

Appendix 4 Cairnmore Hill Wind Farm Caithness, Highland:

Policy Appraisal to support Planning Appeal

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prepared by

David C Bell BSc(Hons) DipUD MCIHT MRTPI



dbplanning.co.uk

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1. Introduction

1.1 Background

- 1.1.1 This Policy Appraisal has been prepared by David Bell Planning Ltd ('DBP') on behalf of the Appellant, RES UK & Ireland Ltd ('the Appellant') to support a planning Appeal against the refusal of planning permission by the Highland Council ('THC' and 'the Council') in relation to an application to construct, operate a Wind Farm known as Cairnmore Hill, and associated infrastructure ('the Proposed Development').
- 1.1.2 The planning application was made under the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') and had reference 22/03558/FUL. The planning application was validated on 23 September 2022.
- 1.1.3 The planning application was supported by an Environmental Impact Assessment Report ('EIAR') undertaken in accordance with the Environmental Impact Assessment (Scotland) Regulations 2017 ('the EIA Regulations'). The EIA Report presents information on the identification and assessment of the likely significant positive and negative environmental effects of the proposal.
- 1.1.4 The Appeal is made in terms of section 47(2) of the 1997 Act. As required by Regulation 3(4)(d) of the Town and Country Planning (Appeals) (Scotland) Regulations 2013 ('the Appeals Regulations'), the Appellant has prepared a Statement of Appeal ('SoA') which sets out full particulars of the Appeal, including the matters which the Appellant considers require to be taken into account in determining the Appeal and the procedures by which the Appellant considers the Appeal should be determined.

1.2 Qualifications & Experience

- 1.2.1 This Policy Appraisal has been prepared by Mr David Bell on behalf of the Appellant. Mr Bell holds a First-Class Bachelor of Science (Honours) degree in Town and Country Planning from Heriot-Watt University and a Diploma in Urban Design from the University of Strathclyde. He is a corporate member of the Royal Town Planning Institute and the Chartered Institute of Highways and Transportation.
- 1.2.2 Mr Bell has over 30 years of experience in planning and development. He established David Bell Planning Ltd as a specialist planning consultancy in 2019 having previously been a Director and Head of Planning with JLL for almost 20 years. Before that, Mr Bell held positions with Halcrow Fox, Gillespies and Shankland Cox.
- 1.2.3 Mr Bell has acted as a witness on planning issues in over 100 Public Inquiries for various land use types, including Inquiries in relation to wind farms and transmission infrastructure under sections 36 and 37 of the Electricity Act 1989. He has also acted as a planning witness in a number of planning appeals in relation to planning applications and section 36 cases which have been heard by way of Hearing procedure.
- 1.2.4 Mr Bell has extensive experience of advising on renewable energy developments throughout the UK. In particular, Mr Bell has extensive experience of onshore wind development projects in Highland and throughout Scotland.
- 1.2.5 A summary of Mr Bell's qualifications and relevant experience is contained within **Appendix 1**. Mr Bell will represent the Applicant at the Hearing session on energy and planning policy.

1.3 Site Location, Description & the Proposed Development

- 1.3.1 The Appeal site ('the site') is fully described in Chapter 1 of the SoA.
- 1.3.2 The main elements of the Proposed Development will include the following: five wind turbines with a maximum blade tip height of 138.5m, access tracks, substation, control building, battery



energy storage system (BESS) and ancillary infrastructure. The operational period of the Proposed Development would be 35 years.

1.4 The Reasons for Refusal

1.4.1

1.4.2

In its Decision Notice dated 26 February 2025, The Council cites the following reasons for refusal:

"1. The application is contrary to NPF4 Policy 11 part (e) (ii) and Highland-wide Local Development Plan Policy 67 (Renewable Energy) and Onshore Wind Energy Supplementary Guidance. The proposed development would have a non-localised significantly detrimental effects on landscape qualities, which are not clearly outweighed by social, environmental, or economic benefits. The location, scale, and elevation of the proposed development would not relate well to the existing landscape setting, would undermine the distinction between the Farmed Moorland Plain, Sweeping Moorland Flows, and High Cliffs and Sheltered Bays Landscape Character Types, and, would disrupt the integrity and variety of the Landscape Character Areas identified in the Councils Onshore Wind Energy Supplementary Planning Guidance. These effects would also be experienced by road user receptors on the nationally designated North Coast 500 tourist route and other regionally important routes. Consequently, the proposal does not accord with NPF4 Policy 4a) or HwLDP Policies 28 (Sustainable Design), and 61 (Landscape).

2. The application is contrary to NPF4 Policy 11 part (e) (ii) and Highland-wide Local Development Plan Policy 67 (Renewable Energy). The proposed development would have significantly detrimental visual effects when viewed by residential, recreational, and road user receptors, including occupants of nearby residential properties where the turbines would be dominant, tourists and visitors to the outdoors and key cultural locations in the wider vicinity of the site, from key views, and users of the NC500, over a wide and non-localised area predominantly from the west, south, and east of the proposed development as a result of the location, scale, and elevation of the proposed development. Consequently, the proposal does not accord with NPF4 Policy 4a) or HwLDP Policy 28 (Sustainable Design)."

In summary therefore, the topics in dispute and the planning policies referenced in the reasons for objection are as follows:

- > **Reason 1**: Landscape and visual matters:
 - NPF4 Policy 11 (Energy) paragraph e) and ii);
 - NPF4 Policy 4 (Natural places) paragraph a);
 - HwLDP Policy 28 (Sustainable Design);
 - HwLDP Policy 61 (Landscape);
 - HwLDP Policy 67 (Renewable Energy Developments); and
 - The THC Onshore Wind Supplementary Guidance.
- > Reason 2: Landscape and visual matters:
 - NPF4 Policy 11 (Energy) paragraphs e) ii);
 - NPF4 Policy 4 (Natural places) paragraph a);
 - HwLDP Policy 28 (Sustainable Design);
 - HwLDP Policy 67 (Renewable Energy Developments); and
 - The THC Onshore Wind Supplementary Guidance.

1.4.3 There are no outstanding objections from any statutory consultees other than the Council.

1.5 Structure & Scope of Policy Appraisal

- 1.5.1 A Planning Statement was submitted with the planning application. It is dated June 2022. A Planning Statement Update was also submitted in February 2023. The update contained a full appraisal of the Proposed Development against the provisions of National Planning Framework 4 ('NPF4') which came into force in February 2023. That policy appraisal is not repeated. However, this appraisal does address changes to the energy policy framework which have emerged over the last two years and addresses the reasons for refusal.
- 1.5.2 This Policy Appraisal 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;
 - > Chapter 3 summarises the benefits of the Proposed Development;
 - > **Chapter 4** considers the Proposed Development against national planning policy and specifically NPF4 with reference to the planning issues raised in the reasons for refusal;
 - Chapter 5 contains the consideration of the Proposed Development against the relevant polices of the Local Development Plan; and
 - > Chapter 6 presents overall observations on the planning balance and conclusions.

2. The Renewable Energy Policy & Legislative Framework

2.1 Introduction

- 2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions ('GHG') reduction law is based. This underpins what can be termed the need case for renewable energy from which the Proposed Development can draw a high level of support.
- 2.1.2 The Planning Statement (2022) that was submitted with the application and its update (2023) addressed the renewable energy policy and legislative framework. This chapter of the Policy Appraisal provides an update to that policy framework, with an emphasis on new policy and legislative provisions which have emerged over the last two years. Key updates include the following which are referred to throughout the chapter:
 - > Updates to the UK Carbon Budget position and reference to the Seventh Carbon Budget (APP7.1) which was published in early 2025 and what it states with regard to the recommended deployment capacity of onshore wind;
 - > The CCC Report to the UK Parliament of July 2024 (APP7.2);
 - The changed UK Government approach to onshore wind as a result of the new UK Government (2024) and the publication of the Clean Power 2030 Action Plan (APP7.3) and the new UK target for onshore wind to be deployed by 2030;
 - > The publication of the UK Battery Strategy in November 2023 (APP7.4);
 - > The Onshore Wind Sector Deal published in September 2023 (APP7.5);
 - The CCC Report to the Scottish Parliament of March 2024 and what it set out in relation to the achievability of Scotland's emission reduction targets (APP7.6);
 - The Scottish Government Green Industrial Strategy, published in September 2024 (APP7.7)
 - The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 and the move away from annual emission reduction targets to a system of carbon budgets to bring Scotland in line with the approaches taken in Wales at the UK level.
- 2.1.3 In addition, reference is made to the Onshore Wind Policy Statement ('OWPS') (2022) (APP7.15) in order to provide ease of reference to its key provisions. The OWPS referred to Scotland's onshore wind deployment figures as of December 2022. However, this is brought up to date by reference to the BVG Associates monitoring report of November 2024 (APP7.18) which provides more recent onshore wind deployment figures and also statistics in relation to onshore wind at different stages within the planning system.

2.2 UK Climate Change & Energy Legislation & Policy

The Climate Emergency

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



The Climate Change Act 2008 & Carbon Budgets

- 2.2.2 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.
- 2.2.3 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.
- 2.2.4 The CCC has produced seven, four yearly carbon budgets, covering 2008 2040. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below. Essentially, they are five yearly caps on emissions.
- 2.2.5 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.

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

Table 2.1: Carbon Budgets and Progress¹

- 2.2.6 The Sixth Carbon Budget ('CB6') (APP7.8) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "*decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement*" (CB6, page 13).
- 2.2.7 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)³) 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.

¹ Source: Climate Change Committee (CCC).

 ² Confirmed by CCC in 'Final Statement for the Third Carbon Budget' May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions.
 ³ The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

- 2.2.8 The Seventh Carbon Budget ('CB7') (APP7.1) was published by the CCC in February 2025. The CCC's recommended level for CB7, namely a limit on the UK's GHG emissions over the five-year period 2038 to 2042 is 535 MtCO₂e including emissions from international aviation and shipping.
- 2.2.9 Page 12 of the CB7 states:

"By the middle of the Seventh Carbon Budget on our pathway, emissions in the UK will be only a quarter of the level they are today, and 80% lower than levels in 1990 (90% lower excluding emissions from international aviation and shipping.) Achieving this will require a significant reduction in emissions across sectors including surface transport, buildings, industry and agriculture."

- 2.2.10 It sets out (page 12) that achieving CB7 will mean that UK based renewable energy provides the bulk of generation and this will replace oil and gas across most of the economy. It adds that "this requires twice as much electricity as today by 2040".
- 2.2.11 It further states that low carbon supply by 2040 will see offshore wind grow sixfold from 15 GW of capacity in 2023 to 88 GW by 2040. It adds that "onshore wind capacity doubles to 32 GW by 2040 and solar capacity increases to 82 GW" (page 13).
- 2.2.12 In relation to the increase in onshore wind capacity, CB7 sets out (page 106) that "this will require recent annual installation rates to treble this decade, requiring installation rates comparable to the annual rollout rates previously sustained during the mid 2010s".

The UK Battery Strategy (2023)

- 2.2.13 The UK Government published the UK Battery Strategy on 26 November 2023 (APP7.4). The Strategy brings together Government activity to achieve a globally competitive battery supply chain by 2030 that supports economic prosperity and the net zero transition in the UK.
- 2.2.14 In summary, the Government's vision is for the UK to continue to grow a thriving battery innovation system and to become a world leader in sustainable design, manufacture and use.
- 2.2.15 The Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. The Strategy is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:
 - > Design and develop batteries for the future;
 - > Strengthen the resilience of UK manufacturing supply chains; and
 - > Enable the development of a sustainable battery industry.
- 2.2.16 In the foreword to the document, the Minister of State for Industry and Economic Security at the Department of Business and Trade states that (page 3):

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

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

Climate Change Committee Report to UK Parliament (2024)

2.2.18 The CCC published the report 'Progress in Reducing Emissions 2024 Report to Parliament' in July 2024 (the 'CCC Report') (APP7.2). 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."

2.2.19 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."

- 2.2.20 The CCC Report sets out priority actions (page 9) and it states that 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.
- 2.2.21 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).
- 2.2.22 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."

2.2.23 Chapter 3 of the CCC Report examines indicators of current delivery progress and it sets out (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."

- 2.2.24 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.*"
- 2.2.25 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.
- 2.2.26 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...."



2.2.27 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)

- 2.2.28 The UK Government change at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to Net Zero.
- 2.2.29 Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important material consideration.
- 2.2.30 The Department for Energy Security and Net Zero ('DESNZ') issued a Statement on 8 July 2024 which included references to double UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.

UK Government: Clean Power 2030 Action Plan (2024)

- 2.2.31 In addition, a key new material consideration is the Clean Power 2030 Action Plan (APP7.3), issued by DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*".
- 2.2.32 It further adds (page 10):

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

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

Figure 2.2: Onshore Wind & 'Gap' to reach 2030 UK Target



- 2.2.34 The document adds that "Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also by way of the application of clean power in the buildings, transport and industry sectors... The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity".
- 2.2.35 There is therefore a significant gap between the target onshore wind capacity for 2030 compared to what is currently installed. The gap is some 14.8 GW of required new capacity and the bulk of that is expected to be delivered in Scotland. As noted above, the CCC has recommended that the UK achieve a higher figure of 32 GW of onshore wind in its projections for the Seventh Carbon Budget.
- 2.2.36 Page 74 of the Action Plan states that "Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace".

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 and has a statutory target to achieve Net Zero by 2045. It is clear that to have any hope of achieving this target, significant expansion of renewable generation capacity is required as confirmed in the most recent advice from the CCC.
- 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. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and set more ambitious targets.

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

2.3.3 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland' in March 2024 (APP7.6). 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."

- 2.3.4 The related press release stated that there is a path to Scotland's post-2030 targets, but stronger action is needed to reduce emissions across the economy.
- 2.3.5 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."
- 2.3.6 Page 18 of the report addresses electricity supply, and it states that there has been some progress in delivering renewable electricity generation in Scotland. Reference is made to the Government's aim to develop 8-11 GW of offshore wind and 20 GW on onshore wind capacity, both by 2030. The report notes that "*The growth in onshore wind capacity has slowed, however, and is slightly off track to deliver its 2030 target, which will require operational capacity to more than double.*"
- 2.3.7 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 (2024)

- 2.3.8 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'.
- 2.3.9 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".
 - The statement sets out that in terms of the policies for these measures, "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 the UK level."
- 2.3.10 The Cabinet Secretary added:

"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."

2.3.11 The Scottish Government has reiterated its commitment to achieving net zero by 2045 and has now brought forward the new legislation referred to. The approach to dealing with the position set out by the CCC in relation to the 2030 target being unachievable, has been to move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which has now brought the Scottish Parliament in line with the Welsh and UK approaches.

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

- 2.3.12 On 5 September 2024 the Scottish Government introduced the Climate Change (Emission Reduction Targets) (Scotland) Bill to the Scottish Parliament. The Bill was passed on 5 November 2024 and became an Act on 22 November 2024. The Act repeals the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, once available, to replace the concept of statutory annual and interim targets. The Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.
- 2.3.13 As explained, the Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved. The Act does not change the existing statutory target of Net Zero emissions by 2045.

2.4 The Onshore Wind Policy Statement

- 2.4.1 The Scottish Government published an updated Onshore Wind Policy Statement (OWPS) on 21 December 2022 (APP7.15). It replaced the version published in November 2017.
- 2.4.2 The Ministerial Foreword makes it clear that seeking greater security of supply and lower cost electricity generation are now key drivers alongside the need to deal with the climate emergency. In this regard, the Cabinet Secretary for Net Zero, Energy and Transport states (page 3):



"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".

2.4.3 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."

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

Increasing the Rate of Deployment & Forecast Increase in Electricity Demand

2.4.5 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."

2.4.6 It is explained that National Grid's Future Energy Scenarios⁴ project concludes that Scotland's peak demand for electricity will at least double within the next two decades and that this will require a substantial increase in installed capacity across all renewable technologies.

Onshore Wind Target & Development Pipeline

- 2.4.7 In terms of existing deployment, paragraph 1.1.5 of the OWPS states that as of June 2022 the UK had 14.6 GW of installed onshore wind, with around 8.7 GW of this capacity within Scotland. Reference is made to a figure of 11.3 GW of onshore wind "*currently in the pipeline, spread over 217 potential projects*".
- 2.4.8 There are more recent figures available in relation to onshore wind deployment. The figures are reviewed regularly by BVG Associates as part of the Onshore Wind sector Deal arrangements. An update report entitled 'Scotland Onshore Wind Pipeline Analysis 2024-2030' was published by BVG Associates in November 2024 ('the BVG Report') (APP7.18).
- 2.4.9 The report presents a database and pipeline analysis, providing insights into different scenarios under which Scotland could achieve its ambition of 20 GW of onshore wind by 2030. It examines various sensitivities to assumptions on key parameters including matters such as the duration of the planning process for applications, repowering and also project viability. The assumptions in relation to the planning process reflect the aims of the Onshore Wind Sector Deal. If these are not met, then there will be negative consequences for the onshore wind pipeline.
- 2.4.10 **Table 2.3** below shows the onshore wind pipeline figures as contained in the OWPS alongside the summary of the updated analysis from the BVG Report, allowing a comparison of the various pipeline category figures between those in the OWPS (June 2022) and the BVG Report figures of November 2024. The relative differences between the various categories are also shown.

⁴ National Grid has set out a range of different, credible ways to decarbonise the energy system with regard to attaining Net Zero for the UK by 2050.



Status of Onshore Wind Projects	OWPS (GW)	BVG Report (April 2024)	Difference 2022 v 2024 (GW)	Comments
		(GW)		
In the Planning / Process	5.53	6.70	+ 1.17	Footnote on page 6 of OWPS applies. Not all projects will receive consent.
Awaiting Construction (i.e. consented)	4.56	6.47	+ 1.91	The figures are subject to some duplication – e.g. where some projects have consent but are also subject say to applications for tip height increases. Not all consented developments will proceed to construction.
Under Construction	1.17	0.97	- 0.2	
Sub Total (less in planning category)	5.73	7.44	+ 2.88	
Operational Onshore Wind in Scotland	8.70	10.02	+ 1.32	A number of projects will reach the end of their operational life. Not all will necessarily be repowered or life extended.
				A proportion of the operational capacity will have passed its notional design life by 2030 and will be under consideration for decommissioning or repowering.
Total (less in planning category)	14.43	17.46	+ 3.03	

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

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

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

- 2.4.12 The analysis of the pipeline in the BVG Report is based upon a model which applies several 'filters' which result in projects being removed from the pipeline and these include matters such as:
 - > Projects which remain in the same development status for too long which is a reasonable indication that they are likely to be dormant and therefore are not likely to proceed;
 - Projects with turbine attributes which today would likely put that project at a commercial disadvantage such as relatively low blade tip height, such as 150 m or less; and
 - > Application of an attrition rate in relation to applications being refused consent.



- 2.4.13 Although the BVG Report sets out some suggested actions which could increase the likelihood of reaching 20 GW in 2030, these have various limitations. For example, the suggested actions include:
 - An action is suggested to reduce the default planning determination duration times to shorter ones; however, this would be very much dependent upon the allocation of additional resources in the planning system and there is no evidence of that happening at the present time; and
 - A further action is to assume repowering of all onshore wind developments at the end of their life and assume an uplift on original capacity of 100%. Again, this assumption has its limitations and there is also no evidence that widespread repowering is going to be undertaken on such a basis. However, extensions of operational life is likely to remain an attractive option in many cases.
- 2.4.14 The BVG Report cautions (page 22) that the ability to deliver 20GW by 2030 is likely to be restricted by current resource constraints. Their analysis predicts that these constraints include that the number of current consent decisions from the Energy Consents Unit ('ECU') (Scottish Government) will need to at least double for at least three of the next five years.
- 2.4.15 The BVG Report (page 15) also states that "*it remains clear that a significant increase in consent decisions made each year at the ECU level will be required to reach the 20 GW by 2030 target, and that the reduced development times promised by the [Onshore Wind Sector Deal]will be essential if Scotland is to achieve the 20 GW operational onshore wind by 2030.*"
- 2.4.16 The BVG Report also highlights that the continued issue of Eskdalemuir (Seismic Array constraint), a potential Galloway National Park, and the recent designation of the Flow Country World Heritage Site is likely to result in a loss of some 1.9 GW and 3 GW of operational capacity in 2030 in the deployment scenarios considered.
- 2.4.17 There are therefore a number of factors which indicate that there is likely to be a significant shortfall in the minimum 20 GW 2030 onshore wind target.

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

- 2.4.18 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.
- 2.4.19 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".
- 2.4.20 The Onshore Wind Sector Deal was finalised and published in September 2023 and is referenced further below.

Balancing Environmental Considerations and Benefits

- 2.4.21 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.

2.4.22 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. <u>This will change the landscape</u>."

- 2.4.23 As referenced below, NPF4 policy expressly recognises that significant landscape and visual impacts are to be expected and the OWPS emphasises that as a result there will be changes in Scotland's landscape.
- 2.4.24 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".
- 2.4.25 There is therefore express direction of greater weight attaching to the benefits of the development in terms of how it contributes to tackling the climate emergency. The removal of the Spatial Framework for onshore wind farms, as previously required by Scottish Planning Policy (SPP), also gives rise to fewer locational constraints.
- 2.4.26 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 2022⁵ guidance.
- 2.4.27 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".

OWPS Conclusions

- 2.4.28 Page 49 of the OWPS sets out overall conclusions and these include *inter alia* the following key points:
 - > Deployment of onshore wind is "mission critical for meeting our climate targets".
 - > As an affordable and reliable source of electricity generation, "we must continue to maximise our natural resource and deliver net zero in a way that is fully aligned with, and continues to protect our natural heritage and native flora and fauna".
 - > A renewed commitment to this technology will ensure we keep "*leading the way in onshore wind deployment and support within the UK*".
 - The Scottish Government has established "a clear expectation of delivery with our ambition for a minimum installed capacity of 20GW of onshore wind in Scotland by 2030 and providing a vehicle for that delivery through the creation of [the] Onshore Wind Strategic Leadership Group" (emphasis added).
- 2.4.29 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...".
- 2.4.30 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.

⁵ NatureScot, Landscape Sensitivity Assessment Guidance, paragraph 8 (2022).



This is fundamentally different policy language to that contained within National Planning Framework 3 (NPF3) and SPP.

2.5 The Onshore Wind Sector Deal

- 2.5.1 The Onshore Wind Sector Deal (the 'Sector Deal') for Scotland was finalised in September 2023 (APP7.5). 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.
- 2.5.2 The Foreword sets out that:

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

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

2.5.3 It further adds that:

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

- 2.5.4 The matters within the Sector Deal to be actioned by a collaborative approach and also by specific actions from the sector and Government relate to:
 - > Supply chain, skills and the circular economy;
 - > Community and benefits;
 - > Land use and the environment;
 - > Planning;
 - > Legislative and regulatory actions; and
 - > Technical actions.
- 2.5.5 In terms of land use and the environment, the Sector Deal sets out that NPF4 Policy 1 makes it clear that significant weight needs to be given to the global climate and nature crisis and that "New onshore wind projects in Scotland will enhance biodiversity and optimise land use and environmental benefits" (page 11).
- 2.5.6 It further adds that:

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

2.5.7 The Sector Deal also states (page 13) in relation to planning that:



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

2.6 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 (APP7.16). The new Strategy is to replace the one previously published in 2017. The consultation period ended in April 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.
- 2.6.2 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, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition...

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

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

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

- 2.6.3 The Foreword adds that the draft Strategy sets out key ambitions for Scotland's energy future including:
 - > More than 20 GW of additional renewable electricity on and offshore by 2030.
 - > Accelerated decarbonisation of domestic industry, transport and heat.
 - > Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
 - Energy security through development of our own resources and additional energy storage.
 - > A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.
- 2.6.4 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......"

Recognition of the role of Battery Storage

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

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

2.6.7 Furthermore, it adds:

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

- 2.6.8 The Draft Strategy reiterates the support for energy storage set out in NPF4 (page 130).
- 2.6.9 The Draft Strategy further recognises the potential contribution BESS can make to achieving net zero in summarising the key areas where it is considered that the UK Government needs to take action to support the delivery of the strategy with particular regard to energy system flexibility stating: *"We urge the UK Government to make ancillary markets more accessible for Battery Energy Storage Systems (BESS) and other low carbon technologies ahead of fossil fuel powered alternatives".*

2.7 The Green Industrial Strategy

2.7.1 The Scottish Government published a Green Industrial Strategy (GIS) in September 2024 (APP7.7). 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".

- 2.7.2 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's wind economy, carbon capture and storage, supporting the green economy by way of professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.
- 2.7.3 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."
- 2.7.4 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states that this:



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

2.7.5 Actions include *inter alia*:

- Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
- Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
- Delivering planning and consenting systems which enable Scotland's net zero development pipeline; 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.
- 2.7.6 Onshore wind is referred to in some detail at page 21 where the GIS states:

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

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

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

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

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

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

2.8 Conclusions on the Renewable Energy Policy & Legislative Framework

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



- 2.8.2 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.
- 2.8.3 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.
- 2.8.4 The change from annual Scottish emission reduction targets to carbon budgets has served to show that Scotland is not on track to attain Net Zero, and it strengthens the case for rapidly approving schemes that can contribute to this goal. The overall target of Net Zero remains unchanged.
- 2.8.5 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.
- 2.8.6 In terms of the energy policy considerations, it is helpful to reference a recent position of the Scottish Ministers with regard to a Section 36 wind farm decision. Section 36 consent was granted by the Scottish Ministers on 08 November 2024 for the Clachaig Glen Wind Farm within Argyll and Bute and located within the Kintyre peninsula (APP9.5). From paragraph 109 *et seq* of the Decision Letter, the Scottish Ministers in commenting on the acceptability of the development stated:

"As set out above, the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Ministers. Scotland's renewable energy targets and climate change ambitions, energy policies and planning policies are all material considerations when weighing up this proposed development. NPF4, the Energy Strategy and the OWPS make it clear that renewable energy deployment remains a priority of the Scottish Government. The OWPS in particular reaffirms the vital role for onshore wind in meeting Scotland's energy generation targets and net zero emissions ambitions. This is a matter which should be afforded significant weight in favour of the proposed development.

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

The Scottish Ministers are satisfied that the proposed development will provide a contribution to renewable energy targets and carbon savings. The Scottish Ministers are also satisfied that it is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its net zero emissions ambitions."

- 2.8.7 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge and imperative of attaining and sustaining Net Zero and the need to substantially increase renewable capacity, notably onshore wind.
- 2.8.8 The Draft Energy Strategy for Scotland forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.
- 2.8.9 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in order to attain Net Zero. The Proposed Development has a grid connection date of May 2028 therefore it could make a valuable contribution to Scotland's onshore wind deployment target and to the UK 2030 target as set out in the recently published Clean Power Action Plan.

3. The Benefits of the Proposed Development

3.1 The Benefits: Summary

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

Renewable Energy Generation & Emission Savings

- With an estimated overall installed wind capacity in the region of 21.5 MW overall, the Proposed Development would make a valuable 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 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 21.5 MW in the near term (2028) will have a disproportionately higher benefit than the same capacity delivered later.
- With an anticipated capacity factor of 49.7%, the amount of electricity produced by the development in the 'expected scenario' has been estimated to be approximately 91,429 Giga Watt hours ('GWh') annually, equating to powering the equivalent of approximately 12,182 Scottish homes annually.
- This equates to displacing approximately 21,925 tonnes of fossil fuel mix generation equivalent CO₂ emissions, over the operational life of the Wind Farm. The savings in terms of 'grid mix' would be 16,746 tonnes of CO₂ emissions.

Security of Supply & Battery Storage

- The British Energy Security Strategy has been referenced. It provides an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.
- > With this context, the attractiveness of onshore wind, as a proven technologies which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear.
- The Proposed Development, if consented, would provide a valuable contribution to security of supply for the wider region, Scotland and for the wider Great Britain ('GB') area. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the Proposed Development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.

- BESS will play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. BESS imports renewable energy when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low (e.g. still, cloudy days).
- Furthermore, the BESS (10 MW) also has the potential to supply the grid with essential energy security functions including:
 - Voltage support services: Batteries can supply the network with quickly dischargeable energy during low voltage periods or blackouts; to date these scenarios have typically been managed by reliance on quickly dispatchable fossil fuel energy generators (typically gas peaking plants); and
 - **Grid stabilisation services (inertia):** Inertia is incredibly important for the stable operation of the electricity system; it is a by-product of coal and gas-fired generators, however renewables like wind and solar are not able to provide inertia. As older coal and gas plants come off the system and renewable energy generation becomes the dominant source of energy nationally, we need to find new ways to provide grid stability. BESS are able to provide these stability services.

Socio-Economic & Community Benefits

- The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment and GVA to the economy would be beneficial (short term during construction, long term during operation). The economic impact associated with the construction and operation of the Proposed Development would include the following:
- > The estimated capital investment of approximately £21m.
- It is expected that the construction phase would generate approximately 3 Full Time Equivalent ('FTE') jobs and in the operational phase, 2.5 FTE staff will be employed to operate the development and undertake routine maintenance work during its lifetime (35 years). There would also be potential indirect and induced job creation of a further 3.4 FTEs from the operation of the Proposed Development over its 35-year lifetime.
- The Applicant proposes to administer a fund into which annual community benefit payments will be made. The fund will be used by local community groups to secure long-term economic benefits and will act as a significant contribution to meeting local developmental aspirations. The Applicant will pay £5,000 per MW of installed capacity per annum into the fund. This equates to £105,000 of income per annum, or over £3.67m over the 35-year operational life of the Proposed Development, depending on the eventual turbine type installed and capacity installed. It is acknowledged that community benefit payments are not a material planning consideration.

Biodiversity Enhancement

> A Habitat Enhancement Plan ('HEP') has been prepared to restore, maintain and enhance habitats found within the application site. The HEP can be secured by way of a planning condition.

4. Appraisal against NPF4

4.1 Introduction

- 4.1.1 This Chapter sets out an appraisal of the Proposed Development against the relevant policy provisions of NPF4 (APP5.1). The focus is in relation to the lead policy in NPF4, namely Policy 11 (Energy) together with Policy 1 (Tackling the climate and nature crises) and Policy 4 (Natural places). The appraisal focuses on the matters of landscape and visual effects, given these are the topics referenced in the Council's grounds of objection.
- 4.1.2 As explained, the Planning Statement Update that was prepared in 2023 contains an appraisal of the Proposed Development against the wider policy provisions of NPF4. That should be referred to for its detail in relation to other policy matters.
- 4.1.3 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and came into force on 13 February 2023.
- 4.1.4 A Chief Planner's Letter was issued on 8 February 2023 entitled 'Transitional Arrangements for National Planning Framework 4' (APP5.3). It contained advice intended to support consistency in decision making ahead of new style Local Development Plans being in place.

Development Management

- 4.1.5 NPF4 now forms part of the statutory Development Plan since its adoption and publication
- 4.1.6 Section 13 of the Planning (Scotland) Act 2019 Act amends Section 24 of the 1997 Act regarding the meaning of the statutory 'development plan', such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:
 - > The National Planning Framework; and
 - > Any LDP.
- 4.1.7 The statutory Development Plan covering the site consists of NPF4 (2023) and the HwLDP (2012).
- 4.1.8 The publication of NPF4 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.

How NPF4 is to be used

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

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

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

"It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals⁶. NPF4 includes a long-term spatial strategy to 2045."

⁶ 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'*.

- 4.1.11 NPF4 contains a spatial strategy and Scottish Government development management policies are to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan7 (IIP).
- 4.1.12 NPF4 therefore for the first time, introduces centralised development management policies which are to be applied Scotland wide.
- 4.1.13 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Development "meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity".

4.2 The National Spatial Strategy – Delivery of Sustainable Places

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

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

- 4.2.2 The principles are stated as playing a key role in delivering the United Nations Sustainable Development Goals and the Scottish Government's National Performance Framework⁸.
- 4.2.3 The Spatial Strategy is aimed at supporting the delivery of:
 - > 'Sustainable Places': "where we reduce emissions, restore and better connect biodiversity";
 - > 'Liveable Places': "where we can all live better, healthier lives"; and
 - Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".
- 4.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

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

- 4.2.5 The new Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4) was published as a consultative draft on 10 January 2023 (see below).
- 4.2.6 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.

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,

⁷ 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.

⁸ The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.



development that is accessible by sustainable travel, and expansion of renewable energy generation."

- 4.2.7 Six National Developments (NDs) support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.
- 4.2.8 A summary description of this ND is provided at page 7 of NPF4 as follows:

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

4.3 National Developments

Overview

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

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

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

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

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

4.3.3 Page 103 of NPF4 describes ND3 and it states:

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

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

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

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

- 4.3.5 Although the Proposed Development would not be a National Development it would still contribute to the delivery of the national Spatial Strategy set out in NPF4.
- 4.3.6 The Spatial Strategy requires a "large and rapid increase" in electricity generation from renewables and the National Spatial Strategy makes it clear (NPF4, page 6) that "we must make significant progress" by 2030.



4.3.7 NPF4 makes it clear that there is a need for wind farms of 'scale'⁹. This links to the express acknowledgement in NPF4 Policy 11 (see below) that some significant effects are inevitable.

4.4 National Planning Policy

- 4.4.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.
- 4.4.2 In terms of planning, development management and the application of the national level policies, NPF4 states (page 98):

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

- 4.4.3 In terms of "sustainable places" 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 7: Historic Assets and Places; and
 - > Policy 11: Energy.
- 4.4.4 The Planning Statement Update addressed these policies, and it should be referred to.
- 4.4.5 In the sections below, the policies 1, 4 and 11 are addressed with reference to the reasons for refusal.
- 4.4.6 The Chief Planner's Letter of 8th February 2023 (APP5.3) 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 <u>must be read and applied as a whole</u>. 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." (underlining added)

4.4.7 The Letter adds:

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

4.5 Policy 1: Tackling the Climate and Nature Crises

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

⁹ The NPF4 Statement of Need for National Developments states that additional electricity generation "of scale" is fundamental to achieving a net zero economy (NPF4, page 103).



- 4.5.2 **Policy 1** directs decision makers that "when considering all development proposals significant weight will be given to the global climate and nature crises."
- 4.5.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker.
- 4.5.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

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

- 4.5.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal, on the basis of its positive or negative contribution to the climate and nature crises.
- 4.5.6 The term "Tackling" the respective crises in Policy 1 is also important this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross-cutting outcomes and states with regard to Policy 1 that the policy gives significant weight "to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions".
- 4.5.7 As set out in Chapter 3 above, the Proposed Development would enable a valuable level of renewable generation to make an important contribution to emission reduction and renewable generation targets.

4.6 Policy 11: Energy

4.6.1 For the consideration of wind energy development, Policy 11 'Energy' (page 53) is the lead policy and it is referenced in both reasons for refusal. Policy 11's intent is set out as follows:

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

- 4.6.2 Policy Outcomes are identified as: "*expansion of renewable, low carbon and zero emission technologies*".
- 4.6.3 Policy 11 is as follows:

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

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

- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;
- iv. small scale renewable energy generation technology;
- v. solar arrays;

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

vii. proposals including co-location of these technologies.

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



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

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

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

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

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

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

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

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

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

vii. impacts on historic environment;

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

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

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

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

xiii. cumulative impacts.

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

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

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

4.6.4 The intent and desired outcome of the policy is expressly clear – the expansion of low-carbon, zero emissions renewable energy, through encouragement, promotion and facilitation which the Proposed Development, as a major development, would deliver.

Other Provisions of Policy 11

4.6.5 **Paragraph b) of Policy 11** states that development proposals for wind farms in National Parks and National Scenic Areas ('NSAs') will not be supported. The Development is not in a National Park or NSA.



- 4.6.6 **Paragraph c)** of Policy 11 requires socio-economic benefits to be maximised.
- 4.6.7 The socio-economic benefits that would arise from the Proposed Development have been set out in summary form in the previous Chapter and it is considered that such benefits have been maximised.
- 4.6.8 **Paragraph d)** of Policy 11 relates to Policy 4 which is considered below.
- 4.6.9 **Paragraph e)** of Policy 11 states that *"in addition, project design and mitigation will demonstrate how the following impacts are addressed.."*
- 4.6.10 In terms of the 13 matters that require to be addressed, landscape and visual considerations are addressed below.

Landscape and Visual Considerations

- 4.6.11 The landscape and visual effects of the proposal are addressed in the detailed evidence of Ms Oxley and as contained in the SoA (Chapter 3). The intention here is only to refer to key points from Ms Oxley's evidence, for the purposes of examining policy accordance.
- 4.6.12 At the outset however, Paragraph e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position in the former SPP and there is a very clear steer to decision makers that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.

Landscape Character & Visual Effects

- 4.6.13 In relation to the landscape character effects that would arise, Ms Oxley states that all of these are contained within 5 km of the proposed turbines. The LVIA also concludes that in terms of visual amenity at the assessment viewpoints, significant visual effects will extend no further than 8.1 km (i.e. will be contained within approximately 8 km distance).
- 4.6.14 The extent and nature of effects is considered to be acceptable when considered against the policy criteria in NPF4 which specifically states, "Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable". While the term 'local' is not defined in this context in planning policy or guidance, it is helpful to examine how the Scottish Ministers have defined 'localised'.
- 4.6.15 The term 'localised' requires a judgement on the geographical extent of influence from a wind farm, having regard to the type of landscape in which the impacts would arise. In this regard, it is relevant to consider three relatively recent wind farm Section 36 decisions in Highland.
- 4.6.16 In the Achany Extension Wind Farm Section 36 decision, the Scottish Minister's (page 14 of the decision **APP9.1**) referred to the conclusions of the LVIA in that case, which was that the development (for a scheme of tip height 149.5m close to the tip height proposed for Cairnmore Hill) would result in:

"A limited number of localised significant effects on landscape character and visual amenity affecting relatively localised parts of the landscape and visual resource up to 10 km and locally to 12.5 km from the proposed development."

4.6.17 It is also stated in the Achany Extension Wind Farm decision letter that (page 15):

"The Scottish Ministers acknowledge that the proposed development will have some significant landscape and visual impact, but overall these would remain relatively localised, with the majority of significant effects occurring within 10 km of the proposed development and none at a distance greater than 12.5 km."

4.6.18 The view of the Scottish Ministers therefore in terms of the geographical extent within which there would be localised impacts, in the Achany Extension case of up to 12.5km is relevant. It is fully accepted that each development needs to be considered on its respective merits, but it



is important that there is consistency in decision making with regard to this particular aspect of NPF4 policy 11 e) and its application.

4.6.19 In the Chleansaid Section 36 decision (APP9.2), (16 turbines at 200m to blade tip height) the Scottish Ministers at page 13 of their Decision Letter, stated:

"The Scottish Ministers agree with the EIA Report conclusions that the proposed development will have some significant landscape and visual impacts but overall these would remain relatively localised, with the majority of significant effects not occurring more than 12km from the proposed development. It is, therefore, considered by the Scottish Ministers that the landscape and visual impacts are acceptable."

4.6.20 This position is repeated on page 16 of the Decision Letter, where it is stated:

"....these impacts are considered acceptable in the context of the benefits that the proposed development will bring in terms of net economic benefit, contributing to renewable energy and climate change targets, while protecting the natural environment."

- 4.6.21 Furthermore in the Bunloinn Section 36 Decision (APP9.3) (10 turbines at 200m to blade tip height), at paragraph 24 of the Decision Letter states that the planning authority acknowledges there will be significant landscape and visual impacts but "*it is satisfied that by virtue of the proposed development's location, setting and design, these are largely localised and are acceptable when all matters are taken into account.*"
- 4.6.22 At paragraph 93 it is set out that "The Scottish Ministers acknowledge that the proposed development will have some significant landscape and visual impacts but overall, these would remain relatively localised with the majority of significant effects occurring within 12 km of the proposed development none at a distance greater than 14.7 km."
- 4.6.23 It is fully accepted that each development needs to be considered on its respective merits, but it is important that there is consistency in decision making with regard to this particular aspect of NPF4 policy 11 e) and its application. Based on a review of current practice and the application of NPF4 policy, it is considered that there is a high degree of confidence in the position that the landscape and visual effects arising from the Cairnmore Hill development would be localised and should be treated as such in the interpretation of NPF4 Policy 11.

Special Landscape Areas

4.6.24 The closest landscape designation to the site is the Dunnet Head Special Landscape Area ('SLA'), located within approximately 12 km to the north-east. Ms Oxley's position is that there would be no adverse effects on the special qualities or integrity of the SLA.

Other Development Management Criteria in Policy 11

- 4.6.25 The Planning Statement Update sets out a position in relation to the various other environmental and technical topics referenced in Policy 11. It should be referred to for its detail.
- 4.6.26 It is considered that the Proposed Development would not give rise to any unacceptable effects in relation to any of the environmental or technical criteria set out in Policy 11. For a number of the environmental and technical topics, planning conditions can be attached to ensure the Proposed Development would be implemented in an environmentally acceptable way.

Contribution to Renewable Energy Targets

4.6.27 Paragraph e) of Policy 11 of NPF4 in the penultimate paragraph, 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.



- 4.6.28 The contributions are inextricably related to the scale of a Proposed Development and policy recognises that any identified impacts must be assessed in the context of these contributions.
- 4.6.29 The scale of the energy output and emissions savings are considered to outweigh the adverse impacts arising from the proposal.

Conclusions in relation to NPF4 Policy 11

- 4.6.30 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria. A key point is that any identified impacts have to be weighed against a development's specific contribution to meeting targets which attracts significant weight. Significant weight is also afforded in relation to Policy 1.
- 4.6.31 Overall, therefore, the Proposed Development is considered to be in accordance with NPF Policy 11.

4.7 Policy 4: Natural Places

Policy 4 and Principles

- 4.7.1 The policy has an intent to protect, restore and enhance natural assets making best use of nature-based solutions. Policy outcomes are stated as being natural places are protected and restored, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.
- 4.7.2 **Paragraph a)** of the policy states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported.
- 4.7.3 **Paragraph b)** addresses both nature conservation and landscape designations. It addresses development proposals likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas).
- 4.7.4 **Paragraph c)** deals with national landscape designations and also Sites of Special Scientific Interest ('SSSI') and national nature Reserves.
- 4.7.5 **Paragraph d)** deals with local landscape designations and contains a different policy approach to that which was contained within the former SPP. It 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".
- 4.7.6 The policy now follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "integrity" of the area or "the qualities for which it has been identified".
- 4.7.7 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 will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:
 - this policy provision, reflects the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or National Scenic Area) must be balanced against the benefits of a development for which significant weight must be given;



- the second limb is independent of the first ("or") and is to be applied where a decisionmaker concludes that a development will have significant adverse effects on the integrity of a local designation;
- NPF4, Policy 4, Part d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").
- 4.7.8 As explained above, Ms Oxley's position is that in relation to the Dunnet Head SLA there would be no adverse effects on its special qualities or integrity. Furthermore, she highlights that the Report of Handling states at paragraphs 7.61 to 7.63:

"It is important to note here that, while the proposal is considered to result in likely significant landscape effects, it is not considered to impact the Special Qualities or the integrity of the Dunnet Head Special Landscape Area. For example, the proposal is not expected to compromise the SLA's perceived large scale and seemingly extensive interior moorland character by virtue of the development's distance from the headland. Furthermore, while the development is visible and prominent in views from the headline, the turbines would not impinge the expansive panorama seen from Dunnet Head itself.

4.7.9 Overall, the Proposed Development is considered to be in accordance with NPF Policy 4.

4.8 Conclusions on NPF4

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

5.

Appraisal against the Local Development Plan & Guidance

5.1 Introduction

- 5.1.1 The other elements of the statutory Development Plan covering the site comprise:
 - > The HwLDP (adopted 2012) (APP5.4);
 - > The Caithness and Sutherland Local Development Plan ('CasPlan') (2018); and
 - Relevant supplementary guidance, particularly the Onshore Wind Energy Supplementary Guidance ('OWESG') (adopted 2016) and Addendum Supplementary Guidance: Part 2b (adopted 2017) (APP5.6).
- 5.1.2 The CasPlan does not contain any relevant area or site-specific development management policies.
- 5.1.3 The HwLDP was prepared and adopted prior to NPF4 coming into force and reflects the provisions of the former SPP, now superseded. Where incompatibilities exist between the LDP and NPF4, or where the LDP is silent, as explained the law states that the policies of NPF4 prevail given it is the later document.
- 5.1.4 Policies of the HwLDP that are contained in the Council's reasons for refusal are referenced below. This chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 4 above against the policy provisions of NPF4. An appraisal of any policy areas of conflict or contradictions between the HwLDP and NPF4 is provided.

5.2 The Lead HwLDP Policy

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



- 5.2.7 Finally, Policy 67 requires a proposed development to be assessed against 11 factors with regard to predicted significant effects, and a judgement has to be reached as to whether or not such effects would be "*significantly detrimental overall*". These factors are similar to those listed in NPF4 Policy 11 with the exception of tourism.
- 5.2.8 Based on the appraisal set out in Chapter 4 above with regard to the NPF4, it is considered that the landscape and visual effects that the Proposed Development would give rise to would not be unacceptable.
- 5.2.9 It should be noted that the Reporter in the <u>Meall Buildhe</u> Appeal Decision Notice¹⁰ of 14 June 2023 (APP9.4), commented on the relationship between the HwLDP and NPF4 and stated (paragraph 76):

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

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

5.3 Other HwLDP Policies

5.3.1 The other two policies of relevance in the HwLDP which are referred to in the Council's reasons for refusal are summarised below in **Table 5.1** with brief comment added with regard to how the policies relate to the policies of NPF4.

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

Table 5.1: HwLDP Policies referred to in the Reasons for Objection & Comment regarding NPF4

¹⁰ <u>Meall Buidhe</u> Wind Farm Appeal Decision Notice Reference PPA-270-2277.



HwLDP Policy	Торіс	Policy Summary	Comment re NPF4
		supported where there is demonstrable over-riding strategic benefit or if satisfactory mitigation measures are incorporated.	
Policy 61	Landscape	New development should be designed to reflect the landscape characteristics and special qualities identified in the area they are located as well as considering cumulative effects. Measures to enhance landscape characteristics of the area in which they are located are encouraged. The policy requires the Council to take into account Landscape Character Assessments.	NPF4 Policy 4 deals with natural heritage matters including landscape designations. NPF4 Policy 11 addresses the landscape impacts of renewable energy developments. No conflicts or contradictions with NPF4.

- 5.3.2 It is considered that the Proposed Development would be in accordance with the relevant policies in the HwLDP as set out in **Table 5.1** above. However, it is considered that policies 28 and 61 add nothing to what is already within the comprehensive set of development management policies as contained within NPF4.
- 5.3.3 For the reasons set out in Chapter 4 in the context of the NPF4 policy appraisal, it is considered that as per the findings of the EIA Report and the more recent submissions set out in the SoA by the Appellant, the Proposed Development is considered to accord with the relevant HwLDP policies.

5.4 The Onshore Wind Supplementary Guidance

- 5.4.1 The OWESG gives further advice and guidance relating to Policy 67 of the HwLDP.
- 5.4.2 The OWESG was adopted by the THC in November 2016 and forms part of the statutory Development Plan. Policy 67 refers to the OWESG and its role in providing further criteria for the consideration of onshore wind energy proposals. Accordingly, the OWESG supplements Policy 67 and assists with its application.
- 5.4.3 Paragraph 1.8 of the OWESG is helpful in understanding its role. It states: "The advice that follows provides a fuller interpretation of HwLDP policies as they relate to onshore wind energy development. The Council will balance these considerations with wider strategic and environmental and economic objectives including sustainable economic growth in the Highlands, and our contribution to renewable energy targets and tacking climate change...".
- 5.4.4 At paragraph 4.16, the OWESG states "the following criteria set out key landscape and visual aspects that the Council will use as a framework and focus for assessing proposals, including discussions with applicants".
- 5.4.5 Paragraph 4.17 adds that the criteria do not set absolute requirements but rather seek to ensure developers are aware of key potential constraints to development. Following paragraph 4.17 there is a list of 10 criteria, together with associated thresholds and measures for development.
- 5.4.6 An appraisal of how the Proposed Development relates to these criteria is set out in in the SoA (section 3.46-49).
- 5.4.7 It should be noted that the Reporter in the <u>Meall Buildhe</u> decision also set out a clear position in relation to THC's OWESG. At paragraph 85 of the Decision Notice, the Reporter stated in this regard:



"This [Supplementary Guidance] is also part of the Development Plan. However, much of this is focused on the principles set out in Policy 67 and setting out a Spatial Framework, in line with Table 1 of the previous Scottish Planning Policy. The National Planning Framework 4 approach no longer includes Spatial Frameworks and some of the previous criteria as stated in Scottish Planning Policy has been updated. Consequently, as I find incompatibility between the Local Development Plan and the Framework. I rely on the Framework as the later expression of Development Plan policy."

5.4.8 In addition, when this guidance was drafted several years ago, turbine heights were much lower than those of today and Government policy documents such as the current OWPS, have made it very clear that turbine heights are increasing and have to increase to attain much more stretching targets. This is as a result of technological advancements and market availability.

5.5 Conclusions on the HwLDP

- 5.5.1 The relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and have not been repeated with reference to the HwLDP.
- 5.5.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of Policy 67 or indeed other relevant policies within the HwLDP.
- 5.5.3 Moreover, through considering the other relevant policies, including the advice contained in the OWESG, it is considered that the Proposed Development accords with the HwLDP when it is read as whole.
- 5.5.4 Insofar as there are other relevant policies within the HwLDP, they are addressed in the Planning Statement (2022) and given the appraisal set out above in Chapter 4 in relation to the various environmental and technical topics of relevance to the Proposed Development, there would be no conflict with their terms.

6. Conclusions

6.1 The Climate Crisis & Renewable Energy Policy Framework

- 6.1.1 The urgent need for onshore wind has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Scottish Government commitments most recently expressed in the OWPS and in NPF4.
- 6.1.2 Onshore wind was already viewed and described as "vital" to the attainment of targets in 2017. This imperative has only increased since a 'climate emergency' was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) 'net zero' publication¹¹. Furthermore, the drive to attain net zero emissions is now legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.
- 6.1.3 Achieving net zero is a legal requirement, and the Scottish Government has recognised, most recently in the OWPS, that a very substantial quantity of new onshore wind is required to meet the onshore wind target requirement by 2030 namely a minimum of 20GW of operational capacity. Deployment of more onshore wind is described as being "*mission critical for meeting our climate targets*" in the OWPS.
- 6.1.4 As explained in Chapter 2 the CCC has stated (June 2024) that the deployment of low carbon technology is "off track, with rates needing to significant ramp up." In this regard in terms of renewable technologies the CCC has stated that onshore wind installations will need to double by 2030. The new Labour Government has accepted this advice and has committed to this onshore wind target for the UK, 30 GW by 2030.
- 6.1.5 The important benefits of the Proposed Development have been set out in the context of the current climate emergency, and they would help address the issue of climate change and very challenging 'net zero' targets and contribute to improving security of supply.

6.2 The Planning Balance

- 6.2.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the climate emergency and the contribution of individual developments to tackling climate change.
- 6.2.2 The revised OWPS was published in December 2022. NPF4 came into force on 13 February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of this Appeal. Both should be afforded very considerable weight in decision-making.
- 6.2.3 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required. As described in this Statement:
 - The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "at the heart of our vision for a future Scotland" so that "the decisions we make today will be in the longterm interest of our country"¹². The policy position, and the priority afforded to combatting the climate emergency, is different to that which was set out in the former NPF3 and SPP;
 - > NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global climate emergency in all decisions. This is a radical

¹¹ CCC, Net Zero, The UK's contribution to stopping global warming (May, 2019). ¹² NPF4, page 2.



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 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including onshore wind farms.
- 6.2.4 It is important to fully recognise both the scale and urgency of the challenge set out in these documents, and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030 requiring, as set out in the OWPS, that "we must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes"¹³.
- 6.2.5 As explained the Proposed Development has a grid connection agreed for May 2028.
- 6.2.6 Publication of the OWPS followed and cross-refers to NPF4 and, sets an onshore wind target: a Scottish Government ambition for a minimum of 20 GW of installed onshore wind capacity by 2030. New policy therefore supports an increase in the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms in Scotland in a period of around 6 years. This is also embedded in the Scottish Government's consultative draft Energy Strategy and Just Transition Plan, together with the commitment to "*place the climate and nature at the centre of our planning system*"¹⁴ (original emphasis) in line with the NPF4.
- 6.2.7 By any measure, the identified need for delivery of this additional capacity is a massive challenge requiring an urgent and positive response. As noted above, unless projects are in the planning system now, there is a high likelihood that they will not contribute to this ambition before 2030. The 'window' until the key date of 2045 for net zero is also getting narrower.
- 6.2.8 As the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains¹⁵ "A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets."
- 6.2.9 Other policy support for development of wind farms is found in NPF4 and the OWPS:
 - In addition to the cross-cutting NPF4 Policy 1, NPF Policy 11 (Energy) directs that in considering the identified impacts of an onshore wind proposal significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets;
 - The OWPS expressly recognises that meeting the ambition of a minimum installed capacity of 20GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines and that "this will change the landscape;

On this specific point it is relevant to take into account the Reporter's position on the target as referenced in the OWPS in the <u>Meall Buidhe</u> Appeal Decision Notice (APP9.4). The Reporter set out with regard to the OWPS at paragraph 87 of the Decision that:

"It also provides some further supporting detail on increasing the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational wind farms in Scotland in the period of around 8 years. This is clearly a challenging target and there is an acceptance in the Policy Statement of the consequent change in the landscape. I find this further supports my

¹⁴ Energy Strategy and Just Transition Plan, page 55

¹³ OWPS 2022, paragraph 1.1.2.

¹⁵ NPF4, page 103.

conclusion above in terms of consistency with relevant provisions of NPF4. This policy statement does not form part of the Development Plan but is a material consideration in this case."

- > NPF4 Policy 11 confirms that significant landscape and visual impacts are to be expected for some forms of renewable energy. Scottish Government policy, which forms part of the Development Plan, is that where such impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to be acceptable. Notably, policy recognises that significant landscape and visual effects are inevitable and generally acceptable. Ms Oxley sets out in her evidence that the landscape and visual effects would be localised.
- NPF4 Policy 4 provides in principle support for wind farm development in all locations with the exception of National Parks and NSAs, unless the conditions in NPF4 Policy 4 c) are met;
- NPF4, Policy 4, Part d) specifically relates to a proposed development that may adversely affect the qualities and the integrity of a local landscape designation. It provides that development will be supported where such significant adverse effects are clearly outweighed by social, environmental or economic benefits of at least local importance. As explained in the SoA, there would be no significant adverse effects on the qualities or integrity of any local landscape designations.
- 6.2.10 The Appellant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the Proposed Development. In short, appropriate design mitigation has been applied. Potentially significant adverse landscape and visual effects resulting from the proposal have been addressed through an iterative design process (i.e. 'mitigation by design') and a well-considered proposal has been established, which has acceptable effects.
- 6.2.11 NPF4 and the OWPS require that the decision-maker must also identify and weigh the adverse effects of a proposed development. However, increased weight is to be given to the benefits of a proposed development in the planning balance owing to the seriousness and importance of energy policy related considerations and the contribution of the Proposed Development in meeting climate change targets.
- 6.2.12 It is considered that this approach is very clearly reflected and articulated in NPF4 and the OWPS (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development's contribution towards meeting targets). Moreover, Section 3.6 of the OWPS states that the criteria for assessing proposals (in NPF4) have been updated "*including stronger weight* being afforded to the contribution of the development to the climate emergency".
- 6.2.13 The Proposed Development will help to deliver the national Spatial Strategy set out in NPF4. The 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 be able to 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.
- 6.2.14 NPF4 has not altered the requirement to undertake a balancing exercise and to consider the adverse impacts of a development proposal; but the relative weight to be ascribed to the benefits of a renewable development and its residual adverse effects has changed. It is clear from Ms Oxley's appraisal set out in the SoA that in relation to the key determining issue in this Appeal, namely landscape and visual impacts, that there would not be any unacceptable impact on residential visual amenity and the effects that would arise on landscape character and in relation to other visual receptors would be largely localised. This position is reinforced by calibration of how the term localised has been applied in other decisions, including those of the Scottish Ministers. The term "generally acceptable" in NPF4 does not mean acceptable in every case. However, it is not considered that there are receptors affected by the proposal such that it should be deemed unacceptable.



6.2.15 The proposed development is considered to be in accordance with the relevant policies of the NPF4, the HwLDP and the related Supplementary Guidance.

6.3 Overall Conclusion

- 6.3.1 The policy set out in NPF4 and the OWPS requires a rebalancing of the consenting of onshore wind developments in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the benefits of the Proposed Development it is considered that the benefits of the proposal clearly outweigh its adverse effects.
- 6.3.2 The up-to-date policy set out in NPF4 and the OWPS and the policy being consulted upon in the draft Energy Strategy provide strong and increased support for the grant of consent for the Proposed Development.
- 6.3.3 The conclusion is that the Proposed Development would be consistent with all relevant policies of the Development Plan and with the Development Plan when read as a whole. Furthermore, it is considered that the relevant material considerations further support the position that the Appeal should be allowed, and planning permission should be granted.



David C Bell BSc (Hons) DipUD MCIHT MRTPI

David Bell Planning Ltd 26 Alva Street Edinburgh EH2 4PY

dbplanning.co.uk

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