Earraghail Renewable Energy Development

Planning Statement

SCOTTISHPOWER RENEWABLES

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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 and an interim target of 75 % reduction in emissions by 2030. ScottishPower Renewables (UK) Ltd (SPR) (the Applicant) is helping to lead the fight against climate change by developing renewable energy projects, such as this fully integrated renewables scheme known as Earraghail Renewable Energy Development (the proposed Development).

2. 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, the first integrated energy utility in the UK to generate 100% green energy, is already investing a total of £10 billion over five years this is equivalent to £6 million every working day, to power a greener future for everyone living and working in the UK.

3. The Applicant 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. The company is also delivering the Iberdrola Group's offshore windfarms in the Southern North Sea off East Anglia. With over 40 operational windfarms, the Applicant manages all its sites through its world leading Control Centre at Whitelee Windfarm, near Glasgow.

4. The proposed Development is located between the village of Tarbert, to the north east, and the village of Skipness to the south, situated within the northern part of the Kintyre Peninsula in Argyll & Bute The nearest proposed turbines are located approximately 5.7 km south of the village of Tarbert and 3 km north of the village of Skipness.

5. The proposed Development comprises 13 three-bladed horizontal axis wind turbines up to 180 m tip height, with a rated output of around 78 megawatts (MW) and ground mounted solar arrays of around 5 MW, producing a combined output of around 83 MW or between 230-280 GWh of electricity annually. A battery energy storage system (BESS) the final capacity of which will be dependent upon storage technology and economics at the time of procurement. However, it is anticipated that the BESS of around 25 MW of energy would also be installed to store generated renewable energy and provide flexible management of energy delivery and ancillary support services to the National Grid. The Scottish Government confirmed it considered battery storage to be a generating technology in the Chief Planners letter dated 27 August 2020, this would help to deliver new renewable energy capacity which is needed to help the UK and Scottish Government meet its climate goals, address the climate change emergency and provide low-carbon power that assist in the reduction of consumer bills.

6. It is anticipated that the proposed Development would have a carbon payback period of approximately 1.8 years, when compared to the fossil fuel mix of electricity generation. The Site would in effect be in a net gain situation for CO_2 emissions following this time period and would contribute to national emissions reductions targets.

7. Any proposal to construct or operate a power generation scheme with a capacity in excess of 50 MW requires Scottish Ministers' consent under Section 36 of the Electricity Act 1989. The Applicant is therefore submitting an application for the proposed Development under the requirements of this Act (Section 36 of the Electricity Act 1989).

8. Schedule 9 of the Act places on the applicant a duty to "have regard to the desirability of preserving the natural beauty of the countryside, of conserving flora, fauna and geological and physiological features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest". Schedule 9 also places a duty on the applicant 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". Finally, Schedule 9 imposes duties on the applicant to avoid impact on fisheries and fish.

9. Under the Electricity Works (Environmental Impact Assessment) (Scotland) (EIA) Regulations 2017 (as amended) (EIA Regulations), the Scottish Ministers are required to consider whether any proposal for a windfarm is likely to have a significant effect on the environment.

10. The Applicant intends to submit an application for the proposed Development under Section 36 of the 1989 Electricity Act and for a direction under Section 57 of the Town and Country Planning (Scotland) Act 1997 as amended (TCP(S)A), that planning permission is deemed to be granted for the proposed Development.

11. It is assumed that the proposed Development would have an operational lifespan of 40 years.

12. The Applicant has undertaken an Environmental Impact Assessment (EIA) 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 and its operation.

13. Allied to a significant resource availability in Argyll and Bute, onshore wind continues to be the cheapest form of renewable energy and the Site has been predominantly selected for its potential to generate energy from wind turbines. Additional to this, the challenge is to meet the Scottish Government targets within a context of limited Government support mechanisms for onshore wind.

14. The energy capture estimated for the proposed Development is the result of the overall positive impact of accommodating larger rated capacity and the larger rotor (swept area) available at higher hub heights whilst respecting environmental impacts. The resultant efficiency, economics and commerciality of the scheme would enable the Applicant to reduce the cost of energy from the proposed Development, giving a positive benefit to consumers in terms of electricity cost. The supply of smaller wind turbines across Europe is already reducing, due to lack of demand as manufacturers are recognising the world market is shifting to larger machines with development work focussing on larger turbines to secure higher yields.

15. Larger turbines need to be considered and accepted if onshore wind is to continue to make a contribution to both the UK and Scottish Government's renewable energy targets. particularly the recent announcement of Net Zero CO2 emissions by 2045, with interim targets for 2030 which are critical to achieving the 2045 target The Scottish Government's Onshore Wind Policy Statement (December 2017) also challenges the industry to develop the first 'subsidy free onshore windfarm' which will only be possible if taller turbines are installed.

16. The Applicant has been working alongside communities across the UK for nearly two decades and has to date contributed more than £42 million in benefit funds to support initiatives and projects for those communities local to their windfarm sites. The majority of the Applicant's projects to date have been in the south of Scotland, however the Applicant also have 4 existing projects in Argyll & Bute including Beinn an Tuirc 1 and 2, Cruach Mhor and Clachan Flats. Community benefit funds from these developments has resulted in payments of over £2 million to communities in Argyll and Bute.

17. It is expected that during the construction stage the capital expenditure for the proposed Development would be approximately £117.1 million (including solar) of this approximately £13.78 million would be spent in the local economy and approximately £43 million would be spent in Scotland as a whole.

18. During construction phase, the proposed Development is expected to support, in net terms, 53 person-years of employment benefiting local residents and approximately 215.4 person-years of employment for Scotland as a whole. During the operational phase, the proposed Development is expected to support, in net terms, 9 permanent person-years of employment benefiting local residents, and 12 permanent person-years of employment for Scotland as a whole.

19. It is expected that the local economy would be boosted by a total of £4.2 million of net Gross Value Added (GVA)[1] during the construction period. The Scottish economy would benefit by £17.4 million net GVA during the same time period.

20. The proposed Development would have a 40-year operational life and would be expected to contribute lifetime GVA of some £26.4 million to the local economy through direct, indirect and multiplier effects, and around £35.6 million to the economy of Scotland as a whole.

21. The potential for effects on a wide variety of environmental factors have been considered through the EIA process. Where identified, any predicted significant environmental effects of the proposed Development have been mitigated, as far as reasonably possible, through an extensive process of design iteration. The proposed Development includes mitigation and enhancements including native woodland planting, habitat restoration, peatland habitat improvement and recreational; access improvements. These would ensure that the proposed Development is delivered in an appropriate manner which would benefit the environment in a wide variety of ways.

22. The proposed Development is a commercial scale Renewable Energy Development which would deliver clean energy to the national grid at a low cost to the consumer. If the issue of the climate emergency is to be addressed then developments such as the proposed Development must come forward and, subject to environmental considerations, be consented to meet the need for clean energy at a reasonable cost. The proposed Development is considered to be an important and strategic opportunity to contribute to the Scottish Government's ambitious targets for renewable energy. It would make a valuable contribution to the fight against climate change. The potential of the Site has been maximised whilst respecting the environmental constraints and sensitivities of the Site and the surrounding area. The proposed Development for which planning consent is sought is considered to be acceptable.

[1] GVA measures the contribution to the economy of an individual producer, an industry, sector or region

1 Introduction

23. The UK and Scotland's current climate change ambitions are amongst the highest in Europe. The Scottish Government declared a climate emergency in May 2019 and the Scottish Parliament passed the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009. This sets a target for a 100 % reduction in CO2 emissions by 2045 and an interim target of 75 % reduction in emissions by 2030. This is supported by the Scottish Energy Strategy's (Scottish Government 2017) target of 50 % of all energy (including transport, heat and electricity) being supplied from renewables by 2030.

24. In light of the ambitious targets set by the UK and Scottish Government, the Argyll & Bute Council (A&BC) set out its climate change actions in the Renewable Energy Action Plan. The key actions detailed in the plan include:

- TC1: Ensure the grid is fit for purpose to meet renewable energy opportunities – timescale 2021;
- BL2: Consider future renewables business accommodation and land requirements and feed into Local Development Plan preparation and any relevant national policies – timescale ongoing;
- ABRA 2: Support community benefits from renewables development and respond to future Scottish Government consultations – timescale 2018/19;
- ABRA 4: Influence legislation and policy development to ensure delivery of overarching ABRA vision and to assist in securing a successful route to market - timescale ongoing;

25. On 30th September 2021 A&BC reaffirmed its commitment to tackling climate change. Council Leader, Robin Currie said:

"While we are fortunate in having one of the lowest carbon footprints anywhere in the UK, we also recognise that there is no room for complacency on this critical subject. We are committed to helping the drive to tackle the impacts of climate change at local, regional and national levels wherever possible. This is a key priority for the council and, building on the actions we are already taking through the Decarbonisation Plan, we will work with our communities and our partners to explore all possible options to tackle the threat which climate change presents."

26. Key to achieving the carbon neutral ambition is the decarbonisation of many sectors of the economy and in order to do this the generation of renewable electricity needs to be increased and part of this is the development of onshore renewables.

27. The Applicant is leading the UK in the operation and development of renewables and fully supports the fight against climate change and proposes to develop the proposed Development in Argyll & Bute. This would be a fully integrated renewable energy solution in direct response to meeting national and international climate change targets. The proposed Development would be able to regulate output and provide clean power to people's homes when they need it most and would represent a state-of-the-art development for Argyll & Bute. As well as contributing to targets for renewable energy, the proposed Development would provide opportunities for community investment and create further employment opportunities in the local area.

28. The proposed Development is located within commercial forestry managed by Forestry and Land Scotland (FLS) and is located to the south of Tarbert and north of Skipness, as shown on **Figure 1**.

29. The Site lies within the A&BC administrative area. The application boundary, centred on National Grid Reference (NGR) NR 88732 63637, covers the area shown on **Figure 2** and an aerial photograph of the Site is presented in **Figure 3** showing topography, terrain and the current land use of the Site and surrounding area.

30. The proposed Development is described in summary in **Chapter 2** and in more detail in the EIA Report Chapter 2**.**

31. The proposed Development would exceed 50 MW, therefore, constitutes a Schedule 2 development as provided for by the EIA Regulations.

32. RSK has been appointed to undertake an EIA to determine and evaluate the potential effects of the proposed Development. The results of the EIA are presented in the Environmental Impact Assessment Report (EIA Report) which is submitted as part of the application which this Planning Statement is submitted in respect of.

1.1 Purpose of this Planning Statement

33. The application for the proposed Development is submitted to the Scottish Ministers under Section 36 (S36) of the Electricity Act 1989 (the 1989 Act). The applicant, by way of the S36 process, requests that the Scottish Ministers issue a S36 Consent in respect of the proposed Development, together with a Direction under Section 57(2) of the (TCP(S)A) that planning permission is deemed to be granted for the proposed Development. This Planning Statement sets out the background and policy and considerations relevant to the proposed Development. It is structured as follows:

- **Chapter 1** includes the introduction to the Planning Statement, provides the framework for decision making and provides background information on the Applicant**.**
- **Chapter 2** provides a brief description of the proposed Development.
- **Chapter 3** sets out the key benefits of the proposed Development.
- **Chapter 4** outlines the statutory framework for the consideration of the application for the proposed Development
- **Chapter 5** sets out the renewable energy framework and includes information in relation to the climate emergency declared by both the UK and Scottish Governments and A&BC, details the key renewable energy advisory reports, energy policy and the response to COVID-19 and related green recovery.
- **Chapter 6** outlines the renewable energy targets set in law and the progress towards the targets in Scotland.
- **Chapter 7** details the relevant planning policy, including national policy, Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3) and the Development Plan.
- **Chapter 8** provides an assessment against the relevant planning policy set out in **Chapter 7**.
- **Chapter 9** provides the conclusions of the Planning Statement.

1.2 Statutory Framework

34. As identified previously, the application for the proposed Development requires to be made under Section 36 of the Electricity Act 1989 because the installed capacity would exceed 50 MW. The way in which decision making is to be considered under the 1989 Act is considered in **Chapter 4** of this document.

1.3 The Applicant

35. 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 now only produces 100 % green electricity – focusing on wind energy, smart grids and driving the change to a cleaner, electric future. ScottishPower is the first integrated energy utility in the UK to generate 100% green energy, is already investing a total of £10 billion over five years, this equates to £6 million every working day, to power a greener future for everyone living and working in the UK.

36. 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 as well as hydrogen energy. The company is also delivering the Iberdrola Group's offshore windfarms in the Southern North Sea off East Anglia as part of an international pipeline of projects across Europe.

37. With over 40 operational windfarms (20 in Scotland), the Applicant manages all its sites through its world leading Control Centre at Whitelee Windfarm, near Glasgow.

2 The Proposed Development

38. In respect to a significant resource availability in Argyll and Bute, onshore wind continues to be the cheapest form of renewable energy and the Site has been predominantly selected for its potential to generate energy from wind turbines. Additional to this, the challenge is to meet the Scottish Government targets within a context of limited Government support mechanisms for onshore wind.

39. The EIA Report Chapter 2: Site Description and Design Evolution and 3: Proposed Development sets out the key characteristics of the Site and the surrounding area before providing a summary of the physical elements of the proposed Development.

40. For ease of reference the main elements of the proposed Development comprise:

- 13 wind turbines, up to 180 m to blade tip, including foundations and aviation lighting;
- ground mounted solar arrays;
- BESS units;
- crane hardstandings for wind turbine installation and maintenance;
- transformer/switchgear housings located adjacent to turbines & solar arrays;
- new (10.4 km) and upgraded (12.9 km) access tracks including watercourse crossings where necessary, passing places and turning heads;
- underground electrical cabling;
- compound containing substation, control building and BESS;
- one main site construction and maintenance compound and a security compound;
- a permanent lattice construction meteorological mast, up to 105 m high;
- health & safety and other directional site signage;
- search areas for up to three new borrow pit areas; and
- additional components to improve the overall ecological, environmental and social benefits accruing from the proposed Development, as follows:
    - Ecological and environmental: peatland restoration; habitat improvement; native woodland planting
    - Social: proposed new walking bothy and stone seating on the Kintyre Way; circular walking route and viewpoint near Tarbert.

41. A range of site enhancements have been identified within the Site that are intended to improve the overall ecological, environmental and social benefits accruing from the proposed Development. These include recreational paths and walks, a viewing point upon Cnoc nan Caorach in the northern part of the Site, a walking bothy and stone seating on the Kintyre Way, native woodland planting, peatland restoration and habitat improvements. Further details are provided in the EIA Report at Chapters 3 and 14 and Figure 3.1. Full details of the habitat management improvements are included in Technical Appendix 8.5**.**

42. During the early stages of the proposed Development, there were a number of key factors which required careful consideration as the project developed. These included the following:

- the potential impact on nationally designated sites;
- views of the Site from north Arran and elevated viewpoints on Arran;
- views of the Site from the surrounding water bodies, including views from ferry routes;
- interaction between the Site and the Kintyre Way;
- views of the Site from South Cowal and Bute;
- impact on the setting of Skipness Castle and Kilbrannan Chapel;
- the presence of deep peat on the Site; and
- potential impact on the nearby settlements including Skipness.

43. Early in the process, a Constraints Plan of the Site was compiled based on field survey findings and desk study. The design was further informed by site visits and work undertaken by the landscape and cultural heritage team to understand the environs of the Site. Based on analysis and field work observations, a design concept for the

proposed Development was generated identifying the preferred areas for turbines within the Site. The main design objectives were as follows:

44. As part of the approach, a number of design principles and environmental measures have been implemented and incorporated into the proposed Development as standard practice, including the following:

- consideration of the form of the underlying landscape and its scale;
- Avoidance where possible of the deepest areas of peat and also those areas which reflect better quality unmodified peat;
- sensitive siting of the proposed infrastructure incorporating appropriate buffer distances from environmental receptors to avoid or reduce effects on the environment;
- considering the size and scale of the proposed Development appropriate to the location and proximity to residential areas;
- re-using existing infrastructure including forestry tracks as much as possible to access proposed turbine locations;
- design of the tracks to minimise cut and fill, reducing landscape and visual effects as well as costs;
- inclusion and design of borrow pit(s) to minimise the amount of the material required to be imported to the Site; and
- potential for up to 50m micrositing of infrastructure during construction to ensure the best possible location is chosen based on detailed Site investigations.

45. Throughout the design evolution of the proposed Development layout, a key driver was the consideration of potential effects on landscape and visual and cultural heritage receptors and how the proposed Development would relate to the existing landscape character as well as existing windfarms in the landscape. In particular, regard has been taken to evaluate the scale and number of turbines proposed, cumulatively with baseline windfarms in the area, in particular the operational Freasdail and Cour Windfarms and the consented Eascairt, High Constellation and Airigh Windfarms. The landscape, visual and cultural heritage effects potentially caused by the proposed Development have been considered extensively from key receptors during the design of the proposed Development.

46. Careful consideration has been given to the impacts and effects of the visible lighting which would be installed on the proposed wind turbines. An Illustrative Aviation Lighting Landscape and Visual Impact Mitigation Plan is provided in the EIA Report as Technical Appendix 15.5. This document considers a number of mitigation options which have been considered as part of the development of the proposed Development. This includes the ability to reduce the light intensity and to install aircraft activated lighting. A proposed condition is provided to ensure that the landscape and visual impact of the visible lighting required on the wind turbines is as limited in so far as is reasonably possible.

47. The EIA process has been an iterative one, so that constraints identified throughout the EIA and design process could be avoided and potential impacts of the proposed Development avoided or reduced. The evolution of the design is set out in Chapter 2 of the EIA Report. It is submitted that the final layout represents a development which achieves the following:

- maximises the renewable energy potential through the development of different renewable technologies;
- minimises the proximity to and visibility from residential properties as well as the settlement of Skipness;
- minimises visibility from the more sensitive landscapes of South Knapdale, the Kintyre coasts;
- minimises the impact on Skipness Castle and Kilbrannan Chapel SM
- minimises visibility and effect on transport routes and recreational receptors within West Loch Tarbert and some ferry routes;
- a layout that is reasonably balanced with group of wind turbines when seen from key receptor locations in the surrounding landscape;
- consideration of the cumulative landscape and visual impacts from the proposed Development in addition to the existing windfarms, as well as other nearby consented windfarms;
- minimises and, where possible, avoids the loss of priority habitats and species, and creates opportunity for habitat enhancement which will be delivered by a Habitat Management Plan; and
- protects watercourses from the potential impacts of constructing the Development.

48. The efficiency of the Site is a matter which has been considered through the design evolution process and the need to maximise the potential output of the Site, whilst respecting environmental constraints, is a matter which has been discussed as part of the design evolution. As part of this the potential for turbines of a number of scales have been considered. At the scoping stage the proposed turbines were 200m to tip. Smaller turbines have also been considered. It was decided that for environmental reasons it was appropriate to reduce the turbine height to 180 to tip. Table 2.1 sets out the differences between the three turbine sizes considered at key stages of the deign process.

Table 2.1: Comparison of turbine heights considered for the proposed Development

Tip Height of turbine – metres	149.9	180	200
Capacity - MW	5	6	6.6
Difference in yield compared to a 180m tip height - %	-33	0	+10
Scottish Households powered per year per turbine*	2,833	3,400	3,740
CO_2 saved per year – Tonnes per turbine	10,170	12,203	13.424

* The figure provided elsewhere, in this Planning Statement, of 45.307 for the proposed Development includes the solar contribution.

49. The proposed Development has sought to maximise the potential of the Site to provide clean energy to the grid whilst respecting the environmental constraints and sensitivities. In particular, it is noted that by using turbines of 180m to tip rather than 149.9m to tip the increase in yield is in the region of a third. The proposed Development could have delivered more clean energy to more households through the use of more and/or larger turbines however it has been considered that the proposed Development reaches an appropriate balance.

3 Benefits of the Proposed Development

50. The proposed Development would result in a wide range of valuable benefits which should be afforded weight in the consideration of the planning application. These are summarised in this Chapter.

3.1 Renewable Energy Generation

51. The Scottish and UK Governments are committed to the long-term decarbonisation of electricity generation and the Scottish Government declared a climate emergency in May 2019. The Applicant is aligned with the Scottish Governments commitment by generating 100 % renewable energy. The Climate Change Bill 2018 passed by the Scottish Government amends the Climate Change Act 2009 by setting legally binding targets of Net Zero greenhouse gas emissions by 2045 at the latest, with Scotland becoming carbon neutral by 2040. Scotland will not only have to meet the Net Zero target for 2045, but also have to reduce emissions by 56 % by 2020, 70 % by 2030 and 90 % by 2040. These are currently the most ambitious statutory targets in the world.

52. These targets remain challenging – however if consented, the proposed Development would make an important contribution to Scotland's Climate Change Plan to become carbon neutral by 2040 and reduce emissions.

53. The proposed turbines would have a total rated output of around 78 MW The proposed solar array would also generate around 5 MW. Together the wind turbines and solar arrays would produce between 230-280 GWh of electricity annually. This equates to the annual power consumed by approximately 45,307 average households in Scotland per year[2].. BESS, of around 25MW, would also be installed. The proposed Development would provide a flexible balance of energy and enabling the delivery of the full potential of renewable energy to meet the demands of the National Grid.

3.2 Capital Expenditure Associated with the proposed Development

54. Chapter 14 of the EIA Report advises that it is anticipated that the proposed Development construction and development costs could total approximately £117.1 million, including turbines, solar arrays, civil engineering works, electrical plant and grid connection. It is expected that construction phase expenditure of the proposed Development is approximately £13.78 million (nearly 12 % of the overall total) would be spent in Tarbert and Skipness/Argyll and Bute. An estimated £43 million (36 % of the overall total) would be expected to be spent in Scotland as a whole.

55. The Scottish economy would be expected to be boosted by a total of £17.4million of net GVA during the development and construction period of this £4.2 million is expected to be spent in the Tarbet and Skipness Argyll and Bute economy. During the operational phase, the proposed Development would contribute some £0.66 million in GVA per annum to the Tarbert and Skipness/Argyll and Bute economy through direct, indirect and multiplier effects, and £0.86 million GVA per annum to the economy of Scotland as a whole. This is considered to be a positive benefit of the proposed Development.

3.3 Employment Opportunities

56. The recently published RenewableUK, Onshore wind industry prospectus provides information in respect of the contribution that onshore windfarms make to the Scottish economy. It is noted that *"onshore wind already the largest clean energy employed in Scotland, supporting 8,800 jobs and contributing £2.2bn each year"*

57. The Onshore Wind Policy Statement refresh: advises that "Figures from 2019 show that onshore wind developments alone directly support over 1,900 FTE Scottish jobs (of an overall 4,600 renewables jobs)."

58. The Onshore wind industry prospectus considers the case study of Freasdail which is located to the south of the Site. It advises that *"the total sum of local expenditure at Freasdail reached £6.35m once the wind farm was energised in early 2017, nearly double the estimated £3.3m anticipated during the project's development."* This

[2] Calculations from the Scottish Government Renewable electricity output and energy conversion calculators website: https://www.gov.scot/publications/renewable-and-conversion-calculators/ [accessed 11 June 2021]

suggests that figures which are presented in EIA Reports for wind farm developments maybe conservative and that in reality the expenditure locally is greater than predicted.

59. In the last couple of years, and in particular since the emergence of COVID _19, renewable energy has become increasingly prominent in economic policy. Green jobs are clearly identified as a focus of the economic recovery. This is because it is recognised that renewable energy is crucial to the economy as it both replaces traditional fossil fuel-based energy generation and facilitates the transition of other sectors of the economy to net zero.

3.1.1 Construction

60. During the 24-month construction phase, the proposed Development is expected to support employment in the Argyll & Bute economy which has the potential to be beneficial for local residents[3]. There would be 53 person years of employment in Scotland and for Scotland as a whole the figure is 215.4, created as a result of the proposed Development. Information from other projects developed by the Applicant indicate that a wide selection of supply businesses could expect to benefit from the investment in the local Scottish economy, including haulage, aggregates supply, forestry services, building services, fencing, and security.

61. Procurement of goods and services can have an important effect on the local economy. The potential level of expenditure calculated in the EIA Report shows that, for the proposed Development, local contract spend (within Tarbert and Skipness, Argyll and Bute) could be approximately £15.07 million over the proposed Development (planning) period and 24-month construction period.

62. The Applicant is committed to employing good practice measures with regard to maximising local procurement. The construction contractor would be required by the Applicant to give local companies due consideration for the provision of goods and services. Local sourcing of equipment is preferred whenever possible, but this procurement is subject to tendering and may be constrained by the specialist nature of some of the equipment. Local contractors will be encouraged to tender for construction, operation and maintenance work wherever possible, to ensure maximum benefit to local communities. Chapter 14 of the EIA report sets out the type of services and opportunities that local contractors maybe able to provide.

3.1.2 Operation

63. During the operational phase, (including operation and maintenance) the proposed Development could support up to £0.66 million GVA and 9 jobs (engineers and technicians) locally in Tarbert and Skipness/Argyll and Bute and £0.86 million GVA and 12 jobs in Scotland. Additional benefits would accrue to the local supply chain as a result of services supplied to the operation of the proposed Development.

64. the Applicant would seek to secure positive benefits for the local economy by encouraging the use of local labour, manufacturers and suppliers where possible during the operational phase. The majority of jobs during the operational phase would be related to turbine/solar maintenance and civils maintenance works.

3.4 Community Benefit and Investment

65. The Applicant is committed to offering a package of community benefits to local communities. Further information on the way in which this would be done is provided in EIA Report at Chapter 14**.**

66. It is expected that any proposed income streams from these community benefits payments could be used to support community projects within the local area. Local communities would have the flexibility to choose how the money is spent and prioritise for the things which matter most to them.

67. To date, the Applicant's operational windfarms have contributed more than £42 million of support towards community initiatives across the UK, with communities in Argyll and Bute receiving £2 million. Examples of projects and initiatives delivered by this include:

- Over £90,000 towards energy efficiency, general maintenance and equipment for local village halls;
- £12,000 towards the refurbishment and running costs of the Campbeltown Picture House;

[3] Job years measures the number of years of full-time employment generated by a project. For example, an individual working on this project for 18 months would be reported as 1.5 job years.

- Almost £11,000 to support The Kintyre Way route and Kintyre Way Ultra events;
- Over £18,000 to "Shopper Aide" to deliver their services and to help meet the costs of a wheelchair friendly vehicle, to assist local residents experiencing low mobility and/or social isolation in accessing shops, clubs, medical appointments and taking part in social activities;
- Contributions of £7,500 towards the Kintyre Community Dialysis Unit;
- £2,400 to provide defibrillators in Carradale; and
- Support for various projects for young people, including £25,000 to Carradale Activity Play Park to replace the existing equipment for both local children and those visiting on holiday and almost £4,000 towards swimming & kayaking lessons for local primary school children.

3.5 Carbon Saving

68. During operation, the proposed Development would contribute to a beneficial effect on local and global air quality, by avoiding emissions due to the generation of electricity by burning fossil fuels. A carbon assessment has been undertaken to estimate the potential savings in carbon dioxide (CO2) emissions by the proposed Development replacing other electricity sources. The proposed Development has a payback time of approximately 1.8 years. total CO_2 emissions savings over the assumed lifetime of the project (excluding the contribution made by the ground mounted solar arrays) is expected to be circa 3,298,910 tCO_2e (85,464 tCO_2e over 38.6 years) This would positively contribute to meeting Scotland's targets for reducing greenhouse gas emissions.

3.6 Public Access and Outdoor Recreation

69. The Applicant is committed to providing a variety of other benefits above and beyond the renewable energy infrastructure and habitat enhancements identified in the earlier text.

70. The features would be constructed at or around the same time as the other elements of the proposed Development, with the aim of them becoming available to use by members of the public at the commencement of the operational phase of the proposed Development. The responsibility for installing and maintaining these features would lie with the Applicant for the duration of the operational life of the proposed Development, although the Applicant would likely choose to engage with locally-based third parties to provide both the construction and maintenance of them.

3.7 Biodiversity Gain

71. The proposed Development would contribute positively to biodiversity through the draft Habitat Management Plan (HMP) (EIA Report Technical Appendix 8.5). The overall purpose of the HMP is to implement positive land management for the benefit of nature conservation which will mitigate any adverse impacts that the proposed Development may have had.

72. In addition to mitigating against any adverse impacts, the draft HMP advises that the Applicant is committed to enhancing the habitat value of the proposed Development and has taken the opportunity to provide not only mitigation, but also large scale enhancement of local habitat features to provide wider benefits. It is predicted that the proposed Development would result in the total loss of the following:

- 0.17ha of wet dwarf shrub habitat;
- 2.27ha of blanket bog communities (M19a and M23); and
- 3.93ha of mosaic habitat containing blanket bog.

73. Although these impacts were assessed as being not significant in the context of the EIA regulations, the HMP seeks to provide substantial net gain for habitats and species in the local area through the following:

- restoration of 222.6ha of afforested blanket bog;
- restoration of 43ha of afforested heathland; and
- creation of 25ha of native woodland.

74. It is anticipated that the habitat management, which is outlined within the HMP, will have a benefits for species that have been found to use the Site including black grouse, golden eagle and red-throated diver. It will complement the habitats found in the adjoining Tarbert to Skipness Coast Site of Special Scientific Interest (SSSI)

and Tarbert Woods Special Area of Conservation (SAC). Details of these benefits is contained in the outline HMP which is Technical Appendix 8.5 of the EIA Report.

3.8 Non-domestic Rates

75. It is estimated that the proposed Development could contribute up to £0.9 million annually to public finances, and contribute £35.6million over the 40 years of its operational lifetime. However, the actual contribution would depend on variables such as the actual load factor, and the potential for any relief from non-domestic rates.

4 Statutory Framework

76. The Applicant is a licensed electricity generator in terms of the Electricity Act 1989. As a consequence of this, the Applicant is obliged when formulating proposals of 10 MW or more to have regard to the duties imposed upon it by Schedule 9(3)(1)(a). In formulating proposals, it shall have "*specific 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*.". Furthermore, 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). 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). In the circumstances, the Applicant has fulfilled the statutory requirements of Schedule 9.

78. In addition, Schedule 9 also 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 addition to the above processes, the fact that the proposed Development is Schedule 2 development requires the Applicant to undertake an EIA and also to report the outcome of that process through the EIA Report. The EIA Regulations set out the legal requirements of the process. As part of the process, the Applicant applied for a Scoping Opinion in terms of Regulation 12 and have provided an EIA Report which complies with the requirements of Regulation 5. Regulation 5 also incorporates further information requirements as set out in Schedule 4. The EIA Report has set out in detail how compliance with these provisions has been considered and achieved. In addition, the EIA Report has included measures to avoid, prevent and reduce identified effects and also offset certain significant effects. It has also identified where it may be appropriate for further monitoring to be undertaken.

80. The EIA Regulations also 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)).

81. 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.

82. 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 and also the Local Development Plan and other Guidance. All these matters are relevant and should be taken into account in the decision-making process. The ultimate weight of any particular factor in the decision-making process is a matter for the decision maker.

5 Renewable Energy Framework

5.1 Introduction

83. The proposed Development is the subject of a Section 36 application, and as such, it must be recognised that it is being brought forward in an environment where the need for renewable energy is becoming increasingly important in addressing important global issues associated with climate change. The framework of international agreements, legally binding targets and climate change global advisory reports is the foundation upon which national (UK and Scottish) energy policy is based.

84. The international and national context set out in this Planning Statement is a relevant consideration in the determination of the application. It is a consideration which should attract significant weight in the decision-making balance.

85. This Chapter of the Planning Statement first acknowledges that both the Scottish Government and A&BC have declared a climate emergency and what their position on that is.

86. It has been the case over a number of years that the policy on renewable energy is guided by scientific research and reports (Advisory Reports). These Advisory Reports make unequivocally clear the need to address climate change and to reduce greenhouse gas emissions.

87. As a result of Advisory Reports the UK and in particular the Scottish Government have been unequivocal, clear and consistent in their policy support at all levels, for the deployment of renewable energy generally and onshore wind particularly to combat global warming, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding renewable energy and emission reduction targets.

88. Government policy on renewable energy GHG emissions is a relevant consideration in the decision-making process which should attract significant weight in the decision-making balance.

89. This Chapter of the Planning Statement sets out the key Advisory Reports which have informed Government policy which is also set out in this Chapter of the Planning Statement. It also considers the response to COVID-19 which has been focused on a green recovery. The renewable energy targets are considered in Chapter 6 of this Planning Statement.

90. The following text sets out a high-level review of the documents that are referenced. Further details can be found in **Appendices 3-5** of this Planning Statement

5.2 Climate Emergency

91. The International Panel on Climate Change released a special report: Global Warming of 1.5°C, in October 2018 on the impacts of global warming and warned that we may have just twelve years left from 2018 to limit a climate crisis.

92. 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."

93. 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."*

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

5.2.1 Argyll and Bute Climate Emergency

95. A&BC declared a climate emergency in September 2021. The notice of the motion to the Council meeting advised that A&BC renewed its commitment, made in September 2019 to play its part in the global effort to address climate change. The Notice of Motion advises that *"Argyll and Bute aim to become the UK's first net zero region and its action plan target is net zero by 2045 – with ambitious interim targets of reaching 75% reduction by 2030."*

5.3 Advisory Reports

96. This Chapter of the Planning Statement sets out the most recent and key renewable energy advisory reports, in order to set the context for the proposed Development, which comprise:

- Reducing emissions in Scotland Progress Report to Parliament (October 2020);
- 6th Carbon Budget (December 2020);
- Climate Change Committee Progress Report to Parliament (June 2021);
- Intergovernmental Panel on Climate Change Sixth Assessment Report 2021;
- 12 immediate actions for the new Scottish Government in the year of COP26;
- UN Gap Emissions Report (October 2021); and
- UK Government Net Zero Strategy 2021.

97. These documents are summarised in **Appendix 3**.

5.4 Energy Policy

98. As a result of the Advisory Reports highlighted in **Section 5.3**, of this Planning Statement, the UK and Scottish Governments have developed a suite of comprehensive policies which are supportive of renewable energy and onshore wind. The following documents are considered to be the most relevant to the consideration of this application:

- The UK Government Energy White Paper 'Powering our Net Zero Future' (December 2020);
- the Scottish Energy Strategy 2017;
- Scottish Energy Strategy Position Statement (March 2021);
- The Scottish Onshore Wind Energy Policy Statement 2017 (OWPS);
- The Climate Change Plan, The Third Report on Proposals and Policies 2018-2032 (CCP 2018) February 2018;
- Green Recovery on a Path to Net Zero: Climate Change Plan 2018-2032 (December 2020) (CCP Update);
- Scottish Government and Scottish Green Party Draft Shared Policy Programme Working Together to Build A Greener, Fairer, Independent Scotland (August 2021); and

99. Onshore Wind Policy Statement refresh 2021: Consultative Draft; The key parts of these documents are considered in the following text.

5.4.1 UK Policy

100. The key policy document for the UK is the Energy White Paper.

The Energy White Paper December 2020

101. On 13th December 2020, the UK Government published its Energy White Paper, Powering our Net Zero Future, this document sets out current thinking on the way in which the UK should work towards meeting its Net Zero targets by 2050. It advises that although retiring capacity will need to be replaced, modelling suggests, overall demand could double by 2050. It notes that this would require a four-fold increase in clean electricity generation with decarbonisation of electricity increasingly underpinning the delivery of the Net Zero target.

102. On page 4 of the Energy White Paper sets out 3 key themes as follows:

- transform energy;
- green recovery; and

- fair deal for consumers.

103. It is clear that the Government is looking for a transformation to the delivery of renewable energy which will form part of a green recovery and deliver fair prices for the consumers of energy. Page 9 of the document is clear on what decarbonisation of the energy system means, it states *"Decarbonising the energy system over the next thirty years means replacing – as far as it possible to do so – fossil fuels with clean technologies such as renewables, nuclear and hydrogen."*

104. The document looks at what needs to be achieved in terms of clean electricity production in order to reach Net Zero and **Figure 1.4**, presented below, on page 9 summarises the situation clearly, it is as follows:

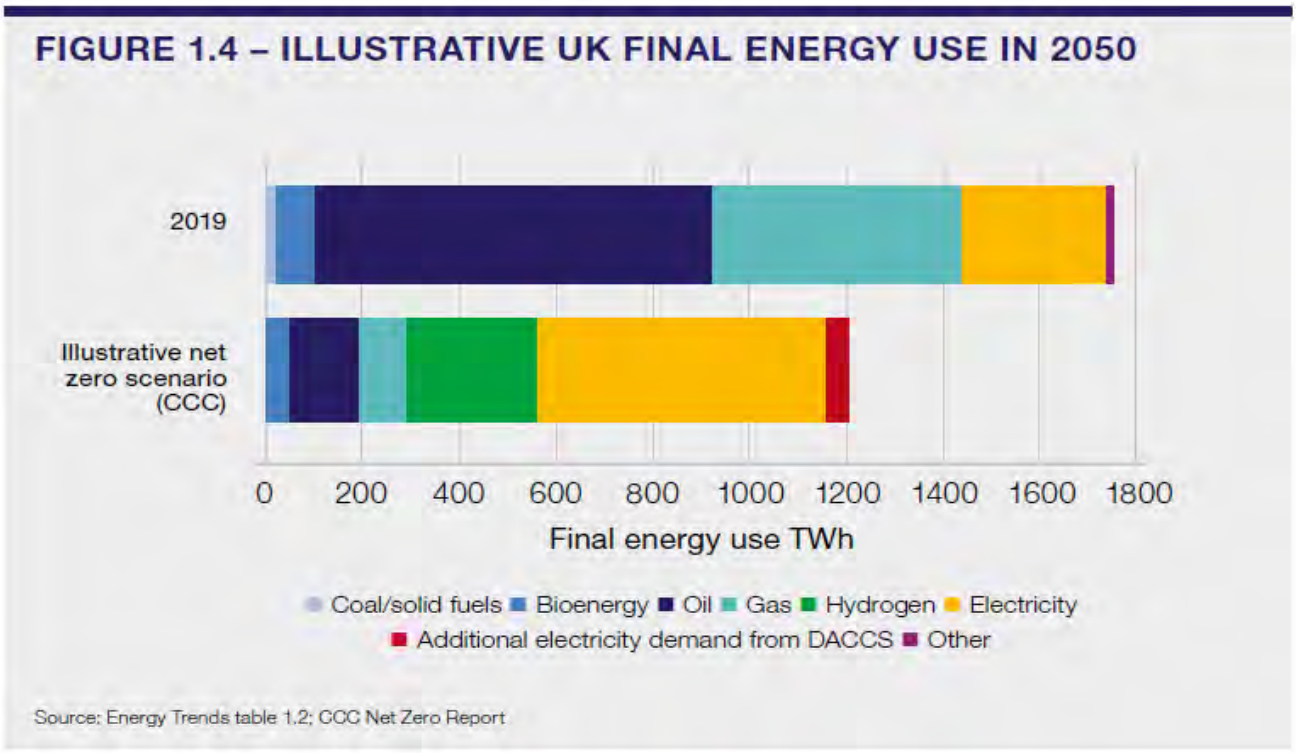


Figure 5:1: Illustrative UK Final Energy Use in 2050 (Source Energy White Paper)

105. Page 10 of the Energy White Paper is clear that clean electricity is key to reaching Net Zero – it states, "*Clean electricity will become the predominant form of energy, entailing a potential doubling of electricity demand and consequently a fourfold increase in low-carbon electricity generation."*

106. Chapter 2 of the Energy White Paper outlines the UK Government's goal in relation to power. It states, *"Electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050." To the do this the UK Government will:*

- *"Accelerate the deployment of clean electricity generation through the 2020s.*
- *Invest £1 billion in the UK's energy innovation programme to develop the technologies of the future such as advanced nuclear and clean hydrogen.*
- *Ensure that the transformation of the electricity system supports UK jobs and new business opportunities, at home and abroad."*

107. Page 43 of the document is clear on the expected role of wind farm developments as a key generator of low-cost clean energy. It advises that while the UK Government *"are not planning for any specific technology solution, we*

can discern some key characteristics of the future generation mix. A low-cost, net zero consistent system is likely to be composed predominantly of wind and solar."

108. The document is clear that onshore wind is part of the overall solution stating that: *"Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind… We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions".*

5.4.2 Scottish Policy

109. 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 for the proposed Development.

110. In December 2017, the Scottish Government published two energy policy documents, comprising the following:

- the Scottish Energy Strategy 'The Future of Energy in Scotland'; and
- the Onshore Wind Policy Statement (OWPS).

111. Together, these policy documents represent the Scottish Government's intended energy and climate change strategy for the period to 2050. Further information in respect of these documents, and the position statement on an update to the Scottish Energy Strategy, is contained in the following text.

Scottish Energy Strategy 2017

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

113. The SES is designed to provide a long-term vision to guide detailed energy policy decisions over the coming decades. It sets 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 contains six energy priorities including increasing renewable energy production and increasing flexibility, efficiency and resilience of the energy system.

114. The main document was published alongside the OWPS. This document provides focus for onshore wind.

115. The SES 2017 advises 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 advises 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."

116. The SES 2017 sets two new targets for the Scottish energy system by 2030. These are:

- "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."

117. Reaching 50 % in the 13 years from the publication of the SES 2017 will be challenging, despite the good progress being made with the equivalent of 17.8 % being met by renewable sources in 2015, and the SES 2017 acknowledges this.

118. Renewable and low carbon solutions are identified as one of six energy priorities around which the 2050 vision is built. The document advises 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."*

119. The SES 2017 advises 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 includes the provision of BESS which is considered to be a benefit.

120. Under the heading of Renewable Energy SES 2017 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".*

121. The SES considers solar and advises that "*solar PV can make an important contribution to Scotland's energy needs."* It advises that there is the potential to power the equivalent of 50,000 homes through solar power. The SES is clear that there is the potential for the combination of storage with wind and solar assets to be a valuable solution for the energy system as a whole, as it would offer the potential for demand to be locally managed.

Scotland's Energy Strategy Position Statement

122. The Scottish Government published Scotland's Energy Strategy Position Statement (SESPS) in March 2021 which provides an overview of the Scottish Governments 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 COP26.

123. SESPS provides an overview of the Scottish Government policies in relation to energy. It is clear that the Government will remain guided by the key principles set out in the SES and reinforces *"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"*.

124. The Ministerial Foreword references the challenge of COVID-19 which, it states, has created an economic crisis and notes that the Climate Emergency *"has continued unabated"*. The Foreword states 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"*.

125. The report makes reference to Scotland's ambitious legislative framework for emissions reduction in the world 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.

126. The summary of the SESPS is clear that the current SES remains in place until any further Energy Strategy refresh is adopted by Ministers. In terms of key priorities for energy, and renewables in particular, this includes working on the update of the OWPS which is expected in 2021.

127. Section 5 of the report considers 'a green economic recovery' and states that creating green jobs is at the heart of the Scottish Government's plans for a green economic recovery. This is clear in the Programme for Government (2020) which set out a 'national mission' to create new and green jobs.

128. Onshore renewables is specifically considered in Section 8, of the SESPS where it states *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 adds *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".*

129. 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.

Onshore Wind Policy Statement

130. The Onshore Wind Policy Statement (OWPS 2017) reaffirms the existing Scottish Government's onshore wind policy set out in previous publications. The Ministerial Foreword is clear that there is no question that onshore wind has played a dominant and hugely successful role in contributing to the targets. It notes that onshore wind plays a valuable role in the empowerment and reward of local communities which are located near developments. The document focuses on the need to support development in the right places including, where acceptable, the inclusion of larger turbines, with effects and impacts of proposed developments being considered on their merits. The need to strike the right balance between environmental effects and impacts, local support and economic benefits is highlighted. It includes separate sections on the following key priority areas:

- route to market;
- repowering;
- a strategic approach to development;
- barriers to deployment;
- protection for residents and the environment;
- community benefits; and
- shared ownership.

131. The section on Route to Market makes is clear that the Scottish Government expect "onshore wind to remain at the heart of a clean, reliable and low carbon energy future in Scotland." Onshore wind is to remain "crucial in terms of meeting the goals for a decarbonised energy system." The Scottish Government is clear that the approach taken in the OWPS 2017 means that "Scotland will continue to need more onshore wind development and capacity, in locations across landscapes where it can be accommodated."

132. The OWPS is clear that the Scottish Government believe that "new onshore wind projects can and must be developed with no additional subsidy cost to consumers." The OWPS invites "applicants to explain clearly how environmental impacts have been balanced against energy yield during design iteration and reported as part of the information provided in support of applications."

133. Chapter 3 of the EIA Report sets out the design evolution process which demonstrates several environmental and engineering factors have been considered and sought to minimise environmental impacts. The proposed wind turbines and solar arrays would produce a combined output of around 83 MW or between 230-280 GWh of electricity annually.

134. The OWPS is clear that innovative solutions such as the integration of energy storage within onshore windfarm proposals not only help improve the ability of variable generators, such as onshore wind, to manage generation and demand but can also help grow the supply chain. The OWPS states: "*continuing support for innovation – for example, the development of smarter networks, active management and storage technology – can have a positive effect on the integration and economics of onshore wind generation. Innovation in the onshore wind sector can help the Scottish supply chain to grow, creating jobs and opportunities, and securing Scotland's position as a hub for innovation and investment*."

135. In the Chapter on Community Benefits the OWPS advises that "*As of November 2017 over £12 million [in community benefit payments] has been paid out over the preceding 12-month period*". The community benefit being offered by the proposed Development is described in **Chapter 3** of this Planning Statement and is considered to be a valuable contribution to the community.

136. The progress to the renewable energy targets is considered to be an important relevant consideration in the determination of the proposed Development. 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.

Onshore Wind Policy Statement Refresh: Consultation Draft

137. In October 2021 the Scottish Government published its consultation on a refresh to the Onshore Wind Policy Statement (OWPSR). While not policy this document provides useful insight into the Scottish Governments thinking on the future of onshore wind. The following is noted.

138. The Ministerial forward acknowledges that onshore wind is a cheap and renewable source of electricity generation. It further advises that onshore wind remains vital to Scotland's future energy mix and the delivery of renewable electricity generation is essential.

139. In setting out the current position the document notes that meeting the renewable energy targets, which are set out in **Chapter 6** of this Planning Statement, decisive and meaningful action is required during 2022 across all sectors. It is clear that the Scottish Governments current thinking is that Scotland must go further and faster to meet the expected increasing demands for electricity which is required to support all sectors reach Net Zero and this this will include increased installed capacities in all renewable technologies. The document advises that the Scottish Government believes that it is *"vital to send a strong signal and set a clear expectation"* on what onshore wind can contribute to meeting Net Zero.

140. The document considers the issue of security of supply and storage potential. It states that "onshore wind can play a greater part in helping to address the substantial challenge of maintaining security of supply and network resilience in a decarbonised electricity system." Reference is made to black start (i.e. restart the electrical grid connection in the event of failure) and the role which the Applicant has played in advancing this technology. The ability for the proposed Development to facilitate black start is included. It is clear that as Scotland progresses towards Net Zero battery storage will become more prevalent. The location of onsite battery storage removes pressures from the grid, allows more locally focused energy provision and reduces the overall cost to consumers.

141. The OWPSR sets out ambitions in respect of targets for onshore wind which are set out in **Section 6** of this Planning Statement. The potential opportunities which result from these targets is considered in the onshore wind industry prospects. It advises that *"the potential benefit from further onshore wind development is enormous. Scotland is expected to see an additional £27.8 billion in Gross Added Value and 17,000 job [as a result of the additional onshore development]" 3.2* % of these jobs could be seen in Argyll and Bute.

142. It is acknowledged that the Onshore Wind Policy Statement refresh is not yet Scottish Government policy. However, it does show a clear train of thought from the Scottish Government and much of what is written is clearly the thinking of the Scottish Government on the current situation alongside consultation on the way forward.

Scotland's Update to the Securing a Green Recovery on a Path to Net Zero: Climate Change Plan 2018-2032

143. On 16th December 2020, the Scottish Government published Securing a Green Recovery on a Path to Net Zero: Climate Change Plan 2018-2032. This provides an update to Scotland's 2018-2032 Climate Change Plan and sets out the Scottish Government's pathway to what they describe as new and ambitious targets set by the Climate Change Act 2019. The Scottish Government state that this is a strategic document for the green recovery from COVID-19.

144. The CCP Update identifies the opportunity that NPF 4 presents and states:

"We also have an excellent opportunity to embed emissions reduction and climate change adaptation into Scotland's long term development strategy through the National Planning Framework 4."

145. Under the heading of Electricity, the CCP Update recognises the role that renewable energy generation has played:

"The decarbonisation of Scotland's electricity sector has been driven by our rich natural resources, a supportive approach to planning, a drive to involve local communities in decisions that affect them, supportive market frameworks, and rapidly declining prices of renewable technology globally - with wind and solar now the lowest cost forms of new generation."

146. It further recognises the role of electricity generation going forwards stating:

"As Scotland transitions to net zero, a growing and increasingly decarbonised electricity sector is critical to enabling other parts of our economy to decarbonise – notably transport, buildings and industry."

147. It further states:

"Renewable generation will increase substantially between now and 2032, and we expect to see the development of between 11 and 16 GW of capacity during this period, helping to decarbonise our transport and heating energy demand."

148. All of this sets out the very clear position of the Scottish Government in respect of renewable energy, and the role and potential of onshore wind in contributing to meeting the relevant targets set by the Scottish Government.

A fairer, greener Scotland -The Government's Programme for Scotland 2021-22

149. The Scottish Government's A Fairer Greener Scotland was published in September 2021. This document reaffirms the Scottish Government's commitment to ensuring a green recovery by:

"securing an economic recovery which is green and fair – for everyone and in every part of Scotland – and delivers our ambition to become a net-zero nation".

150. The document is clear in its commitment to renewable energy generation and delivering a decarbonised economy. Chapter 3 which is titled A Net Zero Nation: Ending Scotland's contribution to climate change, in a just and fair way, advises on Page 63 that by 2030 the Scottish Government's aim is to generate 50 % of Scotland's overall energy consumption from renewable sources and by 2050 to have decarbonised the energy system almost completely.

151. Page 64 notes that that development of renewable energy:

"presents an immense opportunity for Scotland to lead by example showing how a clean energy future is possible at home, and as a net exporter of renewable energy, attracting further investment and ensuring our progress to net zero is environmentally and economically beneficial".

152. It also commits to ensuring that NPF4 will actively enable renewable energy and will be supportive of existing wind farms and expansion of the grid. All renewable energy projects over 50 MW will be designated as national development but the document reaffirms its commitment to ensuring that a balance is struck between development and the protection of biodiversity and the natural environment.

153. A Fairer Greener Scotland also outlines on page 64 that subject to consultation, the Scottish Government are committed to securing an additional 8 to 12 GW of installed onshore wind before 2030. This repeats a statement in The Scottish Government and Scottish Green Party Draft Shared Policy Programme; Working Together To Build A Greener, Fairer, Independent Scotland that, subject to consultation the Government will set an ambition to deliver, an additional 8 and 12 GW of installed wind by 2030

5.5 The Response to COVID-19

154. Recently the world has faced the COVID-19 pandemic. The COVID-19 crisis has created an unprecedented economic situation which will have a legacy of many years and that one of the key solutions to the crisis is a green recovery. The Scottish Government have been clear that the response to the COVID -19 pandemic and the economic recovery post-COVID-19 needs to be green and fair. Further information is provided in **Appendix 5**. It is submitted that the development of renewable energy projects should be seen as a key part of the green recovery.

5.6 Renewable Energy Policy Conclusions

155. 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.

156. The UK, and indeed the world, is entering into unprecedented times. The effects of the COVID-19 are, as yet not fully understood, and climate change is an ever present and very real threat.

157. The impacts of COVID-19 are far reaching and should result in a change to the usual world order. It is vital that in looking to recover from COVID-19 the world looks towards renewable energy to become a corner stone. Renewable energy has the potential to reduce reliance on fossil fuels and to decarbonise society. The associated health benefits of this are set out by Scottish Renewables in 'Written evidence to the House of Commons Scottish Affairs Committee inquiry into coronavirus and Scotland (June 2020).

158. Scotland has the ability to be at the front of such recovery, it offers the potential for renewable energy opportunities which can be home grown and provide economic benefits which can help to ensure that the British economy becomes more resilient and less reliant on traditional carbon based fuels. Onshore wind farm development has the ability to play a leading role in this.

159. On 11 December 2020, the Scottish Government issued their decision in respect of Paul's Hill Wind Farm extension. In the Reporters Report, it is concluded that there is a change in policy support from renewable energy since SPP was published. Paragraph 8.33 states that the Reporter finds that:

"the support this proposal can draw from SPP has been strengthened by the publication of subsequent policy and strategy documents such as the OWPS and SES. Very recent changes to legislation that commit Scotland to net zero carbon emissions by 2045 add some further support to the proposal, given the clear policy position that on-shore wind energy is a positive contributor to the objective of lower carbon emissions. Further support can be drawn from the clear recognition by the CCC of the need for much greater progress on carbon emissions reduction in the future, which has led to the declaration of a climate emergency."

160. The Scottish Minsters decision letter, approving the application in part, is clear that

"Scotland's renewable energy and climate change targets, energy policies and planning policies are all material considerations when weighing up the proposed development. NPF3, SPP, the Energy Strategy and the Onshore Wind Policy Statement 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."

161. The decision letter goes on to state:

"Scottish Government's Energy Strategy and Onshore Wind Policy Statement sets out targets for the increase in the supply of renewable energy. The OWPS in particular reaffirms the vital role for onshore wind in meeting Scotland's energy targets. The statement sets out the Scottish Government's position for the ongoing need for more onshore wind development in locations across Scotland where it can be accommodated. There is also clear support in principle for extending existing sites by making best use of the potential at existing sites."

162. This year there has been a further example of Reporters recognising the weight to be attached to renewable energy. In the case of Crystal Rig IV which was issued in March 2021 (Ref WIN-140-8 March 2021). The Reporter's Report is clear that the proposed Development, in that case, *"attracts support from recent developments in response to the declaration of a Climate Emergency, particularly the enactment of The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019."*

163. The Scottish Minsters decision in the case of Crystal Rigg IV is clear that "The seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Minsters." Going on to advise that the Scottish Minsters consider that documents including the OWPS and SES and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, are significant considerations which strongly support the decision to grant consent and deemed planning permission.

164. Recent UK and Scottish Government policy has been clear that the role of onshore wind is demonstrably stronger than that stated in the NPF and SPP which were both published in 2014. Even if a conclusion is reached that the language is no different, the context within which the NPF / SPP policy statements were made is clearly different because there are more challenging targets now than were set out in SPP and NPF3. The increased importance of the contribution that onshore wind, as part of renewable energy, is expected to make to meeting future energy needs and targets has to be recognised.

165. The proposed Development offers an opportunity to contribute to both meeting the climate change emergency and the economic recovery post COVID-19 in a relatively short timeframe, and in a key decade for Scotland to address climate change.

6 Renewable Energy Targets

166. This Chapter of the Planning Statement outlines the targets set in law for both the UK and Scottish Governments and sets out the progress towards the targets in Scotland.

167. As a result of the policy the UK and Scottish Government have set very clear and ambitious legally binding targets for renewable energy and GHG emissions. These targets are a relevant consideration in the decision-making process for the application and the progress against these targets are also an important relevant consideration in the decision making process.

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

169. On 11 June 2019, Theresa May, the then Prime Minster 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 though the reduction in greenhouse gasses by at least 100 %. The amendment to the Climate Change Act 2008 makes this legally binding.

170. 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 the Net Zero target by 2045 *"means we [Scotland] have the most stringent statutory targets in the world"*. The Committee on Climate Change 2020 is clear in the 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".*

171. 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 are covered in the following text.

6.1 UK and Scottish Renewable Energy Targets

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

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

173. 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.

174. 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 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.

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

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

176. The Climate Change (Emissions Reduction Targets) Scotland Act 2019 was passed by the Scottish Parliament in 2019. It amends the Climate Change (Scotland) Act 2009 and sets targets to reduce Scotland's emissions of all greenhouse gases to Net Zero by 2045 at the latest, with interim targets for reductions of at least 56 % by 2020, 75 % by 2030, 90 % by 2040.

177. 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 Committee on Climate Change (CCC) advise 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.

6.2 Progress to the Scottish Renewable Energy & Greenhouse Gas Targets

178. The Electricity Sector has been a focus for change in climate change policy and Governments have set increasingly ambitious targets for electricity generation by means which does not produce carbon dioxide (a recognised Greenhouse Gas). In Scotland, whilst the Electricity Sector is largely decarbonised, it is recognised going into the future that additional electricity generation capacity is required as ambitious targets to decarbonise the heat and transport sectors are set. The targets that are set for a reduction in GHG emissions and renewable energy are as follows:

- 100 % reduction in GHG emissions to Net Zero by 2045.
- Interim targets for GHG emission reductions as follows;
  - 75 % by 2030.
  - 90 % by 2040.

179. Interim annual targets which are contained in the Climate Change (Emissions Reductions Targets) Scotland) Act 2019 are set out in **Appendix 4** of this Planning Statement. It is clear that Scotland has set very ambitious targets to reach Net Zero and there is a lot of work to be done to achieve these targets. In particular the need to reach the 2030 targets is critical if there is to be a chance of reaching the 2045 target. Renewable energy generation is critical to moving forward and part of that must be the development of onshore wind and other renewable energy technologies.

180. Provisional figures published by the Scottish Government in September 2021 indicate that in 2020, the equivalent of 95.9 % of Scotland's gross electricity consumption was from renewable sources. The final figure will be available in December 2021.

181. The 50 % energy from renewable sources by 2030 target in the Scottish Energy Strategy (2017) may require in the region of 17 GW of installed renewables capacity by 2030 (Scottish Energy Strategy page 34).

182. Figures released in the Energy Statistics for Scotland (September 2021) show that as of June 2021, 12 GW of renewable electricity capacity was operational in Scotland. While there is an additional 14.8 GW of capacity either under construction, consented, or in planning, the target relates to installed capacity.

183. **Figure 6.1** is an extract from the Energy Statistics for Scotland Qs 2021 Figures which clearly shows the position in respect of the key targets.

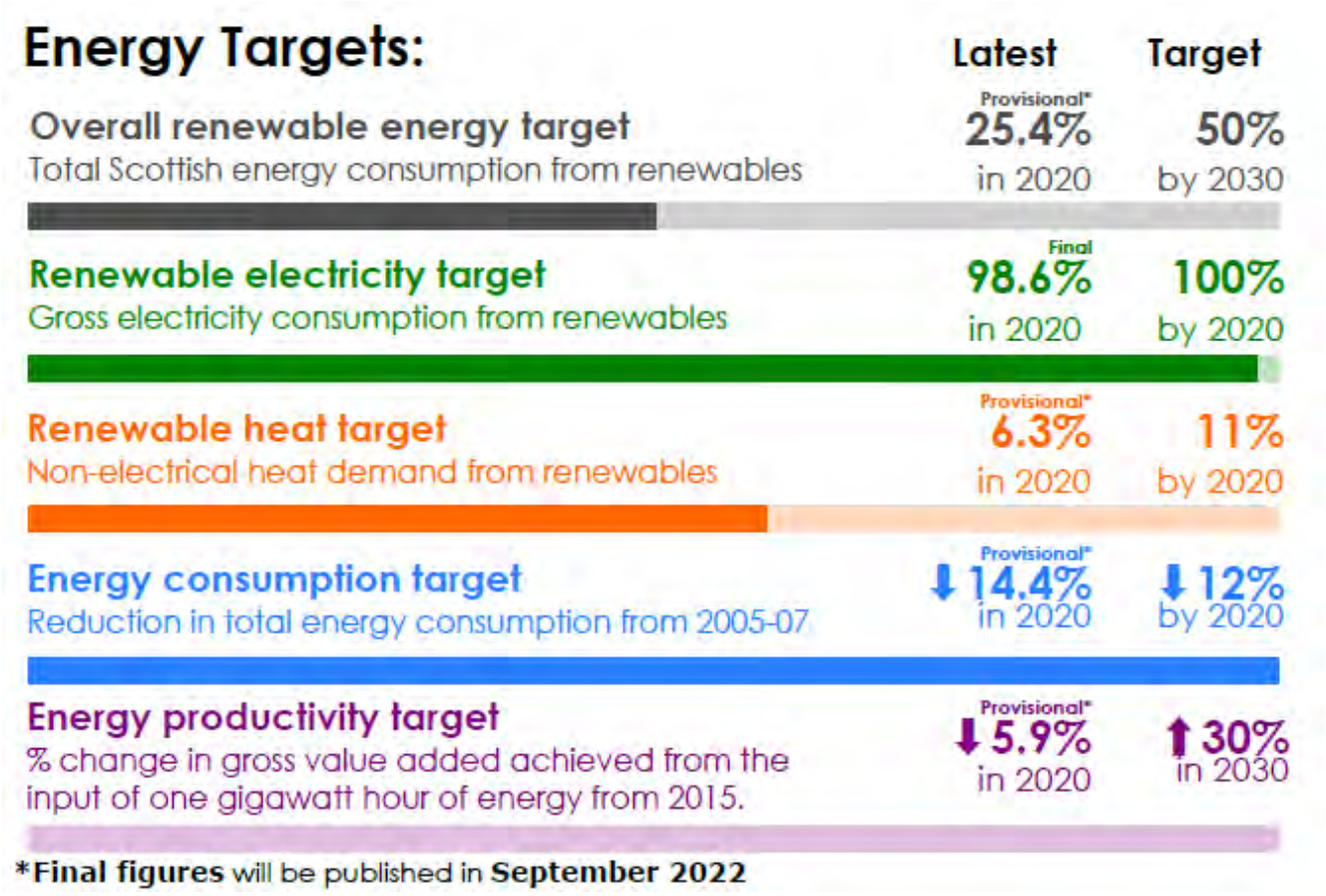


Figure 6.1 Energy Targets Progress Summary

6.3 Progress against Greenhouse Gas Emissions Targets

184. It is clear from the information which is available in the Scottish Greenhouse Gas Emissions 2019 Report that Scotland is currently failing to meet the targets in respect of GHG emissions. The progress towards Net Zero targets for the years available and the targets for the interim and final target is shown in **Figure 6.2**.

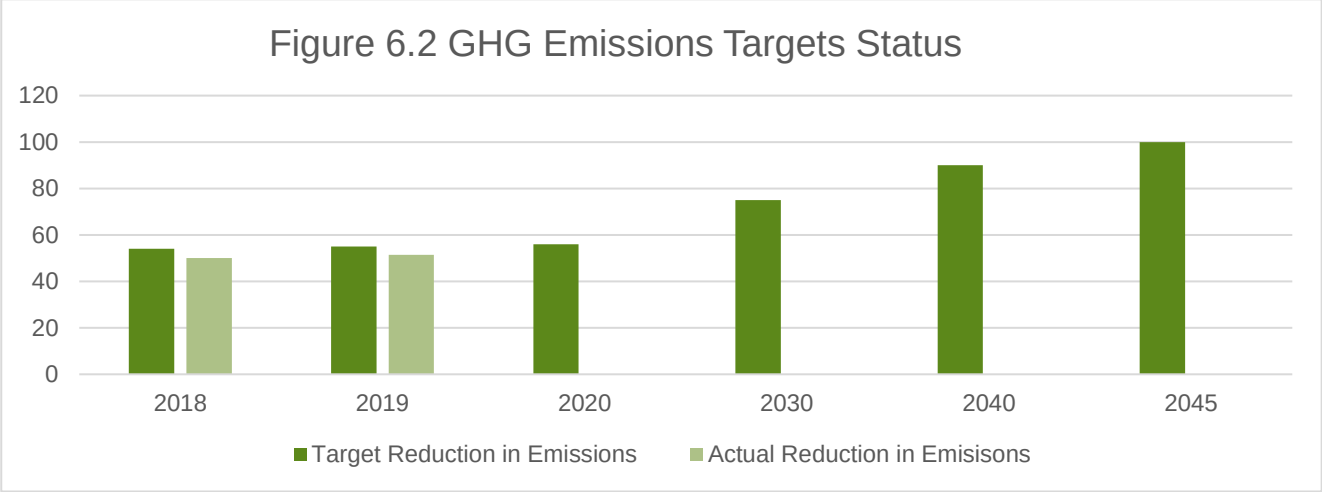


Figure 6.2 GHG Emissions Target Status Source Scottish Greenhouse Gas Emissions 2019 An official Statistics publication for Scotland table C1.

185. In 2018, the GHG emissions target was missed – the emissions were 50 % (of a reduction against 1990 levels) while the target was 54 %. The figures for 2019 show GHG fell 51.5 % against the baseline, well short of the 55 % target.

186. At the time the BBC reported the Scottish Government accepted the latest figures were "undoubtedly disappointing". Going on to acknowledge that "We have always been clear that the second half of our journey to net-zero will be more challenging - and it will require urgent, collective action across government, parliament and indeed across every corner of society, in order to achieve it."

187. The evidence is clear that in the early stages of these challenging targets Scotland is not doing enough to achieve what is required to reach the overall Net Zero target. More must be done; it is not contended that renewable energy production is the sole answer to this but it is part of the solution and opportunities such as proposed Development provide a way in which the targets have a better chance of being met. The targets as they ramp up will become more and more challenging to meet if the early targets are not fulfilled.

188. The proposed Development would have a maximum installed capacity of 83 MW, which would make an important contribution to Scottish Government targets on renewable energy and carbon emission reductions. The announcement of new climate change targets in September 2019 has been made since the Pencloe decision and this further intensifies the clear need for renewable energy which is set out in a number of documents referred to by the Pencloe Reporter.

189. In the case of Millenderdale (Reference PPA-370-2077, April 2020) the Reporter concluded that:

"I agree with the appellant that all of this [SES, OWPS, Climate Change (Emissions Reduction Targets (Scotland) Act 2019, Revised Renewable Energy Directive] (and the various related documents supplied by the appellant) demonstrates that the need to respond to climate change, the urgency and scale of that challenge, and the contribution of wind and other renewable energy in doing so, are all considerably heightened in importance. I agree that, as a material consideration, this increases the value I should attach to the renewable energy benefits of the proposed development."

190. Even more recently in the case of Arecleoch Extension (Reference WIN-370-2 November 2021) (which at 72.8 MW is a similar scale of generating capacity as the proposed Development) the Scottish Minsters, in their decision advised that "*The seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Ministers."*

191. They went onto advise that:

"The proposed development makes a significant contribution towards meeting greenhouse gas emission and renewable electricity targets. The proposed Development will have a generating capacity of up to 72.8 MW based on current technology.

The Scottish Ministers agree with the conclusions of the Reporters at paragraph 9.93 of the PI Report that "the proposal would make a meaningful contribution towards meeting UK and Scotland's renewable energy and emissions reduction targets" and are therefore satisfied that the deployment of this amount of renewable energy produced in Scotland is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its target date for net zero emissions of all greenhouse gases by 2045."

192. The proposed Development supports Scottish Government's desire to see substantial growth in renewables (including onshore wind) with reducing dependence on financial support mechanisms, as set out in the SES 2017 and OWPS 2017. This is a challenging set of policy objectives, but the proposed Development seeks to meet these objectives whilst also ensuring the proposed Development is acceptable in terms of environmental impact and residential amenity considerations. The impacts of the proposed Development are considered in the EIA Report and summarised in this **Chapter 8** of the Planning Statement.

193. Energy Targets **Figure 6.1** demonstrates there is a long way to go to meet the 2030 target of 50 % of energy use from renewable sources and **Figure 6.2** shows the GHG emissions target has been missed for 2018 and 2019 (the latest years with data available) and as the targets increase, they will become more challenging to meet. It is clear more progress needs to be made now and certainly within the period to 2030. The proposed Development would have a capacity of around 83 MW and would produce a substantial amount of renewable electricity annually. The proposed Development would help the Scottish Government meet the 50 % of energy use from renewables by 2030 target. The proposed Development is also predicted to be Net Zero within 1.8 years of the operation period.

6.4 The proposed Developments Contribution to Targets and National Policy Objectives

194. The proposed turbines would have a total rated output of around 78 MW and the proposed solar arrays would have an output of 5MW producing between 230-280 GWh of electricity annually. This equates to the annual power consumed by approximately 45,307 average households in Scotland per year[4]. BESS, of around 25MW, would also be installed. The proposed development would provide a flexible balance of energy and enabling the delivery of the full potential of renewable energy to meet the demands of the National Grid.

195. The energy capture estimated for the proposed Development is the result of the overall positive impact of accommodating larger rated capacity and the larger rotor (swept area) available at higher hub heights. The resultant improvement in the efficiency, economics and commerciality of the scheme would enable the Applicant to reduce the cost of energy from the proposed Development, giving a positive benefit to consumers in terms of electricity cost.

196. In the cases of Corlic Hill Windfarm (Reference PPA-280-2022, May 2016) and Windy Edge Windfarm (Reference PPA-140-2055, June 2016), the Reporters placed significant weight on the benefits of projects with the potential to generate substantially less than the proposed Development (16 and 22.5 MW respectively compared to the expected capacity of the proposed Development which is around 83 MW). In the case of Corlic Hill the Reporter found that the output of the proposed windfarm represented "*a valuable contribution to Scottish, UK and international targets for greenhouse gas emissions reduction and the use of renewable energy*". He went on to conclude that "*it would also potentially assist in providing greater security of supply in the Scottish energy market by potentially displacing imported energy*".

197. Most recently in the case of Blarghour the Scottish Minster's decision letter stated that:

"The proposed Development makes a significant contribution towards meeting greenhouse gas emission and renewable electricity targets. The proposed Development will have a generating capacity of up to 57.8 MW based on current technology. The deployment of this amount of renewable energy produced in Scotland is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its target date for net-zero emissions of all greenhouse gases by 2045."

6.5 Target Conclusions

198. Significant weight should be attached to the strong support of the Government for the development of renewable energy, and onshore wind energy as part of that. The agreed grid connection dates mean that the proposed Development could be constructed and operational by 2030 and so provide a valuable contribution to the 2030

[4] Calculations from the Scottish Government Renewable electricity output and energy conversion calculators website: https://www.gov.scot/publications/renewable-and-conversion-calculators/ [accessed 11 June 2021]

interim targets. The proposed Development draws considerable support from the policy material discussed in this Chapter and **Appendix 4** of this Planning Statement. In particular, it would make a meaningful contribution towards targets for renewable energy.

199. The advisory reports and Government policy which is set out in **Chapter 5** of this Planning Statement culminate in the targets which have been set in respect of GHG emissions and finally Net Zero. For the purposes of the application it is the Scottish Targets that should be the focus. These targets are set in law and should attract significant weight in the decision-making process for this application.

200. The proposed Development would make a valuable contribution to the Scottish targets, and this should be afforded significant weight in the decision-making process.

7 Planning Policy and Guidance

7.1 Introduction

201. This Chapter of the Planning Statement sets out details of the relevant planning policy when considering the application for the proposed Development. It first sets out national planning policy before moving on to consider the Development Plan and other relevant Scottish Planning Guidance.

7.2 National Planning Policy

202. National planning policy is contained in The NPF3 and (SPP. These documents both date from 2014. The consultation draft NPF4 was published on 10th October 2021 and sets out how the Scottish Government's *"approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045."*

203. The following text sets out the key matters which are raised in NPF3 and SPP. It also considers the consultation draft on NPF4.

204. The following text sets out the key matters which are raised in NPF3 and SPP.

7.2.1 National Planning Framework (NPF 3)

205. The National Planning Framework (NPF3) was laid before the Scottish Parliament on 23 June 2014 and sets the context for development planning in Scotland. It is a long-term strategy for Scotland and is considered to be an expression of the Government's economic strategy. It provides a framework for the spatial development of Scotland as a whole.

206. The (TCP(S)A), puts the NPF3 on a statutory footing and provides the national context for development plans and planning decisions, as well as informing programmes of the Scottish Government, public agencies and local authorities.

207. There is high level support for the promotion of renewable energy developments throughout many parts of NPF3. Chapter 3 of NPF3, 'A low carbon place', identifies that planning will play a key role in delivering the Scottish Government commitments set out in Low Carbon Scotland: the Scottish Government's report on proposals and policies. The priorities which are set out in this strategy set a clear approach which is consistent with Scottish climate change legislation.

208. The introduction states the Scottish Government's ambition to achieve at least an 80 % reduction in the emission of greenhouse gases by 2020. Paragraph 3.1 states that "*the priorities identified in this spatial strategy set a clear direction of travel which is a consistent with our world leading climate change legislation*."

209. Paragraph 3.7 of NPF3 states that the planned approach to onshore wind energy development has ensured that the proposed Development largely avoids internationally and nationally protected areas. It is also recognised that, whilst opinions about onshore wind in particular locations can vary, there is strong public support for wind energy as part of the energy mix.

210. In the section 'Scotland tomorrow', the Scottish Government 2020 targets of a reduction of 12 % in the total final energy demand, 30 % of overall energy demand from renewables and the generation of at least 100 % of gross electricity consumption are reaffirmed and the Electricity Generation Policy Statement 2013 sets out how these targets will be met.

211. Paragraph 3.9, of NPF3, makes it clear that the Scottish Government wants to continue to capitalise on the wind resource of Scotland. By presenting an application that maximises the potential of the Site to generate electricity whilst respecting environmental considerations, it is submitted that the proposed Development is seeking to capitalise on the wind resource within Argyll and Bute.

212. NPF3 advises that, whilst Scotland is making good progress in diversifying the energy generation capacity and lowering carbon emissions, more action is required by way of continuing to capitalise on the wind resource to

ensure security of supply. Paragraph 3.22 makes it clear that onshore wind development will continue to make a significant contribution to the diversification of energy supplies.

213. NPF3 provides strong support for developments such as the proposed Development.

214. The Scottish Government published Research Project: Scotland's Fourth National Planning Framework Position Statement – Analysis of responses to the consultation in June 2021. In relation to a Plan for NetZero Emissions the Analysis of responses notes in the Executive Summary *"There was broad support for the focus on tackling issues relating to climate change and agreement that achieving net zero emissions should be the over-arching priority of the spatial strategy."* and "*There was also support for the emphasis on renewables and for the focus on strategic levels of planning. It was agreed than an urgent and radical shift in policies will be needed, although a stronger commitment to the climate change priority was also thought to be necessary."*

7.2.2 Draft National Planning Framework 4

215. The Draft Fourth National Planning Framework (Draft NPF4), which details the Scottish Government's long-term plan for what Scotland could be in 2045, was laid in Parliament on 10 November 2021. It is currently the subject of consultation which will last until the end of March 2022. The Draft NPF4 contains five parts as follows:

- Part 1 - National Spatial Strategy which sets the Scottish Government's vision where each part of Scotland can be planned and developed to create: Sustainable, Liveable, Productive and Distinctive places. Underpinning the national spatial strategy are a series of spatial principles. The spatial strategy also highlights five action areas.
- Part 2 - National Developments, these are significant developments of national importance that will help to strongly support the delivery of the spatial strategy. Designation as a national development establishes the need for it but does not remove requirements for relevant consents to be obtained before development can begin. The proposed Development would not be considered as a National Development.
- Part 3 - National Planning Policy incorporates Scottish Planning Policy and contains detailed national policy on a number of planning topics.
- Part 4 – Delivery, it is recognised that delivering the NPF4 strategy and realising collective ambitions will require collaborative action from the public and private sectors and wider communities. It is anticipated that this section will be developed into a standalone, live delivery programme once NPF4 has been approved and adopted.
- Part 5 – Annexes.

216. Part 1 of the Draft NPF4 sets out an overarching spatial strategy for Scotland. Page 3 states "*We have set a target of net zero emissions by 2045, and must make significant progress towards this by 2030. This will require new development and infrastructure across Scotland.*" It continues by stating "*We will plan the place we want Scotland to be carefully. The way we live, learn, work and play in the future will need to be consistent with our ambition to achieve net zero emissions and nature recovery."*

217. The Draft NPF4 outlines Action areas for Scotland 2045 which are areas on a plan rather than definitive lines. The Site is located on the fringes of the North and west coastal innovation area. Page 12 states:

"Scotland's north and west coast and islands will be at the forefront of our efforts to reach net zero emissions by 2045. This is a diverse area, from Shetland and Orkney in the north, to the Outer and Inner Hebrides and the coastal areas of Highland and Argyll and Bute. Coastal innovation is not unique to this area, but as one of the most renewable energy rich localities in Europe with significant natural resources, there is a real opportunity for this part of Scotland to support our shared national outcomes."

218. The Site is also located within the Central urban transformation area. It is noted on page 29 that "we will only meet our climate change commitments if we make significant changes to the densely populated central belt of Scotland".

219. Part 2 of the Draft NPF4 outlines the proposed National Developments. Electricity generation projects of 50 MW or more are proposed to be categorised as national developments within 12. Strategic Renewable Electricity Generation Transmission Infrastructure. Page 59 states *"A large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets."* The need statement for this national development is clear that *"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."

220. Part 3 sets out the draft polices to help deliver the spatial strategy. In relation to 'Green energy' the Draft NPF4 states "We want our places to support continued expansion of low-carbon and net zero energy technologies as a key contributor to net zero emissions by 2045…Scotland's energy sector has significant role to play in reducing carbon emissions and contributing to a green, fair and resilient economic recovery." The document is clear that "The planning system should support all forms of renewable energy development…". Draft Policy 19: Green Energy outlines "Development proposals to **repower, extend and expand existing wind farms** and for the extension of life to existing windfarms should be supported unless the impacts identified (including cumulative effects) are unacceptable."

221. Annex A of the Draft NPF 4 sets out how the Scottish Minsters consider that development will contribute to each of the outcomes identified in Section 3A(3)(c) of the (TCP(S)A). These outcomes, unlike the draft policies, are not subject of consultation but are set in law. One outcome is meeting the targets for emissions of GHG. Table (e) of Annex A is titled *"meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act".*

222. The outcome statement is clear that the "Scottish Ministers consider that development of land supported by the policies and proposals in the NPF will contribute to this outcome by placing the global climate emergency at the heart of our strategy which addresses both emissions reduction and adaptation. Policy 2: Climate emergency states that when considering all development proposals significant weight should be given to the Global Climate Emergency."

223. It goes on to advise that more generally, on emissions reductions, the polices address *"electricity generation from renewable sources."*

224. The Draft NPF4 demonstrates the importance of renewable energy in meeting the carbon reduction targets and that significant progress is required for the 2030 target. The proposed Development has a grid connection date of 2026 and therefore can make a meaningful contribution to the 2030 target.

225. While Draft NPF 4 is a consultation draft which is expected to change as a result of parliamentary debate and consultation, it must be recognised as the preferred approach of the Scottish Government. It is also set in a context in respect of renewable energy targets which are legally binding. NPF 4 must deliver a planning system which can achieve the targets on GHG emissions and climate change. It is submitted that significant weight should be attached to these matters in the decision-making process.

226. The Draft NPF 4 contains a number of draft policies which, it is reasonable to expect, will be revised as a result of the consultation process. It is submitted that limited weight should be attached to the draft policies of Draft NPF 4 in the decision-making process.

7.2.3 Scottish Planning Policy 2014

227. SPP was published on 23 June 2014. The purpose of SPP is to set out national planning policies which reflect the Scottish Ministers' priorities for the operation of the planning system, and for the development and use of land. Paragraph (iii) states that the content of SPP is a relevant consideration that carries significant weight.

228. The SPP provides the planning policy of the Scottish Government relating to nationally important land use matters. It is an important relevant consideration as it reflects the Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. As is the case with NPF3 it is expected that the targets relating to renewable energy and the reduction of greenhouse gases which are provided in the current SPP will be updated and pushed out in the next version of SPP, following the lead of Energy Policy contained in the SES and OWPS.

SPP Vision

229. The introduction of SPP sets out planning outcomes which are designed to explain how planning should support the vision of the SPP. Three of the four are considered to be relevant to the consideration of the proposed Development. These are:

- Outcome 1: A successful sustainable place;
- Outcome 2: A low carbon place; and
- Outcome 3: A natural resilient place.

230. Outcome 2 is perhaps the most relevant and it explains that NPF3 will facilitate the transition to a low carbon economy, particularly by supporting diversification in the energy sector. Paragraph 18 of SPP refers to the Climate Change (Scotland) Act 2009 which sets a target of reducing greenhouse emissions by at least 80 % by 2050 and an interim target of reducing emissions by at least 42 % by 2020. These targets have now been met and subsequently superseded by new binding emissions (GHG) reduction targets for both 2030 and 2050. The Scottish Government has announced these further carbon emission targets in the 2017 Climate Change Plan as described in **Appendix 4** of this Planning Statement. This sets out the requirement, in Section 44 of the 2009 Act, for all public bodies to act in the following ways:

- in the best way calculated to contribute to the delivery of emissions targets in the 2009 Act;
- in the best way calculated to help deliver the Governments climate change adaption programme; and
- in a way that it considers is most sustainable.

231. In the cases of Corlic Hill Windfarm (Reference PPA-280-2022, May 2016) and Windy Edge Windfarm (Reference PPA-140-2055, June 2016) the Reporters placed significant weight on the benefits of projects with the potential to generate substantially less than the proposed Development (16 and 22.5 MW respectively compared to 83 MW at the proposed Development). In the case of Corlic Hill the Reporter found that the output of the proposed windfarm represented "*a valuable contribution to Scottish, UK and international targets for greenhouse gas emissions reduction and the use of renewable energy". He went on to conclude that "it would also potentially assist in providing greater security of supply in the Scottish energy market by potentially displacing imported energy.*"

232. It is submitted that the proposed Development would make a valuable contribution to Scottish, UK and international targets for greenhouse gas emission reduction, and the use of renewable energy.

SPP Principal Policies

233. SPP sets out two Principal Policies – Sustainability and Place Making. In the context of sustainability paragraph 24 states that:

"The Scottish Government's central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth." Where sustainable economic growth is defined as: "building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too."

234. Paragraph 27 cross refers to the Government's Economic Strategy which "indicates that sustainable economic growth is the key to unlocking Scotland's potential … and to achieving a low carbon economy …". It also makes reference to the need to maintain a high-quality environment and to pass on "a sustainable legacy for future generations".

235. The principle of shared ownership is supported by SPP. SPP advises that:

"Net economic benefits are considered to be a material planning consideration.".

236. It is submitted that the identified net economic benefits, set out in Chapter 14 of the EIA Report, would support the outcomes of SPP.

237. This is in keeping with the Scottish Government Good Practice Principles for Shared Ownership of Onshore Renewable Energy Developments, page 24 where it is clear that *"If the development is to receive planning*

permission, it should be acceptable in planning terms and without taking into consideration the shared ownership element".

238. Paragraph 4 of SPP is clear that the planning service should seek to focus on outcomes, maximising benefits and balancing competing interests. It is submitted that the proposed Development does achieve a balance of maximising the potential of the Site whilst respecting the environmental constraints and the significant impact on landscape and the setting of a Scheduled Monument.

239. The presumption may be applied to all types of development, including renewable energy developments. It is submitted that the proposed Development is considered to be appropriately located and balances the environmental effects with the energy benefits in an acceptable manner.

SPP Development Management

240. Paragraph 29 of SPP advises that planning policies and decisions should be guided by a number of principles, including:

- giving due weight to net economic benefit; and
- making efficient use of existing capacities of land.

241. Under the heading Development Management, Paragraph 32 of SPP states, "the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision-making. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising.".

242. The subject application is not a planning application and therefore compliance with the development plan is not the deterring factor. It is however considered appropriate to set out the justification for the proposed development being considered as a sustainable development in the context of SPP.

243. On the examination of the proposed Development set out in **Table 7.1** satisfies the relevant paragraph 29 SPP principles. It would also assist in delivering SPP Outcomes (particular Outcomes 1 and 2 (a successful sustainable and low carbon place), indicating that overall, the proposal is sustainable development.

Table 7.1: Review of Proposed Development and SPP Policy Principles – Paragraph 29

Principle	Response
Giving due weight to net economic benefit	There would be net positive socio-economic benefits as set out in the EIA Report Chapter 14. Should the proposed Development gain planning permission the Applicant is committed to offering a package of community benefits to local communities. Therefore, it can be demonstrated there is a net positive economic benefit as a result of the proposed Development
Respond to economic issues, challenges and opportunities, outlined in local economic strategies	The proposed Development is consistent with the drive to encourage renewable energy development.
Supporting good design and the six qualities of successful places	This is of limited relevance - but a layout has been achieved through design iteration that fits with landscape character and minimises adverse effects upon the environment.

Principle	Response
Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities	This is not relevant
Supporting delivery of accessible housing, business, retailing and leisure development	This is not relevant
Supporting delivery of infrastructure, for example transport, education, energy, digital and water	The proposal would deliver energy infrastructure with high capacity and short carbon payback time.
Supporting climate change mitigation and adaptation including taking account of flood risk	The proposed Development would help to support climate change mitigation by replacing fossil fuel energy generation with renewable energy, thereby reducing emissions associated with energy generation used to power a wide number of sectors.
Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation	The proposed Development would provide opportunities for enhanced recreational access to the area
Having regard to the principles for sustainable land use set out in the Land Use Strategy	The LUS (2021-2026) is a commitment in the Climate Change (Scotland) Act 2009 (as amended). The LUS recognises the need to balance the demands on land. In relation to *"Helping our land support…Climate Change mitigation and adaption"* the LUS notes on page 27 *"Our energy will continue to be provided by a wide and diverse range of renewable technologies, including onshore wind. We will need to continue to develop wind farms, in the right places, and also look to the extension and replacement of existing sites. As set out in our Onshore Wind Policy Statement in order to achieve this developers and communities will need to work together to ensure that projects strike the right balance between environmental impacts, local support, benefit, and where possible – economic benefits for communities, for example through community ownership or other means."*. The proposed Development would contribute positively to addressing climate change, includes a community benefit fund and would contribute positively to biodiversity through the draft HMP (EIA Report Technical Appendix 8.5). The overall purpose of the HMP is to implement positive land management for the benefit of nature conservation which will mitigate any adverse impacts that the proposed Development may have had. In addition to purely mitigating against any adverse impacts, the draft HMP advises that the Applicant is committed to enhancing the habitat value of the proposed Development and has taken the opportunity to provide not only mitigation, but also large scale enhancement of local habitat features to provide wider benefits. Climate change is considered to be a threat to the landscape, habitats and biodiversity as set out by NatureScot (formerly SNH). The design process of the

Principle	Response
	proposed Development has taken into account the identification of all technical and environmental constraints determined through the EIA process. The final design achieves maximising the renewable energy potential while minimising potential environmental impacts.
Protecting, enhancing and promoting access to cultural heritage, including the historic environment;	The potential for the proposed Development to effect historic assets has been carefully considered in Chapter 11 of the EIA Report. It is concluded that there would be no direct impacts upon any known heritage assets. It further concludes that there would be no significant effects on Scheduled Monuments (SM) or other archaeological assets.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;	The proposed Development would promote access to the surrounding area. The EIA advises that it would result in a number significant landscape and visual effects. These are set out in detail in the EIA Report Chapter 7 and are summarised as follows: • within 2- 4km of the proposed turbines in the case of landscape character • on walkers on the Kintyre Way as it passes through the Site. • for those located to the west of the Site, including those on the water within Loch Fyne area including recreational sailors, Tarbert - Portavadie ferry route and Argyll Sea Kayak Trail • those on the western South Cowal/Ardlamont Peninsula including Portavadie. • users of the Lochranza- Kintyre ferry route • those on the northern part of Arran including at the Lochranza / Catacol group, Arran Coastal Way and Newton Point. There would be no significant effects on the North Arran National Scenic Area (NSA) /Special Landscape Areas, Kyles of Bute NSA, South Cowal Area of Panoramic Quality (APQ), Bute APQ or the Knapdale APQ. No significant night time operational effects are predicted as a result of the proposed Development. The draft HMP would bring positive benefits to habitats and biodiversity across the Site. The HMP (EIA Report Technical Appendix 8.5) advises that it is predicted that the proposed Development will result in the total loss of 0.17 ha of wet dwarf shrub habitat, 2.27 ha of blanket bog communities and 3.93 ha of mosaic habitat containing blanket bog. Although these impacts were assessed as being not significant in the context

Principle	Response
	of the EIA Regulations the HMP proposes not only to mitigate for these losses but provide substantial net gain for habitats and species in the local area through the restoration of 251 ha of afforested blanket bog, 43 ha of afforested heathland and the creation of 25 ha of native woodland.
Reducing waste, facilitating its management and promoting resource recovery; and	This is not relevant.
Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality	The potential impact on soil and water has been carefully considered and mitigated as far as reasonably possible as part of the design evolution process and where appropriate mitigation would be employed. There would be no conflict with this policy principle.

275. It is considered that the presumption in favour of sustainable development is an important consideration which should attract significant weight in favour of this application in the determination process.

276. On 11 December 2020, the Scottish Government issued their decision in respect of Paul's Hill Wind Farm extension (Ref WIN-300-3). The Reporters Report, at paragraph 8.31, considered whether or not the development is sustainable. The Report states:

"The factors that SPP requires to be considered when evaluating a proposal's sustainability credentials are set out in paragraph 29 of that document. Not all are relevant to a proposal of this type. I conclude that the proposal can reasonably be described as development that would contribute to sustainable development because it would contribute to net economic benefit, would support climate change mitigation and has given appropriate consideration to the implications of development for water, air and soil quality."

277. The decision letter is clear that the Scottish Minsters agree with this conclusion and consider that these are significant considerations. It is submitted that, for the same reasons, the proposed Development should be considered as sustainable development.

278. In a recent Reporter's Report for Blarghour Wind Farm the Reporter found that even through there were significant effects in respect of landscape and visual matters the proposed development could be considered as sustainable. She stated:

"Every development will have some degree of environmental impact and the scale of wind energy proposals inevitably amplifies these particularly in terms of landscape effects. Given the generally supportive policy framework applied to wind energy it is clear they can still be considered as sustainable development. In this case the nature of the identified effects signals to me that a positive outcome in this case would support sustainable development."

SPP Historic Environment

279. SPP considers matters related to the historic environment, relevant to the proposed Development are matters relating to listed buildings, SMs and Gardens and Design Landscapes (GDL). There are 6 heritage assets within 5 km of the Site which are summarised in **Table App 1.2** of this Planning Statement.

280. SPP paragraph 145 relates to SMs and it states:

"Where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish Ministers, via a separate process is required in addition to any other consents required for the development."

281. No direct impacts on SMs are predicted as a result of the proposed Development. Chapter 11 of the EIA Report advises that there would be no significant effects on the setting of any SM. It is understood from paragraph 145 of

SPP, and the definition of SMs, that SMs should be preserved within an 'appropriate setting'; and, that the proposed Development should avoid adverse effects on the 'integrity' of those settings.

282. In terms of this policy the decision maker should be mindful of the test being applied by SPP paragraph 145, it relates to the integrity of the setting.

283. The definition of *"integrity of the setting"* is not defined in SPP. This is an issue which has been accepted by Reporters in other cases including at Creggan (ref WIN-130-1) where the Reporters found that the effect upon setting, and its 'integrity' as referred to in SPP paragraph 145, should be assessed in respect of the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. They concluded that where the understanding and appreciation of an asset would be adequately retained it is reasonable to conclude that the integrity of the setting would remain intact. This approach has been adopted by other Reporters including in the case of Birneyknowe (WIN-140-7)

284. There are a large number of SMs in Scotland, the setting of many has been affected by development. Each form of development is different, and each SM will have its own setting and integrity of setting. There are a number of cases where planning permission or deemed planning permission has been given for development which has had a significant effect on the setting of the SM without reaching the threshold of affecting its integrity.

285. The EIA Report, Chapter 11, considers the effect of the proposed Development on a number of heritage assets including Skipness Castle and Kilbrannan Chapel, Lochranza Castle, Cnoc na Sgratha Cairn, Glenreasdell Mains Chambered Cairn, Caisteal Aoidhe Fort and Dun Skeig Duns and Fort.

286. The potential effect of the proposed Development on Skipness Castle and Kilbrannan Chapel SM has been particularly carefully considered in the design process given its proximity it the proposed Development. The EIA Report advises that the setting of Skipness Chapel and Kilbrannan Chapel is multi-faceted, with the visual relationship between the castle and chapel, their setting within the local agricultural landscape and their relationship with the village of Skipness and Kilbrannan Sound all considered to be important to the ability to understand and appreciate them. The way in which the setting of the Skipness Castle and Kilbrannan Chapel would be affected by the proposed Development is set out in Chapter 11 of the EIA Report. It is concluded that there would be some effects on the setting of the SM not all facets would be affected. That information is not repeated here however it is noted that not all of the facets would be affected.

287. The key views of the Skipness castle and Kilbranan Chapel are also considered in Chapter 11 of the EIA report. It is concluded that while the proposed Development would be visible in some views of the SM it would remain possible to the form and fabric of the structures and their interrelationship. It is also concluded that some of the key views in understanding the SM would not be affected.

288. It is clear from the EIA report that the impact on the Skipness Castle and Kilbrannan Chapel SM would be limited. It is concluded that it would remain possible to understand and appreciate the SM and that the integrity would remain intact. It is therefore concluded that the impact on the Skipness Castle and Kilbrannan Chapel should be considered acceptable.

289. SPP paragraph 148 requires planning authorities *"to protect and, where appropriate, seek to enhance gardens and designed landscapes".*

SPP A Low Carbon Place

290. SPP contains a number of subject policies; one of these is A Low Carbon Place. The importance that the role of NPF3 places on the transition to a low carbon economy is highlighted in paragraph 152. Paragraph 153 of SPP advises that terrestrial planning facilitates the development of renewable energy technologies, links generation with consumers and guides new infrastructure to appropriate locations. It advises that efficient supply of low carbon and low-cost generation of electricity from renewable resources are vital to reducing greenhouse gases. It also advises that renewable energy presents a significant opportunity for associated development, investment and growth in the supply chain.

291. In Paragraph 154 the SPP states (inter alia) that:

292. "The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets[63], including deriving:
  - *30% of overall energy demand from renewable sources by 2020*;*
  - *11% of heat demand from renewable sources by 2020; and*
  - *the equivalent of 100% of electricity demand from renewable sources by 2020;*
- support the development of a diverse range of electricity generation from renewable energy technologies - including the expansion of renewable energy generation capacity - and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;"

293. Footnote 63 advises *"that further targets maybe submitted in due course"* and it should be noted that the Scottish Government now have a target of 50 % of overall energy demand to be met from renewable sources by 2030. The proposed Development would make a valuable contribution towards meeting targets set out in SPP and beyond.

294. The targets referenced previously highlight the age of the document, as these targets have been revised and are now out of date. However, the thrust of these words remains valid and is a clear Scottish Government policy principle for the planning system as a whole.

SPP Onshore Wind Spatial Framework

295. Onshore wind is specifically considered in SPP starting at paragraph 161. SPP advises that Planning Authorities should set out in the Development Plan a spatial framework identifying areas likely to be most appropriate for onshore windfarms where there is the greatest potential for onshore wind development. Table 1 of SPP, which sets out the spatial framework requirements, is provided as **Table 7.2**

Table 7.2: SPP Spatial Frameworks

<table>
<tr><th colspan="3">Group 1: Areas where windfarms will not be acceptable:
National Parks and National Scenic Areas.</th></tr>
<tr><td colspan="3">Group 2: Areas of significant protection:
Recognising the need for significant protection, in these areas windfarms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</td></tr>
<tr><td>National and international designations:
• World Heritage Sites;
• Natura 2000 and Ramsar sites;
• Sites of Special Scientific Interest;
• National Nature Reserves;
• Sites identified in the Inventory of Gardens and Designed Landscapes;
• Sites identified in the Inventory of Historic Battlefields.</td><td>Other nationally important mapped environmental interests:
• areas of wild land as shown on the 2014 SNH map of wild land areas;
• carbon rich soils, deep peat and priority peatland habitat.</td><td>Community separation for consideration of visual impact:
• an area not exceeding 2 km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement.</td></tr>
<tr><td colspan="3">Group 3: Areas with potential for windfarm development:
Beyond groups 1 and 2, windfarms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</td></tr>
</table>

296. The Site is located partly within a Group 2 area owing to the presence of carbon rich soils, deep peat and priority peatland habitat on the Site. The remainder of the Site is Group 3.

297. EIA Report Chapter 10 advises that the majority of the Site (88%) is located within Class 5 soil (no peatland habitat recorded). There is a small area of Class 3 soil (most soils are carbon-rich, some areas of deep peat) in the southern part. The northern and western part of the Site is underlain by of Class 1 and Class 2 peatland, as shown on the SNH Carbon and Peatland Map 2016; both Classes 1 and 2 are described as nationally important carbon-rich soils, deep peat and priority peatland habitat.

298. During the design evolution, review of the peat depth data and habitat mapping, in conjunction with slope gradients, allowed the design of infrastructure to avoid, in so far as possible, areas of deep peat (typically greater than 2.0 m) and those areas of less modified peat. Where possible, proposed wind turbines, ground mounted solar arrays and site infrastructure would be located within areas with no peat or with peat less than 1.0 m deep. Where access tracks cannot avoid areas of deep peat, floating tracks have been incorporated into the design. Further details of peatland habitat loss and habitat management proposals for restoring modified peatland habitat can be found in the EIA Report Technical Appendix 8.5.

SPP Assessment of criteria set out in Paragraph 169

299. The SPP states that local development plans should set out the criteria that will be considered in deciding all applications for proposals for energy unfractured developments of different scales. It is noted, at paragraph 169 of SPP, that considerations will vary, relative to the scale of the proposal and area characteristics, but are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- cumulative impacts - planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including schedules monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;
- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.

300. These criteria cover and go beyond the matters which are identified in Schedule 9 for consideration in S36 applications.

301. **Table 8.1** in this Planning Statement summarises the key findings of the environmental effects of the proposed Development which are presented in the EIA Report in the context of the 19 criteria set out in SPP, at paragraph 169. This draws on the EIA Report submitted as part of the application. This demonstrates that the matters referred in Schedule 9 of the 1989 Act have been considered by the Applicant. **Table 8.1** of the Planning Statement considers the technical tests for the proposed Development and for ease of reference they are ordered as per the 19 criteria set out in SPP paragraph 169.

SPP Conclusions

302. It has been demonstrated that the proposed Development would meet the principles set out in SPP and is considered to be a sustainable development. The proposed Development is considered to satisfy the criteria in paragraph 169 with respect to energy infrastructure developments. The Site is located within an area with potential for wind farm development and the potential environmental effects are outlined in the accompanying EIA Report. It is acknowledged some significant landscape and visual effects are predicted; however, it is considered the landscape does have capacity for the proposed Development. When the proposed Development is considered with its many benefits including the production of renewable energy, helping to meet the legislative renewable energy targets, and becoming Net Zero within an anticipated 1.8 years of the operation it is considered to be acceptable and to meet the requirements of SPP.

7.3 The Development Plan

303. The Development Plan for the Site comprises the Argyll & Bute Local Development Plan (ABLDP) adopted in March 2015 and is accompanied by Supplementary Guidance adopted in March 2016 and is a part of the Development Plan. This provides further detail and guidance on the policies within the ABLDP, and where necessary supplements these with additional policy requirements.

304. The ABLDP is now over 5 years old and as such the weight to be attached is decreased however the key policy in respect of the proposed Development (LDP 6) is considered to be largely fit for purpose.

7.3.1 Argyll & Bute Local Development Plan

305. The vision set out in the ABLDP states:

306. "The overall vision for Argyll & Bute is one of an economically successful, outward looking and highly adaptable area, which enjoys an outstanding natural and historic environment, where all people, working together, are able to meet their full potential and essential needs, locally as far as practicable, without prejudicing the quality of life of future generations."

307. The LDP policy of primary relevance to the proposed Development is Policy LDP 6 Supporting the Sustainable Growth of Renewables, which states that:

"The Council will support renewable energy developments where these are consistent with the principals of sustainable development and it can be adequately demonstrated that there is no unacceptable significant adverse effect, whether individual or cumulative, including on local communities, natural and historic environments, landscape character, visual amenity and that proposals would be compatible with adjacent land uses. A spatial framework for wind farms and wind turbine developments over 50 metres high in line with Scottish Planning Policy will be prepared as Supplementary Guidance.

308. This will identify:

- Areas where wind farms will not be acceptable.
- Areas of significant protection.
- Areas which may have potential for wind farm development.

309. All applications for wind turbine developments will be assessed against the following criteria:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- The scale of contribution to renewable energy generation targets.
- Effect on greenhouse gas emissions.
- Cumulative impacts arising from all of the considerations below.
- Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.
- Landscape and visual impacts, including effects on wild land.
- Effects on the natural heritage, including birds.
- Impacts on carbon rich soils, using the carbon calculator.
- Public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF.

- Impacts on the historic environment, including scheduled monuments, listed buildings and their settings.
- Impacts on tourism and recreation.
- Impacts on aviation and defence interests and seismological recording.
- Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission
- links are not compromised.
- Impacts on road traffic.
- Impacts on adjacent trunk roads.
- Effects on hydrology, the water environment and flood risk.
- The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.
- Opportunities for energy storage.
- The need for a robust planning obligation to ensure that operators achieve site restoration.

310. Further information and detail on matters relating to the growth of renewables. A spatial framework for onshore wind energy developments will be provided in Supplementary Guidance."

311. The policy highlights that the Council will prepare a spatial framework for wind turbine developments over 50 m high as supplementary guidance, in accordance with SPP. This guidance was adopted in December 2016 in the form of Supplementary Guidance 2: Renewable Energy (ABLDPSG2). This is considered in **Section 7.3.2** of this Planning Statement.

312. Policy LDP 6 is generally supportive of windfarm developments subject to the satisfaction of specified criteria. Policy LDP 6 covers many criteria which are derived paragraph 169 of SPP. This Planning Statement considers all aspects of this policy in the context of SPP Paragraph 169 at **Table 8.1**.

313. The following policies of the ABLDP are also considered to be potentially relevant to the proposed Development:

- Policy LDP STRAT 1– Sustainable Development;
- Policy LDP DM1- Development within the Development Management Zone;
- Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment;
- Policy LDP5 – Supporting the Sustainable Growth of Our Economy;
- Policy LDP 9 – Development Setting, Layout and Design;
- Policy LDP10 – Maximising our Resources and Reducing Our Consumption; and
- Policy LDP 11 – Improving our Connectivity and Infrastructure.

314. These policies are provided in full in **Appendix 6** of this Planning Statement for ease of reference. An assessment of the proposed Development against these policies is contained in **Table 8.1.**

315. The LDP is currently being reviewed and a new LDP is being prepared and once adopted will replace the extant LDP. The Proposed Argyll & Bute Local Development Plan was drafted in 2019 (PLDP2) and was published for consultation which ended in January 2020. The proposed plan and all unresolved representations were submitted to the Scottish Government for Examination on 25th January 2022. There is currently no indication of a timescale for the adoption of the plan. Draft Policy 30 'The Sustainable Growth of Renewables' would in effect be the replacement policy for the current LDP6.

7.3.2 Supplementary Guidance adopted in March 2016

316. Following consideration by the Scottish Ministers, Argyll & Bute Council adopted ABLDP Supplementary Guidance (ABLDPSG) in March 2016 and Supplementary Guidance 2 (ABLDPSG2), which covers Renewable Energy, was adopted in December 2016. These 2 documents are considered within the following text.

317. The following policies within the ABLDPSG considered to be relevant to the proposed Development which have been considered during the design of the proposed Development and in the subsequent EIA:

- SG LDP Sustainable - Sustainable Siting and Design Principles;
- SG LDP ENV 9 – Development Impact on Areas of Wild Land;
- SG LDP ENV 12 - Development Impact on National Scenic Areas (NSAs);

- SG LDP ENV 13 - Development Impact on Areas of Panoramic Quality (APQs);
- SG LDP ENV 14 – Landscape;
- SG LDP ENV 19 - Development Impact on Scheduled Ancient Monuments;
- SG LDP ENV 20 - Development Impact on Sites of Archaeological Importance; and
- SG LDP ENV7- Water Quality and the Environment.

318. The issues raised in these policies are all matters which are addressed in **Chapter 8** of the Planning Statement in the context of the matters which are raised in SPP, for example although NSA's are not identified in SPP they are considered in **Table 8.1** of this Planning Statement in the context of landscape and visual effects.

319. The ABLDPSPG2 outlines the Spatial Framework for wind energy development within Argyll & Bute. The purpose of the ABLDPSG2 is to set out in the spatial strategy for wind energy and to provide guidance to developers on how the policy criteria in the ABLDP will be interpreted by A&BC.

320. The spatial framework identifies areas which have potential for wind energy development, and those which don't, including areas required significant protection in accordance with the criteria set out in Table 1 of SPP. According to the spatial framework map, the proposed Development lies partly in a Group 3 Area (Areas where wind energy developments are likely to be acceptable) and partly within Group 2 (Areas of significant protection) owing to the presence of peat.

321. Information in respect of this is contained in the context of SPP at 7.2.3. The presence of peat on the Site is a matter which has been carefully considered, including consultation with SEPA throughout the design evolution process. This has included peat probing work and consideration of peat depth, peat quality and peat slide risk. During the design process there was a strong effort to minimise the location of infrastructure on deep peat and to avoid deeper areas of peat. Chapter 2 of the EIA Report and the design and Access Statement set out how this has been done and is not repeated here.

322. Chapter 10, of the EIA Report demonstrates how areas of deep peat can be avoided and peat resources can be safeguarded. Technical Appendix 8.5 Draft HMP of the EIA Report advises that the proposed Development would include the restoration of 222.6 ha of afforested blanket bog and 43 ha of afforested heathland which will provide a net gain for the Site.

323. In any event the mapping which is used in the SNH (now NatureScot) Carbon and Peatland Map 2016 is high level mapping which should not be used to rule out potential developments. SNH 'Spatial Planning for Onshore Wind Turbines – natural heritage considerations' Guidance document makes this clear. It states that the national level map information:

"cannot (and should not) be used in isolation to determine the impacts of a specific development proposal on peat. This should be based on a detailed, site specific survey of peatland habitats and peat depths across the site using existing methods. ……. The location of a proposal in the mapped area does not, in itself, mean that the proposal is unacceptable, or that carbon rich soils, deep peat and priority peatland habitat will be adversely affected. The quality of peatland tends to be highly variable across an application site and a detailed assessment is required to identify the actual effects of the proposal, and to inform the location of site infrastructure…"

324. The Draft Peatland and Energy Policy Statement issued by the Scottish Government provides a common basis from which it and its agencies act in developing and implementing policies in relation to peatland and energy. It contains clear advice and reiterates that the map is not to be used as a development management tool but is to assist in the preparation of spatial frameworks for onshore wind developments.

7.4 Other Local Considerations

325. There are a number of other relevant local considerations that are relevant to the consideration of the proposed Development. These include the documents considered in the following text.

7.4.1 Argyll & Bute Landscape Wind Energy Capacity Study Update (2017)

326. The previous Argyll & Bute Landscape Wind Energy Capacity Study (ABLWECS) 2012 assessed the sensitivity of Landscape Character Areas (LCAs) within Argyll & Bute to accommodating wind turbines with a tip height of up to 130 m.

327. The Argyll & Bute Landscape Wind Energy Capacity Study 2017 is an update to the 2012 study and has been prepared in response to cumulative baseline changes in Argyll & Bute during the intervening period, as well as emerging trends in the onshore wind industry, whereby larger turbines are commonly being proposed to maximise output efficiencies.

328. Following on from the findings of the 2012 study, which identified a few landscape character areas (LCAs) with some scope for larger turbines, or landscapes which already accommodate operational windfarms, the 2017 study considers the sensitivity of these LCAs to accommodating 'very large' turbines i.e. turbines of a tip height greater than 130 m.

329. The 2017 study also provides an updated landscape strategy for Argyll & Bute, which is similar to that set out in the 2012 study. Nine objectives are proposed, and these include:

- protecting the most scenic of Argyll & Bute's landscapes;
- maintaining the wild land qualities of the mountainous landscapes;
- protecting the special qualities of the coastal landscapes, islands and wider seascape;
- conserving the character and integrity of inner Loch Fyne;
- conserving the rich scenic character found at the northern and southern end of Loch Awe;
- following the established pattern of larger windfarm development associated with less sensitive upland landscapes;
- avoiding exacerbating intrusion on Arran, Gigha and surrounding seascapes;
- directing larger typologies away from settled coastal and loch fringes; and
- on-going review of cumulative landscape.

330. The proposed Development has been carefully sited within the Upland Forest Moor Mosaic Landscape Character Type. The ABLWECS (2017) states that there may be 'very limited' scope for very large turbines within such areas. In terms of the applicability of the 2017 ABLWECS's findings to individual sites, the study states that:

"The purposes of assessing sensitivity in the wider arena landscape planning is different to that undertaken as landscape and visual impact assessment which is specific to a particular project or development and its location."

331. Landscape Capacity Studies are strategic in nature and should not be used to determine applications without regard to the individual assessment of the proposal. This has been made clear in several appeal and Section 36 decisions across Scotland including in the Eascairt Windfarm Decision Notice (Ref PPA-130-2059) and the Blarghour Reporters Report ((WIN-130-4), both of which are in Argyll and Bute.

332. When considering the ABLWECS in the context of a planning appeal relating to a site to the south of the proposed Development known as Eascairt, the Reporter, at paragraph 8 of the Notice of Intention (Ref PPA-130-2059), advised that *"The Argyll & Bute Landscape Wind Energy Capacity Study of 2012 (LWECS) does not include more recent wind farm development. This document provides a strategic assessment, but must, in my view, be subject to an assessment of the actual impacts on the ground. I do not therefore consider that the study counts against the development proposed."*

333. In the case of Blaghour (WIN-130-4), which is in the A&BC area, the Reporter found that the ABLWECS does not carry the status of policy. She went onto conclude that the ABLWECS *"cannot be read to presume against development but rather provides an informative context for the subsequent detailed assessment."*

334. It is clear from these decisions by Reporters and the Scottish Ministers that Landscape Capacity Studies should not be used as a basis for decisions on individual windfarm proposals. Rather the detailed site-specific assessment should be used and an assessment made of the relevant environmental and economic factors as part of the decision making process.

335. The ABLWECS Executive Summary is clear that it only considers landscape sensitivity and that there are other matters which require to be taken into account in determining the overall acceptability of a wind energy development.

336. The way in which the ABLWECS has been considered in the EIA process is set out in the EIA Report Chapter 7. Table 7.7 contains a review of the design against the ABLWECS. It is acknowledged that the principle of wind turbines in the location of the proposed Development is not supported by the ABLWECS, but it is submitted that the design addresses the matters that are set out as being of concern. It is submitted that the detailed assessment of the Site demonstrates that there is capacity for windfarm development in the location of the proposed Development.

7.4.2 Argyll & Bute Renewable Energy Action Plan

337. The Renewable Energy Action Plan (REAP) has been developed to assist Argyll & Bute realise its vision for the development of the renewable energy sector. The vision is:

"Argyll & Bute will be at the heart of renewable energy development in Scotland by taking full advantage of its unique and significant mix of indigenous renewable resources and maximising the opportunities for sustainable economic growth for the benefit of its communities and Scotland."

338. Key actions of the REAP fall into the following categories: Transport and Connectivity, Supply Chain, Business Land and Skills and Recruitment. Those of relevance to renewable energy developers mainly relate to enhancing supply chain opportunities and skills development to support the growth of the industry in Argyll & Bute.

7.4.3 Argyll & Bute Renewable Energy Action Plan (2018/19)

339. Argyll & Bute Renewable Alliance (ABRA) is a strategic public/private sector alliance led by A&BC with a vision and an action plan for working together and aligning partner resources to power Scotland's future. ABRA developed the Renewable Energy Action Plan to guide activities.

340. It is recognised within the Renewable Energy Action Plan that the region has access to a unique and significant mix of indigenous renewable energy resources in wind, solar, hydro, wave, tidal and biomass. It is also noted that the region's eastern borders are close to Scotland's central belt, while its Western Seaboard is close to Ireland, creating power supply opportunities to large urban areas and rural communities on both sides of the Irish Sea.

341. In light of the above, the Renewable Energy Action Plan set out the vision of Argyll & Bute as follows:

"Argyll & Bute will be at the heart of renewable energy development in Scotland by taking full advantage of its unique and significant mix of indigenous renewable resources and maximising the opportunities for sustainable economic growth for the benefit of its communities and Scotland."

342. Argyll & Bute is considered to be well placed to take advantage of the economic opportunities offered by renewable energy to build on the existing track record of pioneering and delivering renewables.

343. The key actions include:

- TC1: Ensure the grid is fit for purpose to meet renewable energy opportunities;
- BL2: Consider future renewables business accommodation and land requirements and feed into Local Development Plan preparation and any relevant national policies;
- ABRA 2: Support community benefits from renewables development and respond to future Scottish Government consultations;
- ABRA 4: Influence legislation and policy development to ensure delivery of overarching ABRA vision and to assist in securing a successful route to market; and
- Other considerations.

7.5 Scottish Government Planning Guidance

344. The Scottish Government provides advice and guidance for planning applications which has relevance to renewable energy development.

7.5.1 Onshore wind turbines: Planning Advice

345. The Advice in respect of wind energy is for planning applications and covers many of the issues that have been identified in the context of renewable energy policy, the Development Plan, NPF and SPP and is, therefore, not set out in this Planning Statement.

7.5.2 Scottish Government Online Advice on Large Photovoltaic Arrays

346. The Scottish Government's policy advice on large scale Solar installation is contained in online advice with regard to large photovoltaic arrays. This advice encourages planning authorities to consider the potential of solar development in further detail, with a view to *"identifying large arrays of ground mounted PV as appropriate uses for certain urban and rural area development plan land allocations"*.

347. The guidance further identifies a number of 'typical planning considerations' which are considered likely to be relevant in determining planning applications for solar developments. These are identified as– landscape/visual impact, ecological impacts, archaeology, impact on communities, glint and glare impacts and aviation matters. Where appropriate these issues have all been considered within the EIA Report.

7.5.3 Historic Environment Policy for Scotland

348. The Historic Environment Policy for Scotland (HEPS) contains Scottish Ministers' policies and provides direction for Historic Environment Scotland (HES) and policy frameworks. HEPS 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.

349. HEPS 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.

350. The issue of integrity of setting has been addressed in **Section 7.2.3** of this Planning Statement. That position is not repeated here.

351. There are six policies within the HEPS which define how the historic environment should be managed, these are as follows:

- Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.
- Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.
- Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.
- Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.
- Decisions affecting the historic environment should contribute to the sustainable development of communities and places.
- Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

352. The EIA Report Chapter 11 concludes that there would be no direct effects on any known archaeological remains. It concludes that there would be no significant effect, in EIA terms, as a result of the operation of the proposed Development on the settings of and SM including Skipness Castle and Kilbrannan Chapel Chapter 11 of the EIA report sets out what has been done in the form of mitigation to minimise the impact on Skipness Castle and Kilbrannan Chapel in particular.

353. The following text provides commentary in respect of the proposed Development and the 6 HEPS policies.

- it is submitted that a full understanding of the impact of the proposed Development on the SMs including Skipness Castle and Kilbrannan Chapel SM has been undertaken and is presented in Chapter 11 of the EIA Report. It is therefore possible to make an informed decision.
- the EIA Report has considered the understanding and enjoyment of the Skipness Castle and Kilbrannan Chapel SM. These would not be lost as a result of the proposed Development
- plans, programmes, policies and strategies, and the allocation of resources are not considered to be relevant to the proposed Development.
- there would be no direct changes to the Skipness Castle and Kilbrannan Chapel SM as a result of the proposed Development. The impact on the setting, rather than context has been fully assessed in the EIA and it is considered that the impacts are acceptable for the reasons set out in this Planning Statement in respect of SPP.

354. The design evolution of the proposed development has carefully considered the impact of the proposed wind turbines, in particular, on the setting of the Skipness Castle and Kilbrannan Chapel SM and the way in which that impact has been minimised is set out in Chapter 2 of the EIA Report and in the Design and Access Statement.

- it is considered that the proposed Development is sustainable and offers the potential to contribute to the community in a sustainable way through.
- the information which has been provided, in the EIA, allows an informed decision to be made.

355. It is submitted that the information that is provided in the EIA Report is sufficient to make a decision on the acceptability of the impact of the proposed Development on Skipness Castle and Kilbrannan Chapel SM. It is concluded that the impact of the proposed development on the setting of the Skipness Castle and Kilbrannan Chapel will not impact on the integrity of the setting and is, on balance acceptable.

7.6 Conclusion

356. It is clear that there is significant support for renewable energy development in planning policy. It is clear that this is not qualified support and the various considerations which require consideration are addressed in **Chapter 8** of this Planning Statement.

357. It is clear that the targets that are contained SPP are dated and that both NPF3 and SPP are of their time. However, aside from the targets, they remain relevant considerations when assessing the proposed Development. It is clear that NPF4 will move matters forward however the position statement and draft NPF 4 are not yet policy and therefore the weight to be attached to them in the decision-making process is limited. However, they do provide a clear indication of the direction of travel for planning policy in Scotland. Once approved NPF4 will be an important consideration in the determination process.

8 Assessment

8.1 Introduction

358. 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 as follows:

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

359. **Chapter 5** of this Planning Statement 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.

360. The contribution of the proposed Development to renewable energy targets has been considered in **Chapter 6** of this Planning Statement. 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 6** are not repeated here.

361. **Chapter 7** of the Planning Statement provides details of spatial planning for framework and **Section 7.2.2** provides a conclusion in respect of the location of the Site. As noted in **Chapter 7** this Planning Statement 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 Planning Statement.

362. The responses to the various issues are relevant to the proposed Development as a whole unless specifically stated otherwise.

8.2 Location of the proposed Development

363. It is understood from the Spatial Framework shown in ABLDPSG2 that the Site is located within a Group 2 Area and Group 3. The SPP states that windfarms are likely to be acceptable, subject to detailed consideration against identified policy criteria in Group 3 areas.

364. The proposed Development is located in an area which both the Development Plan and SPP consider as being suitable for windfarm development subject to the consideration of relevant criteria. It is concluded that the location of the proposed Development is acceptable.

365. ABLDP Policy LDP PM1 Development within the Development Management Zones is a policy which seeks to guide development to the ”right” location. It is a policy that is designed to control rural development. It is standard practice for wind turbines to be located in rural areas which are not zoned for built development.

366. The Site is largely located within an area of Very Sensitive Countryside on the South Kintyre Proposals Map. The restrictive element of this policy text clearly relates to the built environment, such as residential development, of the type one would expect to find in and around settlements and is not considered to be relevant to the consideration of the proposed Development.

367. Criterion F of Policy LDP DM1 is relevant to the Very Sensitive Countryside. The Policy is clear that within such areas *“encouragement will only be given to specific categories of development on appropriate sites.”* Such development includes renewable energy related development such as the proposed Development. This policy clearly allows for renewable energy development in Very Sensitive Countryside and is considered to provide support for the proposed Development.

8.3 Criteria for consideration

368. **Table 8.1** considers the criteria which are relevant considerations for wind farm development which are contained in paragraph 169 of SPP and Policy LDP6. This draws on the EIA Report submitted as part of the application. This demonstrates that the matters referred in Schedule 9 of the 1989 Act have been considered by the Applicant. This Chapter of the Planning Statement considers the technical tests for the proposed Development and for ease of reference they are ordered as per the 19 criteria set out in SPP paragraph 169.

Table 8.1: SPP Spatial Framework Development Management Topics to be Considered in Respect of Windfarm Applications

Net Economic Impact **Criterion 1**	The Applicant has a clear track record of delivering economic benefit as a result of their developments across Scotland Chapter 14: Socio-economics, Recreation and Tourism, of the EIA Report provides information on the economic impact of the proposed Development. Key findings are as follows: • during construction stage capital expenditure for the proposed Development would be approximately £117.1 million (including solar), of this approximately £13.78 million would be spent in the local economy and approximately £43 million would be spent in Scotland as a whole. • During construction, the proposed Development is expected to support, in net terms, 53 person-years of employment benefiting local residents and approximately 215.4 person-years of employment for Scotland as a whole. • During the operational phase, the proposed Development is expected to support, in net terms ,9 permanent person-years of employment benefiting local residents, and 12 permanent person-years of employment for Scotland as a whole; and • It is expected that the local economy would be boosted by a total of £4.2 million of net Gross Value Added (GVA)[5] during the construction period. The Scottish economy would benefit by £17.4 million net GVA during the same time period. The community benefit package for the proposed Development would include an opportunity for the local community to invest in the proposed Development once operational. A number of Kintyre communities have already formed an appropriate community vehicle to consider any investment opportunities offered in the area. It is expected that any proposed income streams from community benefit or from any future investment opportunity, could provide a long-term revenue which could be used to support community projects within Argyll and Bute. The Applicant's flexible approach to community benefit empowers local communities to determine which projects and initiatives are of greatest value locally when deciding what the community benefit is spent on. Benefits would accrue from the scale and nature of the proposed income streams and, depending on the choices made, could have a positive effect on the provision and quality of local facilities, the general quality of life of local residents as well as other economic benefits. The long-term nature of the income could allow the community to plan ahead; to draw in other sources of match funding to maximise the benefits; and to assist in the delivery of local initiatives that are deemed to be of the greatest value by the community. Whilst these effects cannot be quantified at this stage, it is clear that the proposed community benefit package would offer real socio-economic benefits to the local community.
Contribution to Renewable Energy Generation Targets **Criterion 2**	As discussed in Chapters 6 and 7. of this Planning Statement, the proposed Development would assist with the achievement of the UK and Scottish Government policies which set targets for renewable electricity generation. The proposed Development would make a valuable contribution to the current targets. Governments at Westminster and Holyrood have made clear their ongoing commitment to Net Zero and energy targets, and the

[5] GVA measures the contribution to the economy of an individual producer, an industry, sector or region

	decarbonisation of electricity generation, in the most recently published documents on the matter which are set out in Chapters 5 and 6 of this Planning Statement, and the proposal would contribute to this policy objective. The proposed turbines would have a total rated output of around 78 MW The proposed solar array would also generate around 5 MW The proposed Development would produce between 230-280 GWh of electricity annually. This equates to the annual power consumed by approximately 45,307 average households in Scotland per year[6]. BESS, or around 25 MW would also be installed. The the total energy output for the wind turbines and solar arrays is estimated at around 83 MW. The scale of the proposed turbines and inclusion of ground mounted solar arrays and a BESS means that the potential of the Site is being maximised to its full generation potential while carefully balancing the environmental impacts to ensure that the proposed Development is environmentally acceptable. It is concluded that the proposed Development would make a valuable and meaningful contribution to government targets. This view is in keeping with Reporters and Scottish Ministers decisions on other renewable energy developments
Effect on Greenhouse Gas Emissions **Criterion 3**	The proposed Development would make a valuable and significant contribution towards UK national generation targets and the reduction in emissions of greenhouse gases, principally Carbon Dioxide in becoming carbon neutral in less than one year. The total CO_2 emissions savings over the assumed lifetime of the project (excluding the contribution made by the ground mounted solar arrays) is expected to be circa 3,976,365 tCO_2e (104,029 tCO_2e over 40 years, minus net emissions from manufacture, construction, and decommissioning).The proposed Development would make a valuable and significant contribution towards UK national generation targets and the reduction in emissions of greenhouse gases, principally carbon dioxide and predicted to become carbon neutral in 1.8 years.
Cumulative Impacts **Criterion 4**	The cumulative impact of the proposed Development has been considered in the EIA process. In particular it has been considered in the context of landscape, ecology, ornithology, archaeology and noise in Chapters 7, 8, 9, 11 and 13 of the EIA Report respectively. The windfarms within close context of the proposed Development considered in the EIA Report include the following: **Landscape** The potential for cumulative impacts as a result of the proposed Development is carefully considered in the EIA Report in Chapter 7. In order to consider the cumulative impact of the proposed Development the LVIA considers four scenarios, the nature of those scenarios are set out in the EIA Report Chapter 7 and are not repeated here. A number of significant cumulative landscape effects, are identified in Chapter 7 of the EIA Report which are identified as follows: • The impact on the landscape character of the host landscape character type; • The impact on the northern part of Arran; • Impact on the Lochranza ferry; and • Impact those walking on the Kintyre way. No material impact on the integrity on the designated landscapes are predicted in any of the scenarios.

[6] Calculations from the Scottish Government Renewable electricity output and energy conversion calculators website: https://www.gov.scot/publications/renewable-and-conversion-calculators/ [accessed 11 June 2021]

	Ecology & Ornithology The potential for cumulative impacts as a result of the proposed Development on ecology and ornithology are considered in the EIA Report **at** Chapters 8 and 9. The only potential for an ecological cumulative effect is related to bats. It is concluded that the overall low levels of bat activity reported across all of the Site consider mean that significant cumulative effects are unlikely. In the case of ornithology, the potential for significant cumulative collision risks upon golden eagle, hen harrier and red-throated diver are considered within the assessment. No significant cumulative impacts are predicted as a result of the construction of the proposed Development. **Cultural Heritage** Chapter 11 of the EIA Report considers the impact of the proposed Development on the Historic Environment. No significant cumulative effects are predicted on cultural heritage or archaeology as a result of the proposed Development. **Noise** Chapter 13 of the EIA Report advises that there are no other proposed, operational or consented wind turbine developments in the vicinity of the proposed Development that would result in any significant increase in overall turbine noise levels. It also concludes that there would be no cumulative construction noise impacts as a result of the proposed Development. **Summary of Cumulative Impacts** It is recognised significant landscape and visual cumulative effects are predicted as a result of the proposed Development. However, it is considered that on balance the cumulative impact of the proposed Development is considered to be acceptable.
Impacts on Communities and Individual Dwellings **Criterion 5**	**Economic Impact** The proposed Development offers to the opportunity for economic benefit to the local community. The Applicant has 4 existing projects in Argyll & Bute (Beinn an Tuirc 1 and 2, Cruach Mhor and Clachan Flats). Community benefit funds from these developments has resulted in payments of over £2 million to communities in Argyll and Bute. The community benefit fund being made available from the recently constructed Beinn an Tuirc 3 windfarm will provide additional funding in the region of £225,000 per annum to the local community. Since becoming operational in 2001 and 2014 respectively, SPR's Beinn an Tuirc and Beinn an Tuirc 2 Windfarms on the Kintyre Peninsula have together contributed more than £1.35 million to the local communities. **Landscape - Residential Visual Amenity** Some significant landscape and visual effects, as a result of any proposed renewable energy development incorporating wind turbines, are unavoidable. Wind turbines proposed within 2 km of residential properties have the potential to cause significant visual effects on properties. This, however, is not necessarily unacceptable as there is a long-held planning principle that there is no right to a view from a private property and each development needs to be considered on its respective merits. With residential amenity the issue is, therefore, not simply that there is a significant effect on a property, but rather is that effect such that the property would become an unacceptable place to live because its amenity is so degraded by the presence of the proposed wind turbines. This approach, which is often referred to as the Lavender Test, after the Inspector who formulated it, has been applied in a number of decisions relating to English cases and is articulated in a number of Scottish Reporters' and Ministers' decisions relating to windfarms. In the case of the Windy Edge Appeal Decision (Reference PPA-140-2055, June 2016) the Reporter stated: "I think it is important to differentiate between the general landscape and visual impacts which local residents would experience and the particular impacts on any individual property. A significant change to a view is not necessarily harmful in planning terms. …. It is more than a

	significant change to a view or that any individual resident would prefer not to live near a wind farm. The visual impact would have to be excessively dominant." In their Report on the proposed Fauch Hill/Harburnhead Windfarms (Reference PPA-400-2084 and EC00003190 respectively, July 2014) the Reporters stated that "*the generally agreed guidance on the level of visual impact is known as the Lavender Test which assesses whether a property would become an unacceptable place to live because of the development.*" In their decision in relation to the proposed Afton Windfarm (Reference EC00003134, October 2014) the Scottish Ministers advised that they considered that "*the development would not result in any over bearing visual effects on residential amenity to a degree that any property might be considered an unattractive place in which to live."* EIA Report Chapter 7 advises that the ZTVs, visualisations and the main LVIA illustrate that the impacts on nearest settlements would be very limited. The EIA Report includes an Assessment on Residential Visual Amenity (RVAA) in Technical Appendix 7.9. This has been carried out in accordance with the approach set out in the Landscape Institutes Technical Guidance Note 2/19 Residential Visual Amenity Assessment. The RVAA considers 3 properties within 2km of the proposed Development, it is concluded that there would not be any significant effects as a result of the proposed Development on Residential Amenity in these locations due to the existing landscape baseline. One other individual property was identified outside of Skipness which would experience a significant effect. In no case was the Residential Visual Amenity Threshold reached. **Landscape and Communities** The landscape and visual impact on settlements is considered in the EIA Report in Chapter 7, it is concluded that there is a notable lack of visibility from the majority of the coastline and coastal settlements on the south and west of the Kintyre peninsula It advises that whilst there would be views from Skipness, eastern Ardlamont peninsula, Isle of Bute and Pirnmill on Arran, significant effects are not predicted. **Noise** The potential for noise to impact on the local community and individual properties has been carefully considered as part of the design iteration process. Predicted noise levels associated with the operation of the wind turbines, based on the installation of three different possible candidate wind turbine models, have been compared with the noise limits determined with reference to ETSU-R-97. This demonstrates that a range of potential turbine model could be installed at the Site whilst comfortably meeting planning requirements. The construction noise and vibration levels at neighbouring dwellings are expected to meet typical requirements in this regard and no specific mitigation measures are considered to be required other than that deemed necessary under normal best practice. **Shadow Flicker** The potential for the proposed Development to result in shadow flicker has been considered in Chapter 15 of the EIA Report. The assessment concludes there would be no predicted shadow flicker effects. **Ice Throw** Chapter 15 of the EIA Report considers ice throw. The potential for risk to human health associated with ice build-up is reduced through inbuilt turbine mechanisms. Wind turbines can continue to operate with a very thin accumulation of show or ice but will shut down automatically as soon as there is a sufficient build up to cause aerodynamic or physical imbalance to the rotor assembly. This along with the very few days of the year where potential icing could occur means the risk to public safety is considered to be very low.

	Private Water Supplies (PWS) Chapter 10 of the EIA Report confirms that no PWS within the Site. A number of PWS have been identified within 2 km of the application boundary. Mitigation is proposed in order to protect PWS and as a result no significant effects are predicted on PWS as a result of the proposed Development. **Traffic** Chapter 12 of the EIA Report considers the impact of the proposed Development on the local community. A CTMP would be prepared prior to the commencement of the proposed Development and this CTMP would be agreed with A&BC. **Summary of Impacts on Communities and Individual Properties** The design of the proposed Development has sought to minimise impacts on communities and individual properties. It has been demonstrated in the RVAA that predicted effects would not reach the residential visual amenity threshold at any of the properties assessed. No significant effects are predicted in relation to noise, shadow flicker, private water supplies or traffic. It is also considered there would be positive impacts on the community as a result of the proposed community benefit funding. It is therefore considered it has been demonstrated the proposed Development is acceptable in terms of impacts on communities and individual properties.
Landscape and Visual Impacts **Criterion 6**	An assessment of the landscape and visual impacts (LVIA) of the proposed Development has been undertaken as part of the EIA process. The assessment is included in the EIA Report in Chapter 7. The conclusions of the EIA Report in the context of landscape and visual impacts are summarised as follows: **Visual Effects** It is concluded that there would be significant visual effects for; • walkers on the Kintyre Way as it passes through the Site; • those people located to the west, including those on the water within the outer Loch Fyne area (including recreational sailors), the Tarbert - Portavadie ferry route and Argyll Sea Kayak Trail and people on the western South Cowal/Ardlamont Peninsula including Portavadie; and • users of the Lochranza- Kintyre ferry route and those on the northern part of Arran including at the Lochranza / Catacol group, Arran Coastal Way and Newton Point. **Impact on Landscape Character** The extent of operational effects upon the landscape character would be limited by the topographic containment of the Kintyre peninsula. Significant effects would be contained within the LCT 6 Upland Forest Moor Mosaic, with most notable influence within 2-4 km of the proposed turbines. Beyond this there would be no significant effects on landscape character on any other landscape character types. **Impact on Landscape Designations** Chapter 7 of the EIA Report considers the potential for a significant effect on the special qualities of the North Arran NSA as a result of the proposed Development. It is concluded that there would be no significant effects on any of the special qualities of the North Arran NSA. It is considered that the special qualities would all remain well expressed. It is therefore concluded that there would not be an impact on the integrity of the NSA. In respect of the Kyles of Bute NSA, the EIA Report Chapter 7 concludes that there would be some limited adverse effects within the NSA as a result of the views of the proposed Development from the NSA. The scale of change to the special qualities of the Kyles of Bute

	NSA would be small and localised in extent. The effect would not be significant and all of the special qualities of the NSA would remain well expressed. It is clear that there would be a localised level of impact on the two NSAs however there would be no significant effects on the qualities of the NSAs and it is therefore concluded that the integrity of the 2 NSAs would not be compromised. The impact of the prosed Development on the South Cowal, Bute and Knapdale Areas of Panoramic Quality (APQ) are considered in the EIA Report at Chapter 7. The special qualities of APQs are not defined. In the case of Upper Sonachan (WIN-130-2) the Reporter found that *"in the absence of any recorded "special qualities" the pragmatic approach would be for the decision-maker to determine the qualities and use those to assess any proposal taking into account any impact upon those identified qualities and the integrity of the APQ"* Chapter 7 of the EIA Report sets out what are considered to the special qualities of the relevant APQs. It considers the impact of the proposed development on the special qualities in section 7.7.7. It is concluded, in the EIA Report Chapter 7, that there would be no significant effects on the three identified APQs and it is therefore concluded that there would not be an impact on the integrity of the APQs. **Wildland** No Significant effects were predicted as a result of the proposed Development on Wild Land. **Landscape Capacity** The ABLWECS considered the Upland Forest Moor Mosaic to be of high/medium relative sensitivity to very large turbines (130 m+) topologies. Chapter 7 of the EIA Report considers the fit of the proposed Development with the guidance provided in the ABLWECS. It is concluded that the proposed Development adheres to much of the design guidance within the ABLWECS for very large wind energy development within LCT 6 Upland Forest Moor Mosaic. **Glint and Glare** The potential for the proposed solar arrays to cause glint and glare is considered in Chapter 15 of the EIA Report. No Significant effects are identified. **Summary of Landscape and Visual Impacts** It is concluded that there are a number of significant landscape and visual effects as a result of the proposed Development, and this is to be entirely expected. The design of the proposed Development has been carefully considered in order to ensure that the landscape and visible effects are minimised in so far as reasonably possible considering other environmental matters and overall viability.
Effects on the Natural Heritage, Including Birds **Criterion 7**	Chapter 8 of the EIA Report identifies the ecology designated sites in the vicinity of the proposed Development. It is concluded that there are no significant residual effects predicted to occur on any important ecological feature as a result of the construction of the proposed Development. It is concluded, in EIA Report Chapter 8 that the operation of the proposed Development would not result in the potential for any direct or indirect impacts to any statutory designated site for nature conservation. During the operational phase, the EIA Report Chapter 8 concludes that there are no significant effects predicted on habitats or bats. The EIA report, Chapter 9, advises that providing the implementation of mitigation measures outlined in the document are implemented in relation to black grouse, residual impacts, as a result of the construction of the proposed Development, on important ecological features would not be significant.

	Chapter 9: Ornithology of the EIA Report advises that no significant residual effects are predicted to occur upon any important ornithological feature as a result of the operation of the proposed Development. The enhancement measures, provided as part of the HMP would however remain in place throughout the operational phase, subject to periodic review in accordance with any emerging best practice management advice. The impacts of the proposed Development on natural heritage resources are considered to be acceptable.
Impacts on Carbon Rich Soils, Using the Carbon Calculator **Criterion 8**	Each unit of wind generated electricity would displace a unit of conventionally generated electricity, therefore, saving power station emissions. The calculations of total carbon dioxide emission savings and payback time for the proposed Development indicates the overall payback period of the proposed Development, over a 40 year period, would be approximately 1.8 years, when compared to the fossil fuel mix of electricity generation. This means that the proposed Development is anticipated to take around 1.8 years to repay the carbon exchange to the atmosphere (the CO2 debt) through construction of the wind turbine element of the proposed Development; the Site would in effect be in a net gain situation following this time period and can then claim to contribute to national objectives.
Public Access **Criterion 9**	The proposed Development includes enhancements to the public footpath networks as set out in the EIA Report at Chapter 14. These improvements will make a positive contribution to public access in and around the Site.
Impacts on the Historic Environment **Criterion 10**	Chapter 11 of the EIA Report considers archaeology and cultural heritage. World Heritage Sites, inventoried Battlefields, inventoried GDLs, Conservation Areas, or Historic Marine Protected Areas within 5 km of the proposed wind turbines. The potential for the proposed Development to effect historic assets has been carefully considered in Chapter 11 of the EIA Report. It is concluded that there would be no direct impacts upon any known heritage assets. It further concludes that there would be no significant effects on any of the identified archaeological or cultural heritage features as a result of the proposed Development. The impact of the proposed Development of the setting of the SM is considered in the EIA Report Chapter 11 in particular the impact on the Skipness Castle and Kilbrannan SM is considered. Chapter 11 of the EIA report advises that the setting of Skipness Chapel and Kilbrannan Chapel is multi-faceted, with the visual relationship between the castle and chapel, their setting within the local agricultural landscape and their relationship with the village of Skipness and Kilbrannan Sound all important in how they are understood and appreciated. Information on this is provide in the EIA report and is not repeated here. The EIA Report concludes that the proposed Development would not have an adverse impact on the cultural significance of Skipness Castle and Kilbrannan Chapel. The way in which this is considered in the context of the HEPS policies is covered in **Section 7.2.3** of this Planning Statement and is not repeated here. The level of effect is considered to be acceptable when considered in the round.
Impacts on Tourism and Recreation Criterion 11	The impacts of the proposed Development on tourism and recreation are considered in Chapter 14 of the EIA Report. It undertakes a review of published reports which consistently find that the presence of windfarms does not reduce the number of people visiting the area. The proposed Development includes a number of improvements to local paths which would enhance the recreational opportunities in the vicinity of the Site.

	It is concluded that there would not be an effect on tourism as a result of the proposed Development.
Impacts on Aviation and Defence Interests and Seismological Recording **Criterion 12**	The EIA Report considers the potential for the proposed Development to impact upon aviation and military defence interests in Chapter 15. It is considered that all of the turbines would be visible from the radar at Glasgow Prestwick Airport (GPA) and Lowther Hill Primary Surveillance Radar (PSR). In the case of the proposed Development it is not considered that the turbines, although visible, would have a detrimental impact on GPA Air Traffic Service (ATS), should mitigation be deemed necessary then the PSR could be re-optimised to filter out any turbine-induced radar clutter. Although it is not considered that clutter associated with Lowther Hill PSR would have an impact on NERL's ATS, it is anticipated that there would be mitigation options available. Infill radar feeds could be used from PSRs that are integrated into NERL's Multi-Radar Tracking infrastructure. Lowther Hill PSR was expected to be replaced by a more advanced radar facility with in-built capability for mitigating the impact of turbines by the end of 2021. There is no confirmation available that this has been achieved at the time of writing. The proposed development is not in a location where seismological recording is relevant. It is therefore concluded that with the potential for mitigation, if required, the impact on aviation and defence interests is acceptable. If it is considered that mitigation is required, then a condition could be used to secure this. A draft condition to ensure that the proposed visible lighting is mitigated as far as reasonably possible is included in the Indicative Aviation Lighting Landscape and Visual Impact Mitigation Plan which is Technical Appendix 15.5 of the EIA Report.
Impacts on Telecommunications and Broadcasting Installations **Criterion 13**	The potential impact of the proposed Development on telecommunications and broadcasting installations has been considered as part of the EIA Report at Chapter 15. The EIA Report Chapter 15 advises that from the consultation responses received, it is apparent that there is no indication that the proposed Development would interfere with telecommunications links.
Impacts on Road Traffic **Criterion 14**	EIA Report Chapter 12 concludes that given the temporary nature of construction programme (24 months) and with the implementation of mitigation measures through a Construction Traffic Management Plan (CTMP) and Abnormal Traffic Management Plan (ATMP), all effects can be effectively and would not be significant. It is considered that the impact on road traffic as a result of the proposed Development is acceptable.
Impacts on Adjacent Trunk Roads **Criterion 15**	It is proposed that the wind turbine components would be delivered to the Site from Campbeltown. These would travel along the A83 which is a trunk road. As stated in respect of Criterion 14, it is concluded that with the use of a CTMP and ATMP the impact on trunk roads would be acceptable.
Effects on Hydrology, the Water Environment and Flood Risk **Criterion 16**	The potential for significant impacts on soils, geology and the water environment as a result of the proposed Development are considered in the EIA Report at Chapter 10. Good practice measures would be applied in relation to pollution risk, sediment management, peat management and management of surface runoff rates and volumes This would form part of the Construction Environment Management Plan (CEMP) to be implemented for the proposed Development and would be agreed prior to construction, an outline of which is provided in EIA Report Technical Appendix 16.1.

	Chapter 10 of the EIA Report finds there would be no significant impacts on hydrology and the water environmental as a result of the proposed Development and there would be no increased flood risk. This is subject to mitigation measures which could be dealt with by condition. It is therefore considered the proposed Development is acceptable in terms of its effects on hydrology, the water environment and flood risk.
The Need for Conditions Relating to the Decommissioning of Developments **Criterion 17**	Should consent be granted, it is anticipated that there would be a condition which would deal with the requirement to decommission wind turbines, the BESS, solar arrays or associated equipment following the end of the operational lifetime of the proposed Development. .
Opportunities for Energy Storage **Criterion 18**	The proposed Development would include a BESS pf around 25 MW. The proposed Development would provide a flexible balance of energy whilst enabling the delivery of the full potential of renewable energy to meet the demands of the National Grid. The proposed Development would have the potential to undertake black start, as set out in the EIA Report Chapter 3 at Section 3.3.6.
The Need for a Robust Planning Obligation to Ensure that Operators Achieve Site Restoration **Criterion 19**	It is anticipated that there would be a condition which would address the need for restoration of the Site following the operational lifetime of the proposed Development.

8.4 Assessment Conclusions

370. The proposed Development benefits from strong policy support in respect of renewable energy and climate change policy as set out in Chapter 5 of this Planning Statement.

371. It is concluded that the proposed Development would make a valuable contribution to achieving renewable energy targets as set out in Chapter 6 of this Planning Statement.

372. The principle of the proposed Development is supported by national planning policy subject to the satisfaction of criteria. Those criteria are considered in **Table 8.1** and it is concluded that the criteria have been satisfied and as such the proposed Development should be consider in accordance with national planning policy in NPF3 and SPP.

373. It has been demonstrated that the proposed Development is located in a position where wind farm development is considered to be acceptable subject to the consideration of criteria. The Site is within Group 2 and Group 3 when considered in the context of SPP and in the context of the A&BC Spatial Framework. The reason for the Site being within a Group 2 area is the presence of peat and carbon rich soil. It is submitted that this matter has been satisfactorily addressed in the EIA process and that the impact on peat/carbon rich soils is considered to be acceptable.

374. It is noted that the EIA process has identified significant effects, in the context of the EIA Regulations in respect of landscape and visual matters and the setting of a SM. The identification of significant effects, in the EIA, does not in itself mean that a development should be considered unacceptable.

375. The criteria which have been identified in SPP and the key policy of the Development Plan as being of relevance to the proposed Development are all considered in **Table 8.1**. It is concluded that the impacts of the proposed Development, which are identified in the EIA report are acceptable.

376. Regard has been had to the Policies which are not wind farm specific but maybe considered as relevant to the proposed Development. It is concluded that the matters which these policies raise are covered in the context of **Table 8.1**.

377. It is concluded that the proposed Development is in accordance with the Development Plan when considered as a whole.

9 Conclusions

378. This Planning Statement has considered renewable energy policy and has identified the renewable energy targets which have been set out in **Chapters 5** and **6. Chapter 6** of this Planning Statement identifies where Scotland is positioned in respect of meeting existing renewable energy targets. Global climate change is widely recognised as one of the greatest environmental, social and political challenges facing the world today and has been recently declared as a climate 'crisis' or 'emergency'. It is clear that Scotland is not currently meeting the required targets.

379. The proposed Development comprises 13 three-bladed horizontal axis wind turbines up to 180 m tip height, with a rated output of around 78 megawatts (MW) and ground mounted solar arrays of around 5 MW, producing a combined output of around 83 MW or between 230-280 GWh of electricity annually. A BESS of around 25 MW would also be installed to store generated renewable energy and provide flexible management of energy delivery and ancillary support services to the National Grid. The Scottish Government confirmed it considered battery storage to be a generating technology in the Chief Planners letter dated 27 August 2020. This would help to deliver new renewable energy capacity which is needed to help the UK and Scottish Government meet its climate goals, address the climate change emergency and provide low-carbon power that assist in the reduction of consumer bills

9.1 Energy Policy and Relevant Targets

380. The proposed Development would contribute to the UK and Scottish Government's Energy Policy and relevant targets. It has been demonstrated there is a long way to go to meet the 50 % total Scottish energy target by 2030, with the latest figures demonstrating 23.8 % in 2019, and the proposed Development could make a considerable contribution towards this.

9.2 Economic Impacts

The estimated expenditure during the development and construction phase of the proposed Development is £117.1 million with £13.78 million of the expenditure expected to be spent in Argyll and Bute. The proposed Development is also anticipated to contribute around 215.4 job years (net) in Scotland with approximately 53 in Argyll and Bute during the construction phase. This is considered to be a positive impact of the proposed Development.

9.3 Community Benefit Impact

381. The proposed Development would include a package of community benefits to local communities if consented. Local communities would have the flexibility to choose how the money is spent and prioritise for the area which matter the most to them. To date, in Argyll and Bute, Community Benefit of over £2 million has been awarded in relation to the Applicants existing windfarms.

9.4 Other Benefits

382. The proposed Development would also result in the following benefits:

- A carbon payback period of around 1.8 years which means the proposed Development could be in a net gain position in terms of carbon emissions by around the second year of the operational period.
- Will utilise and improve existing forestry tracks which reduces the length of new tracks to be constructed.
- The new tracks which are required to facilitate the proposed Development would improve access in the area.
- The draft HMP (EIA Report Technical Appendix 8.5) will implement positive land management for the benefit of landscape and nature conservation. The proposed Development will lead to a net positive impact on ecological features in the long term.

9.5 Residual Environmental Effects

383. The residual environmental effects of the proposed Development are outlined in the EIA Report and summarised in **Chapter 8** of the Planning Statement in relation to criteria in paragraph 169 of SPP.

384. The design evolution of the proposed Development has taken into account the technical and environmental constraints identified through the EIA process and through consultation with statutory and non-statutory organisations and members of the local community.

385. The design and layout represent a proposed Development which minimises environmental impacts and maximises the renewable energy potential.

386. The EIA process has considered the potential effects of the proposed Development on a topic basis. The main purpose of the EIA is to assess the likely significant effects which could arise from the proposed Development, understand the need for mitigation, if required, and conclude what the residual effect would be. The assessment is documented in the EIA Report which accompanies the application. **Table 9.1** summarises the findings of the EIA Report.

Table 9.1 Summary of EIA Report Findings

Topic	Summary of Mitigation	Residual Environmental Effect
Landscape	• Design	Limited significant effects
Visual	• Design	Limited significant effects
Ecology	• Design- including avoidance of designated woodlands • Construction Environmental Management Plan • Pre-construction surveys • Ecological Clerk of Works • Habitat Management Plan –This includes peatland restoration and native woodland planting.	Not significant
Ornithology	• Design • Bird Protection Plan	Not significant
Hydrology, Hydrogeology, Geology and Soils	• Design • Peat Management Plan • Water quality monitoring programme • Construction Environmental Management Plan • Pollution Prevention Plan •	Not significant
Archaeology and Cultural Heritage	• Design • Monitoring (if required)	Not significant
Access, Traffic and Transport	• Good construction practices, including wheel wash facilities and careful loading • Construction Traffic Management Plan	Not significant
Noise	• Design	Not significant
Socio-economic, Tourism and Recreation	• No mitigation	Not significant
Other Issues, including Forestry	• Design • Compensatory planting • Peat Management Plan • Waste Management Plan	Not significant

387. The EIA Report outlines that the proposed Development would not result in significant adverse effects on heritage assets, biodiversity, the water environment, traffic and transport, noise and residential amenity when incorporating

the mitigation measures, including embedded design mitigation, and the inclusion of a CEMP, ATMP and CTMP. The landscape and visual effects are considered to be limited.

388. In order to meet the renewable energy targets, set by the UK and Scottish Governments, there is an urgent need for sustainable renewable developments.

389. The policy framework is supportive of the proposed Development and there is a recognised need for renewable energy developments. It is considered the proposed Development meets the requirements of SPP, the ABLDP and ABLDPSG2 and would provide a valuable addition to the renewable energy resource in Argyll and Bute. When assessing the overall impact of the proposed Development, it is considered the limited significant effects identified in the EIA Report in respect to landscape and visual need to be balanced with the benefits of the proposed Development. It is therefore considered the proposed Development is in accordance with the Development Plan when it is read as a whole.

390. There is a clear and urgent need for the development of renewable energy which has been clearly set out in this Planning Statement. The proposed Development derives support from climate change and renewable energy policy, at international, UK and Scottish levels. This policy must attract considerable weight in the decision-making balance and process. It must not be ignored.

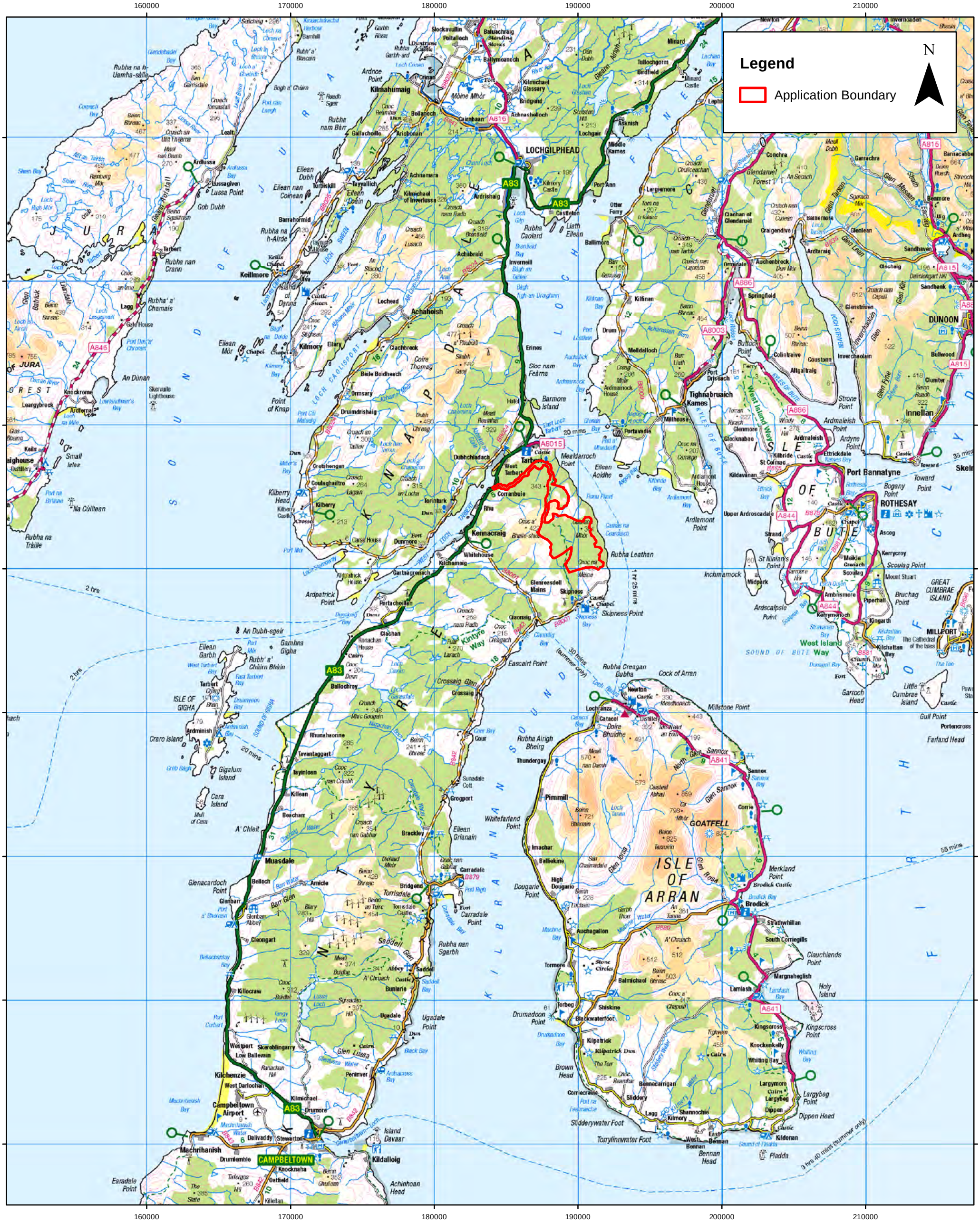
391. The Scottish Government and A&BC have declared a Climate Emergency and the proposed Development presents an acceptable opportunity to contribute to the efforts to tackle this emergency. The contribution of the proposed Development to assist in reaching the targets set out, required to meet Net Zero, must also attract considerable weight in the decision-making process.

392. The evolution of the design of the proposed Development, from the start, sought to balance the energy potential of the Site and its potential environmental impacts. The proposed Development is situated in a landscape which has the capacity to accommodate it and the only resultant significant environmental effects are submitted to be limited to landscape and visual impacts. Such will be the case for all commercial windfarms and cannot itself justify the rejection of a proposed Development.

393. The Applicant has had regard to the matters set out in Schedule 9 of the 1989 Act in respect of the desirability of preserving the natural beauty of the countryside, of conserving flora, fauna and geological and physiological features of special interest and of protecting sites, buildings and objects of architectural, historic, or archaeological interest. These are all matters which have guided the evolution of the project through the design process and have informed the EIA process associated with the application. There is sufficient information to allow Ministers to be satisfied on these points.

394. It is concluded that a Section 36 consent and deemed planning permission should be granted for Earraghail Renewable Energy Development.

Figures



SCOTTISHPOWER RENEWABLES

Earraghail Renewable Energy Development

Introduction

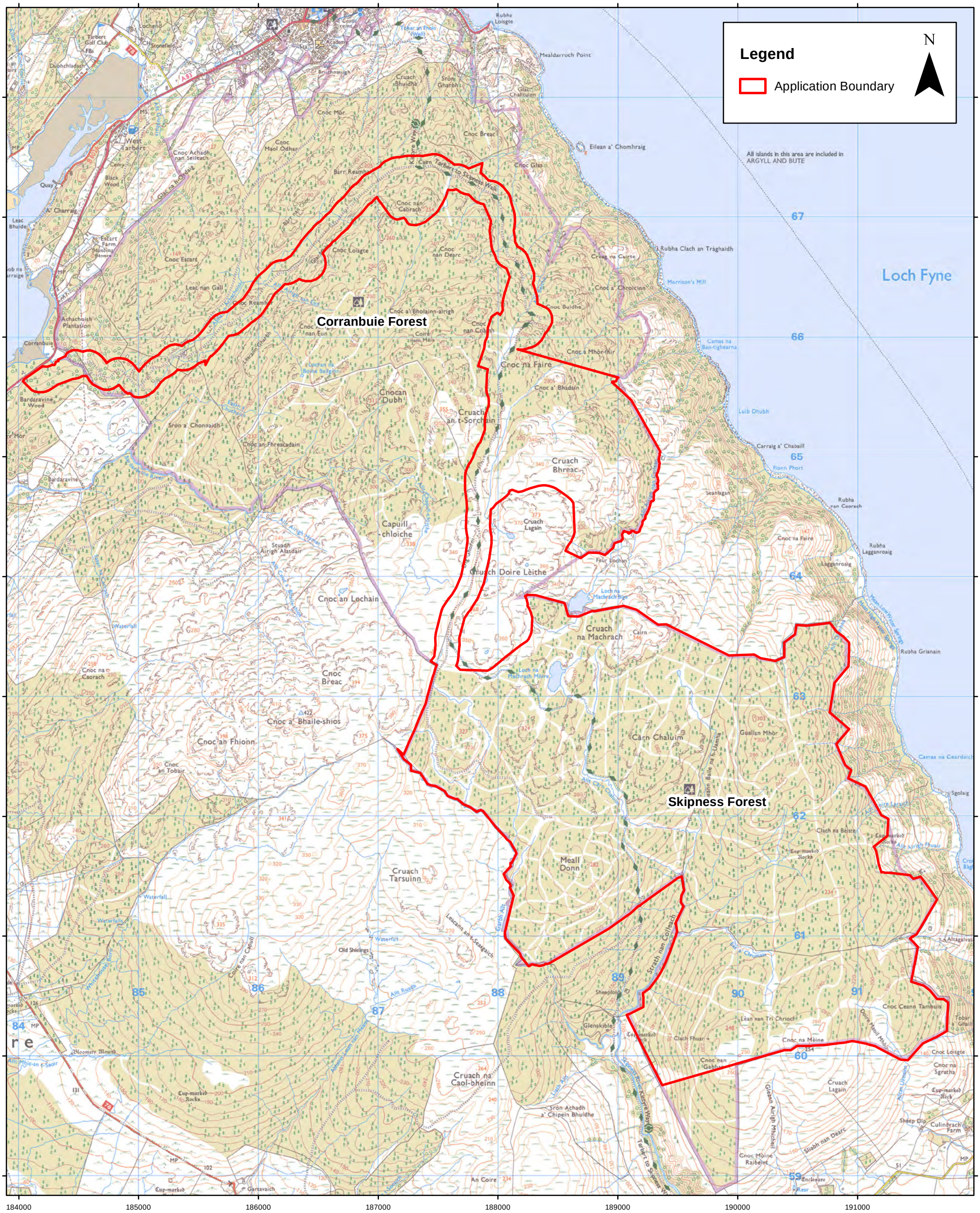
Site Context

1:250,000 Scale @ A3

0 2 4 8 Km

Rev	Date	By	Comment
A	11/02/22	DL	Site Location

Figure	Date	Rev	Dwg No.	Datum: OSGB36 Projection:TM
1	11/02/22	A	EHAIL-RSK-I-105	



SCOTTISHPOWER RENEWABLES

Earraghail Renewable Energy Development

Introduction

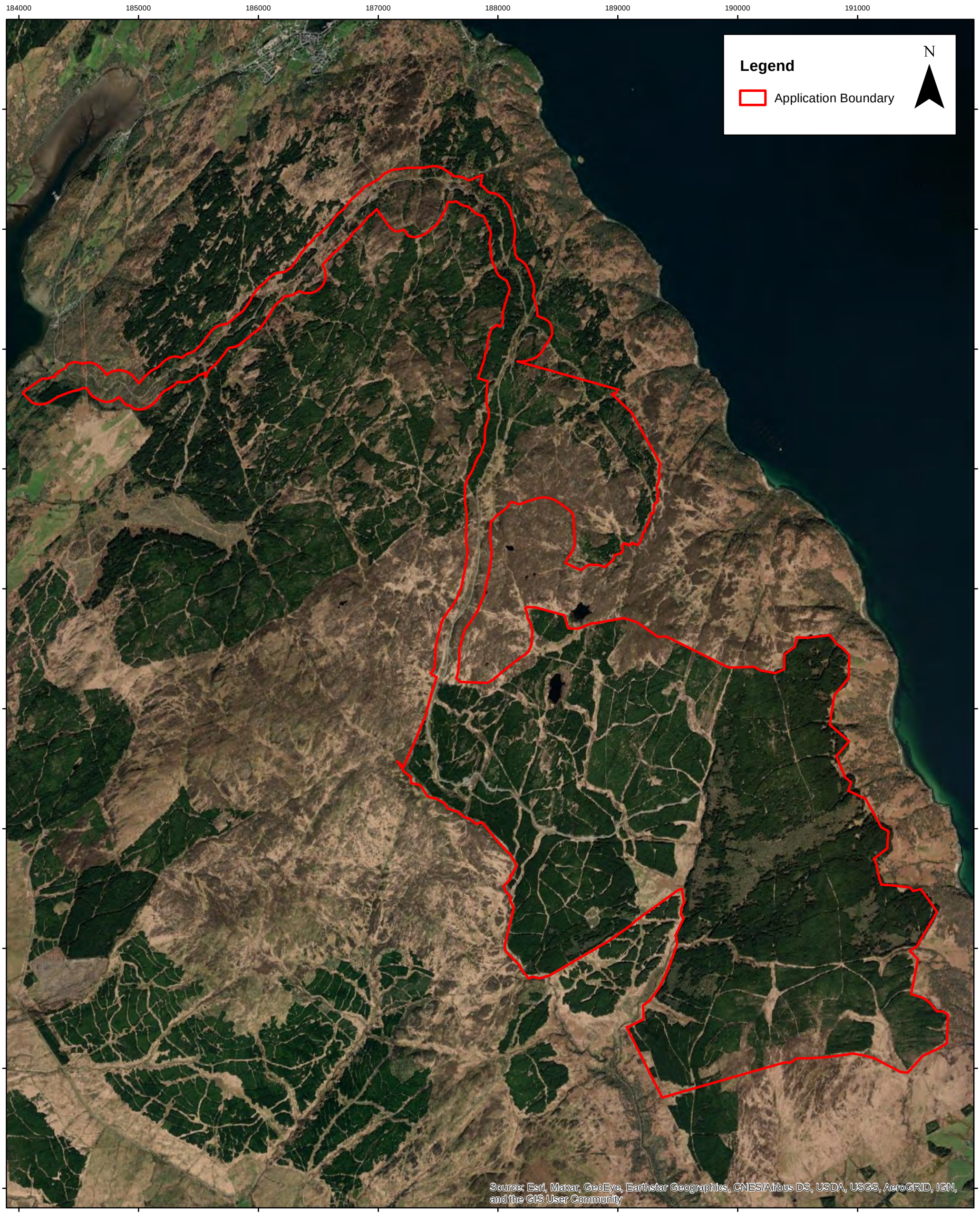
Application Boundary

1:30,000 Scale @ A3

0 0.25 0.5 1 Km

Rev	Date	By	Comment
A	11/02/22	DL	Application Boundary

Figure	Date	Rev	Dwg No.	
2	11/02/22	A	EHAIL-RSK-I-106	Datum: OSGB36 Projection:TM



SCOTTISHPOWER RENEWABLES

Earraghail Renewable Energy Development

Introduction

Site Aerial Context

1:30,000 Scale @ A3

0 0.25 0.5 1 Km

Rev	Date	By	Comment
A	11/02/22	DL	Aerial Context

Figure	Date	Rev	Dwg No.	
3	11/02/22	A	EHAIL-RSK-I-107	Datum: OSGB36 Projection:TM

Legend

- Application Boundary
- Proposed Turbine
- Existing Borrow Pit
- Proposed Borrow Pit
- Proposed Permanent Met Mast
- Proposed New Access Track - Floating
- Proposed New Access Track
- Existing Forestry Track to be Upgraded - Floating
- Existing Forestry Track to be Upgraded
- Proposed Crane Pad
- Proposed Construction
- Proposed Construction Compound, Substation and Battery Energy Storage
- Search Area for Solar Development
- Proposed Viewpoint Location
- Proposed Bothy Location
- Potential Walking Route
- Proposed Area for Peatland Restoration
- Proposed Area for Native Woodland Planting
- Proposed Area for Habitat Improvement

N

SCOTTISHPOWER RENEWABLES

Earraghail Renewable Energy Development

Proposed Development

Proposed Site Layout

1:30,000 Scale @ A3

0 0.25 0.5 1 Km

Rev	Date	By	Comment
A	11/02/22	DL	Proposed Site Layout

Figure	Date	Rev	Dwg No.	Datum: OSGB36 Projection:TM
4	11/02/22	A	EHAIL-RSK-I-108	

Appendix 1 The Site

The Site

395. The Site is located between the village of Tarbert to the north east and 2. the village of Skipness to the south, situated within the northern part of the Kintyre Peninsula in Argyll & Bute. The nearest turbines are located approximately 5.7 km south of the village of Tarbert and 3 km north of the village of Skipness. The land is centred on National Grid Reference (NGR) NR 88732 63637 as shown on Figure 1.1 of the EIA Report. The Site is located within the forestry areas of Skipness and Corranbuie. Skipness and Corranbuie are separate areas but both are owned by Forestry and Land Scotland (FLS).

396. The Site met numerous criteria that the Applicant uses to select renewable energy development projects. Importantly, the Site offers good wind potential for wind turbines, it also can accommodate wind turbines and associated infrastructure without affecting sites designated for their natural or heritage interests such as Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and designated and undesignated heritage assets nationally and locally protected monuments. As most of the Site is a commercial forest, there is good access and an existing network of forestry tracks that would be incorporated into the proposed Development.

397. The Kintyre Way walking route traverses parts of the Site.

Surrounding Area

398. The Site is situated on the Kintyre Peninsular and the immediate area surrounding the Site is rural with land predominantly used for agriculture and commercial forestry purposes. The two closest settlements, from the nearest turbine, are Skipness (3 km south west) and Tarbert (5.7 km north). There is a relatively low population density within the immediate vicinity with few properties located within 1 km of the Site.

399. There are several Landscape designations near the Site, most prominent amongst them are the North Arran National Scenic Area (NSA) and Special Landscape Area (SLA), and the Argyll & Bute Council Areas of Panoramic Quality (APQ). Tarbert Woods is the closest natural heritage designation and is a Special Area of Conservation (SAC) (see EIA Report Figure 8.1). The Local Nature Conservation Site West Loch Tarbert adjacent and to the west of the Site, while 0.8 km north west and 0.5 km to the west is the Glen Ralloch to Baravalla Woods Site of Special Scientific Interest (SSSI). The nearest Special Protection Areas (SPAs) are Knapdale Lochs SPA & Kintyre Goose Roosts SPA, respectively 8.3 km and 14.9 km away. The Sound of Gigha proposed SPA (pSPA) is 0.2 km away

400. The main transport routes within the immediate area include the A83 trunk road which serves the Kintyre peninsula between Tarbert and Campbeltown. The A83 passes the north western end of the Site. The B8001 runs along the western end of the Site. There are no roads on the eastern or western ends of the Site. Islay and Jura can be accessed by ferry at Kennacraig Ferry Terminal, approximately 3.8 km west of the Site. The Isle of Arran can be accessed by ferry at Claonaig Ferry Terminal, approximately 4.2 km south west of the Site.

401. The closest environmental designations within 10 km of the Site, from the nearest section of the application boundary, are shown on EIA Report Figure 2.1 and summarised in **Table App 1.1** of this document. The heritage assets within 5 km of the Site, from the nearest section of the application boundary, are summarised in **Table App 1.2** of this Planning Statement.

402. The location of the proposed Development is within an area which has multiple existing and proposed windfarm developments. These are set out in Table 7.6 of the EIA Report and are not repeated here.

Table App 1.1: Ecological Designated Sites Within 5 km of the Site

Ecological Designated Sites	Name	Distance from Site
Site of Special Scientific Interest (SSSI)	Tarbert to Skipness Coast Claonaig Wood Artilligan and Abhainn Strathain Burns Ardpatrick and Dunmore Woods Arran Northern Mountains Knapdale Lochs	Adjacent to the Site 4.7 km south west 6.2 km north 8.1 km west 9.0 km south 8.3 km north west
Special Area of Conservation (SAC)	Tarbert Woods	Adjacent to Site
Special Protection Area (SPA)	Knapdale Lochs	8.3 km north west

403. There are 6 heritage assets within 5 km of the Site as summarised in **Table App 1.2**.

Table App 1.1: Heritage Assets Within 5 km of the Site

Heritage Asset	Name	Distance from Site
Scheduled Monuments	Skipness Castle and Chapel (SM13225)	2.2 km south
Category A Listed Building	Cour House	13.5 km south west
Category B Listed Building	Weighbridge Cottage, Tarbert Harbour	1.3 km north
Category C Listed Building	Pier House, Pier Road, Tarbert	1.3 km north
Garden and Designed Landscape (GDL)	Stonefield Castle Hotel (GDL350)	2.8 km south
Conservation Area	Tarbert (CA479)	1 km north

Appendix 2 Schedule 9 of the Electricity Act 1989

404. In the consideration of the application the Scottish Ministers have a duty to fulfil the requirements of Schedule 9 (paragraph 3) of the 1989 Act. Schedule 9 considers the preservation of amenity and sets out a number of environmental matters which must be considered by the decision maker. Schedule 9 states:

(1) "In formulating any relevant proposals, a licence holder or a person authorised by exemption to generate, transmit, distribute or supply electricity

(a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and

(b) shall do what he 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.

(2) In considering any relevant proposals for which his consent is required under section 36 or 37 of this Act, the Secretary of State shall have regard to—

(a) the desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) above;

(b) (b) the extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of that sub-paragraph.

(3) Without prejudice to sub-paragraphs (1) and (2) above, in exercising any relevant functions each of the following, namely, a licence holder, a person authorised by an exemption to generate or supply electricity and the Secretary of State shall avoid, so far as possible, causing injuries to fisheries or to the stock of fish in any waters."

405. In the Fauch Hill / Harburnhead S36 decision (Reference EC00003184 and EC00003190 respectively, July 2014), the Reporters considered Schedule 9 of the 1989 Act and advised that:

"The provisions of Schedule 9 of the Electricity Act 1989 apply to the assessment of wind farms with an installed capacity of over 50MW. The Scottish Government's position is that whether an applicant is licensed or not, Ministers will have regard to the Schedule 9 provisions and expect them to be addressed through the Environmental Statement."

406. The High Court (England and Wales), in 2012, made clear in the decision of R (on the application of Samuel Smith Old Brewery) v Secretary of State for Energy & Climate Change that the provisions of Section 38(6) (of the Planning and Compulsory Purchase Act 2004)[7] which requires that planning determinations should be made in accordance with the Development Plan unless material considerations indicate otherwise, does not apply in respect of a direction under Section 90 (of the Town & Country Planning Act 1990)[8]. This decision related to a 'direction' in connection with an application for Section 37 consent under the 1989 Act.

407. The judgement advised that a *"direction"* that planning permission shall be deemed to be granted was not a *"determination"* under the Planning Acts. The Court stated (para 75) that *"as a matter of construction I consider that it is a direction that such a determination is not required".* It was therefore judged that there was no duty on the decision maker in making a direction under Section 90 (of the Town & Country Planning Act 1990) to comply with the requirement in Section 38(6) (of the Planning and Compulsory Purchase Act 2004) that determinations must be made in accordance with the Development Plan unless material considerations indicate otherwise.

408. In Scotland the matter was considered in the William Grant / Dorenell s.36 Windfarm Judicial Review case (2012). In this case Lord Malcolm ruled that s.25 of the 1997 Act did not apply to a 1989 Act case. He advised that his decision was broadly in line with the Samuel Smith old Brewery Case In respect of Schedule 9 of the 1989 Act Lord Malcom stated:

"I consider that Parliament intended that the relevant provisions of the 1989 Act would provide a self-contained code…….Schedule 9 narrates the relevant considerations, dealing with, amongst other things, the preservation of amenity……By contrast, section 25 [s.38(6) in England] applies to decisions under the planning acts when it is a requirement that regard is to be had to the development plan".

[7] Section.38(6) of the Planning and Compulsory Purchase Act 2004 is equivalent of Section 25 of the 1997 Act in Scotland.

[8] Section 90 of the Town & Country Planning Act 1990 is equivalent to Section 57 (2) of the 1997 Act.

409. Against the above background, it is clear that the Local Development Plan does not have any statutory status within Section 36 decision making. Furthermore, Schedule 9 is considered as a self-contained code of matters which require to be considered both by the Applicant and also, in the context of Section 36 decisions, by the Scottish Ministers. Schedule 9 was provided at the time of electricity privatisation to ensure that the privatised entities took environmental considerations into account at an early stage in project development. Through the mechanism of Schedule 9, the electricity companies required both to give consideration to the issues but also to apply reasonable mitigation. The use of the word “reasonably” in relation to the mitigation acknowledges that the scale of electricity infrastructure is likely to give rise to impacts on a range of environmental factors. To some extent there is an overlap between the approaches set out in Schedule 9 and the requirements under the respective Environmental Impact Assessment Regulations. In the context of those, both identification and consideration of all the matters raised in Schedule 9 are required and at the same time, mitigation must be given consideration in the context of significant effects. Compliance with both Schedule 9 and the EIA Regulations is demonstrated through the submission of the Environmental Impact Assessment Report.

Appendix 3 Advisory Reports

Reducing Emissions in Scotland – 2020 Progress

410. Reducing emissions in Scotland progress Report to Parliament was published on 7th October 2020 and advises that "prior to the COVID-19 pandemic it was clear that Scotland was on track to meet the 2020 target for emissions reduction in 2020. The impact of the lockdown means that the 2020 target will almost certainly be met [this will not be confirmed until 2022], but the key structural changes that will drive emission reductions in sectors outside of the electricity generation have not yet been achieved". The Report refers to the next decade being a new era for climate action in Scotland. It is clear that Scotland has made good progress in reducing emissions throughout the 2010's. It notes that going forward the challenge for the Scottish Government is to transform short term economic support measures into long term strategy to develop a productive low carbon capacity.

411. It notes that Scotland now produces more than 90 % of its gross electricity consumption from renewable energy sources and is a net exporter of low-carbon electricity to the rest of the UK. The introduction of the Report states that:

"The challenge for low-carbon electricity generation in Scotland is not complete – Scotland must now capitalise especially on the potential for inexpensive renewable generation by decarbonising other sectors of the economy via electrification, as well as increasing electricity exports to the rest of the GB system. New sources of flexibility in the power system must now be developed in order to help meet the challenge of operating a system using large amounts of energy from renewables."

412. Chapter 5 of the Report advises that the Scottish Government, together with local authorities, can use planning powers to drive decarbonisation. In the context of planning it states:

"The National Planning Framework is a useful lever over infrastructure that needs to be well aligned to objectives for emissions reduction in Scotland (e.g. through encouraging walking, cycling and use of public transport, ensuring readiness for or installation of electric vehicle charging points in new developments, co-location of new housing with services and major centres of employment, and a favourable planning regime for low-cost onshore wind)."

413. Chapter 6 of the Report sets out actions for the Scottish Government which includes the alignment of National Planning Framework 4 (NPF4) with a Net Zero energy system by ensuring there is favourable planning and consenting for onshore wind.

The Committee on Climate Change's 6th Carbon Budget December 2020

414. On 9th December 2020 The Climate Change Committee (CCC) published the Sixth Carbon Budget. The Sixth Carbon Budget sets out, for the first time, what actions the UK will need to take to achieve Net Zero emissions by 2050. The recommended pathway requires 78 % reduction in UK territorial emissions by 2035, a 63 % reduction from 2019. This early action is considered vital to support the required increase in global ambitions in respect of Net Zero.

415. The recommended Net Zero Pathway requires a 78 % reduction in UK territorial emissions between 1990 and 2035. In effect, bringing forward the UK's previous 80 % target by nearly 15 years. In this context, the 6th Carbon budget advises that this can done through 4 key steps as follows:

- Take up of low carbon solutions.
- Expansion of low carbon energy supplies including onshore wind.
- Reducing demand for carbon intensive activities.
- Land and greenhouse gas removals.

416. This reinforces the need to continue to prioritise the development of renewable energy as part of the decarbonisation drive.

417. 6th Carbon Budget reinforces the interrelationship between the UK and Scotland and is clear in the role that Scotland needs to play. It states:

"Where powers are reserved to the UK level, the devolved administrations have an important role in ensuring that the emissions reductions take place. In particular, the devolved administration's should focus on the following areas:

Planning - Planning frameworks are another useful lever over infrastructure that needs to be well aligned to objectives for emissions reduction in devolved administrations (e.g. ... through a favourable planning regime for low cost onshore wind)."

418. It also states that "Actions by the UK Government will be necessary to deliver the Welsh and Scottish targets, and actions by the devolved administrations will be necessary to deliver the UK target."

419. The 6th Carbon Budget Electricity Generation document identifies 4 scenarios for reaching Net Zero in the UK by 2050. While accepting that offshore wind development will form the back bone of meeting the UK 2050 targets, it is estimated that, in all scenarios, the UK will require a total of between 25 and 30 GW of installed onshore wind capacity. This is doubling of the current capacity.

420. Most recently, in April 2021, the UK Prime Minster announced that the UK government will set in law the targets set by the Sixth Carbon budget. These targets were enshrined in law on the 30th June 2021.

Climate Change Committee Progress Report to Parliament 2021

421. The Climate Change Committee Progress Report to Parliament was published in June 2021 and is the most recent of the Committee's annual reports to Parliament. The Report covered both progress in reducing emissions and on adapting to climate change. The Foreword of the Progress on Reducing Emissions Report states:

"The UK's Climate Change Act had extraordinary foresight. It laid the groundwork for the nation's escalating climate ambition. It anticipated, correctly, the need to cajole governments into climate plans that would not otherwise fit the political cycle. It has kept UK climate policies rooted in the scientific realities and the technical feasibilities.

That framework now faces its sternest test, as demand grows to see Net Zero delivered; as the urgency becomes more obvious; and as the inadequacies of our planning for the impacts of climate change become clear."

422. The document is clear that this is a decisive decade for tackling climate change and the introductions advise that:

"As the UK rebuilds after the COVID-19 pandemic, there is an opportunity to make systemic changes that will fill the gaps in the UK's climate response. Now is the time to invest in the UK's future through accelerated action to cut emissions and adapt to the changing climate, while supporting the global transition."

423. Contained within the Report on Reducing Emissions are recommendations for the Scottish Government and Table A17 of the report recommends that the Scottish Government "*Scale up delivery across all sectors in line with the ambition set out in the recent Climate Change Plan Update"*

424. The Progress Report on Adapting to Climate Change advises that the ambition that has been set out by Government, in the form of non-policy statements and documents, in the last year must be turned into policy and be delivered. It calls for clear policy on the delivery of commitments.

Intergovernmental Panel on Climate Change Sixth Assessment Report 2021

425. The IPCC was created to provide policymakers with regular scientific assessments on climate change, its implications and potential future risks, as well as to put forward adaptation and mitigation options.

426. Through its assessments, the IPCC determines the state of knowledge on climate change. It identifies where there is agreement in the scientific community on topics related to climate change, and where further research is needed. The reports are drafted and reviewed in several stages, thus guaranteeing objectivity and transparency.

427. The IPCC does not conduct its own research. IPCC reports are neutral, policy-relevant but not policy-prescriptive. The assessment reports are a key input into the international negotiations to tackle climate change. The IPCC was created by the United Nations Environment Programme (UN Environment) and the World Meteorological Organization (WMO) in 1988, and IPCC has 195 Member countries including the United Kingdom.

428. The IPCC Sixth Assessment Report 2021 is very clear that the world needs to act now to tackle climate change and that all countries have a role to play.

12 immediate actions for the new Scottish Government in the year of COP26

429. In September 2021, the Climate Emergency Response Group published 12 immediate actions that the Scottish Government should prioritise. The Executive Summary states that these priorities are "*practical and fit well with a green recovery and a just transition in the year of the UN Climate Conference taking place in Glasgow, COP26"*

430. The Executive Summary also states that this is a *"decade for action"* building on the evidence from the IPCC Sixth Assessment Report requiring immediate and large-scale reductions in greenhouse gas emissions.

431. Page 30 which is titled: Make the climate emergency a guiding principle in all planning decisions, states that planning and consent policy is critical to supporting the transition to Net Zero and providing a favourable planning regime for low-cost renewables, particularly onshore wind. Page 32 also notes the need for taller turbines is translated into local planning policy.

United Nations Gap Emissions Report 2021

432. The United Nations Gap Emissions Report 2021 presents the latest data on the expected gap in 2030 for the 1.5°C and 2°C temperature targets of the 2015 Paris Agreement. The document is titled *"The Heat Is On A world of climate promises not yet delivered"*. The Emissions Gap Report 2021 shows that new national climate pledges combined with other mitigation measures put the world on track for a global temperature rise of 2.7°C by the end of the century. That is well above the goals of the Paris climate agreement and would it says lead to catastrophic changes in the Earth's climate. To keep global warming below 1.5°C this century, the aspirational goal of the Paris Agreement, the world needs to halve annual greenhouse gas emissions in the next eight years.

433. The Emissions Gap Report 2021 advises that to keep global warming below 1.5°C this century, the world needs to urgently put additional policies and action in place to almost halve annual greenhouse gas emissions in the next eight years.

434. It is submitted that it is clear from the emissions gap that a step change is required to reach the Paris Agreement targets. The status quo is not predicted to deliver, and a step change is required.

UK Government Net Zero Strategy 2021

435. In October 2021 the UK Government published their Net Zero Strategy. The document sets 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 Climate Change Committee has advised that *"it is an achievable, affordable plan that will bring jobs, investment and wider benefits to the UK".*

436. 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."

437. It is clear from the document that both onshore wind and solar are part of the solution. It is also clear that storage measures which to help smooth out future price hikes are to be deployed.

Appendix 4 Renewable Energy Policy

438. The key matters for the consideration of the application for the proposed Development are considered to be The Climate Change Plan, the Scottish Energy Strategy, The Scottish Onshore Wind Energy Policy Statement 2017, The Electricity Generation Policy Statement together with the latest climate change targets. The climate targets are summarised in **Section 6** of this document. This Appendix sets out the Policy framework for the proposed Development including the key documents referred to.

439. The context for decision making on renewable energy developments and the rationale for development of the nature proposed lie in international efforts to combat the expected adverse effects of climate change.

Renewable Energy Policy

440. In order to understand the context within which the proposed Development is being promoted, it is considered important that international, national (UK) and Scottish Government commitments to the development of renewable energy technology and approach to climate change are understood. Renewable energy policy and associated targets are important relevant considerations to the determination of the application for the proposed Development.

441. Many of the policies include targets for 2020. It is acknowledged that the proposed Development would not be operational at that time. However, for reasons set out in **Chapter 6** of this Planning Statement, it is considered likely that the current targets will not be met. It is expected that the policies and targets will be updated in due course and are anticipated to further promote and build upon current renewable energy targets. For this reason, it is considered that the proposed Development would make a valuable contribution to renewable energy targets post 2020.

International Context

442. In order to understand the need for renewable energy generation in the UK it is important to consider the international drive towards addressing climate change. The policy framework for renewable energy development in the UK is largely motivated by international agreements on the reduction of emissions of greenhouse gases. The international context is well understood and is summarised here.

443. The United Nations Framework Convention on Climate Change (UNFCCC) came into force on 21 March 1994 and sought to stabilise the atmospheric concentrations of greenhouse gases at “safe levels”. The Convention provides an overall framework for international government efforts to address the challenge posed by climate change. Currently there are 194 parties signed up to the Convention. The Convention embodies a series of review mechanisms. The first of these, the Kyoto Protocol, was adopted in December 1997. As a result of this Protocol the European Union was obliged to secure an 8 % reduction in greenhouse gas emissions from 1990 levels by 2012.

444. The United Nations Climate Change Conference in Doha, Qatar took place in 2012, when the Kyoto Protocol was amended so that it would continue as of 1 January 2013.

445. The twenty-first session of the Conference of the Parties (COP21), held in Paris in December 2015, resulted in a legally binding global climate change target agreed by all 196 member parties with the aim of capping climate change well below 2°C of warming. Recently there have been reports of 1.5ºC being considered as an appropriate limit, UN Intergovernmental Panel on Climate Change October 2018.

446. The twenty sixth meeting of CoP took place in Glasgow in November 2021. The COP26 summit brought parties together to accelerate action towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change. COP26 concluded with all countries agreeing the Glasgow Climate Pact to keep 1.5C alive and finalise the outstanding elements of the Paris Agreement. The Glasgow Climate Pact, combined with increased ambition and action from countries, means that 1.5C remains in sight and scales up action on dealing with climate impacts, but it will only be delivered with concerted and immediate global efforts.

United Nations Gap Emissions Report 2021

447. The United Nations Gap Emissions Report 2021 (UNGAP Report) presents the latest data on the expected gap in 2030 for the 1.5°C and 2°C temperature targets of the 2015 Paris Agreement.

448. The UN Gap Report Executive Summary notes that "This twelfth edition of the United Nations Environment Programme (UNEP) Emissions Gap Report comes during a year of constant reminders that climate change is not in the distant future."

449. It further notes that "There is a fifty-fifty chance that global warming will exceed 1.5°C in the next two decades, and unless there are immediate, rapid and largescale reductions in GHG emissions, limiting warming to 1.5°C or even 2°C by the end of the century will be beyond reach."

450. The Executive Summary states that "The report shows that new or updated NDCs and announced pledges for 2030 have only limited impact on global emissions and the emissions gap in 2030, reducing projected 2030 emissions by only 7.5 per cent, compared with previous unconditional NDCs, whereas 30 per cent is needed to limit warming to 2°C and 55 per cent is needed for 1.5°C. If continued throughout this century, they would result in warming of 2.7°C. The achievement of the net-zero pledges that an increasing number of countries are committing to would improve the situation, limiting warming to about 2.2°C by the end of the century."

IPCC Sixth Assessment Report

451. The IPCC, 2021: Climate Change 2021: The Physical Science Basis. Contribution of Working Group 1 to the Sixth Assessment Report of the Intergovernmental Panel on Climate was published on 9th August 2021. The Intergovernmental Panel on Climate Change has concluded that drastic cuts to emissions are needed in order to hold the global temperature to under 1.5C limits set by the 2015 Paris Agreement.

452. The IPCC Sixth Assessment Report 2021 is very clear that the world needs to act now to tackle climate change and that all countries have a role to play. The Headline statements from the Summary for Policy makers are as follows:

A. The Current State of the Climate

A.1 It is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.

A.2 The scale of recent changes across the climate system as a whole and the present state of many aspects of the climate system are unprecedented over many centuries to many thousands of years.

A.3 Human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened since the Fifth Assessment Report (AR5).

A.4 Improved knowledge of climate processes, paleoclimate evidence and the response of the climate system to increasing radiative forcing gives a best estimate of equilibrium climate sensitivity of 3°C, with a narrower range compared to AR5.

B. Possible Climate Futures

B.1 Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in carbon dioxide (CO2) and other greenhouse gas emissions occur in the coming decades.

B.2 Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic Sea ice, snow cover and permafrost.

B.3 Continued global warming is projected to further intensify the global water cycle, including its variability, global monsoon precipitation and the severity of wet and dry events.

B.4 Under scenarios with increasing CO2 emissions, the ocean and land carbon sinks are projected to be less effective at slowing the accumulation of CO2 in the atmosphere.

B.5 Many changes due to past and future greenhouse gas emissions are irreversible for centuries to millennia, especially changes in the ocean, ice sheets and global sea level.

C. Climate Information for Risk Assessment and Regional Adaptation

C.1 Natural drivers and internal variability will modulate human-caused changes, especially at regional scales and in the near term, with little effect on centennial global warming. These modulations are important to consider in planning for the full range of possible changes.

C.2 With further global warming, every region is projected to increasingly experience concurrent and multiple changes in climatic impact-drivers. Changes in several climatic impact-drivers would be more widespread at 2°C compared to 1.5°C global warming and even more widespread and/or pronounced for higher warming levels.

C.3 Low-likelihood outcomes, such as ice sheet collapse, abrupt ocean circulation changes, some compound extreme events and warming substantially larger than the assessed very likely range of future warming cannot be ruled out and are part of risk assessment.

D. Limiting Future Climate Change

D.1 From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO2 emissions, reaching at least Net Zero CO2 emissions, along with strong reductions in other greenhouse gas emissions. Strong, rapid and sustained reductions in CH4 emissions would also limit the warming effect resulting from declining aerosol pollution and would improve air quality.

D.2 Scenarios with low or very low greenhouse gas (GHG) emissions (SSP1-1.9 and SSP1- 2.6) lead within years to discernible effects on greenhouse gas and aerosol concentrations, and air quality, relative to high and very high GHG emissions scenarios (SSP3-7.0 or SSP5-8.5). Under these contrasting scenarios, discernible differences in trends of global surface temperature would begin to emerge from natural variability within around 20 years, and over longer time periods for many other climatic impact-drivers (high confidence).

UK Context

453. The main responsibilities for policy development in relation to energy production and regulation in Scotland are reserved by Westminster. The following summarises the UK Government's approach to renewable energy generation since 2008. This provides the framework for the development of renewable energy generation across the UK and provides a background for the emergence of Scottish renewable energy generation and wind energy policy.

The Climate Change Act 2008

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

455. 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.

456. The 2008 Act introduced for the first time a legally binding framework to tackle the challenges of climate change. The 2008 Act sets legally binding targets for the UK to reduce carbon dioxide emissions by at least 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 Sixth Carbon Budget: The UK's Path to Net Zero

457. On 9 December 2020, the CCC released the Sixth Carbon Budget which updates intermediary targets for the UK's progress to Net Zero which states:

"Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this."

458. In establishing intermediary targets towards Net Zero, the context exists for Local Authorities to recognise the action that must be taken sooner rather than later. As concluded in the Sixth Carbon Budget: This target is only credible if policy to reduce emissions ramps up significantly;

"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge – the UK will not deliver Net Zero by 2050."

Climate Change Committee Progress Report to Parliament June 2021

459. The latest Progress Report is a double report which includes Progress in reducing emissions and Progress in adapting to climate change. This is the most recent of the Committee's annual reports to Parliament, assessing progress to date in reducing UK emissions and adapting to climate change.

460. The report states "Emissions fell sharply in 2020 (by 13%) to 435 $MtCO_2e$, 48% below 1990 levels. The fall was primarily in transport sectors as a result of the COVID-19 pandemic and lockdowns. Much of the 2020 fall is likely to be temporary, although that partly depends on the Government's choices. Action now can lock in beneficial changes seen on walking, cycling and remote working for those that want it, for example through investment in broadband, active travel and public transport. More widely, there is an opportunity to accelerate low-carbon investments, for example on energy infrastructure, homes and electric vehicles.

An effective Net Zero Strategy will support the UK to genuinely 'build back better' and provide authority on the global stage into COP 26 and beyond."

461. The report notes in relation to progress reducing UK emissions that "In 2020 emissions fell at a record rate, almost entirely due to the COVID-19 lockdowns and the resulting reduced demand for energy, particularly for travel." It continues by noting the key trends in sectoral emissions prior to the pandemic which includes electricity supply "Emissions decreased by 65% over the period 2009-2019, while the carbon intensity of the grid fell from nearly 500gCO_2/KWh in 2009 to 200gCO_2/kWh in 2019. Electricity generated from variable renewables was 9 TWh in 2009 (3% of total generation), and rose to 73 TWh in 2019 (26%)."

462. The report includes the following asterisk "This fall in emissions was also due to warmer than average temperatures, which tend to suppress heating demand, increase cooling demand and on balance decrease overall energy demand, particularly in homes."

463. Chapter 4 Policy progress and gaps outlines *"Two years ago, the UK was aiming to reduce emissions to at least 80% below 1990 levels, by 2050 (from 48% below 1990 levels in 2020*).* As of 2019, the emissions reduction goal for 2050 is now at least 100% ('Net Zero') and the Government has committed to a reduction in emissions of 78% by 2035, based on the Committee's 2020 advice on the Sixth Carbon Budget.

464. Having set the level of the Sixth Carbon Budget, the Government must develop a comprehensive set of policies to ensure that it is met. Importantly, the Sixth Carbon Budget will be the first to include emissions from international aviation and shipping (IAS). This ensures that, from now on, the Government's emissions reductions strategies have a formal requirement to cover all areas of the economy, rather than merely leaving 'headroom' for IAS emissions as in previous strategies."

465. The key messages in this chapter are summarised below:

- "The early foundations for a decade of delivery are being put into place…"
- "However, several key strategies are not yet published…"
- "The Government has made significant commitments, but there are still significant gaps in ambition…"
- "Efforts must be increased markedly, especially in the lagging areas…"
- "A major delivery challenge will remain…"

Net Zero: The UK's Contribution to Stopping Global Warming

466. Net Zero: The UKs Contribution to stopping global warning was published by the Committee on Climate Change (CCC) in May 2019. It was prepared at the request of the devolved governments of Scotland and Wales and also the UK Government, to reassess the UK's long-term emissions targets.

467. The advice to the Scottish Government from the CCC, as highlighted in **Chapter 5** of this Planning Statement, relates to this report: Net Zero – The UK's contribution to stopping global warming (2019). The recommendations of this report, relating to Scotland, have been taken forward in the amendments to the Climate Change Bill and are summarised as follows:

- The UK should legislate as soon as possible to reach Net Zero greenhouse gas emissions by 2050. The target can be legislated as a 100 % reduction in greenhouse gases (GHGs) from 1990 and should cover all sectors of the economy, including international aviation and shipping;
- The aim should be to meet the target through UK domestic effort, without relying on international carbon units (or 'credits');
- This target is only credible if policy to reduce emissions ramps up significantly;
- HM Treasury should undertake a review of how the transition will be funded and where the costs will fall. It should develop a strategy to ensure this is, and is perceived to be, fair; and
- Scotland has proportionately greater potential for emissions removal than the UK overall and can credibly adopt a more ambitious target. It should aim for Net Zero GHGs by 2045. Interim targets should be set for Scottish emissions reductions (relative to 1990) of 70 % by 2030 and 90 % by 2040.

468. The Net Zero report also has a number of related documents which go into detail on how the targets of the Next Zero report can be met. One such related document is the 'Green Finance Strategy'.

Scottish Context

469. 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. To encourage the production of renewable energy in 2011, the Scottish Government introduced a '2020 target' for the production of renewable energy as a percentage of the total gross annual electricity consumption. This 2020 target for renewables production has steadily increased from 40 % to 50 % in November 2007 and further upwards to 80 % in September 2010, due to developments in the sector and changing expectations. As of May 2011, the target was 100 % of gross annual electricity consumption by 2020.

470. In order to set the context for the need for renewable energy development in Scotland it is important to understand the obligations that Scotland has to generate renewable energy. The following text identifies key Scottish Government renewable energy targets and policy that are relevant at the current time.

The Climate Change (Scotland) Act 2009

471. The Climate Change (Scotland) Act 2009 (the 2009 Act) received Royal Assent on August 4, 2009, the Bill having been passed unanimously by members of the Scottish Parliament. The 2009 Act is a key commitment of the Scottish Government and was defined as the most far-reaching environmental legislation considered by the Parliament during the first ten years of devolution. There were a number of parts to the 2009 Act which set the context for the setting of targets and the monitoring of deliverables to achieve those targets. These are described as follows:

- Part 1 created the statutory framework for greenhouse gas emissions reductions in Scotland by setting an interim 42 % reduction target for 2020, with the power for this to be varied based on expert advice, and an 80 % reduction target for 2050. To help ensure the delivery of these targets, the 2009 Act required the Scottish Ministers to set annual targets, in secondary legislation, for Scottish emissions between 2010 and 2050;
- Part 2 contained provisions to allow the Scottish Ministers to establish a Scottish Committee on Climate Change;
- Part 3 placed a duty on the Scottish Ministers requiring that they report regularly to the Scottish Parliament on Scotland's emissions and on the progress being made towards meeting the emissions reduction targets set in the 2009 Act; and
- Part 4 contained the ability to impose further duties on public bodies in relation to climate change.

Climate Change Plan (Emissions Reduction Targets) Scotland Act 2019

472. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 was passed by the Scottish Parliament in 2019 and its measures were brought into force in March 2020. It amends the Climate Change (Scotland) Act

2009 and sets targets to reduce Scotland's emissions of all greenhouse gases to Net Zero by 2045 at the latest, with interim targets for reductions of at least 56 % by 2020, 75 % by 2030, 90 % by 2040. The interim target of 75 % by 2030 requires the current decade to be a transformative decade.

473. 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 Committee on Climate Change (CCC) advise 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.

474. As well as setting the targets, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 set annual targets for Scotland. The Scottish Government Climate Change Website advises that these are to help ensure delivery of the long-term targets. The levels of these targets (expressed as percentage reductions from the 1990/1995 baseline) are set out as follows for the years between 2018 and 2030:

- 2021 – 57.9 %
- 2022 – 59.8 %
- 2023 – 61.7 %
- 2024 – 63.6 %
- 2025 – 65.5 %
- 2026 – 67.4 %
- 2027 – 69.3 %
- 2028 – 71.2 %
- 2029 – 73.1 %
- 2030 – 75 %

Appendix 5 Recovery from the COVID 19 Crisis

Climate Change Committee advice to the Scottish Government on the Recovery from the COVID 19 crisis

475. In their letter to Roseanna Cunningham dated May 2020 the Committee on Climate Change are clear that "reducing greenhouse gas emissions and adapting to climate change should be integral to any recovery package". The letter sets out 6 principles for a resilient recovery, these are as follows:

- Use climate investments to support the economic recovery and jobs;
- Lead a shift towards positive long term behaviours;
- Tackle the wider 'resilience deficit' on climate change;
- Embed fairness as a core principle;
- Ensure the recovery does not 'lock in' greenhouse gas emissions or increased climate risk; and
- Strengthen incentives to reduce emissions when considering fiscal changes.

476. It is clear that the Climate Change Committee are of the opinion that the opportunities that are afforded by tackling climate change and reducing greenhouse gas emissions should play a key role in the recovery from the Covid-19 crisis.

Chief Planner and Minister for Local Government, Housing and Planning Letter May 2020

477. In their letter of 29 May 2020, the chief planner and Minister for Local Government, Housing and Planning advised that:

"The need for a well-functioning planning system is as important now as ever. Decisions and actions being taken now, across government and wider society, are vital to the nation's health, wellbeing and economic recovery. What we do in planning is vital to all of those objectives in the short and the long-term.

We are in no doubt that Scotland's planning services are essential in supporting recovery, ensuring appropriate development proposals can be consented in good time to facilitate delivery on the ground".

478. This reference, although in the context of the planning system, is relevant to Section 36 applications for energy developments. It is clear that appropriate developments are extremely important in the economic recovery, post Covid-19.

Scottish Renewables Written Evidence to the House of Commons Scottish Affairs Committee Inquiry into Coronavirus and Scotland

479. In June 2020 Scottish Renewables submitted evidence to the House of Commons Scottish Affairs Committee inquiry into coronavirus and Scotland. The submission makes the case for placing Scotland's renewable energy industry at the heart of a green economic recovery, sets out the opportunities that the renewable energy industry in Scotland offers to quickly stimulate the economy and how the UK Government can unlock long term opportunities for renewable energy in Scotland.

480. The submission advises that economic analysis has established that for every gigawatt (GW) of renewable energy installed in Scotland it creates 1,500 jobs and adds £133 million of GVA to the Scottish economy. A scheme of the scale of the proposed Development could therefore result in a substantial boost for the Scottish economy.

Towards a robust, resilient wellbeing economy for Scotland, Advisory Group on Economic Recovery June 2020

481. In June 2020, a report from the Advisory Group on Economic Recovery was published. The Foreword advises that "in the world before Covid-19, Scotland had the ambition to become a robust, wellbeing economy. That is one that generates strong economic growth with the concomitant creation of quality jobs, and that does so with an unequivocal focus on climate change, fair work, diversity and equality. Diversity – in all its aspects- is not simply a moral issue; there is conclusive evidence that diversity of thinking leads to better outcomes."

Eight Policy Packages for Scotland's Green Recovery July 2020

482. The Climate Emergency Response Group published Eight Policy Packages for Scotland's green recovery in July 2020. The Executive Summary states:

"The COVID-19 pandemic has created a public health and economic crisis, which has shifted the parameters of this response. A green recovery is a necessity, not an option".

483. Under the heading of 'Unlocking private investment now with greater policy certainty' the document calls for an update to existing planning guidance to enable new and existing onshore wind planning consents and enhance the competitiveness of Scottish projects.

484. The conclusion of the document states that:

"Scotland's response to COVID-19 is a massive opportunity to catapult and prioritise a just transition to a net-zero economy. The Scottish Government is already committed to a fair and green recovery from this public health crisis. This report has identified specific policy proposals which can help make that a reality - directly addressing the economic concerns resulting from the public health crisis while stepping up our response to the climate crisis – an existential emergency that has not gone away. The packages have also been designed to make the most of the wider social, health and well-being benefits."

Covid-19 Response Summary

485. It is clear that the Covid-19 crisis has created an unprecedented economic situation which will have a legacy of many years. It is clear that one of the key solutions to the crisis is a green recovery. It is submitted that the development of renewable energy projects should be seen as a key part of the green recovery.

Appendix 6 Development Plan Policies

486. **Appendix 6** provides the Development Plan policies which are referred to in **Chapters 7** and **8** of this Planning Statement.

Policy LDP STRAT 1 – Sustainable Development

487. In preparing new development proposals, developers should seek to demonstrate the following sustainable development principles, which the planning authority will also use in deciding whether or not to grant planning permission:

a) Maximise the opportunity for local community benefit;
b) Make efficient use of vacant and/or derelict land including appropriate buildings;
c) Support existing communities and maximise the use of existing infrastructure and services;
d) Maximise the opportunities for sustainable forms of design including minimising waste, reducing our carbon footprint and increasing energy efficiency;
e) Avoid the use of locally important good quality agricultural land;
f) Utilise public transport corridors and active travel networks;
g) Avoid the loss of important recreational and amenity open space;
h) Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
i) Respect the landscape character of an area and the setting and character of settlements;
j) Avoid places with significant risk of flooding, tidal inundation, coastal erosion or ground instability; and
k) Avoid having significant adverse impacts on land, air and water environment.

Policy LDP DM1- Development within the Development Management Zone;

488. Encouragement shall be given to sustainable forms of development as follows:-

(A) Within the Main Towns and Key Settlements up to and including large scale* on appropriate sites.
(B) Within the Key Rural Settlements up to and including medium scale* on appropriate sites.
(C) Within the Villages and Minor Settlements up to small scale*on appropriate sites.
(D) Within the Rural Opportunity Areas up to small scale* on appropriate sites including the open countryside as well as small scale infill, rounding-off, redevelopment and change of use of existing buildings. In exceptional cases, up to and including large scale* may be supported if this accords with an Area Capacity Evaluation (ACE) **.
(E) Within the Countryside Zone up to small scale* on appropriate infill, rounding off and redevelopment sites and changes of use of existing buildings. In exceptional cases development in the open countryside up to and including large scale* may be supported on appropriate sites if this accords with an ACE**. There is a presumption against development that seeks to extend an existing settlement into the Countryside Zone.
(F) Within Very Sensitive Countryside encouragement will only be given to specific categories of development on appropriate sites. These comprise:

(i) Renewable energy related development
(ii) Telecommunication related development.
(iii) Development directly supporting agricultural, aquaculture, nature conservation or other established activity.
(iv) Small scale development related to outdoor sport and recreation.

(G) Within the Greenbelt encouragement will only be given to very limited and specific categories of countryside based development. These comprise:

(i) Agricultural-related development.
(ii) Farm diversification – tourism and rural business related development (excluding dwelling houses)
(iii) Outdoor sport and recreational development.
(iv) Development required to manage and sustain the natural heritage and access resources of the Greenbelt.
(v) Demolition and replacement of buildings and alterations or extensions of such buildings, including dwelling-houses, subject to no change of use occurring.
(vi) Change of use of buildings to residential institutional use.

In exceptional cases, a development outwith categories G(i) to (vi) may accord with this policy when it is successfully demonstrated that the proposal will:

1) Retain a significant building at risk; or
2) Directly support the provision of essential infrastructure; or
3) Involve building development directly supporting recreational use of land.

Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment

In all development management zones, Argyll & Bute Council will assess applications for planning permission with the aim of protecting conserving and where possible enhancing the built, human and natural environment.

A development proposal will not be supported when it:
(A) does not protect, conserve or where possible enhance biodiversity, geodiversity, soils and peat, woodland, green networks, wild land, water environment and the marine environment.
(B) does not protect, conserve or where possible enhance;

(i) the established character and local distinctiveness of the landscape and seascape in terms of its location, scale, form and design; and
(ii) the “Dark Skies” status of the Isle of Coll.

(C) does not protect, conserve or where possible enhance the established character of the built environment in terms of its location, scale, form and design.
(D) has not been ascertained that it will avoid adverse effects, including cumulative effects, on the integrity or special qualities of international or nationally designated natural and built environment sites.
Further information and detail on matters relating to the natural environment, landscape, and the historic environment will be provided in Supplementary Guidance.
(E) has significant adverse effects, including cumulative effects, on the special qualities or integrity of locally designated natural and built environment sites.

Where there is significant uncertainty concerning the potential impact of a built, human or natural environment, consideration will be given to the appropriate application of the precautionary principle, consistent with Scottish Planning Policy.

Development proposals are also expected to be consistent with all other LDP policies and SG where relevant. In particular, the following SG provides details of the mechanisms for delivery of this policy.
Natural Environment
SG LDP ENV 1 – Development Impact on Habitats, Species and Biodiversity (i.e. biological diversity)

SG – Local Biodiversity Action Plan (LBAP)
SG LDP ENV 2 – Development Impact on European Sites (see Proposals Maps)
SG LDP ENV 3 – Management of European Sites (see Proposals Maps)
SG LDP ENV 4 – Development Impact on Sites of Special Scientific Interest (SSSIs) (see Proposals Maps)
SG LDP ENV 5 – Development Impact on Local Nature Conservation Sites (see Proposals Maps)
SG LDP ENV 6 – Development Impact on Trees/Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 8 – Protection and Enhancement of Green Networks (see Supplementary Guidance)
SG LDP ENV 9 – Development Impact on Areas of Wild Land (see Proposals Maps)
SG LDP ENV 10 – Geodiversity
SG LDP ENV 11 – Protection of Soil and Peat Resources

Landscape and Design
SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs) (see Proposals Maps)
SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs) (see Proposals Maps)
SG LDP ENV 14 – Landscape
SG LDP ACE 1

Historic Built Environment and Archaeology
SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes (see Proposals Maps)
SG LDP ENV 16(a) – Development Impact on Listed Buildings
SG LDP ENV 16(b) – Demolition of Listed Buildings
SG LDP ENV 17 – Development in Conservation Areas and Special Built Environment Areas (see Proposals Maps)
SG LDP ENV 18 – Demolition in Conservation Areas (see Proposals Maps)
SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance
SG LDP ENV 21 – Protection and Enhancement of Buildings

Policy LDP5 – Supporting the Sustainable Growth of Our Economy
Argyll & Bute Council will support the development of new industry and business which helps deliver sustainable economic growth throughout our area by:

- taking full account of the economic benefits of any proposed development;
- ensuring that the different spatial needs and locational requirements of the various sectors and scales of business are able to be met within the context of the settlement and spatial strategy;
- focussing regeneration activity and promoting environmental enhancement; and
- safeguarding existing industrial and business areas for employment uses.

Argyll & Bute Council will give particular priority to new business and industry development in our business allocations, established business and industry areas and economically fragile areas.

Further information and detail will be provided in Supplementary Guidance in relation to support for business and industry, including the main potential growth sectors of marine and coastal, tourism, renewables and forestry developments.

Policy LDP 9 – Development Setting, Layout and Design
The Council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the following criteria:
Development Setting
(A) Development shall be sited and positioned so as to pay regard to the context within which it is located.

Development Layout and Density
(B) Development layout and density shall effectively integrate with the urban, suburban or countryside setting of the development. Layouts shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with poor quality or inappropriate layouts or densities including over development and overshadowing of sites shall be resisted.

Development Design
(C) The design of developments and structures shall be compatible with the surroundings. Particular attention shall be given to massing, form and design details within sensitive locations such as National Scenic Areas, Areas of Panoramic Quality, Greenbelt, Very Sensitive Countryside, Sensitive Countryside, Conservation Areas, Special Built Environment Areas, Historic Landscapes and Archaeologically Sensitive Areas, Historic Gardens and Designed Landscapes and the settings of listed buildings and Scheduled Ancient Monuments. Within such locations, the quality of design will require to be higher than in other less sensitive locations and, where appropriate, be in accordance with the guidance set out in “New Design in Historic Settings” produced by Historic Scotland, Architecture and Place, Architecture and Design Scotland.

(D) The design of buildings shall be suitably adapted to meet the reasonable expectations for special needs groups.
(E) The design of shopfronts/adverts shall be compatible with their surroundings with particular care take with regard to size, use of materials, colour and cumulative impacts where applicable. Energy efficient design and sustainable building practice is strongly encouraged.
Further information and detail will be provided in Supplementary Guidance in relation to sustainable siting and design, and to shopfront and advertising design principles.

Policy LDP10 – Maximising our Resources and Reducing Our Consumption
The Council will support all development proposals that seek to maximise our resources and reduce consumption and where these accord with the following:

- The settlement strategy;
- Sustainable design principles;
- Minimising waste and/or contributing to recycling;
- Minimising the impact on the water environment both in terms of pollution and abstraction;
- Avoiding areas subject to flood risk or erosion;
- Minimising the impact on biodiversity and the natural environment;
- Safeguarding our mineral resources and minimising the need for extraction;
- Avoiding the loss of trees and woodland
- Contributing to renewable energy generation;
- Avoiding the disturbance of carbon rich soils; and
- Safeguarding our best agricultural land.

Further information and detail will be provided in Supplementary Guidance in relation to the following matters: resources and consumption; addressing climate change; minerals; renewable energy; and sustainable design.

Policy LDP 11 – Improving our Connectivity and Infrastructure
Argyll & Bute Council will support all development proposals that seek to maintain and improve our internal and external connectivity and make best use of our existing infrastructure by ensuring that:

- rights of way and public access are safeguarded;
- public access within the development is delivered, as appropriate, ensuring that any special mobility and safety requirements are addressed;
- consideration is given to the promotion of access to adjoining areas, in particular to the foreshore, core path network and green network;
- integration of the development with existing and potential public transport is taken fully into account;
- the proposed development is accessible by a range of modes of transport, including walking, cycling, public transport and car;
- an appropriate standard of access is delivered to serve new developments, including off-site highway improvements where appropriate;
- maximum and minimum car parking standards are applied;
- the location and design of new infrastructure is appropriate;
- standards for drainage, sewage, waste-water and water supply are applied;
- new telecommunication proposals are encouraged where they comply with the criteria established in SG LDP TEL 1.

Further information and details will be provided in Supplementary Guidance in relation to the following matters: transport, including core paths; telecommunications; and infrastructure.

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