ScottishPower Renewables

Hare Hill Windfarm Repowering and Extension

Planning and Renewable Energy Statement

November 2025

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Abbreviations

Abbreviation	Description
1989 Act	Electricity Act 1989
1997 Act	Town and Country Planning (Scotland) Act 1997
2008 Act	The Climate Change Act 2008
2023 Act	The Energy Act 2023
AOD	Above Ordnance Datum
CCC	UK Climate Change Committee
DCEMP	Decommissioning and Construction Environmental Management Plan
DES&JTP	The Draft Energy Strategy and Just Transition Plan
DGC	Dumfries and Galloway Council
DGLDP	Dumfries and Galloway Local Development Plan 2
EAC	East Ayrshire Council
EALDP	East Ayrshire Local Development Plan 2
ECoW	Environmental Clerk of Works
ECU	Energy Consents Unit
EIA	Environmental Impact Assessment
EIA Regulations	Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
EIA Report	Environmental Impact Assessment Report
FTE	Full Time Equivalent
GHG	Greenhouse Gas
GVA	Gross Added Value
GW	Giga Watt
HES	Historic Environment Scotland
HESPS	Historic Environment Scotland Policy Statement
HH	Original Hare Hill Windfarm
HHE	Hare Hill Extension Windfarm
HHW	Original Hare Hill Windfarm and Hare Hill Extension Windfarm
LVIA	Landscape and Visual Impact Assessment
MW	Mega Watt
NDC	Nationally Determined Contribution
NPF4	National Planning Framework 4
NSA	National Scenic Area
OHMP	Outline Habitat Management Plan
OWPS	Onshore Wind Policy Statement
PAC	Pre Application Consultation
PRES	Planning and Renewable Energy Statement
SAC	Special Area of Conservation
SEPA	Scottish Environment Protection Agency
Sector Deal	The Onshore Wind Sector Deal
SES 2017	Scottish Energy Strategy
SESPS	Scotland's Energy Strategy Position Statement

Abbreviation	Description
SPA	Special Protection Area
SPR	ScottishPower Renewables
SSSI	Site of Special Scientific Interest

Executive Summary

1. The UK and Scottish Governments have declared a climate emergency and set ambitious climate change targets with a Net-Zero CO_2 target for 2045 in Scotland.
2. ScottishPower Renewables (UK) Ltd (SPR) is helping to lead the fight against climate change by developing renewable energy projects such as this fully integrated renewable scheme known as Hare Hill Windfarm Repowering and Extension (proposed Development). The proposed Development will consist of the repowering of both Hare Hill Windfarm and Hare Hill Windfarm Extension. Both of these projects are existing developments.
3. SPR (the Applicant) is part of the ScottishPower group of companies operating in the UK under the Iberdrola Group, one of the world's largest integrated utility companies and a world leader in wind energy. ScottishPower was the first integrated energy utility in the UK to generate 100% green energy and is already investing £16 million every working day, to power a greener future for everyone living and working in the UK.
4. The Applicant is seeking consent from the Scottish Ministers under the terms of Section 36 of the Electricity Act 1989 and deemed planning permission under the terms of the Town and Country Planning (Scotland) Act 1997, as amended, for the proposed Development.
5. The proposed Development boundary is situated approximately 1.5 kilometres (km) south east of the village of New Cumnock and 4.5 km west of Kirkconnel. The Site is located within the administrative boundaries of both East Ayrshire Council (EAC) and Dumfries and Galloway Council (DGC). The proposed Development will consist of the repowering of the Original Hare Hill Windfarm (HH) and Hare Hill Windfarm Extension (HHE). The implementation strategy of the proposed Development will be split across two distinct phases relative to the differing life cycles between the HH and the HHE projects.
6. HH and HHE, have a combined total of 55 turbines. The HH turbines are situated towards the northern part of the Site with HHE turbines located in the south east. The proposed Development will incorporate both of these areas and extend further to the south east.
7. The proposed Development would comprise up to 23 wind turbines, with associated infrastructure. It would have an anticipated generating capacity of around 130 MW.
8. The Applicant has undertaken an Environmental Impact Assessment (EIA) under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations) and produced its findings in the EIA Report. The EIA Report informs readers of the nature of the proposed Development, likely significant environmental effects and measures proposed to protect the environment during site preparation, construction, its operation and decommissioning.
9. The EIA Report submitted as part of the Application for the proposed Development has identified a number of residual environmental effects on landscape and visual receptors
10. This Planning and Renewable Energy Statement concludes that the proposed Development is acceptable and should be granted consent under Section 36 of the

Electricity Act 1989 and deemed Planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended. The EIA process has systematically assessed a comprehensive range of environmental effects and determines that the environmental impacts are considered to be acceptable, subject to the implementation of the identified mitigation, through the use of conditions attached to any consent. As such the proposed Development should be granted Section 36 consent and deemed planning permission.

1. Introduction

1.1. Background

11. Scotland's current climate change targets are amongst the most ambitious in Europe. The Scottish Government declared a climate emergency in May 2019 and passed the Climate Change (Emissions Reductions Targets) (Scotland) Act 2024, which amends the Climate Change (Scotland) Act 2009. This sets a target for a 100% reduction in greenhouse gas (GHG) emissions by 2045.

12. In late 2022 The Scottish Government published the Onshore Wind Policy Statement (OWPS 2022) which sets a minimum target for an operational capacity of 20 GW from onshore wind by 2030. Chapter 1 of the OWPS 2022 contains specific acknowledgement of the need for the further speedy deployment of onshore wind. It 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"*.

13. Key to achieving the net zero goals is the decarbonisation of many sectors of the economy and in order to do this the generation of renewable electricity needs to be increased. An essential component of decarbonising power generation will be the development of onshore windfarms.

1.2. The Applicant

14. The Applicant for the proposed Development is ScottishPower Renewables (UK) Ltd (SPR), which is part of the ScottishPower group of companies operating in the UK under the Iberdrola Group, one of the world's largest integrated utility companies and a world leader in wind energy.

15. ScottishPower only produces 100% green electricity – focusing on wind energy, smart grids and driving the change to a cleaner, electric future. The company has committed to investing over £18 m every working day to make this happen, and to speed up the transition to cleaner electric transport, improving air quality and over time, driving down bills to deliver a better future, quicker for everyone. SPR is at the forefront of the development of the renewables industry through pioneering ideas, forward thinking and outstanding innovation. Its ambitious growth plans include expansion of its existing onshore wind portfolio, investment in new large-scale solar deployment and innovative grid storage systems including batteries.

16. SPR now has over 40 operational windfarm sites producing over 2,800 mega watts (MW), including Whitelee, the largest onshore windfarm in the UK and their offshore windfarm East Anglia ONE. SPR is already well established in the west of Scotland and currently owns and operates 6 onshore windfarms within East Ayrshire and Dumfries & Galloway (Hare Hill, Hare Hill Extension, Kilgallioch, Harestanes, Ewe Hill and Wether Hill). SPR currently operate in excess of 3 gigawatts (GW) of windfarm generating capacity in Scotland.

17. SPR manages all its sites through its world leading Control Centre at Whitelee Windfarm, near Glasgow.

18. SPR continues to be at the forefront for innovation and forward thinking, with ambitious growth plans including the expansion of existing onshore windfarms, investment in new large-scale solar deployment, and innovative grid storage systems.

1.3. Purpose of the Planning and Renewable Energy Statement

19. This Planning and Renewable Energy Statement (PRES) sets out the background and policy and planning considerations relevant to the proposed Development. It is structured as follows:

- Chapter 1 includes the introduction to the PRES, provides the framework for decision-making and provides background information on the Applicant.
- Chapter 2 provides a brief description of the proposed Development and a context to the Site.
- Chapter 3 outlines the statutory framework for the consideration of the application for the proposed Development. It also provides details of the application submission.
- Chapter 4, along with Appendix 1, considers the matters which are considered to be relevant to the determination of the application. This sets out the renewable energy framework and includes information in relation to the climate emergency declared by both the Scottish Government, East Ayrshire Council (EAC) and Dumfries and Galloway Council (DGC) and details the key renewable energy policies. It then outlines the renewable energy targets, which are set in law, before considering progress towards those targets.
- Chapter 5 details the relevant Development Plan and other planning policy.
- Chapter 6 provides an assessment of the proposed Development in the context of planning policy.
- Chapter 7 provides the conclusions of the PRES.

1.4. Application

20. The Application for the proposed Development is submitted to the Scottish Ministers under Section 36 of the Electricity Act 1989 (the 1989 Act). The Applicant, by way of the Section 36 process, requests that the Scottish Ministers issue a Section 36 Consent in respect of the proposed Development, together with a Direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, (the 1997 Act) that planning permission is deemed to be granted for the proposed Development. Any references to an Act in this document should be understood as referring to the Act as amended at the time of the PRES.

21. The generating capacity of the proposed Development would exceed 50 MW and therefore constitutes a Schedule 2 development as provided for by the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations).

The Natural Power Consultants Limited (Natural Power) has been appointed to undertake an Environmental Impact Assessment (EIA) to determine and evaluate the potential effects of the proposed Development. The results of the EIA are presented in the EIA Report which is submitted as part of the Application. Natural Power have prepared the EIA Report. This PRES has been authored by Alison Sidgwick of ReAmp Consultancy Limited.

2. The Site and the Proposed Development

22. This chapter summarises information which is contained in the EIA Report in respect of the location of the Site, the Site description, its selection and the evolution of the proposed Development before setting out the key elements of the proposed Development. The location of the Site is shown on **Figure 1**.

2.1. The Site and Surrounding Area

23. The Site and the surrounding area are described in the EIA Report both in the introductory chapters and as required in the technical chapters. The following sets out a high level summary of the Site and its surrounding area.

2.1.1. The Site

24. The Site is located within the administrative areas of EAC and DGC and extends to approximately 1,320 hectares.

25. The Site is currently occupied by operational wind turbines. These turbines comprise the Original Hare Hill Windfarm (HH) and Hare Hill Windfarm Extension (HHE), known collectively as Hare Hill Windfarm (HHW). HH has 20 turbines with an output of 13.2 MW. HH has been operational since 1999 and is one of Scotland's oldest windfarms. HHE comprises 35 turbines with an output of 30 MW. HHE has been operational since 2017. The HH turbines are situated in the northern area of the Site. The HHE turbines are located in the south east.

26. The Site comprises undulating hills which support upland heath and moorland. The Site also contains a number of burns and watercourses. The Site includes the existing access though the commercial forestry as shown in **Figure 1**.

27. With the exception of the Fountainhead Site of Special Scientific Interest (SSSI), there are no, natural heritage or cultural heritage nationally or internationally designated sites within the Site.

2.1.2. The Surrounding Area

28. The Site is located approximately 1.5 km south east of the village of New Cumnock and 4.5 km west of Kirkconnel. The Site lies north east of the Afton Reservoir and Blackcraig Hill.

29. The closest natural and heritage designations, within 10 km of the Site are set out in the EIA Report and are summarised in **Table 2.1** and **Table 2.2**.

Table 2.1 Summary of Ecological and Geological Designated Sites within 10 km of the Site

Type of Designated Site	Name	Distance from Site
Site of Special Scientific Interest	Fountainhead Muirkirk Uplands Northern Lowther Uplands	Partially within Site 3.08 km 3.24 km
Special Protection Area	Muirkirk and North	3.8 km
Geological Conservation Review site	The Knipe Polehote and Polneul Burns SSSI North Lowther Uplands SSSI/SPA Lagrae Burn Muirkirk Uplands SSSI/SPA	Partially within site boundary <1 km 2.5 km 3 km 3 km
Ancient Woodland Inventory site	97 Individuals parcels	Closest is within Site

Table 2.2 Summary of Cultural Heritage and Landscape Designated Sites within 10 km of the Site

Type of Designated Site	Name	Distance from Site
Gardens and Designed Landscapes	Crawick Multiverse	10 km north east
Scheduled Monuments	Five within 10 km, of which the nearest is St Connals Church and Graveyard	5 km north east
Conservation areas	Sanquhar	10 km east
Properties in Care of Scottish Ministers	NA	NA
Listed buildings	Nine within 10 km	Closest of which is Kirkconnel Parish Church and Graveyard 5.8 km east
Regional Scenic Areas	NA	NA

2.1.3. Cumulative

30. There are a large number of existing and proposed windfarms in the vicinity of the proposed Development. These are set out in Chapter 6 of the EIA Report. Those within 10 km of the Site include the following:

- Afton;
- Cloud Hill
- Enoch Hill;
- Greenburn
- Lethans
- Manquhill
- Pencloe;

- Sandy Knowe;
- Sanquhar;
- South Kyle;
- Sunnyside;
- Windy Rig;
- Windy Standard; and
- Whiteside.

31. These schemes are at different stages of development and in some cases include extensions and additional phases to older developments.

32. The EIA Report considers the cumulative developments which are relevant to each technical discipline. The windfarms considered as part of the cumulative assessment presented in the EIA Report are shown on **Figure 6.8** of the EIA Report.

2.2. Site Selection

33. Chapter 4 of the EIA Report sets out the approach to site selection across Scotland and in respect of the Site in particular. The EIA Report advises that the Site has been selected for the following reasons:

- suitable wind conditions for wind turbine installation;
- initial desk-based assessments onsite suggest that there is likely to be a good wind resource and the Site is available for a renewable energy development;
- the site itself has open and expansive characteristics considered appropriate for wind turbine development with proven record of previous development;
- construction of a commercial scale renewable energy development is proven feasible within the context of the topography of the Site;
- there are no planning policies which, in principle, preclude wind energy or renewable energy development;
- the Site has reasonably good access from the public road network for construction traffic and wind turbine deliveries for construction traffic and wind turbine deliveries, particularly for longer blades which allows consideration of larger turbines to make the best use of the expected wind resource;
- there are no national or international nature designations within the area identified for development; and
- the distances from the nearest residential properties are such that undue noise or visual impacts from on visual amenity can be avoided.

2.3. Decommissioning of Hare Hill Windfarm

34. Prior to the construction of the proposed Development, work will be undertaken for the decommissioning of the HHW and restoration of the land. This work will be undertaken in accordance with the planning consents for HH and HHE. For the avoidance of doubt the HH wind turbines would be decommissioned as part of Phase 1 of the proposed Development. The HHE wind turbines would remain in situ for up to eight years after the decommissioning of the HH wind turbines. The HHE phase of the proposed Development will remain operational for approximately eight additional years to take advantage of the extended operational lifetime granted through the original HHE consent. The HHE wind turbines would be decommissioned during Phase 2 of the proposed Development.

35. There will be an overlap in environmental management control measures associated with the decommissioning of HHW and the construction of the proposed Development. A combined Decommissioning and Construction Environmental Management Plan (DCEMP) would be produced. This will cover the decommissioning of the HH and HHE as well as the construction of the proposed Development. An outline DCEMP for the HHW Decommissioning and proposed Development is provided as Technical Appendix 5.1. of the EIA Report

2.4. Design Evolution

36. The design evolution process which has resulted in the proposed Development for which consent is sought has been the subject of an iterative process. This is described in the EIA Report at Chapter 4.

37. The Site has been tested against the criteria that the Applicant uses to design renewable energy development projects. As the Site is currently occupied by the HH and HHE, turbines it is considered that the Site is considered to be suitable/acceptable for the location of wind turbines and their associated infrastructure.

38. The infrastructure currently on Site will be used and/or modified, wherever feasible as part of the proposed Development. The HHW access tracks and existing forestry tracks have been incorporated into the layout of the proposed Development where it is appropriate to do so. This is in accordance with the mitigation hierarchy.

39. The Applicant has designed the proposed Development taking into account operational requirements, environmental sensitivities and landscape constraints. In particular, attention has been paid to the proximity of development to residential receptors. Information on the environmental, landscape and technical constraints has been collected by the EIA team through site surveys, technical studies and consultation, which has been used to review and refine the design of the proposed Development.

40. The location and sensitivity of relevant identified environmental receptors have been mapped, and appropriate buffers agreed between the technical specialists and project engineers, which has resulted in the design for the proposed Development for which consent is sought. This approach has ensured the proposed Development would avoid the most sensitive environmental areas and significantly reduce potential impacts through design-based mitigation.

2.5. The Proposed Development

41. The details of the proposed Development are set out in Chapter 5 of the EIA Report. **Figure 2** provides details of the proposed Development. The following summarises the key elements of the proposed Development.

42. The proposed Development includes the following infrastructure:

- 23 turbines and ancillary infrastructure (7 of which would have a maximum tip height of 200 meters (m), 9 with a maximum tip height of 180 m, and 7 with a maximum tip height of 150 m.):
- Turbine foundations and hardstanding's;
- External transformer housing;
- Crane pads;
- Access tracks (circa 21 km new and 7 km upgraded);
- Underground electricity cables;
- Temporary borrow pits;
- Temporary construction and storage compounds with ancillary infrastructure;
- Site signage and snow poles;
- Onsite substation, storage building and control building; and
- Waste water and drainage attenuation measures (as required).

43. No felling is required as part of the proposed Development.

44. For the avoidance of doubt **Table 2.3** sets out the maximum turbine tip heights for which consent is sought.

Table 2.3 Summary of Maximum Turbine Heights

Maximum Tip Height	Turbines
150 m	T3, T4, T6, T7, T8, T12, and 16,
180 m	T1, T2, T9, T11, T13, T14, T15, T17 and T18
200 m	T5, T10, T19, T20, T21, T22 and T23

45. The proposed Development would be split across two phases. There would be a period of up to eight years between Phase 1 and Phase 2. The phases would be as follows:

- Phase 1 would begin following the decommissioning of HH and would involve the construction of 15 new turbines, T1 to T15.
- Phase 2 of the proposed Development would follow the decommissioning of the HHE and would involve the construction of the remaining 8 turbines, T16 to T23.

46. This approach means that the potential of the HH and HHE wind turbines can be maximised by allowing them to operate for their consented life spans. This approach has been discussed with the ECU and other consultees including SEPA and NatureScot. The EIA Report technical chapters consider the worst-case scenario in EIA terms as they are relevant to that chapter.

47. It is expected that there would be a period of up to eight years, between the completion of Phase 1 before commencement of Phase 2. Phase 1 has a grid connection of 2031 and phase 2 has a grid connection date of 2037.

2.6. Micrositing

48. Although the layout of the proposed Development has been the subject of detailed consideration in the design process to date, there remains the potential for the precise locations to be altered at the construction stage. A micro-siting allowance of up to 50 m in all directions is being sought in respect of all turbines. Movement of infrastructure will be dependent on other onsite constraints and subject to advice from an Environmental Clerk of Works (ECoW). It is expected that this micro-siting allowance will be the subject of a planning condition. This allowance will ensure that the final position of the turbines and associated infrastructure are not varied to such a degree as to cause a notable change in the predicted environmental effects outlined in the EIA Report.

2.7. Access

49. The proposed Development would be accessed via the current access junction for HHW, which is located on the A76.

50. Turbine delivery would take begin at the port of entry at St George Docks, Glasgow and take the preferred route south to the M77. From the M77, the route would join the A76 towards New Cumnock and leave the public road that existing HHW access junction.

2.8. Grid Connection

51. The proposed Development intends to make use of the local transmission network capacity. The connection to the 132/22 KV transmission line would be to Glenmuckloch Substation, approximately 4 km north of the proposed site. Connection to the Glenmuckloch Substation would be assessed in detail as part of a separate application submitted by the network operators.

52. Phase 1 has a grid connection date of 2031 and phase 2 has a grid connection date of 2037.

2.9. Lifetime of the Proposed Development

53. Consent is being sought for the proposed Development with a lifetime of 50 years from the completion of commissioning to the commencement of decommissioning. After 50 years it is the intention that the infrastructure on site would be decommissioned. For the avoidance of doubt Phase 1 and Phase 2 would be decommissioned at the same time: 50 years from the commissioning of Phase 1.

54. The Decommissioning Plan will be expected to adhere to the environmental regulations and technological standards in place at the time. The Decommissioning Plan will detail matters including safety and environmental protocols.

2.10. Socio-economic Benefits

55. The Socio-economics. Tourism and Recreation Assessment set out the socio-economic benefits which are associated with the proposed Development. The information is contained in Socio-economics. Tourism and Recreation Assessment is summarised in the following text.

2.10.1. Employment

56. The Socio-economics. Tourism and Recreation Assessment advises that the proposed Development could generate 174 years of employment in East Ayrshire and Dumfries and Galloway; and 547 years of employment across Scotland during development and construction. It could generate a further 10 jobs and in East Ayrshire and Dumfries and Galloway; and 29 across Scotland in its operational phase.

2.10.2. Economic Impact

57. The Socio-economics. Tourism and Recreation Assessment advises that the proposed Development could generate £16.5 million Gross Value Added (GVA) in East Ayrshire and Dumfries and Galloway; and £48.5 million GVA across Scotland during development and construction. It could generate a further £1.7 million GVA and in East Ayrshire and Dumfries and Galloway; and £3.7 million GVA across Scotland in its operational phase.

58. The proposed Development will also contribute to public finances through the payment of non-domestic rates, which, the Socio-economics. Tourism and Recreation Assessment advises, could amount to approximately £1.6 million annually, or £62.4 million over a 40-year operational lifetime. This will support the funding of local public services in the context of challenging public sector finances.

2.10.3. Community Benefit

59. The Applicant has established a dedicated Workforce Planning team to assess the skills required for key roles and develop a strategy to ensure sufficient talent is available to support its onshore wind projects. The company actively engages with industry and government partners, contributing to initiatives such as the Onshore Wind Sector Deal Skills Report and participating in networks like the COP26 Net Zero Pact.

60. One of the most impactful ways the Applicant supports community wealth building is through investment in education and skills development, particularly in partnership with local institutions. Their STEM outreach programme, delivered through internal teams and external partnerships with organisations such as DGC and Skills Development Scotland, aligns closely with both industry and community objectives.

61. In 2023/2024 alone, these initiatives reached more than 15,000 students and 100 educators through internal programmes, and over 36,000 students and 1,000 educators through external collaborations. The Applicant also sponsored 55 STEM events across the UK, helping to promote diversity and sustainability in STEM education.

62. Details of the work in this regard that have been supported by the Applicant are contained in the Socio-economics. Tourism and Recreation Assessment.

63. To support local ambitions and needs, it has become common practice for onshore wind projects to offer community benefit funding, with Scottish Government guidance suggesting £5,000 per annum per installed MW. The Applicant is committed to offering this level of community benefit funding. This level of funding would generate around £0.7 million every year for the local economy, equivalent to £26.0 million (not including indexation) over the lifetime of the proposed Development.

64. To date, the Applicant's operational onshore windfarms have contributed over £70 million to communities across the UK. Of this, over £18.9 million has supported community-led initiatives in Dumfries and Galloway, and £11.2 million has been invested into communities in East Ayrshire. The proposed Development will add to this.

2.11. Mitigation

65. The proposed Development includes mitigation. This is set out in the EIA Report in so far as it is relevant to the technical specialism of each specialist topic chapter. Chapter 15 of the EIA Report summarises all of the mitigation which forms part of the proposed Development.

66. Where required, mitigation would be secured by planning conditions. Mitigation measures are separate to good practice measures and embedded design measures which are also detailed in the technical chapters. Key elements of mitigation, expected to be secured by planning conditions include the following:

- A Decommissioning and Construction Environnemental Management Plan (DCEMP);
- A Pollution Prevention Plan;
- Construction Traffic Management Plan (CTMP);
- Habitat Management Plan (HMP)
- Species Protection Plan(s) (SPP);
- Environmental Management Plan (EMP); and
- Employment of an Environmental Clerk of Works (ECoW).

67. The provision of aviation lighting is a legal requirement under Article 222 of the Air navigation Order 2016 unless the Civil Aviation Authority (CAA) dictate otherwise. An Aviation Lighting Plan has been submitted to the CAA for their agreement, a response is awaited. The EIA has been based on the worst case which assumes all turbines would be lit.

2.12. Enhancement

68. The Applicant is committed to enhancing the ecological value of the Site and has taken the opportunity to provide not only compensation, but larger scale enhancement to provide wider benefits for nature and biodiversity. As part of the proposed Development, an Outline Habitat Management Plan (OHMP) (EIA Report Technical Appendix 7.4) has

been prepared. It is expected that any consent will have a condition requiring the preparation, agreement and implementation of a Habitat Management Plan (HMP). The OHMP will be the basis for the HMP.

69. The OHMP aims to implement positive land management for the benefit of biodiversity and nature conservation to compensate any adverse impacts that the windfarm may have in addition to compensating for any adverse impacts. The focus of the measures is the restoration of degraded blanket bog.

70. The OHMP includes proposals for the restoration of 497.7 hectares of degraded blanket bog habitat. This compensates for the direct loss of 20.8 hectares of blanket bog and degraded blanket bog that is estimated to be lost to the proposed Development and provides significant enhancement by providing the required 1:10 ratio plus 10% for enhancement associated with direct loss of habitat and the 1:9 ratio, plus 10% for enhancement, associated with areas undergoing permanent change thresholds specified within the current NatureScot peatland guidance.

71. Chapter 7 of the EIA Report advises that the restoration will focus on drain blocking to rewet drained areas of peatland as well as peat hag reprofiling and surface bunding.

72. The methods which will be used to restore the identified peatland are dependent on a number of factors, including peat depth, topography, and extent of degradation/ modification. It is proposed that specific methods to be employed will be decided and agreed with consultees post-consent, through a planning condition. Approximately 160 hectares has been identified within the site which will be suitable for peatland restoration, which will contribute to the 497.71 ha of compensation and enhancement of bog habitat. The remaining bog habitat compensation and enhancement, which will be approximately 337.7 hectares, will be located outside of the application boundary. The OHMP advises that the location of such an area will be determined post consent.

2.13. Carbon Saving

73. Chapter 14 of the EIA Report advises that during the operational period for the proposed Development there is the greatest potential for GHG savings as construction activities will have ceased and the turbines will be generating zero-carbon electricity. EIA Report **Table 14.4** provides the windfarm emissions savings compared to other electricity generation sources. The findings of the assessment are set out in **Table 2.3**.

Table 2.3 Estimated annual emissions savings against fossil fuel and grid mix energy generation

	GHG Savings (tCO2e)		
Energy Generation Source	**Expected savings Value**	**Minimum Savings Value**	**Maximum Savings Value**
Coal Fired	305,311	211,787	427,271
Grid Mix	49,912	36,434	78,020
Fossil Fuel	127,553	93,109	179,731

74. The EIA Report, Chapter 14 advises that the emission payback period of a windfarm provides an estimate of how many years it would take that windfarm to produce enough

electricity, in comparison to other generation sources, to match the emissions caused by the development. Table 2.4 sets out the findings of the calculations.

Table 2.4 Estimated annual emissions savings against fossil fuel and grid mix energy generation

	Carbon Payback Time (Years)		
Energy Generation Source	**Expected Value**	**Minimum Value**	**Maximum Value**
Coal Fired	1.1	0.43	3.3
Grid Mix	6.7	1.8	19.2
Fossil Fuel	2.6	0.8	7.5

3. Legislative Framework

75. The following text sets out the statutory framework with respect to the 1989 Act and the EIA Regulations and the proposed Development.

3.1. The Electricity Act 1989

76. The Applicant is a licensed electricity generator in terms of the 1989 Act. As a consequence of this, the Applicant is obliged when formulating relevant proposals to have regard to the duties imposed upon it by Schedule 9(3)(1)(a). In formulating proposals the Applicant shall *have "regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features or special interest in protecting sites, buildings and objects of architectural, historic or archaeological interest."* In terms of sub-paragraph (b), the Applicant is under a duty to do what it reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects. In addition, Schedule 9 also imposes duties to avoid impact on fisheries and fish.

77. The Applicant has fulfilled all these duties by undertaking the project formulation as reported in the EIA Report accompanying the application. The EIA process encompasses consideration of all the matters set out in Schedule 9(3)(1)(a) and 9(3)(3). Indeed, the EIA process has a broader topic range than that contained in the sub-paragraph. Furthermore, where significant effects are found as part of the EIA process, appropriate mitigation is proposed. The EIA Report accompanying the Application sets out in detail how the Applicant has approached the design of the scheme and how very careful consideration has been given throughout that process to the matters that are listed in sub-paragraph (1)(a) and (3). In the circumstances, the Applicant has fulfilled the statutory requirements of Schedule 9.

78. In addition, Schedule 9 imposes duties upon the Scottish Ministers when determining Section 36 applications. They are obliged to have regard to desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) and must also have regard to the extent to which the Applicant has complied with their duties to mitigate any effects on those resources. Again, the Scottish Ministers can be satisfied that the EIA process has been undertaken appropriately and addresses these matters comprehensively.

79. In terms of determinations under Section 36, there are no specific statutory presumptions that apply. As identified above, there are considerations which have to be taken into account and dealt with both in terms of Schedule 9 and under the EIA Regulations. In that context, Section 36 decision making incorporates consideration of a wide policy framework which will include elements of National Energy Policy, National Planning Policy and Guidance. The Development Plan does not enjoy primacy in consideration of a Section 36 application as it would for a planning application. The Development Plan is a relevant consideration in the decision-making process and weight may be given to it by the decision-makers as they consider appropriate.

80. The EIA Report demonstrates the Applicant's compliance with the requirements both set out in Schedule 9 and in terms of the EIA Regulations.

3.1.1. Pre-Application Consultation

81. Under Sections 36 and 37 of the 1989 Act, the carrying out of pre-application consultation with the public is considered good practice and applicants are encouraged to have meaningful engagement at the earliest possible stage with any communities or groups who would be affected by the proposed Development.

82. The Energy Consents Unit Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 sets out minimum expectations for public consultation. These minimum expectations have been met and include:

- Pre application consultation with the three community council areas in the immediate vicinity of the proposed Development. These are New Cumnock Community Council, Kirkconnel and Kelloholm Community Council and the Royal Burgh of Sanquhar and District.
- Two rounds of in Public Information Days in April and September 2024. The public events gave members of the public the opportunity to make comments to the Applicant in relation to the proposed Development. These events took place in Kirkconnel and New Cumnock.
- Regular meetings with as many local stakeholders as possible. This has included engaging with individuals and local community groups and stakeholder organisations including, 9CC Group (a community group made up of nine communities in Cumnock and Doon Valley area), and New Cumnock Development Trust.

83. The Application is accompanied by a Pre-Application Consultation (PAC) Report which sets out the consultation undertaken, any commentary received on the proposed Development and how this has been responded to by the proposed Development.

3.2. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

84. The proposed Development does not fall within the definition of Schedule 1 development included in the EIA Regulations.

85. The proposed Development does fall within Schedule 2 of the EIA Regulations. An EIA Scoping Opinion was requested by the Applicant in November 2023, in accordance with Regulation 12 of the EIA Regulations. Having consulted the relevant consultees, the Scottish Government's Energy Consents Unit (ECU) provided a Scoping Opinion in May 2024.

86. The EIA Regulations impose duties upon the Scottish Ministers in the context of their decision making. The Ministers have to assess whether the information that has been provided is adequate and if necessary, request further information. In terms of decision making, Regulation 21 sets out an extensive list of matters which the Scottish Ministers have to undertake during the decision making process. The list includes reference to the obligations of the Scottish Ministers in terms of Regulation 4 to examine the information (Regulation 4(1)(c)) and also to reach a reasoned conclusion on the significant effects of the proposed Development on the environment (Regulation 4(1)(d)).

3.3. Summary

87. The EIA Report demonstrates the Applicant's compliance with the requirements both set out in Schedule 9 and also in terms of the EIA Regulations.

4. Climate Change, Renewable Energy and Climate Emergency Policy Framework

4.1. Introduction

88. The proposed Development is the subject of an application under Section 36 of the 1989 Act, therefore, it must be recognised that it is progressed in an environment where the need for renewable energy is becoming increasingly important in addressing important global issues associated with climate change and energy supply. The framework of international agreements, legally binding targets and renewable energy policy is the foundation upon which national (UK and Scottish) energy policy is based.

89. The context set out in this PRES is a relevant consideration in the determination of the Application. It is a consideration which should attract significant weight in the decision-making balance. This framework is well known, and the most recent and pertinent matters are summarised in this chapter of the PRES.

4.2. The Climate Emergency

90. In May 2019, the Scottish Government declared a climate emergency. At the same time, in Westminster, the Environment Secretary acknowledged a climate change emergency. Details of the climate emergency are set out in Appendix 1.

91. EAC published a Climate Change Strategy in 2021. This document recognises the global climate emergency and identifies it as a collective problem for the current era. It advises that EAC are aiming to become a net zero council by 2030. In March 2024, DGC updated it climate strategy to include new net zero targets. Specifically, this seeks to achieve carbon neutrality (Council Operations) by 2033 and support the region in reaching net zero targets by 2040, strengthening the ambition to be carbon negative by 2045.

92. DGC declared a climate emergency in June 2019. They have identified organisational and regional targets as follows:

Organisational emissions targets

- make a 75% reduction in carbon emissions by 2027 (from 2008/09 baseline) – already achieved 63% reduction by 2022/23;
- make a 90% reduction in carbon emissions by 2031; and
- become a carbon neutral organisation by 2033.

Regional emissions targets

- become a net zero region on or before 2040; and

- transition to a carbon negative region by 2045 to align with the wider aspiration outlined by South of Scotland Enterprise.

4.3. Renewable Energy Policy and Legislation

93. The UK and Scottish Governments have developed a suite of comprehensive policies which are supportive of renewable energy including onshore wind. The following documents are considered to be the most relevant to the consideration of the Application:

    - The Scottish Energy Strategy 2017;
    - Scottish Energy Strategy Position Statement (March 2021);
    - UK Government Net Zero Strategy (October 2021);
    - The Scottish Onshore Wind Energy Policy Statement 2022;
    - The Energy Act 2023;
    - The Draft Energy Strategy and Just Transition Plan 2023 (DES&JTP);
    - Green Industrial Strategy (September 2024);
    - The UK Government Clean Power 2030 Action Plan;
    - The Scottish Government Programme for Government 2025-26; ;
    - The Onshore Wind Taskforce Strategy 2025;
    - Scotland's Draft Climate Change Plan 2026-2040.
    - Overarching National Planning Statement for energy EN-1 (November 2025); and
    - National Policy Statement for renewable energy infrastructure – EN3 (November 2025).

94. The key parts of these documents are considered in the following text and in Appendix 1.

4.3.1. The UK Policy and Legislation

95. Since coming to power in July 2024 the new UK government have been clear on their aspiration for renewable energy. The Labour Party Manifesto used during the recent election was clear that the Labour Party has *"a national mission for clean power by 2030"* and it explicitly states that this is achievable *"and should be prioritised*". The Manifesto was clear that the Labour Party saw the clean energy transition as having real potential to generate economic growth and tackle the cost-of-living crisis. This objective is set out as Labour's *"second mission"* for the UK.

96. The Energy Secretary, Edward Miliband, has announced a number of Task Forces, including an Onshore Wind Task Force, in order to accelerate the delivery of clean power to help the UK reach its 2050 targets. The UK Government in the last few months have announced a number of consents for solar farms and energy transmission connections. It proposed a Green Prosperity Plan, including the establishment of GB Energy (GBE), a National Wealth Fund and the upgrade of homes for energy efficiency.

UK Government Clean Power 2030 Action Plan (2024)

97. In December 2024 the UK government published the UK Government Clean Power 2030 Action Plan which sets out a detailed plan for achieving the target of clean power by 2030. The plan sets out bold measures to get more homegrown clean power to people. These measures include cleaning up the grid system by prioritising the most important projects and ending the 'first-come-first served' system; speeding up decisions on planning permission by empowering planners to prioritise critical energy infrastructure in England; and expanding the renewable auction process to stop delays and get more projects connected.

98. The foreword states that "*This plan will provide the foundation for the UK to build an energy system that can bring down bills for households and businesses for good. And it is also about creating the sort of country that we know people want to see - reindustrialising our heartlands with good jobs and tackling the climate crisis.*"

99. It goes on to state:

    "Ultimately, we need to move fast and build things to deliver the once-in-a-generation upgrade of our energy infrastructure Britain needs. In our first five months, we've already lifted the onshore wind ban, established Great British Energy, consented almost 2 GW of solar, delivered a record-breaking renewables auction, and kickstarted our carbon capture and hydrogen industries. This is the speed at which we will continue to work.

    As the Prime Minister has made clear, clean power is an urgent priority for our country. The clean power sprint is the national security, economic security, and climate justice fight of our time - and this plan gives us the tools we need to win this fight for the British people."

100. There is also a clear that there is commitment to speeding up the deployment of large-scale renewable energy developments, including onshore wind. The document states: *"In Scotland, work is underway to secure the pipeline of future planners and increase skills and capacity within planning authorities. We are working closely with the Scottish Government on reform to deliver a streamlined and efficient legislative framework for electricity infrastructure consenting."*

The Onshore Wind Taskforce Strategy 2025

101. The Department of Energy Security and Net Zero (DESNZ) published the Onshore Wind Taskforce Strategy in July 2025. This sets in excess of 40 actions which are designed to remove blockers to the development of onshore wind across the UK.

102. The Forward to the Onshore Wind Taskforce Strategy contains a statement from the Head of Clean Power 2023 which includes the following (inter alia):

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

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

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

103. The Onshore Wind Taskforce Strategy emphasises the potential for significant economic opportunity which is associated with the development of onshore wind. It advises that in meeting the onshore wind 2030 targets together with the actions within the Strategy, onshore wind could deliver up to 45,000 direct and indirect jobs in Great Britain and result in £70 million per year of extra investment in communities.

Overarching National Planning Statement for energy EN-1 and National Policy Statement for renewable energy infrastructure – EN3

104. In November 2025 EN-1 and EN-3 were laid before the UK Government for a 21 day consideration period after which they will be published. While not directly relevant to projects in Scotland it is important to note that they, and in particular EN-1 build upon the UK Government Clean Power 2030 Action Plan. EN-1 is clear that the UK Government has concluded that there is an urgent need for new major renewable energy infrastructure. EN-3 is clear that *"onshore wind farms are one of the most established renewable electricity technologies in the UK. It is a mature, efficient and low cost generating technology that plays an important role in the UK's energy mix"*.

4.3.2. Scottish Policy

105. Tackling climate change is a devolved matter and therefore the Scottish Government has a responsibility to set policy to ensure compliance with targets set at EU and UK level. The Scottish Government are responsible for their climate change and planning policy. The following text sets out the current Scottish policy relevant to the consideration of the Application.

106. In December 2017, the Scottish Government published The Scottish Energy Strategy 'The Future of Energy in Scotland'. At the time, this policy document along with one relating specifically to onshore windfarms, represented the Scottish Government's intended energy and climate change strategy for the period to 2050. In 2021 the Scottish Government published the Scotland Energy Strategy Position Statement and in January 2023 the Scottish Government published the Scottish Energy Strategy and Just Transition Plan. Further information in respect of these documents is contained in Appendix 1.

107. The Onshore Wind Policy Statement (OWPS) was published in 2022 and this considers repowering of sites specifically. It advises that repowering can take many forms and that such repowering is supported by the Scottish Government.

108. It notes that according to a survey conducted by RenewableUK, repowering has garnered significant support in Scotland, with 74% of people supporting the replacement of old turbines with new ones, once they reach the end of their lifespan. Additionally, 67% of people support installing modern, taller turbines in order to generate more power.

109. The OWPS notes that repowering with larger turbines requires significantly fewer turbines to generate more power. It notes that other opportunities of repowering *include "maximising land use through ecosystem enhancement and restoration (e.g., forestry/peatland), re-using existing infrastructure and increasing economic benefits to the local community."*

110. The OWPS advises that although the planning system is supportive of repowering in principle applications for the repowering of existing windfarms will be considered on a case by case basis taking account of the relevant local and national planning policy.

111. The Scottish Government has recently published Scotland's Draft Climate Change Plan 2026-2040 for consultation. The document sets out the policies and proposals of the Scottish Government which will be used to enable carbon budgets to be met between 2029 and 2040. The introduction advises that the Draft Climate Chane Plan 2026-2040 builds upon the Programme for Government 2025-2026 and will *"promote and develop renewable energy, creating jobs and developing skills within the industry."*

4.3.3. Summary

112. The international, UK and Scottish contexts set a framework of ambitious targets associated with climate change including those for renewable energy and Net Zero emissions. If these targets are to be met, and the economy is to decarbonise, then the need for generation of renewable energy is critical, without renewable energy it will not be possible to achieve the targets.

113. Scotland offers the potential for renewable energy opportunities which can be home grown and provide economic benefits which can help to ensure that the Scottish economy becomes more resilient and less reliant on traditional carbon-based fuels. Renewable energy developments, such as the proposed Development, have the ability to play a leading role in this.

114. The proposed Development offers an opportunity to contribute valuable renewable energy management which is assisting Scotland in addressing the climate change emergency in a relatively short timeframe, and in a key decade for Scotland to address climate change.

4.4. Renewable Energy Targets

115. This section of the PRES, and Appendix 1, outline the renewable energy targets set in law for both the UK and Scottish Governments, and sets out the progress towards the targets in Scotland.

116. The UK and Scottish Governments have set very clear and ambitious legally binding targets for renewable energy and GHG emissions. These targets, and progress against these targets, are important relevant considerations in the decision-making process for the Application.

117. The proposed Development could make an important contribution to renewable energy targets, in particular it could assist in meeting targets beyond 2030.

118. As this is a project in Scotland it will contribute to the Scottish targets first and foremost, however it will also contribute to the UK targets and so those are also considered to be relevant.

4.4.1. UK Energy Targets

119. The current Government has been very clear on its ambition for homegrown clean energy projects to boost the UK's energy security. One of the five national missions of the Labour Party is *"to make Britain a clean energy superpower with zero carbon electricity by 2030, and accelerating our journey to net zero"*.

120. An early move by the new government has been to increase funding for the energy auction (the Contracts for Difference) process and in September 2024 this delivered support for a wide variety of renewable energy projects.

121. The Government have set up a task force, a mission control and a number of working groups looking to deliver green energy across the UK.

122. The Climate Change Act 2008 (the 2008 Act) became law on 26th November 2008. Scotland is a partner in delivering the UK emissions reduction target set out in the 2008 Act.

123. The 2008 Act was amended in 2019 by the Climate Change Act 2008 (2050 Target Amendment) Order 2019 to include revised targets. These included a reduction in GHGs of at least 100% from 1990 levels by 2050. The key aims were not altered.

4.4.2. Scottish Energy Targets

124. The Climate Change (Scotland) Act 2009 set a target to reduce Scotland's emissions of all GHG to net-zero by 2045 at the latest.

125. The target of net-zero emissions by 2045, five years ahead of the UK, is, the Scottish Government state, firmly based on what the independent Climate Change Committee (CCC) advice is the limit of what can currently be achieved. Progress towards the targets is measured against 1990 levels of carbon dioxide, methane and nitrous oxide and 1995 levels of hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and nitrogen trifluoride.

126. The Climate Change (Emissions Reduction Targets) Scotland Act 2024 amended the 2009 Act, to remove annual emission reduction targets, and introduced limits on the amount of GHG emitted in Scotland over five-year budget periods. The approach, which is based on recommendations from the independent CCC, aims to provide a reliable framework for GHG emissions reduction.

127. The legislation requires carbon budgets to be set through secondary legislation based on the expert advice from the CCC. These budgets are not yet set. The Climate Change (Emissions Reduction Targets) Scotland Act 2024 altered the deadline to finalise the next Climate Change Plan for Scotland so that it aligns with the process for setting the new carbon budgets.

128. In May 2025 the CCC set out their advice to the Scottish Government on the level of Scotland's four carbon budgets covering the period between 2026 and 2045. They recommended as follows:

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

129. At the same time as providing this suggested approach the CCC advised that *"Delivering these budgets will have a net cost of around 0.4% of Scotland's GDP per year but will come with significant wider economic benefits for Scotland. These include savings to the economy and households from using more efficient, electric technologies"*

130. The CCC advised that their pathway for Scotland would see on and offshore triple in capacity from 15 GW in 2023 to 49 GW in 2035, and 66 GW by 2045.

131. In response to the advice of the CCC The Scottish Government published Scotland's Draft Climate Change Plan 2026-2040. This document contains carbon budgets which set a target for an average level of emissions reduction for Scotland over each five-year period, as recommended by the CCC. Each carbon budget level refers to an average reduction in emissions over a five year period from the 1990 baseline and run in parallel with Scotland's target of net zero emissions by 2045.

4.5. Progress Towards Scottish Renewable Energy Targets

132. The electricity sector has been a focus for change in climate change policy and the Scottish Government had a long-standing target to generate the equivalent of 100% of gross energy consumption in Scotland from renewable sources by 2020. This is a target that was not achieved.

133. The Scottish Energy Strategy 2017 (SES) contained a target for 50% energy from renewable sources by 2030 which it advised may require in the region of 17 GW of installed renewables capacity by 2030 (SES page 34). This is considered to be a less ambitious target than more recent targets, the most up to date of which is contained in the OWPS. The OWPS target of 20 GW of onshore wind by 2030 is considered to be the most relevant policy target for the proposed Development.

134. Figures released in the Energy Statistics for Scotland (September 2025) show that as of the end of June 2025, there is 17.7 GW of renewable electricity capacity in Scotland. It shows that as of the same time there was an estimated 76.5 GW of renewable electricity

generation projects in the planning pipeline. These figures include all forms of renewable energy.

135. Figure 4.1 is an extract from the Energy Statistics for Scotland Q2 2025 figures which clearly shows the position in respect of different generating technologies.

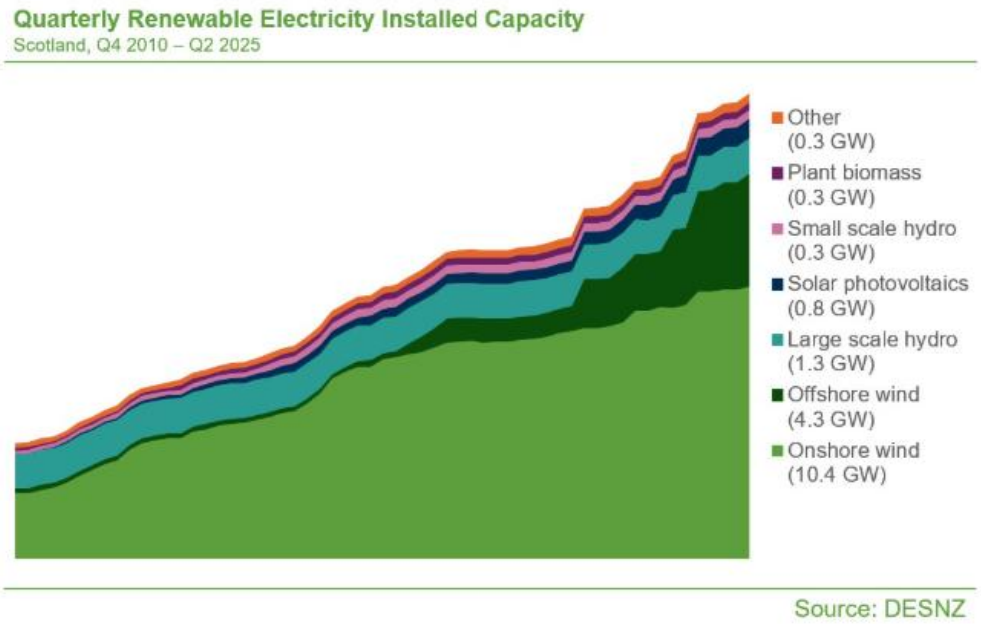


Figure 4.1: Latest Operational Renewable Capacity

Source: energy statistics for Scotland – Q2 2025 – www.gov.scot

4.6. Progress Towards Onshore Wind Targets

136. The OWPS sets a target of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030. At that time, it advised that Scotland had 8.7 GW of installed onshore wind capacity. Figure 4.1 shows that this figure has increased to 10.4 GW by the end of June 2025. This is an increase of 1.7 GW in two and a half years.

137. Based on the progress in the last two years Scotland will not meet its ambition of 20 GW operation capacity from onshore wind by 2030. 1.7 GW in 30 Months is not quick enough. The challenge of moving from the current situation of just over 10 GW to 20 GW of installed capacity for onshore wind just over 5 years is clear.

138. The OWPS advised that in 2022 there was some 5.53 GW of potential capacity which is in planning or consenting and 1.17 GW under construction. The most recent energy statics advise that these figures are now 1.7 GW under construction, 5.9 GW awaiting construction and 9.4 GW in the planning pipeline.

139. It must be remembered that not all of the schemes in 9.4 GW of potential capacity will be consented and not all of the projects consented will be constructed for a variety of reasons including the fact that some projects are no longer viable and not all will have grid connection dates before 2030 to name but a few reasons.

4.7. Proposed Development Contribution to Targets and National Policy Objectives

140. The proposed turbines would have a generating capacity in the region of 130 MW. The proposed Development would provide a flexible balance of fully renewable electricity to meet the demands of the National Grid.

141. The proposed turbines seek to optimise the energy return by implementing infrastructure with a higher rated energy capacity. Such equipment can only achieve their predicted energy capacity by accommodating a larger rotor (swept area) and, consequently, higher turbine heights. However, the optimisation of the turbines has only been possible through a thorough assessment of the proposed Development on the environmental impacts and constraints.

142. In the case of Lethans Extension Wind Farm (ECU reference 00002221) the Scottish Minster's decision letter stated that: *"The Scottish Ministers are satisfied that the proposed Development will provide a contribution to renewable energy targets and carbon savings in support of the ambitions of the SES and OWPS".* Lethans is a development with an installed capacity of approximately 60 MW.

143. In the case of Hollandmey Renewable Energy Development (ECU Reference 00003353) the Scottish Minsters advised *"that the proposed Development would provide a positive contribution towards meeting Scottish Government targets".* Hollandmey Renewable Energy Development has an anticipated generating capacity of 65 MW.

144. The proposed Development would contribute approximately double the generating capacity of Lethans Extension Wind Farm or Hollandmey Renewable Energy Development to the energy targets. The contribution of the proposed Development to renewable energy targets should be seen as positive in the decision making process.

4.8. Conclusion

145. The international, UK and Scottish contexts set a framework of ambitious targets associated with climate change including those for renewable energy and Net Zero emissions. If these targets are to be met, and the economy is to decarbonise, then the need for generation of renewable energy is critical, without renewable energy it will not be possible to achieve the targets.

146. Scotland offers the potential for renewable energy opportunities which can be home grown and provide economic benefits which can help to ensure that the Scottish economy becomes more resilient and less reliant on traditional carbon-based fuels. Renewable energy developments, such as the proposed Development, has the ability to play a leading role in this.

147. In the recent decision letter in respect of Craiginmoddie Wind farm (ECU reference 00002196) which has a generating capacity of 99.4 MW the Scottish Minsters are clear that *"the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remains a priority for Scottish Ministers. Scotland's renewable energy and climate change targets, 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. This is a matter which should be afforded significant weight in favour of the proposed Development."

148. In the cases of Knockcronal Wind Farm (ECU refence 00002181) which has a generating capacity of 59.4 MW, Uisenis (ECU ref 00004568) which has a generating capacity of 165 MW and Sandy Knowe Extension (ECU reference 0003274) with a generating capacity 50 MW the Scottish Minsters made similar statements recognising the seriousness of climate change and the importance which the Scottish Ministers attach to addressing it.

149. The proposed Development gains tangible support from the renewable energy legislation and policy framework. This should attract significant weight in the decision making process.

150. The evidence is clear that in the early stages of these challenging targets, Scotland is not achieving what is required to reach the overall Net Zero target. We need to do more. It is understood that renewable energy production is not the sole answer to this, but it is part of the solution, and the proposed Development provides a way to contribute to the targets being met. The targets as they ramp up will become increasingly challenging to meet if the early targets are not fulfilled.

151. The proposed wind turbines would have a generating capacity in the region of 130 MW, which would make an important contribution to Scottish Government targets on renewable energy and carbon emission reductions.

152. The proposed Development offers an opportunity to contribute valuable renewable energy generation and management which would assist Scotland in addressing the climate change emergency in a relatively short timeframe, and in a key decade for Scotland to address climate change.

5. Planning Policy and Guidance

153. This chapter of the PRES sets out details of the relevant planning policy when considering the application for the proposed Development. It first considers the Development Plan and then other relevant Scottish Planning Guidance. This chapter does not provide an assessment against the policies, rather it identifies the policy, which the proposed Development is then assessed against in Chapter 6.

154. The Development Plan comprises the NPF4 and the Local Development Plan. The Local Development Plan in this case comprises:

- East Ayrshire Local Development Plan 2 2024 (EALDP).
- Dumfries and Galloway Local Development Plan 2 2019 (DGLDP).

155. Where the Local Development Plan has been adopted following the adoption and publication of NPF4, as is the case in the situation of the EALDP, the legislation (the 1997 Act section 24(3)) is clear that in the event of any incompatibility between a provision of NPF4 and a provision of the Local Development Plan the provision of Local Development Plan is to prevail. In the case of the DGLDP the provisions of NPF4 prevail as the more recent document. In the case of the EALDP the provisions of EALDP prevail as the more recent document.

5.1. National Planning Framework 4

156. NPF4 was laid before the Scottish Parliament on the 8th November 2022 for approval. NPF4 received final approval from the Scottish Parliament on the 11th January 2023 and was adopted by the Scottish Ministers on the 13th February 2023.

157. In the context of the proposed Development, which is subject to an application submitted under Section 36 of the Electricity Act 1989, the Development Plan does not have primacy (as explained in Chapter 3 of this PRES). That said, the weight to be attached to NPF4 as a material consideration is considered to be substantial given its recent approval by the Scottish Parliament, its detailed focus on renewables and other relevant topics, and given its recent adoption.

5.1.1. NPF4 Part 1: A National Spatial Strategy for Scotland 2045

158. NPF4 contains a strong and clear spatial strategy, it is clear on the weight that should be given to addressing the climate emergency and nature crisis when assessing applications. In the case of Clashindarroch II (ECU reference 00002002) the first inquiry into the proposed development was held prior to the addition of NPF4. Following the inquiry the Reporter recommended that the proposed development be refused consent on landscape and visual grounds. The Inquiry was reopened following the adoption of NPF4 and the Reporter revised her recommendation and recommended that consent be granted for the proposed development. In their decision the Scottish Minsters found that although the proposed development would have a significant landscape and visual effect that development was acceptable. The decision letter states:

"the proposed Development will have significant adverse landscape and visual effects (including some on views from houses and on visitors to Tap o' Noth), however the Scottish Ministers find that these negative impacts on the natural environment are acceptable in the context of the net economic benefits and significant renewable energy benefits, in support of climate change mitigation, that would arise if the proposed Development were deployed."

159. This is clear evidence of the revised balance which is to be struck between the benefits and impacts of renewable energy as a result of NPF4.

160. NPF4 removes the spatial framework for onshore windfarms (Spatial Framework) and replaces it with a strategic spatial strategy which clearly supports onshore wind electricity generation and associated grid infrastructure throughout Scotland. Policy 11 is clear that that windfarms in National Scenic Areas (NSAs) and National Parks will not be supported. Out with these areas, NPF4 states that proposals for all forms of renewable energy, including onshore windfarms *"will be supported"*. Applications will instead only be required to be considered against detailed policy factors.

161. Part 1 of NPF4 sets out the national spatial strategy and regional spatial priorities for different parts of Scotland. There are six spatial principles identified which will influence all plans and decisions, comprising:

- Just transition;
- Conserving and recycling assets;
- Local living;
- Compact urban growth;
- Rebalanced development; and
- Rural revitalisation.

162. Application of these spatial principles will support the planning and 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.

163. The commentary on 'Sustainable Places' is the most relevant section of NPF4 Part 1 to this application. The commentary on page 6 notes the legislative basis for Scotland's net-zero greenhouse gas emissions target by 2045 and notes that *"we must make significant progress towards this by 2030"*.

164. On page 7 it goes on to note that *"every decision on our future development must contribute to make Scotland a more sustainable place"*. There is encouragement for the expansion of renewable energy generation as well as a statement that *"to respond to the global biodiversity crisis, nature recovery must be at the heart of future places"*.

165. Six national developments are identified on page 7 which will help deliver sustainable places, one of which includes 'Strategic Renewable Electricity Generation and Transmission Infrastructure' which *"supports electricity generation and associated grid infrastructure throughout Scotland, providing employment opportunities for community benefit, helping to reduce emissions and improve security of supply"*.

166. Annex B (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"*.

167. It adds that:

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

168. Annex B sets out the Statements of Need for all 18 - National Developments. It explains that these are significant developments of national importance that will help to deliver the Spatial Strategy. It states on 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."*.

169. Page 103 of NPF4 describes National Development 3, stating:

> *"This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.*
>
> *A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.*
>
> *The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions."*.

170. Under the commentary on 'Need', NPF4 states that *"Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy..."*.

171. The location for this National Development 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."

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

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

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

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

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

173. The proposed Development exceeds the 50 MW threshold set for a National Development and would therefore have National Development status.

174. While not every National Development will be granted permission, the fact that the proposed Development falls within this category is an important starting point in any policy assessment. NPF4 clearly recognises the need for these developments which are considered to be of such a scale that they are *"fundamental"* to the achievement of Scotland's net zero emissions targets. When this National Development status is combined with the requirement for decision makers to give *"significant weight"* to the renewable energy benefits of a scheme, a compelling case for granting consent emerges.

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

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

176. It then goes on to note that the nature crisis and the global climate emergency underpin the spatial strategy as a whole within the 'Improving Biodiversity' outcome and policy link.

177. These policy links clarify how NPF4 will help achieve the stated Outcomes through reference to relevant policies and summary commentary on each. The most relevant policies to the proposed Development are discussed later in this statement.

178. Commentary on the National Spatial Strategy in Part 1 of NPF4 is supported by commentary on five Regional Spatial Priorities, each of which will contribute in their own different ways to achievement of the National Spatial Strategy. The proposed Development is located within the 'South Regional Area, shown indicatively in the map on page 35 of NPF4. The priorities note that *"This area is ambitious for positive change in the coming year, and the immediate work to recover from the pandemic will form the basis of a longer term plan to respond to the challenges of climate change and support nature restoration and recovery"*.

179. National Development 3 'Strategic Renewable Energy Generation and Transmission Infrastructure' is identified as one of 18 National Developments that will support delivery of the spatial strategy for the South Region.

5.1.2. NPF4 Part 2: National Planning Policy

180. Part 2 of NPF4 sets out 33 national planning policies, under the headings of:

- Sustainable Places;
- Liveable Places; and
- Productive Places.

181. Most of the policies of relevance to the proposed Development are set out under the Sustainable Places heading, which considers tackling the climate and nature crises. For each policy, NPF4 provides commentary on Policy Intent and Policy Outcomes and then discusses implications of the policy for Local Development Plans. Following the policy wording, NPF4 then sets out statements on Policy Impact and cross references to other Key Policy Connections.

182. In terms of 'Sustainable Places', relevant policies for 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;
- Policy 11: Energy; and
- Policy 22: Flood Risk and Water Management is contained under Liveable Places and is also relevant.

183. These policies are considered in more detail in the following text. The assessment of the proposed Development against each policy is contained in Chapter 6 of this PRES.

Policy 11 – Energy

184. Policy 11 is the most relevant to the proposed Development and is considered to be the lead policy for the consideration of the application. Policy 11's intent is set out as:

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

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

186. The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation which the proposed Development, as a nationally important development, would help further.

187. The following text sets out the elements of the policy which need to be considered in the context of the proposed Development.

Location

188. The first part of Policy 11 states (inter alia):

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

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

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

Socio Economic Benefit

189. NPF4 Policy 11c) details that *"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"*.

National and international Designations

190. NPF4 Policy 11d) advises that development proposals that impact on international or national designations will be assessed in relation to Policy 4.

Impacts to be Addressed

191. Policy 11(e) requires that a proposed development, through its design and mitigation, demonstrates how a number of impacts are addressed by the development. These matters are as follows:

"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".

192. The way in which the proposed Development responds to these matters is set out in Chapter 6 of this PRES.

193. Policy 11, part e) also incorporates a paragraph which is important in considering the acceptability of renewable energy proposals. At the end of part e) there is the following statement, *"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."*

Policy 1 – Tackling the Climate and Nature Crises

194. Policy 1 states significant weight will be given to the global climate and nature crises. The intention of the policy is to *"encourage, promote and facilitate development that addresses the global climate emergency and nature crises". The Policy Outcomes are "Zero carbon, nature positive places."*

195. This policy applies to all forms of development and not just renewable energy proposals. The reference to the need to give 'significant weight' to the global climate and nature crises in this overarching policy aligns with Policy 11 and shows the seriousness with which Ministers are treating these issues. In the Explanatory Report accompanying NPF4, and in response to comments from consultees, it is noted in the table on page 73 that Policy 1 *"gives significant weight to the global climate crisis in order to ensure that it is recognised as a priority in all plans and decisions."*

Policy 3 – Biodiversity

196. The Policy Intent of Policy 3 is *"to protect biodiversity, reverse biodiversity loss, deliver positive benefits from development and strengthen nature networks".* The Policy Outcomes is stated as *"Biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions."*

197. The policy sets out a range of criteria that vary depending upon the scale and type of development proposed. Part (a) applies to all scales of development and states that proposals will contribute to the enhancement of biodiversity including, inter alia, restoring degraded habitats and building and strengthening nature networks and the connections between them.

198. Part (b) relates to national or major development or for development that requires an Environmental Impact Assessment. This part of Policy 3 states that proposals will only be supported where they will conserve, restore and enhance biodiversity *"so that they are in a demonstrably better state than without intervention."* Part (b) continues and sets five criteria that proposals will be expected to meet.

199. Policy 3 does not provide any guidance on how 'significant enhancements' will be considered in the decision making process. The letter from the Chief Planner issued on 08 February 2023 refers to the application of policy where specific supporting guidance for assessment is not available. The document states:

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

200. The Scottish Government published 'Draft Planning Guidance: Biodiversity' in November 2023. Paragraph 1.1 states that it*: "Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity."*

201. The draft guidance makes reference to Scotland's Biodiversity Strategy, which it states sets targets for halting biodiversity loss by 2030 and restoring and regenerating biodiversity by 2045. The guidance states that *"The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver."*

202. The guidance considers development planning and, in terms of development proposals and sets out some 'core principles.' It states that *"Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time."* The principles are as follows:

- *"apply the mitigation hierarchy as defined in the glossary of NPF4;*
- *consider biodiversity from the outset;*
- *provide synergies and connectivity for nature;*
- *integrate nature to deliver multiple benefits;*
- *prioritise on-site enhancement before off-site delivery;*
- *take a place-based and inclusive approach;*
- *ensure long term enhancement is secured; and*
- *additionality."*

203. The draft guidance makes reference to the determination of planning applications. It is clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and the guidance includes the following:

- NPF4 does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be followed.
- Assessments can be qualitative or quantitative (including the use of a metric).
- NatureScot is to develop a biodiversity metric which is suitable for use in supporting the delivery of NPF4 Policy 3 b). Further information will be provided on this work "in due course."
- The absence of a universally adopted Scottish methodology/tool should not be used to delay decision making.
- A flexible approach is required to applications coming forward prior to a methodology being prescribed.
- Relevant, information and evidence gathered for statutory and other assessments including EIA, can be utilised to demonstrate the ways in which the policy tests set out in NPF4 policy 3 have been met.
- Where a developer choses to use an established metric or tool, the submission should define the way in which it has taken account of Scotland's habitats and environmental conditions. In the event that an established metric or tool has been modified, the changes made and the reasons for such changes should be set out.
- It is for a planning authority to determine whether the relevant policy criteria have been met, taking into consideration the circumstances of a proposed development.

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

205. In early 2024 NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'. The document set out work that NatureScot was commissioned by the Scottish Government to develop a biodiversity metric for Scotland's planning system, to support delivery of NPF4 policy 3(b).

206. The consultation did does not suggest solutions or provide conclusions on specific aspects of the Scottish biodiversity metric which is to be developed, while work on developing a Scottish biodiversity metric is ongoing.

207. In online advice dated 20 September 2024 NatureScot advise that:

- *"Development proposals should clearly set out the type and scale of enhancement they will deliver, ensuring that applications clearly distinguish between those elements mitigating or compensating for adverse effects and those delivering enhancement.*
- *Developers should prioritise on-site enhancement before off-site delivery. Where purely on-site enhancement is not possible, the Scottish Government draft guidance sets out further considerations for off-site delivery.*
- *It is also important that applications demonstrate that the enhancement is to be secured within a reasonable timescale and with reasonable certainty, including appropriate management and monitoring arrangements, and sustained for the future (preferably in perpetuity) in order to deliver a lasting legacy.*
- *Information on predicted losses, and the proposed mitigation, compensation and enhancement should be clearly set out, and also concisely summarised, in any application, so that this can be easily understood by decision makers.*
- *Enhancement requires consideration of all biodiversity (including birds and other protected species), not just the significant effects that are the focus of EIA."*

Policy 4 – Natural Places

208. This policy sets the basis for assessing applications that affect European natural heritage designations such as SPAs as well as proposals affecting National Parks and NSAs and also local level natural heritage and landscape designations. The Policy Intent is to *"protect, restore and enhance natural assets making best use of nature-based solutions."*

209. There are two Policy Outcomes, including (i) *"Natural Places are protected and restored"* and (ii) *"Natural assets are managed in a sustainable way that maintains and grows their essential benefits and services."*

210. Part a) of Policy 4 advises that development proposals which would have an unacceptable impact on the natural environment will not be supported.

211. Part f) of Policy 4 is relevant to species protected by legislation. It states:

"Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the

planning and design of development, and potential impacts must be fully considered prior to the determination of any application."

Policy 5 – Soils

212. The Intent of Policy 5 is to *"protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development"*. The Policy Outcomes include *"valued soils are protected and restored."*

213. Part (c)(ii) of the policy notes that proposals for the generation of energy from renewable sources are one of the identified land uses potentially permitted on areas of peatland, carbon-rich soils and priority peatland.

214. Part (d) of this policy notes the requirements for a detailed site-specific assessment to help understand the presence of peat and carbon-rich soils on site and to enable the likely effects of a development proposal on these resources. It continues that this should inform careful project design and that impacts should first be avoided and then minimised through best practice.

Policy 7 – Historic Assets and Places

215. This policy seeks to protect and enhance historic environment assets and places and to enable positive change as a catalyst for the regeneration of places.

Policy 22 – Flood Risk and Water Management

216. The policy seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy 23 – Health and Safety

217. The policy seeks to promote development and in particular only provides policy support to development that will not be detrimental to air quality and will not introduce unacceptable noise issues.

5.1.3. Summary

218. The policy direction contained with NPF4 is clear in its unambiguous support for the expansion of renewable energy of all forms. We are in a global climate emergency and NPF4 leaves us in no uncertainty that significant weight should be applied to National Developments that will contribute to alleviating it.

219. Specifically, Policy 11 of NPF4 supports renewable energy development. It is clear that the Scottish Government expects that the potential of a development to contribute to meeting emissions targets should be afforded significant weight in the decision-making process.

5.2. The Local Development Plan

220. The proposed Development is located within the administrative areas of EAC and DGC therefore both Local Development Plans are relevant.

5.2.1. East Ayrshire Local Development Plan 2 2024

221. EAC adopted the EALDP in April 2024. The EALDP contains general development policies for the whole of the EAC area. The policy contained in the EALDP, in respect of renewable energy, is considered to be relevant to the consideration of the Application.

222. The key EALDP policy for the proposed Development is Policy RE1 – Renewable Energy Developments, which states that:

"Proposals for the generation, storage and utilisation of renewable energy, including proposals for the co-location of these technologies, in the form of new build development, infrastructure or retrofit projects are encouraged and will be supported in standalone locations and as integral parts of new and existing developments, where they are acceptable when assessed against all relevant criteria set out in the Renewable Energy Assessment Criteria table.

The criteria will be considered in terms of the impacts of the development itself and the cumulative impacts arising when the proposed development is considered alongside other developments.

Areas identified for windfarms are expected to be suitable for use in perpetuity.

To maximise renewable energy generation, proposals to re-power or extend existing renewable energy developments will be supported, where they are acceptable when assessed against the Renewable Energy Assessment Criteria table.

All applications for renewable energy proposals should be accompanied by detailed supporting information to allow a detailed assessment to be made against the criteria, both in terms of the impacts of the development itself and the cumulative impacts when considered alongside other developments.

Energy and Electric Vehicle Charging Supplementary Guidance supports the policy, explaining in greater detail the criteria that will be used to assess renewable energy proposals."

223. The Renewable Energy Assessment Criteria is set out in a table which is replicated as **Table 5.1**.

Table 5.1 Renewable Energy Assessment Criteria

Climate change impacts
Scale of contribution to renewable energy targets
Effect on greenhouse gas and carbon emissions
Environmental Impacts
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.
Effects on biodiversity, including impacts on birds, with particular reference to European sites and other national and local designations.
Impacts on the historic environment.
Effects on hydrology, the water environment, flood risk and groundwater dependent terrestrial ecosystems.
Impacts on trees, forests and woodlands.
Community and Economic impacts:
Impacts on public access, including long distance walking and cycling routes and scenic routes.
Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.
Net economic impact, including employment, training and business and supply chain opportunities.
Infrastructure impacts:
Impacts on aviation and defence interests and seismological recording.
Impacts on trunk roads and road traffic, during construction, operation and decommissioning.
Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.
Other impacts: • Cumulative impacts. • Grid capacity should not constrain renewable energy development
Proposals for renewable energy must consider decommissioning and restoration proposals as part of their applications. The need for planning conditions relating to the decommissioning of developments, including ancillary infrastructure, and site

restoration will be considered, as will the need for planning obligations to achieve site restoration.

224. The matters which are raised in Policy RE1 and the Renewable Energy Assessment Criteria are consistent with NPPF 4 in particular Policy 11.

225. The remaining policies of the EALDP2 which are also considered potentially relevant to the proposed Development are set out in Table 5.2.

Table 5.2 East Ayrshire Local Development Plan 2024 Policy Summary

Policy	Policy summary
Policy SS1: Climate Change	Is clear that in considering all development proposals EAC will give significant weight to the Global Climate Emergency.
Policy HE1: Listed Buildings	Seeks to protect Listed Buildings from development which is not sensitive to the Listed Building and its setting.
Policy HE2: Conservation Areas	Seeks to protect Conservation Areas from development which is not sensitive to the Conservation Area and its setting.
Policy HE3: Scheduled Monuments, Historic battlefields and other Archaeological and Historic Environment Assets	Seeks to protect Scheduled Monuments from development which would have an adverse effect on it, or its setting, unless there are exceptional circumstances. Seeks to protect other archaeological features from development which is not sensitive to the asset and its setting.
Policy HE4: Gardens and Designed Landscapes	Seeks to protect Gardens and Designed Landscapes from significant adverse effects as a result of development.
Policy NE1: Protecting and Enhancing Landscape Features	Seeks to protect and enhance East Ayrshires landscape. Sets out requirements of EAC in respect of the consideration of landscape as part of development proposals.
Policy NE2: Development Impacts on Areas of Wild Land	Requires the preparation of wild land impact assessments for proposed development which would impact on the Merrick Wild Land Area

Policy NE3: Local Landscape Area	Sets out the requirements for applications for proposed developments within defined Local Landscape Areas.
Policy NE4: Nature Crisis	Seeks to protect biodiversity and ensure requires that applications which are the subject of an EIA demonstrate how the proposal will conserve, restore and enhance biodiversity.
Policy NE5: Protection of Areas of Nature Conservation Interest	Contains a presumption against development which would effect areas which are internationally and nationally designated for nature conservation. Applies the approach of the precautionary principle to impacts of a proposed development on internationally and nationally designated natural resources. Contains requirements in respect of locally nature conservation designed areas.
Policy NE6: Vulnerable, Threatened and Protected Species	Seeks to protect protected species from unacceptable adverse impacts as a result of proposed development.
Policy NE11: Soils	Identifies the important role of carbon rich soils and priority peatlands. Supports the restoration of peatland habitats. Contains a presumption against development within Class 1,2 and 5 peatland, deep peat and other carbon rich soils unless it is essential for a number of specified uses including the generation of energy from renewable sources.
Policy NE12: Water, air, light and noise pollution	Provides priority to the maintenance and improvement of all water body quality, in line with the Water Framework Directive (2000/60/EC). Contains a presumption against development that would have an adverse impact on the water environment. Seeks to protect the environment from noise, air and light pollution.
Policy MIN7: Borrow pits	Provides information on where the use of borrow pits will be considered acceptable. It is clear that they must be within the planning application boundary for the main development.
Policy CR1: Flood Risk Management	Is clear that EAC will take a precautionary principle to flood risk from all sources. Provides a set of matters to be addressed in respect of all proposed development.
Policy CR2: Emissions	Requires a whole life assessment of greenhouse gas emissions for all EIA development.

Policy CR3: Carbon Sequestration	Sets out requirements for developments which include carbon sequestration.

5.2.2. Energy and Electric Vehicle Charging Supplementary Guidance

226. The EALDP Energy and EV charging Supplementary Guidance (EEVSG) was published in August 2024. The EEVSG is a statutory document, which forms part of EALDP. The Guidance sets out in detail EAC's approach to renewable energy developments and electric vehicle charging infrastructure, and provides further information on the criteria against which associated developments will be assessed, underpinning Policy RE1, Policy RE2, Policy RE3 and Policy T5 of the EALDP.

227. The EEVSG sets out the national and local policy context for climate change and makes reference to the Scottish Government Documents which set national policy for renewable energy generation, including onshore windfarms.

228. The EEVSG sets out further information in respect of the criteria that are set out in the Renewable Energy Assessment Criteria. It advises on the general scope and requirements of the assessments which are required to accompany an application for renewable energy development.

5.2.3. Dumfries and Galloway Local Development Plan

229. DGC adopted the DGLDP in October 2019. The DGLDP contains general development policies for the whole of the DGC area.

230. The DGLDP vision includes a statement that, in 20 years' time, there will be a viable rural economy and community characterised by, amongst other things, a range of renewable energy developments. Developing this theme, the economic strategy of the DGLDP highlights the importance of the renewable energy sector and its contribution to the economy and a low carbon place. Additionally, the energy strategy of the DGLDP acknowledges that planning policy is a key tool to help deliver climate change action. Clearly, renewable energy development proposals that conform to policies within the DGLDP would therefore contribute to the realisation of the vision and strategy of the DGLDP.

231. The following text sets out the other policies which are considered to be relevant.

Policy IN1 Renewable Energy

232. The key policy in DGLDP2 which is relevant to the Application is Policy IN1: Renewable Energy, which states that DGC will support development proposals for all renewable energy generation and storage which are located, sited and designed appropriately. It provides that the acceptability of proposals will be assessed against listed criteria including:

- landscape and visual impact;

- cumulative impact;
- impact on local communities and individual dwellings, including visual impact, residential
- amenity, noise and shadow flicker;
- the impact on natural and historic environment;
- the impact on forestry and woodlands; and
- the impact on tourism, recreational interests and public access.

233. Policy IN1 states that *"acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed."* Policy IN1 clearly recognises that making a judgement on the acceptability of impacts is ultimately a balancing exercise which must take into account both the benefits as well as the disbenefits of the proposed Development.

234. The matters which are raised in Policy IN1 are all matters which are identified in the context of NPF4 policies. The one exception to this is the matter of tourism.

Policy IN2 Wind Energy

235. Policy IN2 states that DGC will support wind energy proposals that are located, sited and designed appropriately. It states that the acceptability of any proposed wind energy development will be assessed against a range of considerations, and that acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which environmental and cumulative impacts can be addressed satisfactorily. These considerations are:

- renewable energy developments;
- socio-economic benefits;
- landscape and visual impact;
- cumulative impact;
- Impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- impact on infrastructure;
- impact on aviation and defence; and
- the impact on other considerations (including the historic environment, the natural environment, cultural heritage, forestry and woodlands, carbon rich soils, tourism and recreational interests and biodiversity).

236. The matters which are raised in Policy IN2 are all matters which are identified in the context of NPF4.

237. The DGLDP contains a spatial strategy for windfarms. Given the provisions of NPF4 this is not considered in this PRES.

Other Dumfries and Galloway Local Development Plan 2 Policies

238. There are a number of further policies in the DGLDP which are considered potentially relevant to the proposed Development. These are set out in Table 5.2.Table 5.2 does not include policies which are technically relevant to all development but are clearly aimed at traditional built development or where there is no predicted effect on the assets which the policy is designed to protect, such as Listed Buildings.

239. Table 5.3 provides a summary of each of these policies.

Table 5.3 Dumfries and Galloway Local Development Plan 2019 Policy Summary

Policy	Policy summary
Policy OP1: Development Considerations	This policy is an overarching policy that sets out general development considerations relevant to the scale, nature and location of the proposal. These considerations include general amenity, the historic environment, landscape, biodiversity, transport, sustainability and the water environment.
Policy HE3: Archaeology	DGC will protect and preserve archaeological and historic assets in situ in an appropriate setting wherever feasible. In determining planning applications that may impact on historic environment assets or their setting, the balance of the benefits of the development against the importance of the features will be assessed by DGC. The weight given to archaeological considerations and the case for refusal will depend on a number of factors.
Policy HE6: Gardens and Designed Landscapes	This policy is primarily directed at proposals located within Gardens and Design Landscapes. The policy seeks to protect such areas from inappropriate development.
Policy NE1: National Scenic Areas	This policy seeks to protects NSAs from development which would adversely affect the integrity of the NSA unless there are clear benefits which outweigh such adverse effects.
Policy NE2: Regional Scenic Areas	This policy sets criteria which must be satisfied if development within and affecting an RSA is to be considered acceptable.
Policy NE4: Sites of International Importance for Biodiversity	This policy sets out the requirements to be addressed by development proposals likely to have a significant effect on areas designated for international importance for ecology and ornithology.
Policy NE5: Species of	This policy sets out the test for proposed developments which are likely to have adverse effects on European protected species.

International Importance	
Policy NE6: Sites of National Importance for Biodiversity and Geodiversity	This policy advises on the way in which developments that affect sites of national importance for biodiversity and geodiversity will be considered.
Policy NE11: Supporting the Water Environment	This policy sets out how DGC will consider development which has the potential to affect the water environment.
Policy NE12: Protection of Water Margins	The policy for Water Margins provides specific support for the maintenance or enhancement of waterbody status. It should also support green networks, landscape and townscape quality, and biodiversity. It applies to development proposed adjacent to or in the immediate vicinity of water bodies. This policy applies for all margins of water bodies in accordance with detailed standards which are set out in planning guidance.
Policy NE14: Carbon Rich Soil	This policy sets out the requirements for developments situated on carbon rich soils.
Policy NE15: Protection and Restoration of Peat Deposits as Carbon Sinks	This policy advises that DGC will support proposals for peatland restoration. It sets out where development on peatland may be considered acceptable. It provides specific requirements in respect of renewable energy development.
Policy CF4: Access Routes	This policy is clear that DGC will seek to ensure that routes over which rights may reasonably be exercised are protected. It is clear that the Council will not grant planning permission to development proposals which would result in the loss of access routes.

5.2.4. Supplementary Guidance: Wind Energy Development: Development Management Considerations (2020)

240. The Supplementary Guidance: Wind Energy Development: Development Management Considerations (WED) was adopted by DGC in February 2020 and forms part of, and has the same weight as, the DGLDP. Its purpose is to provide further detail in support of the development management considerations in DGLDP Policy IN2, noting that proposals will be assessed against all relevant policies in the DGLDP along with any other relevant material considerations. Although it provides some additional detail and guidance, the guidance does not change the focus of Policy IN2 or its respective policy tests.

241. Section 3 of the WED Supplementary Guidance indicates the various issues to be taken into account in the assessment of wind energy proposals. Paragraph 3.3 states that in considering proposals DGC will make an assessment by balancing all applicable factors outlined and considering against all relevant policies contained within DGLDP. It clarifies

that although a proposal may be detrimental in terms of one or more of these factors that this does not automatically result in a proposal being recommended for refusal. Instead, it provides that proposals will be considered favourably where DGC is satisfied through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed. This approach accords with that set out in DGLDP Policy IN2.

5.3. Scottish Government Planning Guidance

242. The Scottish Government provides advice and guidance for planning applications which has relevance to renewable energy development. This guidance is for planning applications and covers many of the issues that have been identified in the context of renewable energy policy, the Local Development Plan and NPF4 and is, therefore, not set out in this PRES.

5.3.1. Historic Environment Scotland Policy Statement

243. The HESPS contains Scottish Ministers' policies and provides direction for Historic Environment Scotland and related policy frameworks. HESPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute. It is relevant to a wide range of decision-making at national and local levels. It is a relevant consideration for planning proposals that might affect the historic environment.

244. HESPS sets out a number of policies and core principles which set out Historic Environment Scotland's understanding of how the historic environment should be managed and how to apply these principles. The principles contained in the document are the fundamental ideas that underpin desirable and positive outcomes for the historic environment. The principles are the basis for the policies outlined in the document and the policies describe how the principles should be implemented.

6. Assessment

245. The decision-making framework is clear that the decision maker in the case of this Section 36 application should have regard to a number of matters. These are, in no particular order, as follows:

- Climate change and renewable energy policy;
- Contribution to renewable energy targets;
- Spatial policy for windfarm development; and
- Environmental impacts.

246. Chapter 4 of this PRES has set out the relevant climate change and renewable energy policy and the weight that should be attached to such matters in the decision-making process. That is not repeated here other than to note that significant weight should be attached to such policy in the decision-making process.

247. The contribution of the proposed Development to renewable energy targets has been considered in Chapter 4 of this PRES. It is noted that significant weight should be attached to the renewable energy targets and the contribution of the proposed Development to such targets. The conclusions of Chapter 4 are not repeated here.

248. Chapter 5 of the PRES provides details of planning policy for framework. As noted in Chapter 5 of this PRES there are a number of criteria which require to be considered in respect of windfarm applications. The response to each of these criteria is set out in this chapter of the PRES.

249. This section provides an assessment of the proposed Development against the relevant planning policy. It follows the policies of NPF4, in the first instance, rather than the EALDP and DGLDP as the matters which are raised in the Local Development Plans are largely the same as those in the national policy contained in NPF4, the one exception is tourism which is considered under the heading of other matters.

6.1. Policy 11 Energy

6.1.1. Location

250. The proposed Development is a renewable energy development in the region of 130 MW, which once developed, will add to the renewable energy capacity of Scotland. The proposed Development is a National Development, as defined in NPF4, which is considered to be acceptable in principle. The proposed Development is not in a National Park or NSA. It is therefore concluded, given the Spatial Strategies and Policy emphasis within NPF4, that there is support in principle for the proposed Development.

251. NPF4 Policy 11, part d) requires that development proposals which impact on international or national designations are assessed in relation to Policy 4. The EIA Report carried out on the proposed Development assessed the impact on designated areas.

252. Policy 4 is considered at Section 6.4, and it is concluded that the proposed Development would not have a significant effect on an international or national designation and therefore Policy 4 of NPF 4 is not engaged. The location of the proposed Development is considered to be acceptable in principle.

6.1.2. Net Economic Impact

253. The way in which net economic benefit is it be assessed is not defined. In the recent decision in respect of Hollandmey Renewable Energy Development (ECU Reference 00003353) the Scottish Minsters are clear in their decision letter that *"whilst it is always difficult to precisely quantify overall net economic benefits, are also satisfied that, through employment during the construction, operational and decommissioning phases, the proposed Development has the potential to bring net positive economic benefits."*

254. The Applicant has a strong track record of, and is committed to, continuing engagement with the local community regarding community benefit as the proposed Development progresses.

255. The Applicant has demonstrated continued commitment to the communities developed in, creating and supporting community benefit funds, empowering communities to have autonomy and say on how best to spend money to maximise the benefit to the people and surrounding area. Over the course of SPR operation of onshore windfarms, the Applicant has contributed £60 million to communities up and down the UK, with £13.9 of which serving initiatives and projects in Dumfries and Galloway, and £11.2 million benefiting communities in East Ayrshire. The proposed Development would increase community contributions and support.

256. Section 2.10, of this PRES, sets out the socio-economic benefit which would arise as a result of the proposed Development. The Socio-economic Tourism and Recreation Impact Assessment concludes that the Applicant is working to maximise the socio-economic benefits for the supply chain, skills and workforce, community empowerment, and environment surrounding the proposed Development, and the wider Scottish context. The committed and planned measures have been developed in consultation with local communities.

257. The proposed Development will maximise net economic impact as required by part c) of NPF4 policy 11.

6.1.3. Environmental Matters to be Addressed

258. **Table 6.1** considers the matters which are relevant considerations for all renewable energy development which are contained in Policy 11(e) of NPF4 and provides information on how the design and mitigation has addressed the potential impacts of the proposed Development.

259. In order to avoid repetition later in the PRES **Table 6.1** provides the conclusions in respect of the level of impact in respect of the various matters to address Policy RE1 and the Renewable Energy Assessment Criteria of the EALDP and Policy IN1 of the DGLDP. **Table 7.1** demonstrates that the matters referred in Schedule 9 of the 1989 Act have been considered by the Applicant.

260. The contents of **Table 6.1** draw on the EIA Report submitted as part of the Application.

Table 6.1 Environmental Matters to be Addressed and Application Responses

Matter	Response
Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker.	It is clear from Chapters 4 and5 of the EIA Report that the potential impacts and effects of the proposed Development on communities and dwellings have been considered as part of the design evolution. This has related to the distance between the proposed wind turbines and settlements and properties. Consideration has also been given to these receptors in the DCEMP which will include, for example, working hour restrictions. **Settlements** Chapter 6 of the EIA Report considers the impact of the proposed Development on a number of settlements. These are New Cumnock, Sanquhar, Kirkconnel and Kelloholm. No significant visual effects are found on any of the settlements as a result of the proposed Development. **Residential visual amenity** A residential amenity assessment has been carried out and is presented in Technical Appendix 6.5 of the EIA Report. There are a total of 20 properties within 2.5 km of the proposed Development. The assessment found that whilst there would be a 'Medium' to 'High' magnitude of change to the views from most properties considered, these would generally not translate into effects on visual aspects of residential amenity such that the properties would reach the Residential Visual Amenity (RVA) threshold. The property at Hillend, which is closest to the proposed Development, would be 1 km from the nearest turbine of Phase 2 of the proposed Development. It is judged that the RVAA threshold would not be reached at this property. **Noise** Chapter 13 of the EIA Report contains an assessment of the potential noise and vibration effects of the proposed Development on the residents of nearby noise-sensitive receptors. It is concluded that the construction and operation of the proposed Development would not result in significant noise and vibration effects. **Private Water Supplies** Chapter 9 of the EIA Report has considered the impact of the proposed Development on Private Water Supplies (PWS). An assessment of the PWS which may be effected by the proposed Development is contained in the EIA Report Technical Appendix 9.2. In order to minimise the risk of the proposed Development

	construction activities potentially impacting any PWS, mitigation and good practice measures are outlined which would be secured by way of a planning condition. With mitigation in place it is concluded that there would be no significant impact on PWS. **Shadow flicker** Chapter 14 of the EIA Report advises that at a single receptor there are approximately there is the potential for significant effects as a result of shadow flicker associated with the proposed Development. It is recommended that further detailed analysis is done around this. It is assumed that this would the subject of a condition on a consent which may require curtailment.
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.	The potential landscape and visual impacts of the proposed development have informed the design of the proposed Development. Mitigation in the form of a reduced lighting scheme will be progressed subject to confirmation by the CAA. The conclusions of acceptability contained in this PRES and the EIA Report assume that all turbines would have visible aviation lighting. **Landscape** Chapter 6 of the EIA Report considers the impact of the proposed Development on the landscape. It is concluded that the proposed Development would not result in significant effects on national landscape designations. The Site is located within the East Ayrshire Uplands and Moorlands Local Landscape Area (LLA). It is concluded that significant effects would occur within the LLA, within approximately 5 km of the proposed Development, including for Glen Afton, Nithsdale (east of New Cumnock) and Blackcraig Hill which is close to and overlooks the Site. These effects relate to the increased size in turbines, which would be larger relative to hill horizons then the existing HH and HHE turbines, and would be more prominent as features on the hills from within Nithsdale and the smaller scale valley of Glen Afton. It is concluded that the character of the LLA would not be altered by the proposed Development as windfarms are present and established on the site and in the southern part of the LLA, which hosts Afton and Pencloe Windfarms. Significant effects are identified relative to the local smaller scale valley landscape of Glen Afton as a result of existing turbines to the northwest and west of the existing HHE. Glen Afton has visibility of existing windfarms of HH, HHE, Afton and Pencloe windfarms, and Sanquhar II turbines which are currently under construction, such that turbines are present

	in views from within this valley. It is concluded that that the LLA would not be altered to a degree that would alter its designation. No other landscape designations would be significantly effected by the proposed Development. The enlargement of turbines visible on the horizon above Nithsdale and Glen Afton would create significant effects at Phase 1 and if the full proposed Development were to be introduced unphased. Phase 2, which introduces additional large turbines and removes the HHE turbines would result in the reduction in contrasting turbine sizes, but without significant effects. The proposed Development would, have a significant effect on three Landscape Character Types (LCTs). Chapter 6 of the EIA Report concludes that there would be significant effects the following in certain scenarios: • LCT 69 Upland River Valleys – Ayrshire; • LCT 73 Upland Glen – Ayrshire; and • LCT 81 Southern Uplands – Ayrshire. For other LCTs within the study area, significant effects would not occur, due largely to the existing presence of wind energy development on the hills of and around the site **Visual** The EIA Report contains a full detailed assessment of the visual effects of the proposed Development. It is concluded that the proposed Development would result in significant effects where receptors are very close to the Site, or where the increase in turbine size would be on the horizon across the closest part of Nithsdale or Glen Afton. Phase 1 would create visual effects though the contrasts in turbine size between Phase 1 and HHE and the implementation of Phase 2 would remove those contrasts, mitigating that aspect of visual effect. It is concluded that of the receptors identified four would be significantly effected by the proposed Development. These are as follows: • A76 corridor and the railway (with parallel minor roads): for Phase 1 (both cumulative scenarios considered), and the full proposed Development but not for Phase 2. The area effected would be south of Cumnock to west of Kirkconnel within 10 km of the Site and extending for approximately 18 km; and from the

	railway within the corridor between New Cumnock and Kirkconnel within 4 km of the site and extending for approximately 10 km. • Blackcraig Hill: significant for Phase 1 (both cumulative scenarios considered), and the full proposed Development but not for Phase 2; • The local path from Blackcraig – Quintin Knowe – Kello Water valley across and within 2 km of the site: all phases/scenarios considered; and • Core paths C11 and C12 to the west of New Cumnock approximately 4.5 km from the site: significant for Phase 1 with existing baseline and the full proposed Development, but not in the consented scenario or for Phase 2. It is concluded that five of the selected viewpoints would be significantly effected. These are in the geographical areas as the receptors identified previously. They are: • VP2 Glaisnock Road; • VP3 New Cumnock; • VP4 Merkland; • VP8 Glen Afton; and • VP14 Blackcraig Hill. The introduction of phase 2 would, for several receptor locations or viewpoints improve the appearance of the proposed Development by resolving conflicts in turbine size between Phase 1 and Phase 2, and infilling gaps in the array of large turbines seen from some locations. The impact of the proposed aviation lighting on visual receptors is considered in the EIA Report Chapter 6 and Technical Appendix 6.4. It is concluded that there would be no significant visual effects as a result of the proposed Development. NPF4 is clear that localised landscape and visual effects from windfarms are to be expected and where such impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable. There is no guidance on what constitutes localised. From recent decisions from the Scottish Ministers it is clear that there is not a rule or distance which can be applied. Rather, the decision maker must consider the local tomography, the

	scale of the development, the scale of the landscape and the sensitivity of the receptors. It is concluded that in the case of the proposed Development the design has been mitigated to reduce the potential for landscape and visual impacts. It is concluded that the landscape and visual effects of the proposed Development are localised as they would be relatively contained within a landscape which is effected by wind turbines and is considered to be capable of accommodating the proposed Development.
Public access, including impact on long distance walking and cycling routes and scenic routes.	The visual impact on long distance walking routes is considered in the context of visual impacts and is not repeated here. Chapter 14 of the EIA Report advises that there are no core paths across the Site. There is a single Right of Way which crosses the Site. It maybe that during construction this Right of Way requires diversion. This would be managed and following construction the extant route would be reopened. The Socio-economics. Tourism and Recreation Assessment considers the impact of the proposed Development on a number of recreational routes. It advises that there are 22 core paths and 7 recreational trails within 15 km of the proposed Development. No significant effects, as a result of the proposed Development on these routes is predicted. The proposed Development would result in improved road surfaces and hardstanding areas which may also support recreational uses of the site, such as stargazing and walking. The proposed Development presents opportunities to enhance regional tourism, particularly through the integration of the site's upgraded tracks with nearby paths and the Southern Upland Way. A total of 29 km of track will be made accessible, with the potential for standardised signposting to encourage public use and connectivity between sites.
Impacts on aviation and defence interests including seismological recording.	Chapter 12 of the EIA Report considers the significant effects of the proposed Development on aviation interests. It is concluded that the proposed Development has the potential to result in significant effects on the operation of Prestwick Terma Primary Surveillance Radar (PSR), Lowther Hill PSR and Great Dun Fell PSR. The use of available technical mitigation measures means that the potential effects would not be significant.

	The proposed wind turbines could generate multipath interference for Prestwick Airport's communication system. The implementation of mitigation in the form of VHF repeater stations would result in this effect being not significant. It is assumed that the requirement to implement the required technical mitigation in respect of radar and communications would be the subject of conditions which would be attached to any consent. The use of aviation lighting installed on the proposed wind turbines means that significant effect on military low flying aircraft undertaking training activities in the vicinity would not be significant. The proposed Development is not located in an area which would affect seismological recording.
Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.	The EIA Report, Chapter 14 advises that there are two micropath links associated with HH and HHE. There will be no significant effects on these links. No impacts on broadcasting installations are predicted as a result of the proposed Development.
Impacts on road traffic and on adjacent trunk roads, including during construction.	Chapter 11 of the EIA Report advises that there will be mitigation as part of the proposed Development in order to minimise the effects of the proposed Development on traffic and transportation. This mitigation includes the use of onsite borrow pits and concrete batching to reduce the number of vehicles associated with the delivery of aggregate and concrete. It is expected that any consent will contain a condition which will require a Construction Traffic Management Plan (CTMP). An Outline CTMP is provided as Technical Appendix 11.3 of the EIA Report. The requirement for the CTMP would be secured by way of a planning condition. Chapter 11 of the EIA Report contains an assessment of the impact of the proposed Development on the traffic and transportation resource within the vicinity of the Site. It is concluded that, subject to the implementation of the identified mitigation measures there would not be a significant effect on road traffic and trunk roads as a result of the proposed Development.
Impacts on historic environment.	Chapter 10 of the EIA Report identifies a suite of mitigation which would be implemented to ensure that the impacts and effects of the proposed Development on cultural heritage assets are avoided and minimised where it is reasonable to

	do so. The proposed mitigation would be secured by a planning condition. The cultural heritage mitigation would take place prior to, or, where appropriate, during, the construction of the proposed Development. The scope of works would be detailed in one or more Written Scheme(s) of Investigation (WSI) which are expected to be the subject of a condition attached to a consent. Chapter 10 of the EIA Report advises that there would be no significant effects as a result of the proposed Development on cultural heritage assets during construction or operation. This conclusion is subject to the implementation of mitigation.
Effects on hydrology, the water environment and flood risk.	Chapter 9 of the EIA Report describes the design mitigation which has taken account of the water environment. This has included the buffering of water courses, the design of water course crossings and the avoidance of flood zones. Other mitigation measures have included the approach to construction and its control via the DCEMP. Standalone assessments have been undertaken in respect of Ground Water Dependent Terrestrial Ecosystems (GWDTE). It is concluded that, based on the underlying geology and hydrological context, and geographical position of the identified habitats, all potential GWDTE locations are not truly groundwater dependent. These habitats are more likely to be almost entirely fed by precipitation and/or surface or very near surface runoff/infiltration. No significant effects on GWDTE as a result of the proposed Development are predicted. It is concluded that, subject to the proposed mitigation being in place there are no likely significance of effects of the proposed Development for the construction, operation or decommissioning phases for all hydrological and hydrogeological receptors. Chapter 9 of the EIA Report advises that the SEPA flood risk mapping indicates that there are currently no flood risk issues potentially affecting the proposed Development's infrastructure and watercourse crossing locations. No significant effects associated with flood risk as a result of the proposed Development are predicted.
Biodiversity including impacts on birds.	The EIA Report advises that the footprint of the proposed Development has avoided designated sites of natural

	heritage interest and priority habitats where it is possible to do so. The proposed Development would, if consented, require the preparation of a number of documents designed to ensure that the biodiversity impacts of the proposed Development are minimised as much as reasonably possible. These documents include the DCEMP and an OHMP. A Draft DCEMP is provided as EIA Report Technical Appendix 5.1. A OHMP is provided as EIA Report Technical Appendix 7.4. An ECoW would also be employed before and during the construction of the proposed Development. These mitigation measures would all be secured by a planning condition. **Ecology** Chapter 7 of the EIA Report contains an assessment of the predicted significance of effects of the proposed Development on habitats and non-avian animal species. This assessment predicted no significant effects on any of the Important Ecological Features (IEFs) recorded, subject to the implementation of mitigation. **Ornithology** Chapter 8 of the EIA Report considers the impact of the proposed Development on ornithology. The chapter considers how, in the absence of mitigation, the proposed Development's construction and operational phase would affect a number of Important Ornithological Features (IOF) through the loss of, and disturbance from, foraging habitat, and the way in which the operational phase would affect the above IOFs through collision risk. Chapter 8 of the EIA Report concludes that through the successful use of mitigation the proposed Development would not result in a residual significant effect on any sensitive ornithological receptors.
Impacts on trees, woods and forests.	No felling is proposed as a result of the proposed Development. This criterion is not considered further.
Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.	It is expected that this is a matter which would be the subject of a planning condition should consent be forthcoming.
The quality of site restoration plans including the measures in place to safeguard or guarantee availability of	The EIA Report advises that at end of its operational life of 50 years, it is assumed that the proposed Development will be decommissioned. The decommissioning will be undertaken in accordance with good practice guidance available at the time.

finances to effectively implement those plans.	It is expected that should consent be forthcoming there will be a condition which will require the submission to, and approval by, the local planning authority of a decommissioning plan.
Cumulative impacts.	**Landscape and visual** Chapter 5 of the EIA Report advises that the proposed Development, as a repowering exercise does not alter the geographical pattern of wind energy development in the landscape and visual study area. The southern turbines extend the proposed Development but do not alter the pattern of wind energy development. The larger turbines, as noted above, follow a trend of increasing turbine size, and do not alter the pattern of wind energy development in the study area (extending upwards). The EIA Report concludes that the proposed Development would result in a number of cumulative landscape impacts. **Ecology** Chapter 7 of the EIA Report advises that no significant cumulative effects on ecological receptors are identified as a result of the proposed Development. **Ornithology** Chapter 8 of the EIA Report advises that no significant cumulative effects on ornithological receptors are identified as a result of the proposed Development. **Noise** Chapter 13 of the EIA Report finds that there would be no significant noise and vibration effects as a result of the proposed Development. **Traffic and transport** Chapter 11 of the EIA Report advises that there would be no significant cumulative impacts of the proposed Development when considered with other developments provided the identified mitigation, which would be secured by a condition attached to the consent, are in place. **Cultural heritage** Chapter 10 of the EIA Report concludes that the construction and operation of the proposed Development would not give rise to any cumulative significant effects on cultural heritage assets. **Shadow flicker** Chapter 14 of the EIA Report advises that when assessing cumulative shadow flicker effects from neighbouring windfarms, it was found that there were no increases in effect at any of the receptors considered in this analysis that would put any of the locations over the recommended limits.

	Water environment No cumulative effects as a result of the proposed Development are expected on the water environment. **Aviation** No significant cumulative aviation effects as a result of the proposed Development are identified in the EIA Report.

6.1.4. Contribution to Targets

261. The key to the final element of Policy 11 e) is that contributions to renewable energy targets are related to the scale of a proposed development. In the context of the proposed Development is for in the region of 130 MW. That capacity will assist in supporting targets to achieve a reduction in greenhouse gas emissions. This is a matter to which significant weight must be attached in the decision-making process.

6.1.5. Summary

262. It is concluded that the location of the proposed Development is supported by Policy 11 of NPF4. The proposed Development seeks to maximise net economic benefits and the relevant matters have been considered in respect of design and mitigation. It is clear that the project design and mitigation has sought to address the impacts of the proposed Development on the required receptors. Significant weight should be placed on the potential capacity of the proposed Development as set out in part e) of Policy 11 of NPF4.

6.2. Policy 1 Tackling the Climate and Nature Crises

263. This policy applies to all forms of development and not just renewable energy proposals and must be read as an overarching policy which in itself goes further than Policy 11. In the context of this policy, it is important to recognise that the benefits of the proposed Development go beyond just renewable energy generation. In the context of biodiversity this includes a range of proposals which are set out in the context of Policy 3.

264. The proposed Development will result in the generation of renewable energy, with a capacity in the region of 130 MW. That capacity will assist in supporting targets to achieve a reduction in greenhouse gas emissions.

6.3. Policy 3 Biodiversity

265. The proposal is for a development which is a National Development, as set out by NPF4. Therefore Policy 3(b) is relevant. The requirements of Policy 3(b) are discussed in **Table 6.2.**

Table 6.2 responses to Policy 3(b) of NPF 4

Policy ref	Policy wording	Commentary
3(b)(i)	The proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats.	Chapters 7 and 8 of the EIA Report set out the survey work which has been undertaken to ensure that the existing characteristics of the Site and its local and regional context are properly understood.
3(b)(ii)	Wherever feasible, nature-based solutions have been integrated and made best use of.	The OHMP sets out the nature based solutions which would be used in the form of mitigation and enhancement.
3(b)(iii)	An assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.	The EIA Report describes how the mitigation hierarchy has informed the design of the proposed Development. Chapter 4 sets out the way in which avoidance has been at the heart of the design process. Chapter 4 also demonstrates that were possible impacts have been minimised through the design process. Chapters 7 and 8 of the EIA Report, describe the way in which the impacts have been mitigated and the enhancement which would be undertaken. The use of existing infrastructure, in particular the tracks associated with HHW as part of the proposed Development, where it is possible to do so, is a demonstration of the use of the mitigation hierarchy.
3(b)(iv)	Significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and	The OHMP and Section 2.12 of this PRES describes the peatland enhancement which would be undertaken as part of the proposed Development. Chapter 7, Table 7.15, of the EIA Report advises that there is 23.6 hectares of blanket bog within the Site of which 2.1% (0.5 hectare) would be permanently lost. Chapter 7, Table 7.15, advises that there is 487.6 hectares of degraded blanket bog within the site of which 4.2% (20.3 hectares)

	monitoring should be included, wherever appropriate.	would be permanently lost as a result of the proposed Development. Much of the bog habitat within the application boundary has experienced extensive drainage and so has potential for peatland restoration. The EIA Report, Chapter 7, advises that approximately 160 hectares of land has been identified within the site which will be suitable for peatland restoration, which will contribute to the 497.71 ha of compensation and enhancement of bog habitat. Restoration will focus on drain blocking to rewet drained areas of peatland as well as peat hag reprofiling and surface bunding. The most appropriate methods to be used are dependent on a number of factors, including peat depth, topography, and extent of degradation/ modification. It is proposed that specific methods to be employed. The remaining bog habitat compensation and enhancement will be located outside of the application boundary, options for which are discussed within the HMP. This will be the subject of a planning condition. The OHMP, EIA Report Technical Appendix 7.4, is clear that the overall purpose of the final HMP will be *"to implement positive land management for the benefit of biodiversity and nature conservation to compensate any adverse impacts that the windfarm may have. In addition to compensating for any adverse impacts, SPR (hereafter, 'the Applicant') is committed to enhancing the ecological value of the windfarm site and has taken the opportunity to provide not only compensation, but larger scale enhancement to provide wider benefits for nature and biodiversity."* The OHMP, The Habitat Management Proposals. advises that it will deliver habitat enhancements through blanket bog restoration across approximately 497 ha. This area of restoration not only compensates for the 52.4 ha of degraded blanket bog that is

		estimated to be lost to the proposed Development but also provides significant enhancement by providing the required 10% enhancement threshold specified within the current NatureScot peatland guidance. Post-consent, surveys will be undertaken to develop and refine a more detailed blanket bog restoration scheme. The OHMP also advises that approximately 9.1 hectares of native tree planting is proposed and that this will provide significant biodiversity enhancement. It will provide the increased resource of an ecologically valuable habitat in the local landscape. The planting will have numerous other benefits including soil stabilisation (reducing sediment run-off into the water environment); and flood alleviation (slowing and reducing the transfer of water from rainfall into the channel). It is clear that the proposed Development includes significant enhancement, in addition to the mitigation which is proposed in respect of blanket bog. These benefits can be secured with reasonable certainty and within a reasonable timescale. Monitoring will be undertaken as required.
3(b)(v)	Local community benefits of the biodiversity and/or nature networks have been considered.	The proposed Development has focused on the delivery of biodiversity enhancements. During the consultation events there were no requests made for specific biodiversity enhancement. The biodiversity enhancement that are proposed would benefit the local community through the improvement of the local environment.

266. It is clear that the proposed Development offers a real opportunity to deliver significant biodiversity enhancements to the area local to the Site. It is concluded, for the reasons provided in **Table 6.2**, that the Proposed Development is in accordance with Policy 3 of NPF4.

6.4. Policy 4 Natural Places

267. The proposed Development would not have a significant effect on an existing or proposed SAC or SPA. The potential for impact on such designations is provided in Chapters 6, 7 and 8 of the EIA Report.

268. The potential for impacts as a result of the proposed Development on a National Park and National Scenic Area, is considered in the EIA Report at Chapter 6. No significant impacts on national landscape designations as a result of the proposed Development are predicted in the EIA Report.

269. The potential for impacts as a result of the proposed Development on a SSSI or National Nature Reserve is considered in the EIA Report at chapters 7 and 8. No significant impacts on national ecological/ornithological designations are predicted in the EIA Report.

270. The potential for a significant impact on sites designated for local nature conservation reasons is considered in Chapters 7 and of the EIA Report. The EIA Report concludes that there would be no significant effects on local nature conservation sites.

271. The potential for a significant impact on sites designated for local landscape reasons is considered in Chapter 6 of the EIA Report and in **Table 6.1** of this PRES. That text is not repeated here other than to note that the character of the LLA would not be altered by the proposed Development as windfarms are present and established on the site and in the southern part of the LLA, which hosts Afton and Pencloe Windfarms and that it is concluded that that the LLA would not be altered to a degree that would alter its designation.

272. The EIA Report sets out the survey work which has been undertaken in respect of protected species. The findings are presented in Chapters 7 and 8 of the EIA Report. No significant impacts on protected species are identified in the EIA Report.

273. It is concluded that the proposed Development is in accordance with Policy 4 of NPF4.

6.5. Policy 5 Soils

274. The EIA Report Chapter 4 advises that the presence of peat was one of a number of environmental constraints that influenced the final design of the proposed Development. The OHMP, Technical Appendix 7.4 of the EIA Report, advises that the proposed Development has followed the mitigation hierarchy. Mitigation has been built into the design process and great care has been taken to minimise impacts on ecological features through avoidance of high value habitats such as blanket bog. Areas of deep peat were avoided, through the infrastructure design, where possible to do so. Of the 23. turbines, 18 turbines are located on peaty/mineral soil, five have an average depth that indicates peat and none are located on deep peat.

275. Where areas of deep peat could not be completely avoided, methods and approaches to minimise peat disturbance have been incorporated. This includes the consideration and implementation of floating access tracks where practical as well as avoiding deeper pockets of peat, regardless of peat condition, where possible.

276. The design evolution has included the use of existing access. This is in accordance with the requirements of the mitigation hierarchy. During the construction phase micro-siting

will also be used to avoid unnecessary impact on peat in accordance with the mitigation hierarchy.

277. The proposed Development would not be on prime agricultural land.

278. The proposed Development is for renewable energy. The assessment of peat and carbon rich soils has considered all of the proposed infrastructure. A site-specific Peat Landslide and Hazard Risk Assessment (PLHRA) and Peat Management Plan (PMP) is presented in Technical Appendix 9.6 and Technical Appendix 9.4 respectively of the EIA Report. These confirm that peat and carbon rich soils disturbed by the proposed Development are limited in volume and can be beneficially reused in restoration works onsite. The proposed Development has been designed to avoid areas which may be subject to peat slide risk.

279. Chapter 2 of this PRES sets out the findings of the carbon balance assessment which has been undertaken using the Scottish Government Calculator. It is expected that the proposed Development would make a positive contribution to offsetting carbon emissions after a maximum of 1.6 years, at which time it is estimated to be carbon neutral.

280. The EIA Report has considered the potential of the proposed Development to avoid carbon emissions over its lifetime. **Tables 2.3 and 2.4** of this PRES set out the expected reductions in CO2 emissions which are reported in the EIA Report.

281. It is concluded that the proposed Development is in accordance with Policy 5 of NPF4.

6.6. Policy 7 Historic Assets and Places

282. The EIA Report Chapter 10 contains an assessment of the impacts of the proposed Development on historic assets. This assessment is based on an understanding of the cultural significance of the historic assets which have been identified in the relevant study areas and the Site.

283. The proposed Development would not result in any direct effects on designated historic assets which are set out in the parts of Policy 7 of NPF4. In particular the proposed Development would not significantly effect any Scheduled Monuments, or the integrity of their settings.

284. It is expected that a planning condition would be used to secure a WSI which would be implemented before and during the construction of the proposed Development to ensure that any unregistered historic assets are appropriately recorded.

285. It is concluded that the proposed Development is in accordance with Policy 7 of NPF4.

Policy 22 Flood Risk and Water Management

286. Chapter 9, of the EIA Report advises that the proposed Development is not within a flood risk area. The proposed Development will use Sustainable Drainage Systems to attenuate rates of water run off as required. The proposed Development will not increase the risk of flooding as a result of its construction or operation. Chapter 9 of the EIA Report concludes that subject to mitigation there will be no significant effects on the water environment as a result of the Proposed Development.

287. It is concluded that the proposed Development is in accordance with Policy 22 of NPF4.

6.7. Other Matters

288. The only matter which is raised in the Local Development Plans is the impact of the proposed Development on tourism. This is a matter which has been coved in the Socio-economic. Tourism and Recreation Assessment submitted with the Application. The Socio-economic. Tourism and Recreation concludes that research evidence has consistently found that there is no relationship between onshore wind developments and tourism activity in Scotland. In 2021, BiGGAR Economics produced a report analysing the relationship between the construction of onshore windfarms and tourism employment at the local, regional and national level. The report concluded that there was no pattern or evidence suggesting that the development of onshore windfarms in Scotland had any negative effects on the tourism economies of the country as a whole, local authority areas or the immediate areas surrounding windfarms.

289. An assessment has also been undertaken focusing on tourism assets that are located within 15 km of the proposed Development. It found that the windfarm proposals are not expected to affect the local accommodation providers, recreation trails and tourism attractions.

290. It is concluded that the proposed Development would not have a significant effect on tourism in DGC or EAC.

6.8. Assessment Conclusions

291. The planning policy sets out the matters that are to be addressed in the design and mitigation of a proposed development. It is submitted that, through the design evolution process and as demonstrated in the EIA Report, the design of the proposed Development, along with the prescribed mitigation, which where appropriate would be secured by conditions, satisfactorily address the environmental impacts.

292. It is clear that the proposed Development will make a valuable contribution to meeting the renewable energy targets for the UK and Scotland. The environmental impacts of the proposed Development have been considered, along with the appropriate mitigation and enhancement. It is submitted that the proposed Development is in accordance with NPF4, when read as a whole, which is the document with the most recent Development Plan policy. There is nothing in the EALDP or the DGLDP which suggests that consent for the proposed Development should not be forthcoming.

7. Conclusions

293. The proposed Development provides an opportunity for creation of a renewable energy development which would have a capacity in the region of 130 MW which would make a meaningful contribution to meeting Scotland Climate Change commitments.

7.1. Energy Policy and Relevant Targets

294. The proposed Development would support the resilience of the electricity network through the electricity it generates and the additional technical services it can provide to the electricity system operator. It would contribute to sustainable development by providing for greater and more efficient use of renewable energy generation in the electricity system, and it would contribute to greenhouse gas emissions reduction ambitions.

7.2. Economic and Community Impacts

295. The Applicant is committed to ensure that the proposed Development will have a community benefit fund which will benefit the local community. There will be employment related to the construction process. The Applicant has a substantial record in delivering such benefits and is confident that the socio economic impacts of the proposed Development will be maximised.

7.3. Environmental Impacts

296. A number of environmental assessments have been undertaken and are reported in the EIA Report. The EIA Report identifies a number of potential significant impacts which would be the subject of mitigation, which where appropriate would be secured by way of a condition attached to the consent. A small number of localised landscape and visual significant impacts are identified in the EIA Report, as a result of the proposed Development.

297. Subject to suitable mitigation being in place the environmental impacts of the proposed Development are considered acceptable.

7.4. Summary

298. In considering the impacts, of the proposed Development, significant weight is to be placed on the contribution of the proposed Development to renewable energy generation targets and on greenhouse gas emissions reduction ambitions. The proposed Development will supply a considerable amount of electricity per year, and act as an enabling technology for harnessing more electricity generated from renewable sources in Scotland.

299. This PRES has sought to consider and balance the relevant considerations, consider what weight is to be given to each consideration and come to a view on where the planning/consenting balance falls. It is considered that the proposed Development is supported by the relevant planning and renewable energy policy. On balance, it is

concluded that the limited impacts of the proposed Development are acceptable in the context of the positive benefits of the proposed Development.

APPENDIX 1: RENEWABLE ENERGY POLICY AND LEGISLATION

The Climate Emergency

In May 2019, the Scottish Government declared a climate emergency. At the same time, in Westminster, the Environment Secretary acknowledged a climate change emergency. In a speech to the Scottish Parliament the Climate Change Secretary stated:

> *"The Climate Change Committee has been stark in saying that the proposed new targets will require "a fundamental change from the current piecemeal approach that focuses on specific actions in some sectors to an explicitly economy wide approach". To deliver the transformational change that is required, we need structural changes across the board: to our planning, procurement, and financial policies, processes and assessments. And as I've already said, that is exactly what we will do."*

The Climate Change Secretary went onto say that:

> *"subject to the passage of the Planning Bill at stage 3, the next National Planning Framework and review of the Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals."*

The speech to parliament highlighted the advice received by the Scottish Government from the CCC, emphasising that this advice was being taken forward via amendments to the Climate Change Bill.

UK Renewable Energy Policy

UK Government Net Zero Strategy 2021

In October 2021 the UK Government published their Net Zero Strategy. The document set out for the first time how the UK Government intends to halve UK emissions in little over a decade, and to eliminate them by 2050. The CCC has advised that *"it is an achievable, affordable plan that will bring jobs, investment and wider benefits to the UK"*.

In considering power the document advises that *"the net zero economy will be* underpinned *by cheap, clean electricity made in Britain. A clean, reliable power system is the foundation of a productive net zero economy as we electrify other sectors."*

It is clear from the document that renewable energy generation is a key part of the solution. It is also clear that storage measures to help smooth out future price hikes are to be deployed.

The UK Government Energy Security Strategy 2022

The UK Government published the British Energy Security Strategy in April 2022. The strategy was published in response to concern over the security, affordability and sustainability of the UK's energy supply.

The British Energy Security Strategy proposes to accelerate the UK towards a low-carbon energy independent future. The foreword states, "*we're going to bring clean, affordable, secure power to the people for generations to come.*"

The introduction, of the British Energy Security Strategy, states, "*All of these steps will accelerate our progress towards net zero, which is fundamental to energy security. By 2030, 95% of British electricity could be low-carbon; and by 2035, we will have decarbonised our electricity system, subject to security of supply. This is a transition which reduces our dependence on imported oil and gas and delivers a radical long-term shift in our energy with cleaner, cheaper power, lower energy bills and thousands of high wage, high skilled new jobs".*

The British Energy Security Strategy focuses on expanding domestic UK energy supply alongside commitments to completely remove Russian oil and coal imports by the end of 2022, and Russian gas *"as soon as possible thereafter".* The relevant policies outlined in the strategy include:

- *a proposal for over 40% reduction in gas consumption by 2030;*
- *increased targets for low-carbon power generation compared to previous targets in the Energy White Paper; and*
- *reduced consent times for offshore wind planning from four years to one.*

With regards to onshore wind, the British Energy Security Strategy notes that onshore wind is one of the cheapest forms of renewable energy. The strategy states, *"The government is serious about delivering cheaper, cleaner, more secure power, so we need to consider all options."*

The Energy Act 2023

The Energy Act 2023 received Royal Assent on 26 October 2023 (the 2023 Act). The 2023 Act was originally introduced as the Energy Security Bill in 2022, and its purpose is to build on the commitment to reduce the UK's dependence on volatile fossil fuel markets, through the improvement of domestic energy production, to make the UK more energy self-sufficient.

Once The Energy Act 2023 came into law, the then Energy Secretary stated that *"The Energy Act is the largest piece of energy legislation in a generation. It will boost investment in clean energy technologies and support thousands of skilled jobs across the country. It lays the foundations for greater UK energy independence, making us more secure against tyrants like Putin, and helps us to power Britain from Britain".*

Scottish Renewable Energy Policy

Scottish Energy Strategy 2017

The Scottish Government published its Scottish Energy Strategy (SES) in December 2017. The SES set out a vision for a strong and sustainable low carbon economy. SES described the Scottish Government's vision for the future energy system in Scotland beyond 2020 looking forward until 2050.

The SES was designed to provide a long-term vision to guide detailed energy policy decisions over the coming decades. It set out the priorities for an integrated system-wide approach that considers both the use and the supply of energy for heat, power and transport. It contained six energy priorities including increasing renewable energy production and increasing flexibility, efficiency and resilience of the energy system.

The SES advised that for Scotland to meet the domestic and international climate change targets, the Scottish Government will set a new 2030 'all-energy' target for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources. It advised that it has a vision for:

> *"a flourishing, competitive local and national energy sector, delivering secure, affordable, clean energy for Scotland's households, communities and businesses."*

The SES set two new targets for the Scottish energy system by 2030. These were:

> *"The equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; and*
>
> *An increase by 30% in the productivity of energy use across the Scottish economy."*

Reaching 50% in the 13 years from the publication of the SES would be challenging, despite the progress being made, and the SES acknowledged this.

Renewable and low carbon solutions are identified as one of six energy priorities around which the 2050 vision is built. The document advised that the Scottish Government "*will continue to champion and explore the potential of Scotland's huge renewable energy resource, and its ability to meet our local and national heat, transport and electricity."* that *"changes to how we store energy across the system, and particularly in terms of electricity and heat, could have a profoundly important bearing on our low carbon future."* The proposed Development is for a renewable energy development which, with in the region of 130 MW of generating capacity, would have an important contribution to Scotland's capability to store clean energy.

Under the heading of Renewable Energy, it is clear that the Scottish long term climate change targets will require the near complete decarbonisation "*of the Scottish energy system by 2050 and that renewable energy is anticipated to meet a significant share of this".*

In the section on Onshore Wind, SES advised that at that time *"onshore wind is now amongst the lowest cost forms of power generation of any kind and is a vital component of the huge industrial opportunity that renewables create for Scotland".* This remains the case. Onshore

wind was identified, in 2017, as being required to play a vital role in the future of Scotland, helping to decarbonise electricity, boosting the economy and meeting demand.

The SES noted that achieving the targets means developers and communities working together and striking the right balance between environmental impacts, local support, benefit and where possible economic benefits deriving from community ownership.

Scotland's Energy Strategy Position Statement 2021

The Scottish Government published Scotland's Energy Strategy Position Statement (SESPS) in March 2021 which provided an overview of the Scottish Government's key priorities for the short to medium-term in ensuring a green economic recovery, whilst remaining aligned to Net Zero ambitions, in the lead up to COP 26.

SESPS provided an overview of the Scottish Government's policies in relation to energy. It was clear, at the time, that the Scottish Government would remain guided by the key principles set out in the SES and the SESPS reinforced *"the importance the Scottish Government attaches to supporting the energy sector in our journey towards net zero, thus ensuring a green, fair and resilient recovery for the Scottish economy*".

The Ministerial Foreword referenced the challenge of COVID 19 which, it stated, had created an economic crisis and noted that the Climate Emergency *"has continued unabated*". The Foreword stated that "*in this context, the need for a just transition to net zero greenhouse gas emissions by 2045, in a manner that supports sustainable economic growth and jobs in Scotland, is greater than ever"*.

The report made reference to Scotland's ambitious and world-leading legislative framework for emissions reduction and *"a particularly challenging interim target for 2030"*. This is the ambitious target of achieving a 75% reduction in greenhouse gas emissions by 2030 in advance of Net Zero by 2045.

The summary of the SESPS was clear that the current SES remains in place until any further Energy Strategy refresh is adopted by Ministers. The SES remains in place at the time of writing this PRES.

Section 5 of the SESPS considered 'a green economic recovery' and stated that creating green jobs was, at the time, at the heart of the Scottish Government's plans for a green economic recovery.

Onshore renewables were specifically considered in Section 8, of the SESPS where it stated that "*the continued growth of Scotland's renewable energy industry is fundamental to enable us to achieve our ambition of creating sustainable jobs as we transition to net zero"*. It added that "*the Scottish Government is committed to supporting the increase of onshore wind in the right places to help meet the target of net zero. In 2019, onshore wind investment in Scotland generated over £2 billion in turnover and directly supported approximately 2,900 full time equivalent jobs across the country"*.

If the UK is to meet its Net Zero targets, then there needs to be a fundamental shift away from the use of fossil fuels to generate power for sectors such as transport and heat. The shift away from the use of fossil fuels must be replaced by renewable energy and electricity

generated from renewable forms is a fundamental part of the solution. The generation of renewable electricity is key to the decarbonisation of a wide number of sectors. The progress towards meeting the renewable energy targets is considered to be a key relevant consideration in the determination of the Application for the proposed Development.

Draft Energy Strategy and Just Transition Plan- Delivering a Fair and Secure Zero Carbon Energy System for Scotland

On 10 January 2023 a route map to secure Scotland's fastest possible fair and just transition away from fossil fuels towards a fair and secure zero carbon energy system for Scotland, was published for consultation. The DES&JTP sets out a plan for Scotland's renewables revolution to be accelerated as North Sea basin resources decline. The document is a consultative draft and as such should only be attached limited weight in the decision-making process.

The Ministerial foreword is clear that now more than ever there is a need for energy security. It reinforces the importance of acting now to deliver on the net zero targets. It 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, generates economic opportunities, and build a just transition."*

The DES&JTP is clear that the situation in Ukraine, which has resulted in volatility in the global energy supply market, has heighted the need for domestic energy generation and security. It is also very clear that there is a need to reduce fuel poverty and to ensure that energy is available to consumers at a reasonable price. The foreword sets out key ambitions for Scotland's Energy Future, and identifies 10 which include the following, which are relevant to the proposed Development:

- More than 20 GW of additional renewable electricity on and offshore by 2030;
- Generation of surplus electricity, enabling export of electricity to support decarbonisation across Europe;
- Energy security through development of own resources and additional storage; and
- Just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

Onshore wind is covered at 3.1.2 and energy storage is considered at 5.1 of the DES&JTP. The Applicant is clear that they are also committed to maximising the contribution that energy generation and storage can make to a just, inclusive, transition to net zero.

Published as part of the DES&JTP is a Just Transition Plan for the energy sector. This details the support being provided to grow Scotland's highly skilled energy workforce, increase jobs in energy generation and the supply chain, while enabling communities and businesses to prosper.

The DES&JTP advises that analysis shows the number of low carbon production jobs is estimated to rise from 19,000 in 2019 to 77,000 by 2050 as the result of a just energy

transition, meaning there will be many more jobs in energy production in 2050 than there are now. It is estimated, in the Socio-economic Statement, that accompanies the Application, that the proposed Development would result in 62 job years in Dumfries and Galloway and 173 job years in Scotland during construction. During the operational phase, it is estimated that, the proposed Development would generate 356 jobs years in Dumfries and Galloway and 464 job years in Scotland.

The proposed Development has been designed to operate in the current and emerging market conditions and, as such, will contribute positively towards reaching the targets set out in the DES&JTP.

Onshore Wind Policy Statement 2022

The Scottish Government published the OWPS on the 21 December 2022. As a document, it dovetails with NPF4 (which is considered in this document in Chapter 4) and there are specific references within the OWPS which link the two documents. To some degree the OWPS explains some of the context for the policies that are contained in NPF4. In considering the issues relating to the proposed Development, it is submitted that the two documents should be read together.

The key headline in the OWPS is the identification in Scottish Government Policy that we need to "*go further and faster than before"* along with the inclusion in policy of the *"minimum installed capacity of 20GW"* ambition for onshore wind in Scotland by 2030.

The following text considers the weight that should be attached to the climate emergency in the decision-making process. It then considers the elements of the OWPS that are relevant to the proposed Development and makes cross refence to Chapter 4 of this PRES in respect of NPF4 as it is considered appropriate.

The key policies set out in OWPS are focused on the change of ambition and the formal agreement to the higher minimum target by 2030. The text in this section, of the PRES, identifies a range of matters, relevant to the consideration of the application within the OWPS.

Weight to be Attached to the Climate Emergency

The Ministerial Foreword of the OWPS provides important context to the subsequent emergence of the ambition to achieve a minimum of 20 GW onshore wind by 2030. The Cabinet Secretary acknowledges the specific contribution that onshore wind can make to meeting climate change objectives and the transition towards a net zero society.

The Cabinet Secretary's foreword, paragraph two, identifies the issues caused to security of energy supply by the invasion of Ukraine. The Ukraine invasion has resulted in serious concerns about the extent to which Scotland's current energy system can meet demands for energy. The second aspect raised in respect of the invasion of Ukraine is the consequence for energy prices. This is one of the key contributors to the current cost of living crisis and is counter intuitive when considered in the context of the long-standing policy of providing consumers with affordable energy sources.

The Ministerial Foreword demonstrates how price competitive onshore wind is, paragraph 11 is clear that onshore wind is *"good value for consumers"* and it can therefore make a

contribution to an energy future which seeks to provide greater price certainty for consumers whilst also providing additional generation which can help to meet the future security of supply.

The Ministerial Foreword is also clear that it is not onshore wind at any cost, paragraph 13 is clear that the ambition needs to be delivered in a way which continues to enhance Scotland's rich natural heritage and native flora and fauna and supports actions to address the nature crisis and the climate crisis.

The OWPS sets a specific renewable target which itself relates to the legally binding energy generation targets which are themselves refenced in Policy 11 of NPF4. To date, the focus of the justification for most renewable energy projects has been in relation to climate change and emissions reduction with links made to the legally binding targets which are set out in The Climate Change (Scotland) Act 2009 which have been amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2024. This link is a clear change and one which should carry material weight in the decision-making process.

Chapter 1 of the OWPS contains specific acknowledgement of the need for the further speedy deployment of onshore wind. It 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"*. As a result of this policy ambition there is a need for a minimum installed capacity of 20 GW by 2030. If that ambition is to be achieved, consents need to be granted in early course to allow deployment as quickly as possible. The proposed Development has a grid connection date of 2029 and it is clear that, if consented, it could actively contribute towards the 2030 targets.

Environmental Considerations

Chapter 3 of the OWPS is entitled Environmental Considerations: Achieving Balance and Maximising Benefits, this is clear that it is all about balance. The following text considers what the OWPS says in respect of landscape and biodiversity in the order in which they are covered in that document.

Biodiversity

Paragraph 3.5.6 refers to the role in which onshore wind can play in addressing the biodiversity crisis. It states:

"the resolution of the balance between *its [onshore wind] deployment and biodiversity interests requires careful discussion and planning at a local level. As the rate of onshore wind deployment increases in the coming years, we see a great opportunity for wind energy developments to further contribute significantly to our biodiversity ambition. By proactively managing intact habitats and the species they support, restoring degraded areas and improving connectivity between nature-rich areas, onshore wind projects will contribute to our climate change targets and help address the biodiversity crisis."*

It is clear in the OWPS that there is an expectation that onshore windfarm development has a role to play in addressing the nature crisis and to contributing to biodiversity improvements. Annex one of the OWPS contains an example of biodiversity enhancement related to habitat management and peatland restoration. It is also clear that there is work in progress in the

form of the Scottish Biodiversity Strategy and the way in which the aspiration of the OWPS in respect of biodiversity can be achieved.

Landscape

The OWPS Chapter 3 includes a section which covers landscape and visual matters. In paragraph 3.6.1 there is acknowledgement of the need for taller and more efficient turbines and the recognition that these will inevitably change the landscape. It states:

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

Paragraph 3.6.2 of the OWPS states:

> *"Outside of these areas [National Parks and National Scenic Areas (NSA)], 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."*

This must be seen as a clear acknowledgement, from the Scottish Government, that in order to achieve the 2030 targets, a higher level of landscape and visual impact will need to be accepted, this expressly includes landscape change and the potential for larger turbines. It is clear that there is a need to accept change to the landscape and that increased weight should be given to the contribution of the development to the climate emergency as well as community benefits in considering the decision-making balance.

It is submitted that the OWPS provides a positive framework for considering the landscape and visual effects of windfarm proposals.

Other Environmental Matters

It is submitted that in terms of Chapter 3, the application material has dealt with all the environmental matters raised in the OWPS. With the exception of landscape and visual matters no adverse significant effects, subject to mitigation being implemented, have been identified during the EIA.

Benefits to Local Communities and Financial Mechanisms

Chapter 4 of the OWPS devotes attention to benefits to local communities and financial mechanisms. While neither shared ownership nor the delivery of monetary community benefits are material to the consideration of the application for deemed planning permission it is important to recognise the benefits which such arrangements bring to the local area.

The Onshore Wind Sector Deal 2023

The Onshore Wind Sector Deal (the Sector Deal) for Scotland was signed, by the Scottish Government and renewable energy industry representatives, in September 2023.

The Sector Deal sets out the ambition for the next era of onshore wind delivery in Scotland. The Foreword advises that Scotland stands on the *"threshold of a pivotal era"* in the energy transition. It contains a number of key measures which are designed to support the Scottish Government in reaching its ambition, as set out in the OWPS of a minimum installed capacity of 20 GW of onshore wind, in Scotland, by 2030.

The Sector Deal is focused on onshore wind in particular and it describes how the Scottish Government, and the onshore wind sector (developers, consultants, consultees and stakeholders) will work collaboratively so that onshore windfarms can be delivered quickly and in a way that is sustainable. This approach will provide the best chance of Scotland meeting its net zero targets (the targets are set out in the Climate Change (Scotland) Act 2009 as amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. It sets out a clear intent to ensure that as much is done, as is possible, to secure the 20 GW ambition set out in the OWPS.

The Sector Deal foreword (page 1) advises 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."*

It goes on to state 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" (*page 2).

The Sector Deal sets out a number of matters which are to be actioned through a collaborative approach, as well as specific actions, relating to the matters, from the onshore wind sector and the Scottish Government. These matters are set out under the following headings:

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

It is submitted that of most relevance to the Application are those relating to Land use and the environment and planning.

With regards to land use and the environment, the Sector Deal reiterates the fact that out that NPF4 Policy 1 is 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).

It goes onto state 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 coexist with a diversity of species, sensitive habitats, peatland, carbon rich soils and forestry, ensuring positive outcomes for the climate and nature."*

Green Industrial Strategy 2024

The Scottish Government published the Green Industrial Strategy in September 2024. The single aim of the strategy is to help Scotland realise the economic benefits of the global transition to net zero. The document is clear that the development of all renewable energy technologies is a key focus of the Scottish Government.

Programme for Government 2025-26 (2026)

The 2025-26 Programme for Government was published by the Scottish Government in May 2025. It advises that the government will focus on a number of matters including tackling the climate emergency. Chapter 3 of the document advises that

"This Government is working hard to address the twin crises of climate change and nature loss – the devastating consequences of which are playing out at home and abroad, including damaging wildfires and floods witnessed in Scotland recently. It is more important than ever that we embrace and champion the green revolution to improve the lives of current and future generations both here and overseas.

The journey to net zero also presents significant opportunities – for people, communities, and businesses. Between 1990 and 2022 our emissions halved while the economy grew by 66.6%, showing that a thriving economy and falling emissions can be achieved in tandem."

Renewable Energy Targets

On 11 June 2019, Theresa May, the then Prime Minister, announced that the UK Government would bring forward legislation which would make the Net Zero target law. On 27 June 2019, the UK passed legislation to end its part in global warming by 2050 through the reduction in greenhouse gasses by at least 100%. The amendment to the Climate Change Act 2008 makes this legally binding.

Paul Wheelhouse, the then Minister for Energy, Connectivity and the Islands, in his Ministerial Foreword in the Annual Energy Statement 2019 made it clear, in the context of Scotland's net zero target by 2045 *"we [Scotland] have the most stringent statutory targets in the world"*. The CCC 2020 is clear in its executive summary that although "*Net Zero has been adopted as a key goal of the Government…we are not making adequate progress in preparing for climate change"*.

The Climate Change Act 2008 as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019 and the Climate Change (Scotland) Act 2009 as amended by the

Climate Change (Emissions Reduction Targets) (Scotland) Act set the UK and Scottish targets for reaching Net Zero. These acts and targets are covered in the following text.

UK Energy Targets

The Climate Change Act 2008 as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019

Two key aims underpin the 2008 Act, these are:

- To improve carbon management and help the transition towards a low carbon economy in the UK; and
- To demonstrate strong UK leadership internationally.

The 2008 Act introduced for the first time a legally binding framework to tackle the challenges of climate change. It set legally binding targets for the UK to reduce carbon dioxide emissions, originally by 80% by 2050 relative to 1990 levels. Energy generated from renewable sources was identified as a key component for meeting the challenge of reducing carbon emissions and the fight against climate change.

The 2008 Act was amended in 2019 by the Climate Change Act 2008 (2050 Target Amendment) Order 2019 to include revised targets. These included a reduction in GHGs of at least 100% from 1990 levels by 2050. The key aims were not altered.

Scottish Renewable Energy Targets

The Climate Change (Emissions Reduction Targets) Scotland Act 2024

The Climate Change (Emissions Reduction Targets) Scotland Act 2024 introduced limits on the amount of greenhouse gases emitted in Scotland over a five-year period. The approach, which is based on recommendations from the independent CCC, aims to provide a reliable framework for GHG emissions reduction.

The legislation requires carbon budgets to be set through secondary legislation based on the expert advice from the CCC. These budgets are not yet set. The Climate Change (Emissions Reduction Targets) Scotland Act 2024 also altered the deadline to finalise the next Climate Change Plan for Scotland so the Climate Change Plan can align with the process for setting the new carbon budgets.

Progress towards UK Renewable Energy Targets

Progress in Reducing Emissions 2024 Report to Parliament

The CCC Progress in Reducing Emissions Report to Parliament was published in July 2024. It advised (page 8) that urgent action is needed to get on track if the UK is to hit the 2030 target. 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."*

The introduction of the document contains a number of key messages which include the following:

- UK GHG emissions – fell in 2023 and are 49.5% lower than they were in 1990. The rate of emissions reduction seen in 2023 represents a significant increase from recent sustained rates and is roughly in line with the pace of change needed out to 2030.
- Change from 2022 to 2023 – were the greatest since 2016 other than during the Covid pandemic. This was largely due to a fall in the total gas demand.
- Pace of change - the reduction in emissions in 2023 was roughly in line with the annual pace of change needed to meet the UK's 2030 NDC (5.7% per year from 2023 to 2030). However, the average annual rate over the previous seven years was insufficient. This rate will need to double over the next 7 years if the UK is to meet its target for 2030.

Climate Change Committee, COP 28: Key Outcomes and Next Steps for the UK (January 2024)

The CCC published a report and related Statement in January 2024 with looking at COP28 and the next steps for the UK. The Key Outcomes and Next Steps for the UK advised that:

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

The UK played an important role in this hard-fought COP28 outcome. We may be further into the decarbonisation journey than many nations, but the obligation on every country is now to push even harder. This also frames the economic challenge."

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

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

The related COP28: Key Outcome and next Steps for the UK Report set out the following points inter alia:

- *"The Global Stocktake undertaken at COP28 marks the first formal assessment of progress of the Paris Agreement process and it reinforced the growing momentum in renewables and other low carbon technology deployment.*
- *Countries were called upon to support a trebling of renewables globally..... Alongside this was the crucial brokering of recognition of the need to transition away from all fossil fuels to achieve a net zero energy system by 2050.*
- *The UK can continue to lead by example and support actions elsewhere to accelerate the pace of the low carbon transition and develop resilience to climate impacts. It must*

demonstrate delivery towards to its ambitious 2030 and 2035 targets on the path to Net Zero."

The COP28: Key Outcome and next Steps for the UK Report sets out the 'next steps for the UK'. In this context there is reference to opportunities for climate leadership. The COP28: Key Outcome and next Steps for the UK Report identifies actions that will be important for ensuring domestic action is consistent with the language that the UK committed to at COP28. These include:

- Delivering rapid deployment of renewables.
- The UK must continue to focus on addressing delivery gaps to the 2030 NDC. Reference is made to the CCC findings in 2023 that if the UK is to achieve its 2030 NDC then the rate of emissions reduction *"outside electricity supply must almost quadruple from 1.2 % annual reductions to 4.7 %"*.
- The UK Government only has renewables deployment targets for offshore wind (aiming for up to 50 GW by 2030) and solar PV (aiming for up to 70 GW by 2035).

At the time the CCC published these documents there was a lack of policy support for onshore wind in England. Scotland and Wales were both delivering contributions to targets. The CCC made it clear that:

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

The CCC made it clear that, according to their findings the UK Government is currently not in line to meet its renewables targets. It advised that in order to support the ambitions agreed at COP28 *"and to meet the target of a decarbonised electricity supply by 2035, the Government must increase efforts to deliver against its existing targets on time"*.

Progress towards Scottish Renewable Energy Targets

Climate Change Committee, Progress in Reducing Emissions in Scotland 2023, Progress Report to Parliament (March 2024)

The CCC published Progress in reducing emissions in Scotland in March 2024. The CCC was clear in its view at that time that Scottish Government's 2030 climate goals were no longer credible.

Progress in Reducing Emissions in Scotland was clear that it was the view of the CCC that Scotland's Climate Change Plan required urgent application to enable the CCC assess it and identify the actions to deliver on future targets.

Progress in reducing emissions in Scotland 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."*

The Progress in reducing emissions in Scotland considers electricity supply, and it advises that there has been progress in the delivery of renewable electricity generation in Scotland.

The Progress in reducing emissions in Scotland notes that the Scottish Government aims to develop 20 GW on onshore wind capacity, by 2030. The Progress in reducing emissions in Scotland 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*."

Progress in reducing emissions in Scotland advises that Scotland must increase the deployment rate for onshore wind by more than a factor of 4 to an average annual rate of 1.4 GW.

With regards to progress in reducing emissions in Scotland 2022, the Report to Parliament CCC, December 2022 advised that:

"On the basis of the latest greenhouse gas (GHG) inventory, emissions in 2020 fell by 12% from 2019 to 40.6 MtCO2e and by 51% since 1990. On the 'GHG Account' basis, on which performance against the legislated targets is assessed, emissions were 59% lower than in 1990 and the 2020 interim target of 56% was achieved. The fall in emissions in 2020 was largely due to travel restrictions during the COVID 19 pandemic, without which it is unlikely the target would have been met. The annual targets in the 2020s will be much harder to achieve as emissions rebound."

It went on to state:

"There is now a significant risk of Scotland failing to meet its annual targets in the 2020s and the interim 2030 target.".

The fact that Scotland would not meet the target of a 75% reduction by 2030 was acknowledged by the Scottish Government in April 2024 when the Net Zero Secretary announced that Scotland was not going to meet its 2030 targets and that the annual targets would be replaced by carbon budgets covering each parliamentary term.

In June 2024 it was confirmed that the figures for 2022 showed that emissions fell by 50% from its 1990 baseline. This is well short of its target of a 53.8% reduction. It means ministers have now missed nine of the past 13 annual benchmarks for tackling climate change.

Legend

Site boundary

Proposed turbine

T01 T02 T03 T04 T05 T06 T07 T08 T09 T10 T11 T12 T13 T14 T15 T16 T17 T18 T19 T20 T21 T22 T23

255000 260000 265000 270000 275000 280000

605000 610000 615000

N

Scale: 1:250,000

0 5 10 Km

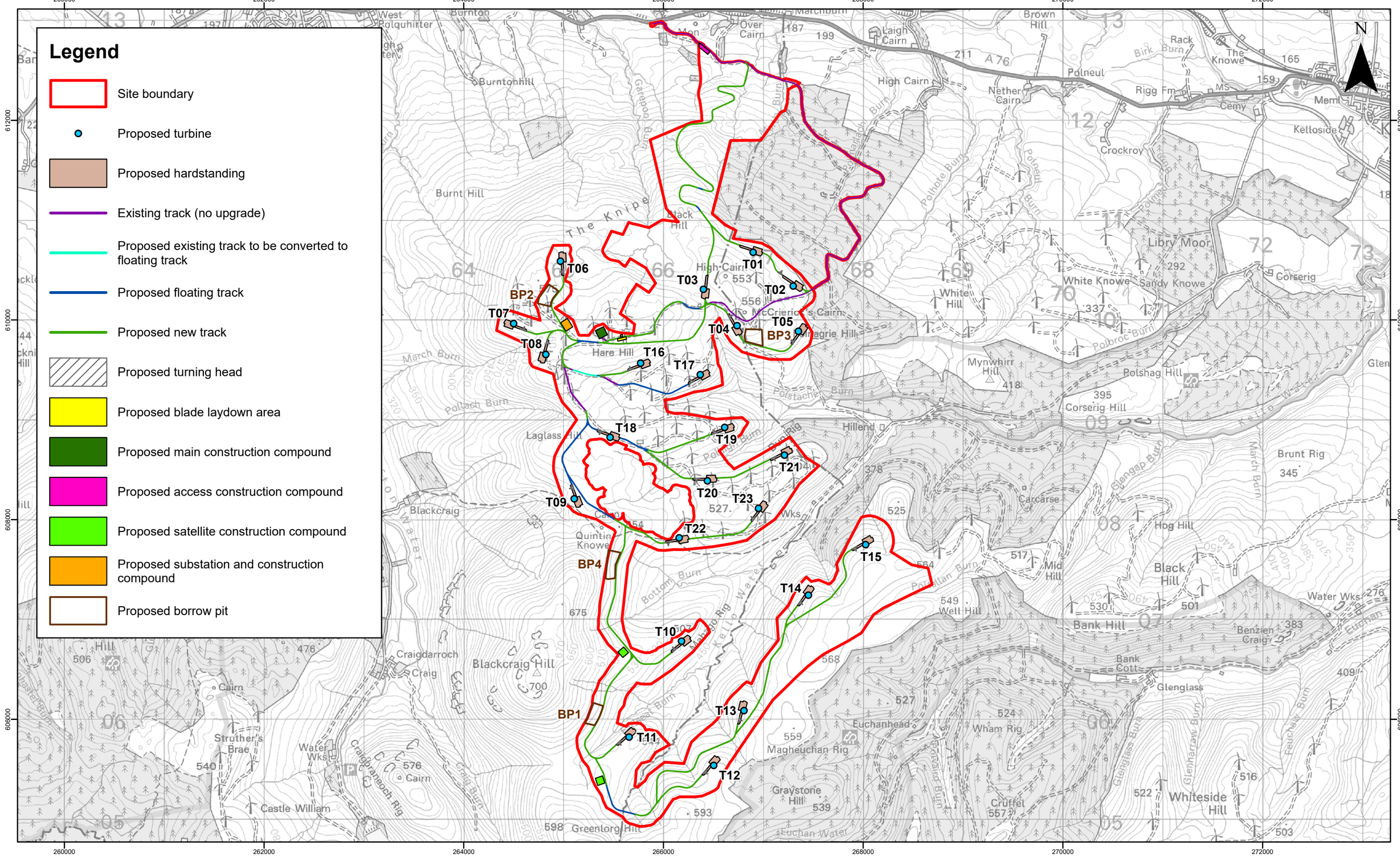
				1:75,000 Scale @ A3	0 2.25 4.5 Km
A	11/11/25	NN	First Issue.		
Rev	Date	By	Comment		

Hare Hill Windfarm Repowering and Extension

Site Location Plan

Drg No	GB200665_M_107
Rev	A
Date	13/11/25
Figure	1

Datum: OSGB36
Projection: OS BNG



ScottishPower Renewables					1:35,000 Scale @ A3	0 1 2 Km
	A	11/11//25	NN	First Issue.		
	Rev	Date	By	Comment		

Hare Hill Windfarm Repowering and Extension

Proposed Development Layout Plan

Drg No	GB200665_M_108	Datum: OSGB36 Projection: OS BNG
Rev	A	
Date	13/11/25	
Figure	2	