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CHARTERED TOWN PLANNERS

Loch Liath Wind Farm
Highland:

Planning Statement Update

October 2024

Statkraft

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Contents

1. Introduction

1.1 Background & Scope

1.1.1 This Planning Statement Update (PSU) has been prepared by David Bell Planning Ltd (DBP) on behalf of Loch Liath Wind Farm Ltd (the Applicant) to construct and operate a 13-turbine wind farm (with associated infrastructure) known as Loch Liath Wind Farm (hereafter referred to as 'the Proposed Development') located within the Balmacaan Estate, directly west of the Great Glen and Loch Ness, in the Highland Council (THC) 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 (referred to as "the 2023 EIA Report") which was submitted to the Scottish Ministers through the Energy Consents Unit (ECU) (reference ECU00002181) on 28th April 2023. The 2023 EIA Report 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 Since the submission of the Section 36 application to the Scottish Government, a number of consultation responses have been received from statutory consultees. The Highland Council (THC) and NatureScot responded with requests for additional information. NatureScot also raised a holding objection with respect to the impact on Priority Peatland. No other objections have been received from consultation bodies[1].

1.1.5 The Applicant has sought to address the queries raised through undertaking additional survey work, further consultation with THC and NatureScot, and the preparation of supplementary materials and assessment. This has been set out in a Supplementary Environmental Information (SEI) Report. The SEI should be read alongside the 2023 EIA Report.

1.1.6 There have been no design changes proposed to the turbine or infrastructure locations.

1.1.7 This PSU does not assess the Proposed Development against Development Plan policy as that is comprehensively set out in the Planning Statement of April 2023 and the planning policy framework has not changed.

1.1.8 However, given the time that has elapsed since the Section 36 application was submitted (some 18 months) an update is provided in relation to energy policy matters which have emerged over this timeframe. An update is also provided in relation to the benefits of the Proposed Development.

1.1.9 This PSU is supplementary to, and should be read in conjunction with, the 2023 EIA Report, and the Planning Statement of April 2023 submitted with the application.

[1] Consultation bodies as defined in Part 1 Section 2 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, namely Highland Council, NatureScot, SEPA and Historic Environment Scotland.

1.2 Site Location and Description

1.2.1 The Site occupies an upland area to the west of the Great Glen and Loch Ness, with Glen Urquhart to the north and Glen Moriston to the south. The area where the turbines are proposed comprises undulating upland moorland plateau with rocky outcrops and upland lochans. There are numerous steep-sided rocky hills in the surrounding area, including Meall Fuar-mhonaidh, the summit of which is approximately 7km east of the closest turbine of the Proposed Development (699m Above Ordnance Datum (AOD)), a popular hill with local walkers, from which views of the Great Glen are afforded to the north-east, east and south-east. Mixed woodland and coniferous forestry are found adjacent to the northern and south-eastern boundaries of the Site and extend onto the glen sides.

1.3 The Proposed Development

1.3.1 The Proposed Development is described in detail in Chapter 4 (Project Description) of the 2023 EIA Report. In summary, it will comprise 13 three-blade horizontal axis turbines and associated infrastructure. Three (Turbines 1, 6 and 7) will have tip heights of up to 180m and ten (Turbines 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13) will have a tip height of up to 200m).

1.3.2 Each turbine will be up to 6.6 megawatt (MW) in power rating and the combined rated output would be approximately 85.8 MW.

1.4 Structure of Planning Statement

1.4.1 This PSU is structured as follows:

> **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emission reduction legislative framework addressing new matters which have emerged since the Planning Statement was finalised in April 2023;

> **Chapter 3** provides an update on the benefits of the Proposed Development; and

> **Chapter 4** presents overall conclusions and consideration of the planning balance with reference to the conclusions set out in the SEI and the updates to the planning and energy policy framework.

2. The Renewable Energy Policy & Legislative Framework: Update

2.1 Introduction

2.1.1 The Planning Statement of April 2023 provided a detailed position in relation 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. It is also noted that the UK Government is currently consulting on proposed amendments to the Electricity Act 1989. Timescales are uncertain for any proposed changes however they are unlikely to affect this project.

2.1.2 This Chapter provides an update to the renewable energy policy and emissions reduction legislative framework. The new matters which have emerged since April 2023, and which are addressed below include:

> At the UK Government level:

- The Climate Change Committee (CCC) Report to Parliament (2023);
- CCC - Report on COP28: Key Outcomes and Next Steps for the UK (2024);
- CCC Report to UK Parliament (2024); and
- The Labour Government & commitment to renewables (2024).

> At the Scottish Government level:

- The Onshore Wind Sector Deal (2023);
- CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024);
- Statement to the Scottish Parliament on climate change matters (18 April 2024);
- The Scottish Government: Programme for Government (2024); and
- The Scottish Government's Green Industrial Strategy (2024).

2.2 UK Climate Change & Energy Legislation & Policy

CCC – Report to Parliament (2023)

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

2.2.2 The CCC adds that:

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

2.2.3 Key messages include (pages 14 and 15):

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

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

2.2.4 The CCC issued a report and related Statement[2] in January 2024 with reference to COP28 and next steps for the UK. The Statement set out that:

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

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

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

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

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

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

- "*The Global Stocktake undertaken at COP28 marks the first formal assessment of progress of the Paris Agreement process and it reinforced the growing momentum in renewables and other low carbon technology deployment.*
- *Countries were called upon to support a trebling of renewables globally….. Alongside this was the crucial brokering of recognition of the need to transition away from all fossil fuels to achieve a net zero energy system by 2050.*

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

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

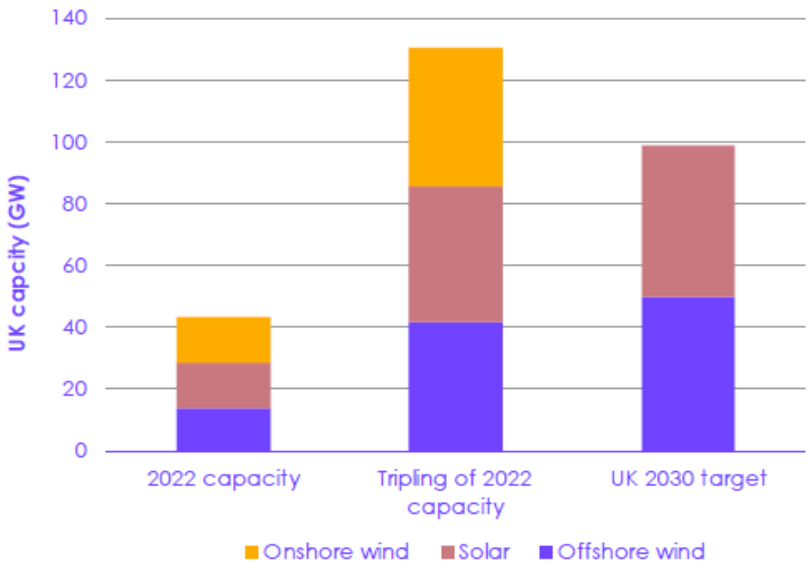
2.2.7 Section 1.2.2 of the Outcomes Report specifically addresses 'next steps for the UK'. Reference is made to opportunities for climate leadership and in terms of energy there is a clear statement (page 21) which refers to a number of actions that will be important for ensuring domestic action is consistent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

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

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

2.2.8 **Figure 2.1** below contrasts the level of deployment implied by a tripling of 2022 levels with UK targets.

Figure 2.1: The tripling of Renewable Energy Capacity in a UK Context[3]



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

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

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

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

CCC Report to UK Parliament (2024)

2.2.11 The CCC published the report 'Progress in Reducing Emissions 2024 Report to Parliament' in July 2024 (the "CCC Report"). The Executive Summary (page 8) states:

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

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

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

"*The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well.*

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

2.2.13 The CCC Report sets out priority actions (page 9) and they include:

> The UK should now be in a phase of rapid investment and delivery, however CCC note that all indicators for low carbon technology roll out are "*off track, with rates needing to significant ramp up*." In this regard in terms of renewable technologies it states onshore wind installations will need to double.

2.2.14 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however "*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero*." (Page 33).

2.2.15 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:

"*emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero*."

2.2.16 Chapter 3 of the CCC Report examines indicators of current delivery progress and (page 50) it references a number of key points including *inter alia*:

"*Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas…*

Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five."

2.2.17 Reference is made to electricity supply (page 56). With regard to onshore wind it states that only 0.5 GW of new onshore wind was installed in 2023 and "*this is considerably below the peak of 1.8 GW in 2017. Onshore wind installation rates will need to more than double compared to the average pace of deployment over the past three years*."

2.2.18 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.

2.2.19 With regard to the Fourth Carbon Budget (2023-2027) it states that although credible plans cover almost all of the emissions reductions required to meet it "*this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero*…."

2.2.20 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

Labour Government & Commitment to Renewables (2024)

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

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

2.2.23 The Department for Energy Security and Net Zero issued a Statement on 08 July 2024 which included a commitment to double UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.

2.3 Climate Change & Renewable Energy Policy: Scotland

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

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

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

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

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

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

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

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

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

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

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

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

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

Statement to the Scottish Parliament on climate change matters (18 April 2024)

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

2.3.11 The key points in the statement include:

> The Scottish Government has an "*unwavering commitment to ending our contribution to global emissions by 2045 at the latest, as agreed by Parliament on a cross-party basis*".

> The Cabinet Secretary states that she is "*announcing a new package of climate action measures which we will deliver with partners to support Scotland's transition to net zero*" and the Statement goes out to reference these specific measures.

- The Statement sets out that in terms of the policies for these measures that "*they sit alongside extensive ongoing work that will be built upon through our next Climate Change Plan and Green Industrial Strategy*."
- The Cabinet Secretary states that, "*The Climate Change Committee is clear that the 'UK is already substantially off track for 2030' and achieving future UK carbon budgets 'will require a sustained increase in the pace and breadth of decarbonisation across most major sectors'. Indeed, we do see climate backtracking at UK level*."

2.3.12 The Cabinet Secretary adds:

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

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

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

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

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

The Scottish Government: Programme for Government (2024)

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

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

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

The Onshore Wind Sector Deal (2023)

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

2.3.20 The Foreword sets out that:

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

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

2.3.21 It further adds that:

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

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

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

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

2.3.24 It further adds that:

"*Balancing the need for more wind farms with the safeguards defined in NPF4 will be a crucial aspect of achieving the 2030 onshore wind ambition. Scotland will continue to be a world leader in responsible onshore wind development, demonstrating how onshore wind can co-exist with a diversity of species, sensitive habitats, peatland, carbon rich soils and forestry, ensuring positive outcomes for the climate and nature*."

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

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

The Scottish Government's Green Industrial Strategy (2024)

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

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

2.3.27 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's wind economy, carbon capture and storage, supporting the green economy by way of professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.

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

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

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

2.3.30 Actions include *inter alia*:

> Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;

> Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;

> Delivering planning and consenting systems which enable Scotland's net zero development pipeline; and

> Exploring the circularity opportunity in onshore wind.

> Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.

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

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

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

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

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

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

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

2.3.33 Planning and consenting are addressed from page 48 of the GIS, and it sets out that robust, timely and proportionate planning and consenting systems will be a key enabler of Scotland's net zero transition.

2.4 Conclusions on the Renewable Energy Policy & Legislative Framework

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

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

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

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

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

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

2.4.7 The Draft Energy Strategy and Just Transition Plan for Scotland as referred to in the Planning Statement of April 2023 forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.

2.4.8 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in relation to attaining Net Zero.

3. The Benefits of the Proposed Development

3.1 Introduction

3.1.1 In this Chapter a summary of the benefits of the Proposed Development are set out. Updates are provided in relation to peatland restoration and also further detail in relation to socio-economic benefits.

3.2 The Benefits: Summary

3.2.1 The benefits that would arise from the Proposed Development are set out below.

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 estimated capacity of 85.8 MW in the near term will have a disproportionately higher benefit than the same capacity delivered later.

> The Proposed Development would generate enough power to supply approximately 78,000 average Scottish households.

> The Proposed Development would result in an estimated carbon saving of approximately 4.2 million tCO2e over the operational period. This illustrates a positive net impact through contributing significantly towards the reduction of GHGs from energy production.

Security of Supply

> The British Energy Security Strategy has been referenced in the Planning Statement of April 2023. It provides an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.

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

> The Proposed Development, if consented, would provide a valuable contribution to security of supply for the Scotland and for the wider GB. Consenting the Proposed 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, Employment & Community Socio-Economic Benefits

> The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment and GVA to the economy would be beneficial (short term during construction, long term during operation).

> Chapter 13 of the 2023 EIA Report addresses socio-economic effects. It is estimated that the Proposed Development would generate the following benefits during the construction phase:

- £7.36 million in GVA and 13 FTE jobs in Highland; and
- £21.03 million in GVA and 37 FTE jobs in Scotland.

> During each year of the operational phase the Proposed Development would generate up to:

- Operational expenditure of £4.36 million and 17 FTE jobs at the Highland level; and
- Operational expenditure of £2.53 million and 26 FTE jobs at the Scottish level.

> There would also be benefits to the public sector from payment of Non-Domestic Rates.

3.2.2 In addition, with regard to socio-economic matters, the Applicant has prepared a detailed Socio-Economic Statement (prepared by MKA Economics) in support of the application, and this is submitted separate to, but alongside the SEI. The report supplements the findings of the 2023 EIA Report in relation to socio-economic effects and as referred to above. The Socio-Economic Statement should be referred to for its detail. A key aim of the report is to further demonstrate how the Proposed Development would maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities as required by NPF4 Policy 11c.

3.2.3 In addition to the project specific benefits that would result as summarised above, the Socio-Economic Statement also highlights that the Applicant has committed to the following additional benefits:

> Furthering their joint working and funding relationship with the University of the Highlands and Islands (UHI) by developing new scholarships (Science Technology Engineering and Mathematics (STEM) and construction) dedicated to the Loch Liath development.

> Committing to investigating opportunities for shared ownership of the Loch Liath Wind Farm for communities surrounding the development.

> Committing to a Community Benefit Fund of some £429,000 per annum, or approximately £15 million over the proposed 35 year operational life of the development and working to ensure the effective and efficient distribution of community funding.

> Upgrading local footpaths, namely the upper section of the Meall Fuar-mhonaidh mountain.

- Working with the Highlands and Islands Enterprise (HIE) and the private sector provider to maximise the provision of super-fast broadband in the region and economic benefits from broadband.

3.2.4 In addition, Statkraft is committed to a series of 'meet the buyer' events post the grant of consent for the Proposed Development and prior to construction with a view to establishing a programme which would recognise the benefit of using local contractors.

3.2.5 As set out in the Socio-Economic Statement, it is considered that the benefits associated with the Proposed Development will go beyond supporting economic activity and employment during the construction and operational phases. In particular, community benefits through ongoing strategic links with UHI, Community Shared Ownership and a substantial annual Community Benefit Fund arrangement will provide a scheme of income for the local community to be reinvested and deliver against its priorities and ambitions.

3.2.6 With regard to all of these matters, it is considered that the Proposed Development would maximise net economic impact. It is acknowledged that a number of community benefits and in particular the community benefit payments would not be treated as material planning considerations.

Peatland Restoration & Biodiversity Enhancement

3.2.7 The Planning Statement of April 2023 addressed NPF4 Policy 3 (Biodiversity) in detail and made reference to the Applicant's proposed enhancements to the natural habitat which were addressed in the Outline Restoration and Enhancement Plan (OREP). The area of peatland proposed for reinstatement and restoration as referred to in the Planning Statement and in chapter 8 of the 2023 EIA Report was 8.7ha.

3.2.8 The OREP has been updated to reflect the updated peatland restoration proposals and are now presented in the SEI Report. The updated OREP is contained within SEI Appendix 8.5. The total area of peatland restoration proposals now comprises some 104.8ha, representing a ratio of 1:9.4 (loss:restored). As set out in the SEI, it is considered that there is a high degree of confidence that such extensive peatland restoration is deliverable given the extensive feasibility surveys which have been undertaken (Appendix D, SEI Report). In addition, the SEI sets out that the habitat loss in relation to priority peatland is not considered to adversely affect the viability or integrity of these habitats in the wider context.

3.2.9 The updated OREP provided with the SEI Report sets out objectives for the creation, enhancement and management of habitats of wider conservation interest, opportunities for habitat creation and management, and outline prescriptions and monitoring to achieve these goals. In addition to the peatland restoration, it proposes the creation of native broadleaved woodland, riparian woodland, and montane scrub.

3.2.10 Furthermore, it is set out in the OREP that woodland and scrub features will enhance the diversity and connectivity of habitats within the Site, thereby benefitting a range of ecological features including bats, otter, pine marten and mountain hare, in addition to a range of bird species including red-throated diver and golden eagle. Specific measures are proposed that target key species including water vole, golden eagle and red-throated diver.

3.2.11 The Highland Biodiversity Action Plan (BAP) includes a 50-year vision for the uplands, envisaging a mosaic of healthy and functioning habitats, with a natural transition from woodland to heath and montane scrub; measures in the OREP have been developed to enhance the Site, contribute towards this vision, and deliver positive biodiversity outcomes for a wide range of habitats and species.

4. Conclusions

4.1 Accordance with the Development Plan

4.1.1 Based on the policy appraisal presented in the original Planning Statement and as supplemented by this PSU, the Proposed Development is considered to be acceptable in terms of its environmental effects and accords with the lead and with other relevant policies and with the Development Plan when it is read as a whole.

4.2 The Climate Crisis & Renewable Energy Policy Framework

4.2.1 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 – particularly as expressed in the Onshore Wind Policy Statement (OWPS), the recent Green Industrial Strategy and in NPF4.

4.2.2 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[4]. Furthermore, the drive to attain net zero emissions is legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

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

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

4.3 The Planning Balance

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

4.3.2 NPF4 requires 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.

4.3.3 In this case, the Proposed Development has a capacity of up to approximately 85.8 MW; it is a National Development and also has the status of essential infrastructure in NPF4. It is a development 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.

[4] CCC, Net Zero, The UK's contribution to stopping global warming (May, 2019).

4.3.4 Furthermore, as explained above, the Scottish Government has recently issued the Green Industrial Strategy, and the proposed development would be fully in line with the policy objectives and the Government's overall mission to maximise the benefits from onshore wind in relation to the wider national economy, as demonstrated by the Applicant's recently prepared detailed Socio-Economic Statement.

4.3.5 The effects of the Proposed Development, including the relevant effects listed in NPF4 Policy 11 (Energy) Paragraph (e) have been addressed, as detailed in the supporting information to the application. The SEI has demonstrated that the Proposed Development would deliver significant biodiversity enhancement, and the cumulative update demonstrates that the proposal is acceptable in relation to landscape and visual and other cumulative considerations.

4.3.6 In terms of Policy 11, in considering the identified impacts of the Proposed Development significant weight must be placed on its contribution to renewable energy generation and greenhouse gas emissions reduction targets.

4.4 Overall Conclusion

4.4.1 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 of the Proposed Development clearly outweigh its adverse effects.

4.4.2 The up-to-date policy set out in NPF4 and the OWPS and the draft Energy Strategy provide strong and increased support for the grant of consent for the Proposed Development.

4.4.3 The conclusion remains that the Proposed Development would be consistent with all relevant policies of the Development Plan (NPF4 and the Highland wide Local Development Plan), and with the Development Plan when read as a whole and relevant material considerations further support the position that consent should be granted, subject to appropriate consent and deemed planning conditions.

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