which have been identified.

1.5.6 The Scottish Ministers are obliged to consider whether the Applicant has provided sufficient information to enable them 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. Schedule 9 is not a development management test.

1.5.7 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 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 an application made under the 1989 Act.

1.6 Scope & Structure of Planning Statement

1.6.1 The planning policy framework has changed significantly in the last few months, in particular with the approval of the National Planning Framework 4 (NPF4), the publication of a new Onshore Wind Policy Statement and the Draft Energy Strategy and Just Transition Plan.

1.6.2 This Planning Statement addresses these new policy documents and provides as assessment of the Proposed Development against relevant new policy provisions and the new make-up of the statutory Development Plan. The appraisal highlights policy differences with the outgoing national planning policy and where there are incompatibilities between new national planning policies and those of the Argyll and Bute Local Development Plan.

1.6.3 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 new Onshore Wind Policy Statement and the Scottish Government's Draft Energy Strategy and Just Transition Plan; and

- > **Chapter 3** appraises the Proposed Development against the relevant provisions of NPF4;
- > **Chapter 4** appraises the Proposed Development against the relevant provisions of the Local Development Plan and related guidance;
- > **Chapter 5** sets out a summary of the benefits of the Proposed Development; and
- > **Chapter 6** presents overall conclusions.

2. The Renewable Energy Policy and Legislative Framework

2.1 Introduction

- 2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions (GHG) reduction law is based. This underpins what can be termed the need case for renewable energy from which the Proposed Development can draw a high level of support.
- 2.1.2 The Proposed Development must therefore 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 onshore wind in principle, as explained below.
- 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 (including onshore wind) to combat the global heating crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.
- 2.1.4 The Proposed Development would make a valuable contribution to help Scotland meet its renewable energy and electricity production targets, while supporting emissions reduction to combat global heating in the current Climate Emergency.
- 2.1.5 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.

2.2 International Commitments

The Paris Agreement (2016)

- 2.2.1 In December 2015, 195 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2°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 Committee on Climate Changes' (CCC) advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into new legislative provisions and targets for both 2045 (Scotland) and 2050 (UK). This is referred to below.
- 2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

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 parliament in April 2019 and by the UK Parliament in May 2020. 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 six four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below.

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

Table 2.1: Carbon Budgets and Progress¹

Budget	Carbon budget level	Reduction below 1990 levels	Met?
1 st carbon budget (2008 – 2012)	3,018 MtCO _{2e}	25%	Yes
2 nd carbon budget (2013 – 2017)	2,782 MtCO _{2e}	31%	Yes
3 rd carbon budget (2018 – 2022)	2,544 MtCO _{2e}	37% by 2020	On Track
4 th carbon budget (2023 – 2027)	1,950 MtCO _{2e}	51% by 2025	Off Track
5 th carbon budget (2028 – 2032)	1,725 MtCO _{2e}	57% by 2030	Off Track
6 th carbon budget (2033 – 2037)	965 MtCO _{2e}	78% by 2035	Off Track
Net Zero Target	100%	By 2050	

2.3.6 The Sixth Carbon Budget (CB6) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels.

¹ Source: CCC (2022).

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

- > UK climate targets cannot be met without strong policy action in Scotland.
- > The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.
- > CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.
- > The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.

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 2021²) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

The UK Energy White Paper (December 2020)

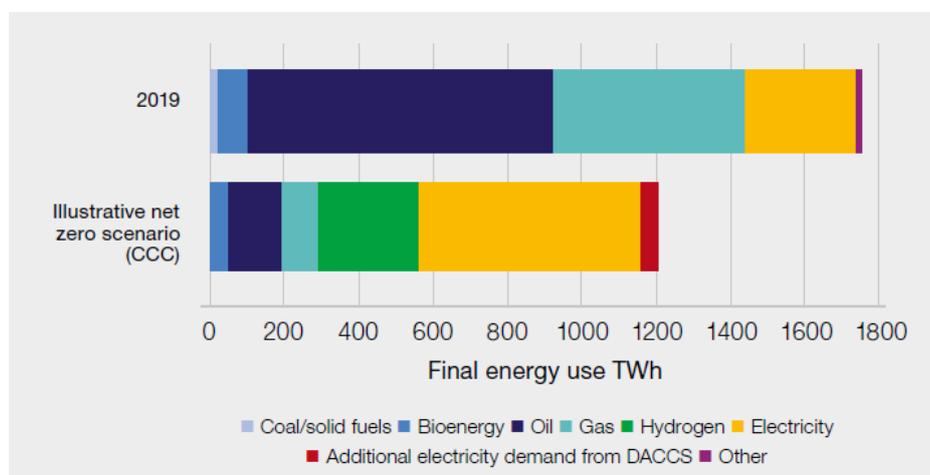
2.3.9 The Energy White Paper 'Powering our Net Zero Future' was published on 14 December 2020 represents a sea change in UK policy and highlights the importance of renewable electricity.

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

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

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

Figure 2.1: Illustrative UK Final Energy Use in 2050³



² 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.

³ Source: Energy White Paper page 9 (2020).

- 2.3.13 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).

The UK Net Zero Strategy (October 2021)

- 2.3.14 The UK Government published the Net Zero strategy in October 2021. This set out policies and proposals for keeping in the UK on track in relation to carbon budgets and the UK's nationally determined contribution (NDC)⁴ and establishes the long-term pathway to net zero by 2050.
- 2.3.15 The Net Zero Strategy sets out the Government's plans for reducing emissions from each sector of the UK economy, related to carbon budget and to the eventual target of net zero by 2050. The Strategy has been submitted to the United Nations Framework Convention on Climate (UNFCCC) as the UK's second long-term low greenhouse gas emission development strategy under the Paris Agreement.
- 2.3.16 Page 19 addresses the power sector and sets out that the power system will be fully decarbonised by 2035.
- 2.3.17 Key policies are set out including that by 2013 there will be some 40GW of offshore wind with *“more onshore, solar and other renewables”*. The strategy also builds on the UK Government's 'Ten Point Plan' *“with our vision to create new jobs in net zero Industries as we meet our climate target.”* (page 40).
- 2.3.18 It is notable that in terms of power, the Strategy references the Energy White Paper (2020) which set out the goal of a fully decarbonised and low-cost power system by 2050. It adds that CB6 represents *“a very significant increase in the pace of power sector decarbonisation, coupled with increased demand due to accelerated action another sector dependent on low-carbon electricity”*. (page 98). It adds:

“although the Energy White Paper envisaged achieving an overwhelmingly decarbonised power system during the 2030s, we have since increased our ambition further. By 2035 all our electricity will need to come from low carbon sources, subject security of supply bringing forward the Government's commitment to a fully decarbonise power system by 15 years, whilst meeting at 40-60% increase in demand”. The Strategy also sets out that the Government will be supporting sustained deployment of low-carbon generation (page 103), in this regards it states that there will need to continue to drive rapid deployment of renewables.

The British Energy Security Strategy (April 2022)

- 2.3.19 The British Energy Security Strategy (“BESS”) was published by the UK Government on 7 April 2022. The BESS 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*:

“this government will reverse decades of myopia, and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power.

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. Indeed, without the renewables we are putting on the grid today,

⁴ Every country that signed up to the Paris Agreement (2015) set out a target known as a nationally determined contribution for reducing greenhouse gas emissions by around 2030. For the UK the target was a 68% reduction on 1990 levels by 2030.

and the green levies that support them, energy bills would be higher than they are now. But now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies.”

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

2.4 Climate Change & Renewable Energy Policy: Scotland

The Climate Emergency

- 2.4.1 Scottish First Minister Nicola Sturgeon declared a "Climate Emergency" in her speech to the SNP Conference in April 2019. Furthermore, Climate Change Secretary Roseanna Cunningham made a statement on 14 May to the Scottish Parliament on the 'Global Climate Emergency' and stated:

"There is a global climate emergency. The evidence is irrefutable. The science is clear and people have been clear: they expect action. The Intergovernmental Panel on Climate Change issued a stark warning last year the world must act now by 2030 it will be too late to limit warming to 1.5 degrees.

We acted immediately with amendments to our Climate Change Bill to set a 2045 target for net zero emissions - as we said we'd do. If agreed by Parliament, these will be the most stringent legislative targets anywhere in the world and Scotland's contribution to climate change will end, definitively, within a generation. The CCC was clear that this will be enormously challenging...."

- 2.4.2 The key issue in relation to these statements is that they acknowledge the very pressing need to achieve radical change and that by 2030 it will be too late to limit warming to 1.5 degrees. The Scottish Government therefore acted on the Climate Emergency in 2019 by bringing in legislation.

- 2.4.3 Furthermore, the declaration of the emergency is not simply a political declaration, it is now the key priority of Government at all levels. Indeed, defining the issue as an emergency is a reflection of both the seriousness of climate change, its potential effects and the need for urgent action to cut carbon dioxide and other GHG emissions.

- 2.4.4 The scale of the challenge presented by the new targets for net zero within the timescale adopted by the Scottish Government on the advice of the CCC is considerable, especially given the requirements for decarbonisation of heat and transport – this will require very substantial increases in renewable electricity generation by 2030.

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

- 2.4.5 Against this severe backdrop, the Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve “net zero” by 2045, with interim targets of 75% by 2030 and 90% by 2040, further supported by annual targets. It is clear that to have any hope of achieving the net zero target, much needs to happen by 2030.

- 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. However, the new Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amends the 2009 Act and sets even more ambitious targets.

- 2.4.7 The 75% target required to be met by 2030 is especially challenging⁵. Indeed, when the matter was proceeding through Parliament, it was the Scottish Parliament that increased the requirement from a 70 to 75% reduction by 2030. This acts upon the declaration of the Climate Emergency and recognises the urgent response that is required.
- 2.4.8 The Scottish Government publishes an annual report that sets out whether each annual emissions reduction target has been met. **Table 2.2** below sets out the annual targets for every year to net-zero. The report for the 2019 target year was published in June 2021. The report states that the 'GHG Account' reduced by only 51.5% between the baseline period and 2019. As noted, the 2019 Act specifies a 55% reduction over the same period – therefore the targets for 2018 and 2019 were not met.
- 2.4.9 The Scottish GHG Statistics for 2020 were released in June 2022. These show that the GHG account reduced by some 58.7% between the baseline period and 2020. However according to the report⁶, the drop in emissions between 2019 and 2020 was mainly down to lower emissions from domestic transport, international flights and shipping and energy supply. All other sectors demonstrated modest reductions over this period, except the housing sector.
- 2.4.10 Coronavirus restrictions were responsible for the large drop in emissions from transport, while residential emissions increased by 0.1 MtCO₂e as more people worked from home during the pandemic. The Scottish Cabinet Secretary for Net Zero, Energy and Transport Michael Matheson made a Statement⁷ to the Scottish Parliament on 07 June 2022 on the release of the latest statistics. In the Statement he commented as follows:
- 2.4.11 The Scottish Net Zero Secretary Michael Mathewson stated in June 2022 on the release of the latest statistics:
- “Nonetheless, the most significant changes are in the transport sector and are associated with the temporary measures taken in response to the Covid-19 pandemic. We must be prepared for these figures to substantially rebound in 2021. There can be no satisfaction taken in emissions reductions resulting from the health, economic and social harms of the pandemic.”* (emphasis added)
- 2.4.12 This demonstrates the scale of change required over the next decade to achieve the 2030 target. This also means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and the 2020s is a critical decade.

⁵ As set out in this Statement (paragraph 6.10), none of the five scenarios modelled by the CCC – even its most optimistic and stretching – suggests Scotland is close to achieving the 75% emissions reduction by 2030.

⁶ Scottish Government. Official Statistics, Scottish Greenhouse Gas Statistics 2020, (June 2022).

⁷ Ministerial Statement to Scottish Parliament by Cabinet Secretary for Net Zero, Energy and Transport on 07 June 2022, 'Greenhouse gas emission statistics 2020'.

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

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

Note: Current available data shown in yellow

- 2.4.13 The targets set out in the above Table clearly illustrate the speed and scale of change that is required, essentially prior to 2030. This also demonstrates that up to 2020 the annual percentage reduction that was required was 1% but this then increases each year from 2020 to 2030. It increases to 1.9% for each year between 2020 and 2030. This is the level of change that is required to achieve the 2030 target and represents a near doubling of the response.
- 2.4.14 This means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and the 2020s is a critical decade.
- 2.4.15 It is no exaggeration to say that there is a 'mountain to climb' to meet Scotland's 75% target for 2030. The CCC modelled five scenarios in CB6 and in none – even its most optimistic – is Scotland close to achieving a 75% emissions reduction by 2030: "Scotland's 75% target for 2030 will be extremely challenging to meet, even if Scotland gets on track for net zero by 2045, Our balance net zero pathway for the UK would not meet Scotland's 2030 target – reaching a 64% reduction by 2030 – while our most stretching tail winds scenario reaches a 69% reduction" (CB6, page 229).

The Scottish Energy Strategy (2017)

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

- 2.4.17 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*”.
- 2.4.18 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*”.
- 2.4.19 The SES sets out the Government’s clear position on onshore wind namely:

“*our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland’s future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.*”
- 2.4.20 The SES goes on to cross refer to further detail in relation to onshore wind as contained within the Onshore Wind Policy Statement (OWPS, 2017) which was published alongside the SES. The SES therefore, in addition to setting new stretching renewable energy and electricity targets, gives unequivocal strong policy support for the further development of onshore wind.

2.5 The Onshore Wind Policy Statement (2022)

- 2.5.1 The Scottish Government published an updated Onshore Wind Policy Statement (OWPS) on 21 December 2022. It replaces the version published in November 2017.
- 2.5.2 The Ministerial Foreword makes it explicitly 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.

Renewable Energy Generation & Greenhouse Gas Emission Targets

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 Scenarios 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.

2.5.7 Paragraph 1.1.4 states “our aim is to maintain the supportive policy and regulatory framework which will enable us to increase that deployment”.

2.5.8 In terms of existing deployment, paragraph 1.1.5 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". The breakdown of capacity within the pipeline is shown below in **Table 2.3**.

Table 2.3: Onshore Wind Development Pipeline (December 2022)

Status of Onshore Wind Projects	Giga Watt (GW)	Comments
In the Planning / Consenting Process	5.53	Footnote on page 6 of OWPS applies. Not all projects will receive consent.
Awaiting Construction	4.56	The figures are subject to some duplication – e.g. where some projects have consent but are also subject say to applications for tip height increases.
Under Construction	1.17	
<i>Sub Total</i>	11.26	
Operational Onshore Wind in Scotland	8.70	A number of projects will reach the end of their operational life. Not all will necessarily be repowered or life extended. A considerable 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</i>	19.96	

2.5.9 Within the table, the figure of 4.56 is denoted as "Awaiting Construction", however a footnote acknowledges that some of those projects with consent will need to re-apply or vary such consent to make changes to developments such as to increase tip heights, etc. it is also recognised that this will reduce the deliverable capacity.

2.5.10 There is also a figure of some 5.53 GW as representing projects that are within the planning system; but again, the footnote makes it clear that not all projects will receive consent.

- 2.5.11 A further point arising is that given consenting and construction timescales for onshore wind developments, projects that are not yet in the planning system are therefore unlikely to provide the "installed" capacity by the Scottish Government's key date of 2030.
- 2.5.12 The footnote to the figures set out on page 6 of the OWPS is therefore highly 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".
- 2.5.13 Section 1.2 of the OWPS refers to the Deployment Ambition to 2030. Reference is made to the Climate Change Committee's position as set out in their exploratory scenarios for emissions to 2050 and also as referred to within the Sixth Carbon Budget.
- 2.5.14 Paragraph 1.2.2 of the OWPS states that: *"these estimate that, in every scenario, the UK will require a total of 25-30 GW of installed onshore wind capacity by 2050 to meet government targets - which would mean doubling the current UK installed capacity".*
- 2.5.15 Section 1.3 of the OWPS further refers to the new 20 GW ambition and acknowledges that the Scottish Government's Programme for Government 2022/2023 committed Government to enabling up to 12 GW of onshore wind to be developed and it is stated that:
"It is vital to send a strong signal and set a clear expectation on what we believe onshore wind capacity will contribute in the coming years.
In line with this commitment, and reflecting the natural life cycles of existing wind farms, this statement sets a new ambition for the deployment of onshore wind in Scotland:
A minimum installed capacity of 20 GW of onshore wind in Scotland by 2030.
This ambition will help support the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to net zero whilst other technologies reach maturity".
- 2.5.16 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".*
- 2.5.17 Paragraph 2.4.2 states that *"onshore wind will play a crucial role in delivering our legally binding climate change targets".*
- 2.5.18 The Scottish Government has made clear that the 20 GW ambition of installed capacity is a "minimum". In short, there is a substantial 'hill to climb' 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.
- 2.5.19 This means that the Scottish Government's ambition, as stated in December 2022, is to increase the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms in Scotland in a period of around eight years. The Proposed Development and its contribution must be considered in the context of the sheer scale and urgency of the stated Scottish Government's position.

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

- 2.5.20 Chapter 2 of the OWPS entitled 'Delivering on our Ambition for Onshore Wind in Scotland' states that the Scottish Government is to form an Onshore Wind Strategic Leadership Group (SLG) and "*will task this SLG with taking forward the aspirations of this policy statement, and the development of an Onshore Wind Sector Deal*". This reflects the importance of the onshore wind sector.
- 2.5.21 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*".
- 2.5.22 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.
- 2.5.23 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."*
- 2.5.24 The Sector Deal has therefore still to be developed but it is clear that will be shared commitment between Government and industry to develop onshore wind as a key sector of the economy.
- 2.5.25 The Government states at paragraph 2.4.4 of the OWPS that "*given the scale and pace of delivery needed, we are committed to starting work on the Sector Deal immediately*".

Balancing Environmental Considerations and Benefits

- 2.5.26 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.
- 2.5.27 Landscape and Visual Amenity is addressed at Section 3.6 in Chapter 3 of the OWPS with direct cross references to NPF4. Paragraph 3.6.1 states (original emphasis):
- "Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."* (original emphasis)
- 2.5.28 As referenced above, NPF4 policy expressly recognises that significant landscape and visual impacts are to be expected and the OWPS emphasises that as a result there will be changes in Scotland’s landscape.
- 2.5.29 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"*.
- 2.5.30 There is therefore express direction of greater weight being placed to the benefits of the development in terms of how it contributes to tackling the climate emergency.
- 2.5.31 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 2021 advice that even landscape capacity studies concluded no more than relative sensitivities.
- 2.5.32 Paragraph 3.6.3 also makes reference to the NPF4 Policy 11 criteria with regard to energy development stating that *"where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable"*.
- ### Energy Systems & Regulation
- 2.5.33 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"*.
- 2.5.34 The Proposed Development could contribute to the 2030 target.

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

OWPS Conclusions

2.5.36 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 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 our Onshore Wind Strategic Leadership Group*”. (emphasis added)

2.5.37 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...*”.

2.5.38 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 NPF3 and SPP.

2.6 The Draft Energy Strategy and Just Transition Plan

2.6.1 The Scottish Government published a new Draft ‘Energy Strategy and Just Transition Plan’ entitled ‘Delivering a fair and secure zero carbon energy system for Scotland’ on 10 January 2023. The new Strategy is to replace the one previously published in 2017. The consultation period on the draft runs up until 4 April 2023.

2.6.2 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, supply safe and secure energy for all, generate economic opportunities, and build 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 as 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.”

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

- > More than 20 GW of additional renewal 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.

2.6.4 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".

2.6.5 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....."

2.6.6 In terms of policy and onshore wind, the Strategy cross refers to NPF4 and the recently published OWPS and reiterates the new ambition for a deployment of a minimum further 12 GW of onshore wind by 2030.

2.7 Conclusions on the Renewable Energy Policy & Legislative Framework

2.7.1 The Applicant's position is that the Proposed Development is strongly supported by the current renewable energy policy and legislative framework.

2.7.2 The trajectory, in terms of the scale and pace of action to reduce emissions, is steeper than before and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the legally binding target of an interim 75% reduction of GHG emissions by 2030 will not be met.

2.7.3 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.

2.7.4 Decisions through the planning system must be responsive to this changed position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance.

- 2.7.5 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 of Net Zero and the need to substantially increase renewable capacity.
- 2.7.6 Overall, the Draft Energy Strategy forms part of the new policy approach alongside the new OWPS and the approved NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the crucial role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.

3. Appraisal against NPF4

3.1 Programme and Procedure

- 3.1.1 NPF4 has been subject to consultation and Parliamentary Committee scrutiny over the last year and was first laid before the Scottish Parliament in November 2021. On 8th November 2022, the Revised Draft NPF4 was laid before Parliament for approval. It was accompanied by an Explanatory Report which explains how the Scottish Government has considered responses to the initial draft NPF4 received during the preceding period of Parliamentary scrutiny and consultation, in line with its statutory duty.
- 3.1.2 Part 1 of the Planning (Scotland) Act 2019 (the '2019 Act') amends the Town and Country Planning (Scotland) Act 1997 (the '1997 Act'). Section 3CA of the 2019 Act deals with procedural matters for NPF4 and states:
- "The Scottish Ministers may not adopt a revised National Planning Framework until a draft of it has been approved by resolution of the Parliament".*
- 3.1.3 It adds:
- "As soon as practicable after the National Planning Framework as revised has been adopted, the Scottish Ministers are to publish it."*
- 3.1.4 NPF4, in the same form as the Revised Draft NPF4 laid before the Scottish Parliament on 8 November 2022, was approved by resolution of the Scottish Parliament on 11 January 2023.
- 3.1.5 A Chief Planners' letter was issued on 16 January which stated that NPF4 will come into force at 9am on 13 February 2023.
- 3.1.6 A further Chief Planner's Letter was issued on 8th February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contains advice intended to support consistency in decision making ahead of new style LDPs being in place.
- 3.1.7 The Letter of 8th February confirms with regard to the Development Plan that from 13th February, NPF3 and SPP will no longer represent Scottish Ministers' planning policy and should not form the basis for or be a consideration to be taken into account when determining planning applications.

3.2 Development Management

- 3.2.1 NPF4 will form part of the statutory Development Plan on adoption and publication. Until then, NPF4 is a material consideration in planning development management decision making. For the purposes of Section 36 decision making, acknowledging that Section 25 of the 1997 Act is not engaged, NPF4 in its approved form is a significant material consideration in the overall decision-making process.
- 3.2.2 Section 13 of the 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;
 - > Any Strategic Development Plan; and
 - > Any Local Development Plan (LDP).

- 3.2.3 The publication of NPF4 will also have the effect that all Strategic Development Plans will cease to have effect. Therefore, the statutory Development Plan covering the application site will consist of NPF4 and the Argyll and Bute LDP (2015) and related Supplementary Guidance (2016).
- 3.2.4 The publication of NPF4 has coincided with the implementation of certain parts of the Planning (Scotland) Act 2019 (the 2019 Act). A key provision is that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, then whichever of them is the later in date will prevail. That will include where a LDP is silent on an issue that is now provided for in NPF4.
- 3.2.5 In this case, the LDP was adopted in 2015. It makes no mention of Net Zero and 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. This is examined further below.
- 3.2.6 Section 13 of the 2019 Act amends Section 24 of the Town and Country Planning (Scotland) Act 1997 (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.”*
- 3.2.7 In terms of emerging LDPs prepared prior to the adoption and publication of NPF4, the Chief Planner’s Letter of 8th February states that it may be that there are opportunities to reconcile identified inconsistencies with NPF4 through the Examination process. In this case, the emerging Argyll & Bute LDP is still in its Examination phase and is not expected to be adopted until spring 2023.
- 3.2.8 The Letter of 8th February also states with regard to Supplementary Guidance associated with LDP’s which were in force before 12th February 2023 (the date on which Section 13 of the 2019 Act comes into force) that they will continue to be in force and be part of the Development Plan.

3.3 How NPF4 is to be used

- 3.3.1 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.”*
- 3.3.2 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 Goals⁸. NPF4 includes a long-term spatial strategy to 2045.”*
- 3.3.3 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments

⁸ 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’.

which are aligned to the strategic themes of the Government's Infrastructure Investment Plan⁹ (IIP).

3.3.4 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.

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

3.4 The National Spatial Strategy – Delivery of Sustainable Places

3.4.1 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."

3.4.2 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 Framework¹⁰.

3.4.3 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".

3.4.4 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."

3.4.5 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 below).

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

"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."

⁹ 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.

¹⁰ The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

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."

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

3.4.8 A summary description of this NAD 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".

3.4.9 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."

3.4.10 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.

3.5 National Developments

Overview

3.5.1 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".

3.5.2 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".

3.5.3 Annex B of NPF4 sets out the various NADs and related Statements of Need. It explains that NADs 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"

3.5.4 Page 103 of NPF4 describes NAD3 and it states:

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

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

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

3.5.5 The location for NAD3 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."

3.5.6 Reference is made to the designation and classes of development which would qualify as NAD3, 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)

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

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

3.5.7 As regards the Proposed Development, having an installed capacity of approximately 84MW, it satisfies and exceeds the threshold set for a NAD therefore it would have national development status. The Proposed Development is of national importance for the delivery of the national Spatial Strategy.

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

3.5.9 The Proposed Development would provide renewable generation and battery storage and would make a meaningful contribution to targets within this key timescale and that is a very important consideration.

3.6 National Planning Policy

3.6.1 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.

3.6.2 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".

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

- > Policy 1: Tackling the Climate and Nature Crisis;
- > 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.

3.6.4 These policies are addressed below.

3.6.5 The Chief Planner's Letter of 8th February 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."

3.6.6 The Letter adds:

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

3.7 NPF4 Policy 1: Tackling the Climate and Nature Crisis

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

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

3.7.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1 and would help attain its outcome of Net Zero.

3.7.4 The Chief Planner's Letter of 8th February 2023 gives some guidance with regard to Policy 1. It states that the policy should be applied together with the other policies in NPF4 and that:

"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 crisis".

3.7.5 It is considered that given the nature of the Proposed Development and its specific contribution in relation to targets and given it will directly further the policy intent and outcomes, that it should be afforded significant weight in terms of tackling the climate and indeed the nature crisis. As explained below, biodiversity enhancement is proposed as part of the proposal.

3.8 NPF4 Policy 11: Energy

3.8.1 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 distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage."

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

3.8.3 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”.

- 3.8.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation which the Proposed Development, would help further.
- 3.8.5 The wording of Policy 11(a)(i) makes it clear that the policy supports new wind farms with the extended wording simply reconfirming the positive support for wind farms which includes those stated.

Differences with Scottish Planning Policy

- 3.8.6 **Paragraph a) of Policy 11** states a position of express “support” for wind farm development.
- 3.8.7 The spatial and development management topic provisions within Policy 11 largely reflect those of the outgoing Scottish Planning Policy (SPP), but there are some significant differences, namely:
- > the role of renewable energy generation and greenhouse gas emissions reduction targets and a specific instruction to decision makers to apply significant weight to that consideration;
 - > Wind Farms will not be supported in National Parks or National Scenic Areas but outside of these areas the policy is one, as noted of “general support”. This is a fundamental shift away from the previous Spatial Framework approach;
 - > the reference significant landscape and visual impacts which are “to be expected” and to localised landscape and visual impacts and the role of design mitigation;
 - > renewed emphasis on economic benefits and the need to maximise economic impact including local and community socio-economic benefits; and
 - > the omission of references to tourism which is likely to be an acceptance of the lack of impact on tourism from wind farms.
- 3.8.8 **Part c) of Policy 11** requires socio-economic benefits to be maximised, rather than just taken into account.
- 3.8.9 The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment and GVA to the economy would be beneficial (short term during construction, long term during operation).
- 3.8.10 Chapter 13 of the EIA Report addresses socio-economic effects. It is estimated that the Proposed Development would generate:
- > 2.55 FTEs in the construction phase, with an additional indirect and induced employment generation of 4.34 FTEs.
 - > Approximately 2 FTE staff to operate the Proposed Development and undertake routine maintenance work during its lifetime (40 years).
- 3.8.11 As well as contributions to the generation of low carbon electricity and the resulting offsetting of carbon emissions, the Proposed Development also provides the opportunity for local communities to benefit financially from its operation through regular payments of £5,000 per MW installed per year for a Community Benefit Fund as recommended by the Scottish Government.
- 3.8.12 At this stage based on the candidate turbine, the wind farm will have a maximum installed capacity of up to 85.8 MW, which would mean a maximum of £429,000 available for community benefit per annum (£5,000 per MW of Installed Capacity, in line with Scottish Government best practice).
- 3.8.13 The Applicant is also committed to shared ownership and supporting the provision of local broadband.

- 3.8.14 The main contractor is likely to be Scotland-based, but it is assumed that whoever is appointed as the main contractor, that a significant proportion of the work will be carried out by sub-contractors and labour resident in Argyll and Bute. The Applicant is committed to giving local businesses every possible opportunity to share in the financial and employment benefits of the construction and operation of the Proposed Development. If consented and constructed, the Proposed Development will offer opportunities for local businesses such as accommodation providers, hire companies, fencing contractors, tradesmen etc.
- 3.8.15 **Part d) of Policy 11** states that development proposals that impact on international and national designations “*will be assessed in relation to Policy 4*”. Therefore, the matter of the impacts of the Proposed Development in relation to such designations is examined further below with specific regard to the provisions of Policy 4.
- 3.8.16 **Paragraph e) of Policy 11** states that project and 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

- 3.8.17 As set out in the EIA Report Volume 2: Chapter 4: Landscape and Visual Impact Assessment (LVIA), careful consideration has been given to the visual effects of the Proposed Development from settlements and individual dwellings.
- 3.8.18 It is explained in the LVIA that views from the settlement of Dalavich on the west side of Loch Awe were an important consideration during the design process. The main aim was to create a layout which appears relatively evenly spaced, avoids the stacking of turbines and the isolation of outlying turbines, and is set back from Loch Awe. The layout sought to locate turbines behind the foreground ridge enclosing the loch, to prevent the appearance of turbines encroaching down the enclosing slopes, and to help maximise the perceived sense of separation between the Proposed Development and Dalavich/ Loch Awe. Furthermore, the layout was designed to avoid high landform within the site to help remove visibility of hubs above the ridge skyline in views from the east, around Loch Fyne, such as at St. Catherine’s and Strachur. Here, as elsewhere, the relationship with the consented Blarghour Wind Farm was carefully considered.
- 3.8.19 The LVIA states that there would be some significant visual effects from the settlements of Dalavich (4.6km distant) and Inverinan (5.5km distant). However, whilst the residential receptors considered could be subject to significant visual effects it is reported that none of the effects are of such a level as to be ‘*overbearing*’ or ‘*overwhelming*’ nor would they convert any property into what might be regarded as an unattractive place in which to live.

Noise and Shadow Flicker

- 3.8.20 Noise is addressed in Chapter 11 of the EIA Report. The assessment concludes that operational noise levels from the proposed turbines prior to mitigation would not be significant, therefore, mitigation would not be necessary. The selection of the final turbine to be installed at the Site would be made on the basis of enabling the relevant noise limits to be achieved cumulatively at the surrounding properties.
- 3.8.21 Furthermore, no significant noise effects are anticipated from the operation of the onsite substation or the Battery Energy Storage System, given the distance of these elements of the Proposed Development to the nearest noise sensitive receptor (3.5 km from Blarghour).
- 3.8.22 Shadow flicker is addressed in Chapter 2 of the EIA Report. A shadow flicker assessment is generally required if any properties lie within 10x rotor diameter of the wind farm. On the basis that the nearest property (Blarghour) is over 2.5km from the nearest turbine (T9) a detailed shadow flicker assessment has not been required

Landscape and Visual Considerations

- 3.8.23 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position in SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.

Overview of Design Considerations

- 3.8.24 It is explained in the LVIA that the objective in designing the wind farm has been to develop a layout that responds to its setting in terms of landform and pattern, and which presents a simple visual image, avoiding the clustering of turbines and the isolation of outlying turbines in views from key locations and views from sequential routes seen by a range of different receptors (people) of varying sensitivity, and to balance this alongside environmental and technical constraints.
- 3.8.25 The design of the Proposed Development also considers its interaction in both landscape and visual terms with other existing and proposed wind farms, including the adjacent operational wind farm of An Suidhe, and particularly the proposed (previously consented) Blarghour Wind Farm, located within the Craggy Uplands LCT and other operational and consented wind farms within the vicinity of the Site. The design of the turbine layout has taken into consideration compatibility in scale and composition with adjacent wind energy developments as far as practical, including those currently at scoping stage. It is noted however that An Suidhe Wind Farm is relatively small, and dated as compared to schemes that are currently coming forward.

Landscape Character

- 3.8.26 The Site lies within two Landscape Character Types (LCTs): LCT7 – Craggy Uplands in the western half of the Site (where most of the turbines are located) and LCT6a - Loch Fyne Upland Forest Moor Mosaic in the eastern half. These LCTs form an upland plateau landscape covered by a mosaic of moorland, heather and forestry, and dissected by a significant number of small watercourses and streams, with larger lochans present within lower-lying hollows. Both LCTs are sparsely settled, with isolated, individual farmsteads located in more sheltered locations on the edge of the moor.
- 3.8.27 Overall, the effect of the Proposed Development on the Craggy Uplands LCT is judged to be Significant (major) within up to 10km of the Proposed Development in places. It will be less extensive to the north-east and south-west (contained within 4-5km by landform), reducing to Not Significant (minor) beyond.
- 3.8.28 Overall, the effect of the Proposed Development on the Loch Fyne Upland Forest Moor Mosaic LCT is judged to be Significant (moderate) within up to 5km. This reduces to Not Significant (minor) elsewhere.

Locally Designated Landscapes

- 3.8.29 Within the LVIA Study Area, locally designated landscapes include Areas of Panoramic Quality (APQs. APQs occupy large areas of Argyll and Bute are mapped, but there is no document setting out their characteristics and/or special qualities.
- 3.8.30 **The West Loch Fyne Coast APQ** is located 4.7km to the south-east of the closest turbine. There are also large numbers of locally designated landscapes across the 45km LVIA Study Area.

- 3.8.31 The North APQ covers much of the north-east of the LVIA Study Area. It extends from Brochroy in the west to just east of the A82 at Beinn Achaladair and Beinn a' Churin and down to northern extents of Loch Fyne. It covers an extensive area of 698km². The APQ extends across a distance of around 40km. The APQ reflects the quality of this landscape, although no detailed citations exist for this type of designation.
- 3.8.32 At its nearest point, the North Argyll APQ is located 6.3km to the north-east of the Proposed Development. The LVIA states that the introduction of the Proposed Development has the potential to significantly affect some of the qualities of the AQP.
- 3.8.33 The Proposed Development will be perceptible from hill summits and site-facing slopes to the north and north-east of the Proposed Development, including the summits of Ben Cruachan, Ben Lui and Beinn Bhuidhe.
- 3.8.34 Locally, the effect on the North Argyll APQ is considered to be Significant (Moderate), in the area of the APQ to the north-east, around the head of Loch Fyne. This effect is experienced to distances of approximately 17km and includes the not well-frequented summits of Beinn Bhuidhe, Beinnein and Fhìdhleir. However, this effect reduces to Not Significant (minor) elsewhere within the APQ. Given that existing wind farms, including the operational An Suidhe, Clachan Flats, Carraig Gheal and Beinn Ghlas Wind Farms, are already present in views from the APQ, with Clachlan Flats visible in much closer proximity to the north-eastern area than the Proposed Development, and as there will be no direct effects on key landscape features, it is considered that the Development will not significantly affect the integrity of the APQ by adversely impacting on the landscape qualities for which it was designated.
- 3.8.35 **The East Loch Fyne Coast APQ** covers the eastern coast of Loch Fyne. It is a narrow and linear landscape designation which extends along the east coast of Loch Fyne for approximately 35km from St Catherine's in the north, to Ballimore in the south. At its nearest point, the East Loch Fyne APQ is located 7.7km to the south-east of the Proposed Development. The APQ reflects the quality of this landscape, although no detailed citations exist for this type of designation.
- 3.8.36 The LVIA states that the introduction of the Proposed Development has the potential to significantly affect some of the qualities of the APQ. The Proposed Development will be more perceptible from the northern extents of the APQ, particularly the stretch between Newton and St. Catherine's, where the Proposed Development will be visible beyond the enclosing ridge to the west of Loch Fyne from the coastline of the loch, and the roads running along the banks, including the A886 and A815.
- 3.8.37 Locally, the effect on the East Loch Fyne Coast APQ is considered to be Not Significant (minor), in the area of the APQ between St. Catherine's and Newton, reducing to Not Significant (negligible) further south along Loch Fyne.
- 3.8.38 Given that existing wind farms, including the operational Clachan Flats Wind Farm is already present in views from the APQ, and as there will be no direct effects on key landscape features, it is considered that the Development will not significantly affect the integrity of the APQ by adversely impacting on the landscape qualities for which it was designated.
- 3.8.39 The consideration of the policy implications of the effects in relation to local landscape areas is further considered with regard to Policy 4 below.

Gardens and Designed Landscapes

- 3.8.40 The LVIA explains that there are a number of Inventory-listed Gardens and Designed Landscapes (GDL) and Local GDLs within the LVIA Study Area. The Inveraray Castle GDL is located within 3km of the proposed turbines. Theoretical visibility is indicated from across the Inveraray GDL. Up to six turbines will be theoretically visible from the lower lying land of the GDL, within Glen Array. This includes the area to the north, east and north-west of Inveraray Castle, and the areas around Creag Dhubh. Up to six turbines are also theoretically visible from the lower slopes of Dun Corr-Bhile and Dun na Cuaiche, with visibility increasing further

up slope to up to 13 turbines. In the lower-lying areas of the GDL, vegetation is likely to provide further screening of the Proposed Development, particularly near the castle and around Creag Dhubh.

- 3.8.41 Effects on the setting of GDLs are also considered in detail within the EIA Report Chapter 10: Cultural Heritage.
- 3.8.42 Effects on views from the GDL is considered in the LVIA with regard to Viewpoint 4: (Folly at Dun na Cuaiche). The viewpoint is located on the summit of the prominent Dun na Cuaiche hill located towards the head of Loch Fyne, to the north of Inveraray. The viewpoint is located just north of Inveraray Castle and within the Inveraray Castle Garden and Designed Landscape, and features a folly which overlooks Loch Fyne. This is a well visited located which is representative of views experienced by recreational receptors. The viewpoint is located on Core Path C201 as adopted by Argyll and Bute Council.
- 3.8.43 The Proposed Development will introduce visibility of 11 wind turbines into westerly views. The Proposed Development will occupy approximately 15° of the horizontal field of view. The blades and hubs of 8 turbines, and blades of an additional 3 turbines will be visible. The most westerly turbines will be afforded some screening by intervening landform, notably T5, T9, T10 and T11, and several turbines will be completely screened from view.
- 3.8.44 The Proposed Development will be seen along the skyline in views towards the west. All the turbines will be located in a section of the horizon which forms a topographic low, with the higher landform of Beinn Bhreac and Cruach Mhòr, to the south and north of the Site, respectively. From this viewpoint, the turbines will be of a large scale and will sit above the horizon at a similar height to that of the viewpoint.
- 3.8.45 The overall magnitude of change is judged to be high and taking account of the high sensitivity will result in a Significant (Major) visual effect. This would be a localised effect, with the majority of the GDL having very limited / no visibility of the Proposed Development.

Visual Effects

- 3.8.46 The LVIA should be referred to for its detail with regard to likely visual effects. In summary it states that, significant effects on views are predicted at nine of the 26 representative viewpoints.
- 3.8.47 Significant (major) effects are predicted at viewpoints 1: Loch Awe, 2: Dalavich Jetty, 4: Folly at Dun na Cuiache and 5: Minor Road to west of Loch Awe. Significant (moderate) effects are predicted at viewpoints 7: Core Path above Inverinan, 9: Kilmaha Viewpoint, 11: Loch Avich, east of Loch Avich House, 15: Fincham Castle, Loch Awe, and 16: B840, East of Ford.
- 3.8.48 As explained above, the settlements of Dalavich and Inverinan are expected to experience Significant (moderate) effects.
- 3.8.49 The minor road and cycle route to the west of Loch Awe is expected to experience significant (moderate) effects. In addition, a short section of the B840, near Ford, is identified as having significant (moderate) effects. However, the remainder of the route would experience Not significant (minor) effects.

The Effects of Aviation Lighting

- 3.8.50 An Aviation Lighting Assessment is contained in AIAR Technical Appendix 6.4. It explains that in the interests of aviation safety, structures of ≥ 150m, including wind turbines, require steady red visible aviation lighting, as set out in Civil Aviation Authority (CAA) guidance. The Proposed Development comprises 17 turbines with a maximum blade tip height of 180m and will therefore require visible aviation lighting which may be perceptible to receptors (people) from locations across the Study Area.

- 3.8.51 The introduction of visible aviation lighting in rural locations, where there are fewer sources of artificial lighting, and where darkness or dark skies are an integral and valued aspect of the landscape, may lead to potentially significant landscape and visual effects. The Technical Appendix includes an assessment of the effects of visible lighting on landscape and visual receptors.
- 3.8.52 A reduced lighting scheme has been agreed through consultation with the Civil Aviation Authority (CAA) and includes seven hub lights only.
- 3.8.53 No significant effects on landscape character, designated landscapes or Wild Land Areas (WLAs) are anticipated. Whilst dark sky qualities are not specifically recognised for any LCT, designated landscape or WLA considered in the assessment, many of these landscapes have wild, remote and naturalistic characteristics to which dark skies contribute. However, at the distances concerned, it will be infrequent for the maximum candela lighting to be seen, given this will typically be used when atmospheric visibility is below 5km (in any direction). More usually, clear conditions will be required for lighting to be seen over these distances, in which case the 10% candela lighting will be activated. There will be some exceptions to this when atmospheric visibility is reduced to under 5km in some directions, but is greater than this in others, or for example when the cloud base is low, but visibility is good beneath it.
- 3.8.54 In terms of visual effects, some significant visual effects are predicted for each of the three assessment viewpoints, under the maximum case scenario, but not under the reduced case scenario. When visible, the Proposed Development will tend to be seen in large scale and longer distance views, where other occasional light sources in surrounding lower lying landscapes are apparent. The viewpoints assessed are:
- > Viewpoint 2: Dalavich Jetty;
 - > Viewpoint 4: Folly at Dun na Cuaiche; and,
 - > Viewpoint 29: Beinn Bhuidhe.
- 3.8.55 The assessment explains that when viewing the lights from lower elevation viewpoints, then the intensity that will be seen will be much reduced.
- 3.8.56 An important point is that in conditions of meteorological visibility of less than 5km (in any direction), the perceived brightness of maximum intensity lights, whilst possibly still visible, are likely to be substantially reduced. In such conditions the lights will typically not be visible at distances much greater than 5km from turbines.

Public Access

- 3.8.57 Chapter 11 of the EIA Report (Socio-Economics) considers potential direct and indirect effects in relation to public access, recreation, and tourism. The assessment states that A number of Core Paths and regional cycle routes are located within the vicinity of the Site, clustered around the communities and settlements, particularly along the shores of the Lochs, Inveraray and Dalavich. There are three Core Paths located within the in the area which includes the Site access track.
- 3.8.58 Other routes located within the Site include: The Inveraray Forest Circuit which is routed around Inveraray and forms a loop, including within the Site following the above Core Paths.
- 3.8.59 There are no Rights of Way (RoW) paths within the Site; however, there are three Core Paths (C200a, C200b and C203a) which are located within / traversing the Site Access (which also form part of an advertised route on Walk Highlands called the Inveraray Forest Circuit. The assessment states that there is potential for direct disruption to the use of these Core Paths and circuit during construction for a small number of people. The routes may have some restricted access however these impacts can be satisfactorily management by way of an Access and Recreation Management Plan which could be secured by way of a planning condition.

Aviation , Defence Interests and Telecommunications

- 3.8.60 Chapter 14 of the EIA Report addresses aviation matters. The assessment concludes that the turbines will not be visible to any civil or military radars or impinge upon any airport physical safeguarded surfaces. Aviation lighting will be provided, but there is no requirement for any other aviation mitigation.
- 3.8.61 Chapter 2 of the EIA Report addresses telecommunication matters. It states that relevant system operators were individually consulted on the Proposed Development's potential to cause electromagnetic interference. The outcome of this consultation process did not reveal any telecommunications receptors which could be impacted as a result of the construction and operation of the Proposed Development.

Impacts on Road Traffic and Trunk Roads

- 3.8.62 Transport, access and traffic is addressed in Chapter 12 of the EIA Report. The Proposed Development will be accessed from the A819, with all traffic approaching the site from the A83 trunk road. A bypass of Inveraray is proposed for AIL traffic, due to constraints located within Inveraray.
- 3.8.63 The maximum traffic effect associated with construction of the Proposed Development is predicted to occur in month 6 of the construction programme. However, the construction period is relatively short and the effects would be transitory in nature.
- 3.8.64 The following measures will be implemented to mitigate any adverse effects of construction traffic during the construction phase:
- > Construction Traffic Management Plan;
 - > Abnormal Load Transport Management Plan;
 - > Access Management Plan; and
 - > A Staff Sustainable Access Plan.
- 3.8.65 These measures can be secured by way of a planning condition. Overall, there would be no significant residual traffic and transport effects arising.

Historic Environment

- 3.8.66 Cultural heritage is addressed in Chapter 10 of the EIA Report. It states that there are two designated heritage assets within the Site, a section of the Inveraray Castle GDL (GDL00223) and the Category B-listed well house at Bealach An Fhuarain (LB11520). The well house lies within the GDL and is associated with it.
- 3.8.67 The following non-designated assets are within the Site: North Cromalt Wren Memorial (WoSAS 66814) and Allt Na h-Airigh Maldain shielings (WoSAS 44789).
- 3.8.68 The assessment concludes that there would be no significant effects to these assets as a consequence of either construction or operation of the Proposed Development.
- 3.8.69 The assessment explains that potential effects on onsite heritage assets, such as Inveraray Castle GDL, were a key concern amongst relevant consultees. Avoiding and minimising effects to these has therefore been a key focus of design alterations since the EIA Scoping stage. The assessment explains that how turbines will appear within the setting of assets has been a key consideration in design refinements. Care has been taken to avoid turbines being either skylined in views toward assets or being located on key lines of sight to and between assets. These considerations have been central to the reduction in turbine numbers and the finalised layout.

Hydrology, the Water Environment and Flood Risk

- 3.8.70 Chapter 7 of the EIA Report addresses geology, hydrology and hydrogeology. The assessment concludes that the would not result in any significant effects in relation to hydrological and hydrogeological receptors during the operational phase assuming implementation of good drainage practice and infrastructure design as required by the Scottish Environmental Protection Agency (SEPA). These requirements would be implemented and would be secured by way of planning conditions.
- 3.8.71 In terms of peatland condition - the Site comprises a mosaic of peatland conditions, with large extents showing a significant degree of modification and erosion, and presenting opportunities for restoration and enhancement. Implementation of peatland restoration and enhancement measures proposed in the OREP and Outline Peat Management Plan (PMP) are to include:
- > Extensive restoration of areas of damaged and eroded peat within the Site, including reprofiling and infill (approximately 130ha).
 - > Blocking of approximately 65km of drains thereby safeguarding and improving approximately 310ha of peatland.

Biodiversity

- 3.8.72 Ecology is addressed in Chapter 8 of the EIA Report. The assessment concludes that no significant effects on ecology were identified prior to, or following, the application of mitigation.
- 3.8.73 The OREP sets out proposed habitat and peatland restoration measures.
- 3.8.74 Chapter 9 of the EIA Report addresses ornithology. In summary, no significant effects are predicted in relation to ornithology.
- 3.8.75 The OREP also includes for outline habitat enhancement measures which will enhance foraging and nesting opportunities for bird species, including breeding waders and foraging raptors away from proposed infrastructure.
- 3.8.76 The Proposed Development also includes for an OREP to be agreed on the basis of the OREP presented, in consultation with NatureScot and ABC and which will serve to enhance and maintain suitable habitats for moorland breeding species and breeding raptors within the Site away from operational infrastructure.

Balancing the Contribution of a Development and Conclusions on Policy 11

- 3.8.77 Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position in SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.
- 3.8.78 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.
- 3.8.79 The second last paragraph **of Part e) of Policy 11** is expressly clear that in considering any identified impacts of developments, that significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets. In particular, the Policy recognises that landscape and visual impacts are to be expected but provided they are localised and / or appropriate design mitigation has been applied, they are likely to be considered acceptable.

- 3.8.80 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.
- 3.8.81 In terms of contribution to targets, as a national development, the proposal would contribute:
- > 85.8 MW of capacity to the Scottish Government's minimum target for having 20GW of onshore wind operational by 2030;
 - > Assuming a 40-year operational life and based on an overall expected annual carbon saving of 40,000 tCO₂e and a total carbon loss (during both construction and operation) of just over 116,000 tCO₂e, this equates to a total saving of approximately 1.48 million tCO₂e¹¹ over the Proposed Development's operational lifetime.
 - > The renewable electricity generated could power an estimated 95,872 homes on average each year. To put this into context, Argyll and Bute has an estimated 42,384 households¹².
- 3.8.82 The scale of the energy output and emissions savings are of national importance.

3.9 NPF4 Policy 3: Biodiversity

- 3.9.1 In summary, there are no unacceptable effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 **Policies 3 and 4** (the latter in terms of designations – see below) respectively address.
- 3.9.2 **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.
- 3.9.3 It should be noted that Policy 3 does not provide any guidance on how ‘significant enhancements’ will be measured and assessed, simply referring to “*best practice assessment methods*”. In addition, in relation to the relevant wording in Policy 3, the Explanatory Report (as noted, issued alongside Revised Draft NPF4) states:
- “The Scottish Government have commissioned research to explore options for developing a biodiversity metric or other tool, specifically for use in Scotland. This work is at early stages, we will work with NatureScot on a programme of engagement with stakeholders as this work progresses.*”
- 3.9.4 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance, but timescale for the production of this is at present unclear. The Scottish Government also issued a draft Biodiversity Strategy in December 2022 however it does not contain national biodiversity targets – these are to be prepared on a statutory basis later in 2023 and will be subject to a Bill in Parliament.
- 3.9.5 The letter from the Chief Planner issued on 8th February 2023 provides guidance on the application of new policy where specific supporting guidance / parameters for assessment are not yet available to aid assessments.
- 3.9.6 NPF4 Policy 3 Biodiversity is specifically recognised as one such policy area where final guidance is not yet available. The Chief Planner letter states:
- “recognising that currently there is not single accepted methodology for calculating and / or measuring biodiversity ‘enhancement’ – we have commissioned research to explore options for development a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise for opportunities to contribute to the enhancement*

¹¹ The results of the Carbon Calculator for the Proposed Development show that the Proposed Development is estimated to produce annual carbon savings of approximately 40,000 tCO₂ per year, through the displacement of grid electricity, based on the current average grid mix.

¹² National Records of Scotland's Estimates of Household and Dwellings in Scotland, 2021.

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)

3.9.7 Nevertheless, notwithstanding the lack of policy guidance at the present time, in terms of environmental benefit, there will also be a permanent enhancement to the site area through the Applicant's proposed improvements to the natural habitat which are addressed in the OREP referenced above.

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

3.10 NPF4 Policy 4: Natural Places

3.10.1 **Policy 4, Part c)** deals with national landscape designations and has a similar approach in relation to SPP in terms of proposal that affect National Scenic Areas (NSAs) should be addressed.

3.10.2 Policy 4, Part c) states that:

"Development proposals that will affect the National Park or National Scenic Area will only be supported where:

- > the objectives of designation and the overall integrity of the areas will not be compromised; or*
- > any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance."*

3.10.3 The LVIA addresses national landscape designation. The Loch Lomond and the Trossachs National Park (LLTNP) is located within the east of the LVIA Study Area. At its closest, LLTNP is 12.1km from the closest turbine.

3.10.4 There are seven National Scenic Areas (NSAs) located within the LVIA Study Area: Knapdale NSA, Loch Lomond NSA, Ben Nevis and Glen Coe NSA, Kyles of Bute NSA, Lynn of Lorn NSA, Scarba Lunga and the Garvellachs NSA, and The Trossachs NSA. The Knapdale NSA is located closest to the Proposed Development, 22.9km to the south-west of the nearest turbine, with the remaining NSAs all in excess of 25km from the closest turbine.

3.10.5 Appendix 6.2 of the EIA Report sets out an assessment of the effects of the Proposed Development upon the Special Landscape Qualities (SLQ) of the LLTNP. In summary, none of the SLQ considered in the assessment are judged to be subject to effects of greater significance than minor. The assessment concludes that the Proposed Development is unlikely to compromise the SLQs of the LLTNP. As such, drawing together the effects upon each SLQ to consider implications of changes to them as a whole, the integrity of the LLTNP and the reasons for its designation will not be significantly affected by the proposal.

3.10.6 In addition, no significant effects are predicted in relation to any NSA, in terms of Special Qualities or integrity.

3.10.7 **Policy 4, Part d)** deals with local landscape designations and contains a different policy approach to that within SPP and indeed is significantly different to that within the LDP (Policy SG LDP ENV 13 – 'Development Impact on Areas of Panoramic Quality (APs)'). Policy 4 is as follows:

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

- > Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*

- > *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance*".

- 3.10.8 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".
- 3.10.9 The policy set out in the second limb of NPF4 Policy 4, Part d) provides that development proposals that affect a site designated as a local landscape area in the LDP (namely an APQ) 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 is a new policy provision, reflecting the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or National Scenic Area) 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, Part d) nw 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*").
- 3.10.10 As explained above with regard to NPF4 Policy 11, of the designated landscapes assessed, it is not considered that there would be a significant adverse effect on the integrity or special qualities of any of the APQs within the LVIA Study Area.
- 3.10.11 Moreover, in this case the benefits are considered to be greater than local importance. However, this advice would only be of relevance in this case if the Proposed Development failed the first limb of Policy 4, and the Applicant's position is that the Proposed Development would not fail against the first limb of Policy 4.
- 3.10.12 **Policy 4, Part g)** deals with Wild Land.
- 3.10.13 There are six WLAs located within the LVIA Study Area, including Ben Lui (WLA 06), Loch Etive Mountains (WLA 09), Ben More – Ben Ledi (WLA 07), Jura Scarba Lunga and Garvellachs (WLA 05), Breadalbane – Schiehallion (WLA 10), and Ben More Mull (WLA 08).
- 3.10.14 The closest in Ben Lui – approximately 12.8km to the nearest proposed turbine. In agreement with Argyll and Bute Council and NatureScot, a Wild Land Assessment has been carried out for WLA 06 Ben Lui.
- 3.10.15 The WLA assessment concludes that the adverse effects on the wild land qualities identified within the assessment are judged not to undermine the objectives for its mapping and the overall integrity of the WLA will not be compromised by the introduction of the Proposed Development. Considerable areas will remain, across which the wild land qualities will be unaltered and expressed as they are today.
- 3.10.16 Notwithstanding this position, the Policy states that "*effects of development outwith wild land areas will not be a significant consideration*".
- 3.10.17 The Proposed Development is considered to be in accordance with Policy 4.

3.11 NPF4 Policy 5: Soils

- 3.11.1 In terms of soils, **Policy 5** states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects. The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position that was in SPP; however, a key difference is that renewable energy proposals are one of the types of development expressly envisaged to be acceptable in principle on peatlands (Paragraph c).
- 3.11.2 As explained above with regard to NPF4 Policy 11, the Applicant has proposed an appropriate design, mitigation and restoration approach to peatland. Appropriate planning conditions can be attached to a grant of consent in relation to peatland and carbon rich soil matters.
- 3.11.3 The Proposed Development is considered to be in accordance with Policy 5.

3.12 NPF4 Policy 6: Forestry, Woodland and Trees

- 3.12.1 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.
- 3.12.2 **Policy 6 Part 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.”*
- 3.12.3 **Policy 6 Part 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”.*
- 3.12.4 Forestry is addressed in the EIA Report at Technical Appendix 4.1. It explains that while the Proposed Development is mainly located outside forestry and woodland, the proposed access is partially located in areas of woodland. The assessment set out in the Appendix identifies areas of forest to be permanently or temporarily removed for the access during construction and operation of the Proposed Development and outlines the proposed management practices, while identifying the replanting proposals and subsequent aftercare. The forestry proposals have been developed to
- > Identify areas permanently lost to forest cover;
 - > Identify those areas which may be felled as a result of the Proposed Development and replanted within the Site; and
 - > Demonstrate how the Proposed Development fits within the future forest structure.

- 3.12.5 The Coille Bhraghad woodland is the only woodland that will be affected by the Proposed Development. The proposed access follows, where possible, the existing forest tracks with locations identified for widening as required. Where the alignment of existing forest tracks does not meet the requirements of abnormal loads or where the existing forest track does not extend to the upper forest boundary, then a new track will be formed with tree felling as required.
- 3.12.6 The felling requirements for the Proposed Development are minor and are mainly integral with the current forest tracks; it is therefore considered a wind farm forest plan is not required, and no amendments to the existing Long Term Forest Plan are proposed.
- 3.12.7 To facilitate construction and operation of the Proposed Development, it will be necessary to permanently fell 3.77ha of existing forestry located along the access to the Site. Careful consideration has been given to the alignment of the access with the objective of minimising the amount of permanent felling required, in line with the Scottish Government's Policy on Control of Woodland Removal (CoWRP) which provides guidance for managing forestry removal on development sites. The principle aims of the CoWRP are to provide a strategic framework for appropriate woodland removal and to support climate change mitigation and adaptation. Whilst felling for the Proposed Development has been minimised as far as possible, 3.77ha of woodland will require to be permanently removed for the purposes of conversion to another type of land use.
- 3.12.8 The affected forestry is located within Coille Bhraghad, Argyll Estates and is part of the Argyll Woodlands Long Term Forest Plan (LTFP). Coille Bhraghad comprises predominantly commercial coniferous woodland but with areas of native woodland listed on the Native Woodland Survey of Scotland (NWSS) dataset which includes Plantations on Ancient Woodland Sites (PAWS). The Coille Bhraghad forest also includes areas listed on the Ancient Woodland Inventory (AWI) Scotland dataset. The felling requirements for the Proposed Development are minimal and mainly integral with the current forest tracks.
- 3.12.9 The age and species of the tree crops to be felled is variable, however the estimated area of felling required is 0.96ha of broadleaved trees and 2.81ha of coniferous plantation. Of the 3.77ha to be felled, 3.19ha is classified as Ancient Woodland. Within this, 1.48ha is classed as PAWS in the NWSS. The remaining amount is plantation forestry.
- 3.12.10 Whilst there is some non-accordance with Policy 6, as explained in Chapter 4 of the EIA Report, where possible, to reduce the amount of permanent woodland removal, the access for the Proposed Development follows the existing forest tracks with some felling required to accommodate widening on bends for oversail of abnormal load vehicles and smoothing out of alignments.

3.13 NPF4 Policy 7: Historic Assets and Places

- 3.13.1 Finally, in terms of **Policy 7** which deals with Historic Assets and Places, the policy is very similar to that which was in SPP (paragraph 145). There are no issues arising in relation to the Proposed Development and cultural heritage matters.
- 3.13.2 Again, cultural heritage is addressed above in the context of NPF4 Policy 11. The assessment has considered the presence of cultural heritage assets which may be affected by the Proposed Development. The potential effects on the identified assets, mitigation measures for protecting known heritage assets during construction, and the residual effect of the Proposed Development has all been considered.
- 3.13.3 In terms of the effects in relation to the GDL, as per Policy 7, Paragraph i) the Proposed Development would not significantly impact on important views to, from and within the site, or its setting.
- 3.13.4 The Proposed Development would not significantly adversely affect the fabric or setting of any Listed Buildings, or the integrity of the setting of any Scheduled Monuments. The Proposed Development is considered to be in accordance with Policy 7.

3.14 Conclusions on NPF4 Appraisal

- 3.14.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.
- 3.14.2 A key point within Policy 11 is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant weight.
- 3.14.3 Significant weight is *also* afforded in relation to Policy 1. This policy direction fundamentally alters the planning balance compared to the position in NPF3 and SPP.
- 3.14.4 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.
- 3.14.5 Overall, the Proposed Development, as a National 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.

4. Appraisal against the Local Development Plan

4.1 Introduction

4.1.1 The other elements of the statutory Development Plan covering the Site comprise the following:-

- > The Argyll & Bute Local Development Plan (adopted March 2015) (LDP);
- > Supplementary Guidance 1 (March 2016); and
- > Supplementary Guidance 2 'Renewable Energy' (December 2016).

4.1.2 The LDP sets out the general planning policies for the Council area. A review is underway and consultation on the Proposed Plan (November 2019) was completed in January 2020. The Examination process is in its final stages and adoption of 'LDP2' is expected in Spring 2023. The renewable energy related policies within the Proposed Plan have been the subject of objections.

4.2 The Local Development Plan (2015)

4.2.1 The LDP policies relevant to the Proposed Development are:

- > LDP STRAT 1 – 'Sustainable Development';
- > LDP DM1 – 'Development within the Development Management Zones';
- > LDP3 – 'Supporting the Protection, Conservation and Enhancement of our Environment';
- > LDP5 – 'Supporting the Sustainable Growth of our Economy';
- > LDP6 – 'Supporting the Sustainable Growth of Renewables'; and
- > LDP10 – 'Maximising our Resources and Reducing our Consumption';

4.2.2 LDP policies is supported by ABC Supplementary Guidance 1 (SG1) and 2 (SG2) which provides a series of more detailed policy provisions to support primary policy (particularly in respect of Policy LDP3) and as such provides supporting policy detail behind protection of environmental resources, heritage assets, road improvements and other renewable energy forms.

LDP Policies: Summary Appraisal

4.2.3 **Policy STRAT 1** is an over-arching policy which sets the sustainable development principles which should influence decision making on land use, regeneration, transport and strategic transportation proposals. Policy provides that developers should seek to demonstrate that the sustainable development principles as set are demonstrated within their proposed development, including:

- A) Maximise the opportunity for local community benefit;
- B) Make efficient use of vacant and /or derelict land including appropriate buildings;
- C) Support existing communities and maximise the use of existing infrastructure and services;
- D) Maximise the opportunities for sustainable forms of design including minimising waste, reducing our carbon footprint and increasing energy efficiency;

- E) Avoid the use of locally important good quality agricultural land;
- F) Utilise public transport corridors and active travel networks;
- G) Avoid the loss of important recreational and amenity open space;
- H) Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
- I) Respect the landscape character of an area and the setting and character of settlements;
- J) Avoid places with significant risk of flooding, tidal inundation, coastal erosion or ground instability; and
- K) Avoid having significant adverse impact on land, air and water environment.

- 4.2.4 **Policy LDP DM1** establishes the acceptable scales of development in each of the development management zones as set by the LDP Proposals Map but importantly supports the delivery of renewable energy development.
- 4.2.5 **Policy LDP3** seeks to maintain and enhance the quality of the environment though the policy detail in LDP3 and associated policies within Supplementary Guidance. LDP3 provides that applications for planning permission will be assessed with *“the aim of protecting conserving and where possible enhancing the built, human and natural environment”*.
- 4.2.6 Proposals will not be supported where they do not meet these aims and where it *“has not been ascertained that it will avoid adverse effects, including cumulative effects, on the integrity or special qualities of international or nationally designated natural and built environment sites”*. Likewise, proposals that have significant adverse effects, including cumulative, on the special qualities or integrity of locally designated natural and built environment sites will not be supported.
- 4.2.7 **Policy LDP5** relates to Supporting the Sustainable Growth of the Economy with a view to supporting sustainable economic growth throughout the Council area. Further detail is provided within Supplementary Guidance with the main potential growth sectors including renewables.
- 4.2.8 **Policy LDP6** supports renewable energy developments where they are consistent with the principles of sustainable development where it can be demonstrated that there would be no unacceptable significant adverse effects, individually or cumulatively on communities, the environment, landscape character or visual amenity, and where proposals would be compatible with adjoining land uses.
- 4.2.9 Further information and detail on matters relating to the growth of renewables is provided within **Supplementary Guidance 2 entitled ‘Renewable Energy’**. It largely relates to the Spatial Framework approach to wind energy as set out in the now revoked SPP and is therefore incompatible with the spatial guidance now set out in Policy 11 of NPF4.
- 4.2.10 **Policy LDP 10** provides support for all development proposals which seek to maximise the area’s resources and reduce consumption where they accord with the following:
- > The settlement strategy;
 - > Sustainable Design principles;
 - > Minimising waste and / or contributing to recycling;
 - > Minimising the impact on the water environment both in terms of pollution and abstraction;
 - > Avoiding areas subject to flood risk or erosion;

- > Minimising the impact on biodiversity and the natural environment;
- > Safeguarding our mineral resources and minimising the need for extraction;
- > Avoiding the loss of trees and woodland;
- > Contributing to renewable energy generation;
- > Avoiding the disturbance of carbon rich soils; and
- > Safeguarding our best agricultural land.

4.2.11 Overall, the approach within Policy LDP10 and the supporting LDP written statement seeks to address climate change by reducing emissions and refers to climate change targets relevant at the time of publication (in 2015). Paragraph 6.3.4 states that *“Achieving these targets will require coordinated action and a significant commitment to adapting the built environment to reduce energy and other resource consumption as well as providing a framework for the development and deployment of renewable electricity generation technologies*

4.3 Supplementary Guidance

4.3.1 The Supplementary Guidance 1 policies of relevance are summarised in **Table 4.1** below.

Table 4.1: Supplementary Guidance Policies (SG1) (March 1016)

ABLDP SG Policy	Policy Summary
SG LDP ENV1	Additional detail to LDP3 guiding assessment of development impact on habitats, species and biodiversity. Requires habitat surveys and mitigation for national and local interest.
SG LDP ENV 2	Supports LDP3 in regard to protection of European designations with support not being given to development giving rise to adverse impact unless there is not alternative and there are imperative reasons of over-riding public interest.
SG LDP ENV 4	Policy with presumption against development which affects SSSIs and NNRs unless the objectives of designation and overall integrity will not be compromised and/or any significant adverse effects on the qualities of designation are outweighed by social, environmental or economic benefits of national importance and no other less ecologically damaging locations can be reasonably utilised.
SG LDP ENV 6	Supports LDP 3 via presumption to protect trees, groups of trees and areas of woodland. Resisting development likely to have an adverse impact on trees and ensuring adequate provision is made for preservation and where appropriate planting of new including compensatory planning and management agreements.
SG LDP ENV 7	Supporting policy regarding water quality, providing protection for water quality and quantity alongside ecological status with a presumption against development that have a significant detrimental impact which cannot be satisfactorily mitigated to requirements of EU Water Framework Directive.
SG LDP ENV11	Policy presumption regarding protection of soil and peat resources with development only supported where appropriate measures are taken to maintain soil resources and functions relevant and proportionate to scale of development. Development with potential significant adverse effect on soil resources and functions or peat structure and function in terms of disturbance, degradation or erosion will not be supported unless it is demonstrated:

ABLDP SG Policy	Policy Summary
	<ul style="list-style-type: none"> • Adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from proposals, AND • A soil or peatland management plan is submitted which clearly demonstrates how unnecessary disturbance, degradation or erosion will be avoided and how any impacts will be mitigated as much as possible. Evidence of best practise in movement, storage, management and reinstatement of soils must be submitted with planning application.
SG LDP ENV12	Provides that ABC will resist any development in or affecting an NSA which would have adverse effect on integrity or would undermine its Special Qualities unless it can be demonstrated there is no significant adverse effects on the landscape quality for which it is designated, or that this is outweighed by social, environmental or economic benefits of national importance.
SG LDP ENV13	Resists development in or affected and Area of Panoramic Quality (APQ) where there will be significant adverse impact on character of the landscape unless it can be demonstrated that this is outweighed by social, economic or environmental benefits of community wide importance. Requires highest standards of design, siting, landscape and boundary treatment in all proposals with potential effect.
SG LDP ENV14	Landscape policy supporting LDP3 relating to areas outwith NSAs or APQs and provides that ABC will consider landscape impact and will resist development when its scale, location or design will have significant adverse impact on character unless it is demonstrated that effects are outweighed by social, economic or environmental benefits of community wide importance, and that the Council is satisfied that all possible mitigation has been incorporated into proposals.
SG LDP ENV15	Provides that where development would affect a heritage asset or its setting it will be expected that the impact is assessed and appropriate measures to protect and preserve the special asset proposed.
SG LDP ENV16a	Provides guidance on the assessment of proposals with an impact on Listed Buildings and their setting requiring detailed assessment and suitable mitigation / design to protect the integrity of the asset.
SG LDP ENV19	Presumption in favour of retaining, protecting and preserving Scheduled Monuments and the integrity of their settings. Proposals with and adverse impact will not be permitted unless there are exceptional circumstances.
SG LDP ENV20	Provides guidance on the assessment of proposals with an impact on Sites of Archaeological Importance, requiring appropriate assessment, mitigation and recording. Preservation in situ is preferred where possible. Requirement for detailed mitigation and consultation with West of Scotland Archaeology Service (WoSAS).
SG LDP TRAN4	Provides additional detail to Policy LDP11 on utilising new and existing public roads, private roads and private access solutions to development subject to road safety and design issues being satisfied and in appropriate circumstances.
SG LDP TRAN5	Provision that where development proposals will significantly increase vehicular or pedestrian traffic on substandard private or public approach roads, then developments will be required to contribute proportionately to improvements to an agree section of the network.

- 4.3.2 Whilst the above policies have also been taken into account, it is considered that the following are the most relevant policies with in the adopted LDP:
- > **Policy LDP DM1**, which supports the delivery of appropriate development in the countryside and very sensitive countryside zones, including renewable energy related development;
 - > **Policy STRAT1**, supporting sustainable development in appropriate locations;
 - > **Policy LDP6**, supporting the growth and delivery of renewable energy; and
 - > **Policy LDP10** which supports development that seeks to maximise the areas resources;
- 4.3.3 It is considered that the Proposed Development would be in accordance with these policies.
- 4.3.4 With regard to Supplementary Guidance 2 'Renewable Energy' this contains a Spatial Framework for onshore wind, prepared in accordance with the now revoked SPP and which is now therefore incompatible with the provisions of NPF4. The Supplementary Guidance also refers to LDP Policy LDP6 and references the Argyll and Bute Landscape Wind Energy Capacity Study. Given this position only limited weight should be attributed to Supplementary Guidance 2.
- 4.4 Conclusions on the LDP and related Guidance**
- 4.4.1 LDP Policy 6 is the lead policy within the LDP and requires wind energy developments to be considered against a range of criteria. The environmental and topic considerations within LDP Policy 6 are encompassed within the broad remit of NPF4 Policy 11 Part e). Similarly, the topic provisions of other LDP policies and those within the related Supplementary Guidance generally fall within the wide-ranging topic remit of NPF4 Policy 11. Each of the relevant development management considerations have been addressed above (Chapter 2) in the context of NPF4 Policy 11 and are not repeated.
- 4.4.2 It also needs to be recognised that the renewable energy policy provisions of the LDP (and within Supplementary Guidance 2) are based on those of the now revoked SPP in terms of the Spatial Framework approach.
- 4.4.3 The Proposed Development is considered to be in accordance with the relevant policy provisions of the LDP.

5. The Benefits of the Development

5.1 The Benefits: Summary

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

Renewable Generation and Emissions Savings

- > With an overall installed capacity in the region of 85.8 MW, the proposed development would make a valuable and nationally important contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Scottish Government targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the Climate Emergency.
- > The UK legally binding target of net zero GHG emissions by 2050 and the Scottish Government target of a 75% reduction of such emissions by 2030 and net zero by the earlier date of 2045 are major challenges. 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 an upper estimated capacity of 85.8 MW in the near term will have a disproportionately higher benefit than the same capacity delivered later.
- > Assuming a 40-year operational life and based on an overall expected annual carbon saving of 40,000 tCO_{2e} and a total carbon loss (during both construction and operation) of just over 116,000 tCO_{2e}, this equates to a total saving of approximately 1.48 million tCO_{2e}¹³ over the Proposed Development’s operational lifetime.
- > The renewable electricity generated could power an estimated 95,872 homes on average each year. To put this into context, Argyll and Bute has an estimated 42,384 households¹⁴.
- > Battery storage is proposed as part of the development. This will be able to store excess power generated by the wind farm and release the power on to the grid when the wind drops. Inclusion of a battery within the scheme significantly increases the sustainability of the power generated. Energy storage will increasingly enable renewable integration, help to balance supply and demand, and enhance security of supply.
- > In light of the objective of decarbonisation of the GB electricity system which is involving significant deployment of wind and solar generation projects, increased flexibility is needed to manage the unpredictability and variability of intermittent generation and to deliver system stability. In this context, electricity storage has a potentially important role to play as a source of flexibility in the future capacity mix.

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

¹³ The results of the Carbon Calculator for the Proposed Development show that the Proposed Development is estimated to produce annual carbon savings of approximately 40,000 tCO₂ per year, through the displacement of grid electricity, based on the current average grid mix.

¹⁴ National Records of Scotland’s Estimates of Household and Dwellings in Scotland, 2021.

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, a proven technology which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear.
- > The development, if consented, would provide a valuable contribution to security of supply for the Scotland and for the wider GB. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.

Economic & Community Socio-Economic Benefits

- > It is estimated that the Proposed Development would generate:
 - 2.55 FTEs in the construction phase, with an additional indirect and induced employment generation of 4.34 FTEs.
 - Approximately 2 FTE staff to operate the Proposed Development and undertake routine maintenance work during its lifetime (40 years).
- > As well as contributions to the generation of low carbon electricity and the resulting offsetting of carbon emissions, the Proposed Development also provides the opportunity for local communities to benefit financially from its operation through regular payments of £5,000 per MW installed per year for a Community Benefit Fund as recommended by the Scottish Government.
- > At this stage based on the candidate turbine, the wind farm will have a maximum installed capacity of up to 85.8 MW, which would mean a maximum of £429,000 available for community benefit per annum (£5,000 per MW of Installed Capacity, in line with Scottish Government best practice.
- > The Applicant is also committed to shared ownership and supporting the provision of local broadband.
- > The main contractor is likely to be Scotland-based, but it is assumed that whoever is appointed as the main contractor, that a significant proportion of the work will be carried out by sub-contractors and labour resident in Argyll and Bute. The Applicant is committed to giving local businesses every possible opportunity to share in the financial and employment benefits of the construction and operation of the Proposed Development. If consented and constructed, the Proposed Development will offer opportunities for local businesses such as accommodation providers, hire companies, fencing contractors, tradesmen etc.

Biodiversity

- > An OREP has been prepared to restore, maintain and/or enhance habitats found within the application site, in order to benefit key ornithological receptors, and biodiversity in general. The OREP can be secured by way of a planning condition.

6. Conclusions

6.1 The Electricity Act 1989

- 6.1.1 Paragraph 3 of Schedule 9 to the 1989 Act provides a specific statutory requirement on the Scottish Ministers to have regard to various matters when considering development proposals for consent under section 36 of the 1989 Act.
- 6.1.2 The information that is contained within the individual topic sections of the EIA Report therefore enables Scottish Ministers to be satisfied that the obligations under Schedule 9 are met and that suitable mitigation has been identified. It is also considered that the detailed work undertaken in the formulation of the EIA overall has confirmed and provides confidence that the Proposed Development would be undertaken in an environmentally acceptable manner.

6.2 The Climate Crisis & Renewable Energy Policy Framework

- 6.2.1 The urgent need for onshore wind has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Scottish Government commitments – most recently expressed in the new OWPS and in NPF4.
- 6.2.2 Onshore wind was already viewed and described as “vital” to the attainment of targets in 2017. This imperative has only increased since a ‘climate emergency’ was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) ‘net zero’ publication. 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 Climate Change Act 2008 and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.
- 6.2.3 Achieving net zero is a legal requirement, and the Scottish Government has recognised, most recently in the new OWPS, that a very substantial quantity of new onshore wind is required to meet the legal emissions reduction requirement by 2030 – namely a minimum of 20GW of operational capacity. Deployment of more onshore wind is described as being “mission critical for meeting our climate targets” in the OWPS.
- 6.2.4 The nationally important benefits of the Proposed Development have been set out in the context of the current Climate Emergency and after a period of economic recession – they would help address the issue of global heating and very challenging ‘net zero’ targets and contribute to improving security of supply.

6.3 The Planning Balance

- 6.3.1 In the draft NPF4 and draft OWPS there was a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight was to be given to the Climate Emergency and the contribution of individual developments to tackling climate change.
- 6.3.2 The draft policies were subject to consultation, and this went to the weight that could be attached to these draft policy statements. NPF4 and the OWPS are no longer subject to consultation. The revised OWPS has been published. NPF4 has come into force on 13 February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of this application. Both should be afforded very considerable weight in decision-making.

- 6.3.3 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required. As described in this 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*”¹⁵. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that under NPF3 and SPP;
 - > NPF4 Policy 1 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
 - > Both NPF4 and the OWPS are clear that further onshore wind development, of scale and utilising modern, larger turbines, has a crucial role in combatting climate change, transitioning to a net-zero Scotland and ensuring security of energy supply. NPF4 Policy 11 strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including onshore wind farms.
- 6.3.4 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*”¹⁶.
- 6.3.5 Publication of the OWPS followed and cross-refers to NPF4 and, for the first time, sets an onshore wind target: a Scottish Government ambition for a minimum of 20GW of installed onshore wind capacity by 2030. New policy therefore supports an increase in the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms in Scotland in a period of less than ten 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***”¹⁷ (original emphasis) in line with the NPF4.
- 6.3.6 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 is that they cannot contribute to this ambition before 2030.
- 6.3.7 This change in policy is also seen in the designation of individual renewable development applications as National Developments. National Developments are significant developments of national importance that will help to deliver the spatial strategy. As the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains¹⁸ “*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets.*”

¹⁵ NPF4, page 2.

¹⁶ OWPS 2022, paragraph 1.1.2.

¹⁷ Energy Strategy and Just Transition Plan, page 55

¹⁸ NPF4, page 103.

- 6.3.8 The recognition of national development relates to the attainment of Government renewable generation and emission reduction targets. Moreover, it relates to the importance of developing electricity supplies which are not dependent on volatile international markets and are located within the UK's national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels is now enormous, in order to protect consumers from high and volatile energy prices, and to reduce opportunities for destructive geopolitical intrusion into national electricity supplies and economics has grown in importance in recent months. The 'window' until the key date of 2030 for Scottish Government targets is also getting narrower.
- 6.3.9 Other policy support for development of large-scale wind farms and the deployment of larger turbines is found in NPF4 and the OWPS:
- > In addition to the cross-cutting NPF4 Policy 1, NPF Policy 11 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;
 - > NPF4 Policy 11 confirms that significant landscape and visual impacts are to be expected for some forms of renewable energy. Scottish Government policy, which will form part of the Development Plan, is that where such impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to be acceptable. Notably, policy recognises that significant landscape and visual effects are inevitable and generally acceptable;
 - > NPF4 Policy 4 provides in principle support for wind farm development in all locations with the exception of National Parks and NSAs.
 - > 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, notwithstanding the impact where significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.
- 6.3.10 The Applicant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the proposed Wind Farm. In short, appropriate design mitigation has been applied.
- 6.3.11 NPF4 and the OWPS of course require that the decision-maker must also identify and weigh the adverse effects of a proposed development. The way that decision makers can recognise the strengthening policy imperative and the increased weight that should be given to the benefits of the Proposed Development is by giving stronger weight in the planning balance to the seriousness and importance of energy policy related considerations and the contribution of the proposed development in meeting green energy targets.
- 6.3.12 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***". (emphasis added).

6.3.13 In this case, the Proposed Development is one of national importance that will help to deliver the national Spatial Strategy set out in NPF4. The Proposed Development would make a valuable and near-term contribution to help Scotland and the UK attain Net Zero, security of supply and related socio-economic objectives. Specifically, the Proposed Development would contribute to the interim 2030 emissions reduction target. It is submitted that very substantial weight should be given to this contribution when weighing the need for the development and its identified effects within the planning balance.

6.3.14 The I effects of the Proposed Development, including how relevant effects listed in NPF Policy 11(e) have been addressed, as 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.

6.4 Overall Conclusion

6.4.1 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.

6.4.2 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.

6.4.3 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 insofar as that is a relevant matter in a Section 36 application.

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