



Areacleoch Windfarm Extension

Planning Statement

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Planning Statement

Executive Summary

1. ScottishPower Renewables (UK) Limited (SPR) propose to install and operate 13 wind turbines and associated infrastructure on land at Arcleoch, to the south west of Barrhill, South Ayrshire. The proposed Development would be known as Arcleoch Windfarm Extension and would have a generating capacity in excess of 50 MW. The proposed Development would include 13 wind turbines and associated infrastructure and based on current turbine technology each turbine could be around 5.6 MW in capacity. It would have the potential to generate in the region of 72.8 MW using the latest turbine technology and would also include ancillary grid services to the national grid, including a battery storage facility. The proposed Development would produce between 200 GWh and 230 GWh of electricity annually. This equates to the annual power consumed by approximately 53,000 – 60,000 average UK households and with the total carbon dioxide emission savings of 2.42 million tonnes over a nominal 40 year period when compared to the fossil fuel mix of electricity generation. The carbon payback period would be approximately 2.2 years.
2. By using the latest turbine technology, each turbine at the proposed Development could produce 4 to 4.5 times the annual electricity of an existing Arcleoch Windfarm turbine and in total around 75 – 85% of the annual output of Arcleoch Windfarm. This would be achieved with an additional 22% of the number of turbines (13 turbines compared to 60 at Arcleoch). This would help to deliver new onshore wind capacity required 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.
3. 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 SPR to reduce the cost of energy from the proposed Development, giving a positive benefit to consumers in terms of electricity cost. In recent years, the onshore wind industry has experienced the reduction in supply of smaller turbines across Europe due to lack of demand from mainland Europe, where the tendency is to install turbines at higher tip heights (eg 175 – 240m to blade tip). Therefore, it is highly unlikely that a range of smaller turbines (eg 120m) would be available at competitive prices by the time the proposed Development is ready to be constructed, if consented. Larger turbines need to be considered and accepted if onshore wind development is to continue to make a contribution to both the UK and Scottish Government's renewable energy targets.
4. During construction a total direct spend of £97 million is anticipated, of this £18 million would be spent in Scotland. The Scottish economy would benefit by some £15 million net Gross Value Added (GVA) during construction. During the operational phase, based on a nominal 40 year period, the proposed Development would contribute some £42 million in GVA to in South Ayrshire and Dumfries and Galloway, and £116 million to the economy of Scotland as a whole.
5. During the 18 months' construction phase, the proposed Development is expected to support 120 jobs on site at the peak of construction activity. Around 141 Full Time Equivalent (FTE) jobs would be created during the wider construction period. During the operational phase the proposed Development is expected to create around 10 - 14 FTE jobs in South Ayrshire and Dumfries and Galloway and around 10 - 14 FTE jobs elsewhere in Scotland (20 – 28 FTE).
6. In addition the proposed Development includes the offer of community shared ownership which has the potential to create important net economic benefits.
7. To date, SPR has voluntarily awarded over £5.7 million in community benefit funding to South Ayrshire communities through existing windfarm projects (with nearly £5.5 million to communities in Dumfries and Galloway). For the proposed Development, SPR is committed to offering a package of community benefits to local communities that could include the opportunity for community benefit and to invest in the operational windfarm. SPR has already shared initial information with the community about an opportunity to invest and has provided an introductory leaflet which outlines a potential investment

structure. See Appendix 1 for further details. The community investment element has the potential to create important net economic benefits to local communities,

8. The potential for effects on a wide variety of environmental factors have been considered through the Environmental Impact Assessment process. Where identified the 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 makes efficient use of the existing network of forest roads and access tracks that are already located onsite for existing forest and windfarm operations. The proposed Development includes mitigation and enhancements relating to forestry, access and construction. These would ensure that the proposed Development is delivered in an appropriate manner which would benefit the environment in a wide variety of ways.
9. The proposed Development is located in an area which is considered to be suitable for windfarm development in the context of Scottish Planning Policy. It is acknowledged that the proposed Development would result in a number of significant landscape and visual effects. This is expected from any windfarm development and an inevitable consequence of the development form. However, given the careful design process the landscape and visual impacts of the proposed Development are considered to be acceptable. There would be no overwhelming or overbearing residential visual effects from the proposed Development.
10. The proposed Development is for a commercial scale windfarm which will 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 price. The proposed Development is considered to be an important and strategic opportunity to contribute to the Scottish Governments 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 consent is sought is considered to be acceptable.

1 Introduction

11. ScottishPower Renewables (UK) Ltd (SPR) propose to install and operate a windfarm comprising 13 turbines with associated infrastructure (the proposed Development) on land (the Site) located approximately 3 km south west of Barrhill in South Ayrshire, centred on NGR NX 19194 80689, as shown on Figure 1. The proposed Development would be known as the Arcleoch Windfarm Extension. The application boundary covers the area shown on Figure 2.
12. The maximum height of the proposed turbines would be up to 200 m to the tip of the blade in an upright position. It is expected that each wind turbine would be rated up to an approximate capacity of 5.6 megawatts (MW) giving a total installed capacity in the region of 72.8 MW. The proposed Development would produce between approximately 200 GWh and 230 GWh of electricity annually (based on an average capacity factor of between 31-36 % estimated for the Site based on a 5.6 MW turbine). This equates to the annual power consumed by approximately 53,000 – 60,000 average UK households¹ (depending on the actual turbines installed).
13. The majority of the Site is located within South Ayrshire Council (SAC). The entrance to the Site is within the Dumfries and Galloway Council (D&GC) area.
14. The proposed Development is described in further detail in Chapter 2 of this Planning Statement.
15. The proposed Development would exceed 50 MW and is an extension to the existing Arcleoch Windfarm, which was granted planning consent under Section 36 of the Electricity Act 1989 (the 1989 Act), therefore the proposed Development constitutes a Schedule 2 development as provided for by the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations).
16. SLR Consulting Ltd (SLR) has been appointed to undertake an Environmental Impact Assessment (EIA) to determine and evaluate the potential effects of the proposed Development. The results of the EIA are presented in the Environmental Impact Assessment Report (EIA Report).

1.1 Purpose of this Planning Statement

17. 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 Town and Country Planning (Scotland) Act 1997 as amended (the 1997 Act) that planning permission is deemed to be granted for the proposed Development.
18. 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 alongside proposed reasonable mitigation.
19. This Planning Statement sets out the planning case of the proposed Development as follows:
 - Section 1 includes the introduction to the Planning Statement, provides the framework for decision making and provides background information on the applicant;
 - Section 2 provides a brief description of the Site and the location of the proposed Development and a description of the proposed Development itself including key features of mitigation which are embedded in design;
 - Section 3 sets out the Planning Assessment for the proposed Development. It summarises the matters which are considered to be relevant to the decision making process – the Key Considerations for determination of the application; and
 - Section 4 contains a conclusion in respect of the planning case for the proposed Development.

¹ Calculated using the most recent statistics from the Department of Business, Energy and Industrial Strategy (BEIS) showing that annual UK average domestic household consumption is 3,781kWh (RenewableUK, 2018).

1.2 Decision Making Framework

20. The application for the proposed Development requires to be considered under the terms of the Electricity Act 1989, in particular Schedule 9 because it would exceed 50 MW in generating capacity. Key to this is the need to 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 the reasonable mitigation of any effect which the proposed Development would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects. There is also a requirement to avoid, in so far as possible, causing injury to fisheries or to the stock of fish in any waters. The full wording of Schedule 9 is set out in Appendix 2 of this Planning Statement.
21. SPR, through the EIA process has sought to develop a scheme that takes account of the duties set out in Schedule 9 of the 1989 Act. The matters that are raised in Schedule 9 have been considered in the EIA process and the findings are presented in the EIA Report.

1.3 The Applicant

22. The windfarm is being proposed by ScottishPower Renewables (UK) Ltd (SPR).
23. SPR 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. The company is investing over £4m every working day in 2019 to make this happen and is committed to speeding up the transition to cleaner electric transport, improving air quality and over time, driving down bills to deliver a better future, quicker for everyone.
24. 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. 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 and the USA.
25. With over 40 operational windfarms, SPR manages all its sites through its world leading Control Centre at Whitelee Windfarm, near Glasgow.
26. SPR has long been involved in south west Scotland and currently owns and operates five onshore windfarms in the South Ayrshire region (Arcleoch, Mark Hill, Kilgallioch, Dersalloch and Glen App) and a number of others in the wider Ayrshire and Dumfries and Galloway regions.

2 The Site its Surroundings and the Proposed Development

27. The Site is located on the National Forest Estate approximately 3 km south west of Barrhill in South Ayrshire, centred on NGR NX 19194 80689. The majority of the Site is located within the South Ayrshire Council (SAC) area. The entrance to the Site is within the Dumfries and Galloway Council (D&GC) area. Access to the Site for turbine deliveries would be via the existing entrance at Wheeb Bridge on the A714. The Site is characterised by a Plateau Moorland landscape covered mainly by commercial forest and encompasses the western side of Shiel Hill (228.4 m AOD). A number of small tributaries run through the Site and feed the Water of Tig, Cross Water and Haw Burn. These three water courses then in turn feed into the Duisk River and River Stinchar.
28. The Site passes through the South Ayrshire Scenic Area due to the application boundary encompassing the existing access tracks from the A714 at Wheeb bridge and Bents farm. This is the only landscape designation located within the Site. No turbines are located within this Scenic Area. There are no ecological or ornithologically designed sites within the Site.
29. Topography rises from the Duisk River valley situated to the north east with high points within the Site ranging between 202 m – 230 m AOD forming a series of gently rounded hill summits on the plateau which are difficult to perceive due to both the simplicity of the landform and the uniformity of forest cover. There are no Listed Buildings or Scheduled Monuments within the Site.
30. The location of the proposed Development is shown in Figures 1 and 2 of this Planning Statement. The site has been specifically chosen to exploit the wind resource and existing infrastructure in the location. It offers the potential to create a development in an area where there is a cluster of windfarm development alongside existing access tracks.

2.1 Surrounding Area

31. The immediate area surrounding the Site is rural in nature with land predominantly used for commercial forestry purposes and agriculture. The nearest settlement to the Site is Barrhill which is located around 3 km north east of the Site. Other nearby settlements include Colmonell which is to the north of the Site at a distance of approximately 3.5 km respectively. The community of Pinwherry is also located to the north of the Site at a distance of approximately 3.3 km.
32. The closest landscape designations out with the Site and not including the South Ayrshire Scenic Area, are the Dumfries and Galloway Regional Scenic Area located 5.2 km to the east, and the nationally designated Garden and Designated Landscape of Glenapp located 7.3 km to the west of the Site.
33. There are five ecologically designated sites located within 5 km of the proposed Development which are as follows:
- Craig Wood Site of Special Scientific Interest (SSSI) – 2.29 km from Site;
 - Feoch Meadows SSSI – 2.8 km from Site;
 - River Bladnoch Special Area of Conservation (SAC) – 3.0 km from Site;
 - Kirkcowan Flow SAC and SSSI – 3.06 km from Site; and
 - Blood Moss SSSI – 4.82 km from Site.

2.2 Description of the proposed Development

34. The proposed Development has been carefully designed to ensure that in so far as possible the potential for significant impacts as a result of the proposed Development are avoided. Further information on the way in which this has been done has been set out in the Design and Access Statement (DAS).
35. In the case of noise, turbines in the area of the Site to the east of the railway was carefully considered and some turbines were relocated as part of the design process. The distance between the proposed turbines and the closest properties has been carefully considered as part of the design evolution process.

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36. Part of the Site, less than 1.0%, is within Class 1 and 2 Priority Peatland Habitat. This area has been excluded from the area which would be directly impacted by the proposed Development. The nature of the peat on the Site has been carefully considered as part of the design evolution of the proposed Development and the infrastructure location in order that the impacts are minimised.
37. The design evolution of the design of the proposed Development has sought to maximise in so far as reasonably possible, the use of the existing infrastructure, this is particularly relevant in respect of the reuse of access tracks.
38. The proposed Development would be an extension to the existing Arcleoch Windfarm. The site boundary for the proposed Development and the existing windfarm overlap and include the same access track. The existing access track would be utilised wherever possible. The proposed construction compound and lay down areas would reuse the locations used for the exiting windfarm. Some of the proposed borrow pits have utilised areas previously used and considered for borrow pits as part of the construction of Arcleoch Windfarm.

2.2.1 Proposed infrastructure

39. Careful consideration has been given to the layout of the proposed Development, which is demonstrated in the design evolution of the scheme, this is set out in the EIA Report Chapter 2 and the DAS. The layout for the proposed Development is described in detail in Chapter 3 of the EIA Report and is shown on Figure 3 of this Planning Statement. Additional details on construction methods are provided in the outline Construction and Environmental Management Plan (CEMP) included in EIA Report Technical Appendix 3.1. Where realistically possible existing infrastructure, in particular the access tracks and construction areas, have been utilised.
40. The design process described in the EIA Report Chapter 2 and the DAS sets out why the proposed Development in this form presents the best possible balance between turbine productivity and environmental effects. It is considered to be the most productive array and would contribute significantly to Scottish Government targets for renewable energy production.
41. Each Chapter of the EIA Report takes an appropriate and topic specific approach to assessment of the proposed Development within the parameters identified. The EIA Report provides a worst-case assessment for each discipline and presents enough information for consultees and the decision makers to comment on and determine the application within the parameters of the proposed Development.
42. The key component parts of the proposed Development include the following.
- up to 13 turbines and foundations, each assumed to have an external transformer/switch gear housing, with a tip height of up to 200 m, with a potential installed capacity of 5.6 MW each;
 - turbine foundations;
 - crane hardstandings;
 - new and upgraded access tracks including watercourse crossings where necessary;
 - underground electrical cabling;
 - substation compounds including control buildings, external equipment and ancillary grid service equipment/battery storage;
 - one permanent anemometer mast;
 - up to four temporary Power Performance Masts;
 - close circuit television mast(s);
 - communication mast(s);
 - site signage;
 - search areas for up to six borrow pits; and
 - one temporary construction compound area.

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43. The layout for the Proposed Development is presented in Figure 3 of this Planning Statement. Typical details for the proposed infrastructure are shown on EIA Report Figures 3.1 to 3.12:
44. The grid connection is likely to require consent under Section 37 of the Electricity Act 1989 which is the subject of a separate consenting process to this Section 36 application. The grid connection application will be made by ScottishPower Energy Networks (SPEN) who are the network owner in the area of the proposed Development and who will own assets beyond the Site substation.
45. The precise route of the grid connection cabling has not yet been determined and the assessment of its effects are not identifiable because it has yet to be designed and applied for.
46. The proposed Development includes turbines at up to 200 m to blade tip. Structures of 150 m or taller require to be lit with visible aviation lighting in accordance with Article 222 of the UK Air Navigation Order (ANO) 2016. In the case of the proposed Development the lights would be mounted on the nacelle of the wind turbines and, at least three (to provide 360 degree coverage) low-intensity (32 candela) red lights should be provided at an intermediate level of half the nacelle height on the tower.
47. Separate from Civil Aviation lighting requirements the MoD may require turbines to be lit with infra-red lighting. All perimeter turbines may include infra-red lighting on the hubs of cardinal turbines which would not be visible to the human eye.
48. It is anticipated that there would be no limit to the lifetime of the proposed Development.

2.2.2 Mitigation, Compensation and Enhancement Measures Assumed to Form a Part of the Proposed Development

49. The EIA Report assumes certain measures form an inherent part of the proposed Development and as such, in effect form a part of the proposals and would be carried out as a matter of course (notwithstanding consultees may request such measures be tied to the grant of any consent by planning condition).

2.2.2.1 Aviation lighting

50. Turbines would be in excess of 150m to blade tip and would need to be lit with medium intensity (2000 candela) steady red aviation warning lights (with dimming option) as per Article 222 of the UK Air Navigation Order (ANO) 2016. It is therefore proposed that visibility sensors be installed at the proposed Development and if visibility is restricted to 5 km or less the lights would operate at 2000 candela. The 2017 CAA Policy Statement further modifies Article 222 to permit only one level of intermediate lights, halfway up the tower, and at reduce intensity (32 candela rather than 2000 candela). At least three (to provide 360 degree coverage) low-intensity (32 candela) red lights should be provided at an intermediate level of half the nacelle height on the tower.
51. In addition, it is proposed to explore the possibility of using 'smart' aviation lighting (aviation obstruction lighting detection system) whereby the lights would only be switched on when low altitude aircraft approach them. The CAA is in the process of consulting on a new policy statement on En-Route Aviation Detection Systems for Wind Turbine Obstruction Lighting Operation. SPR has had an opportunity to review the CAA's proposal as part of an industry working group considering this guidance. It is expected that this guidance will be finalised and released during 2019. The draft guidance would allow the aviation lights only to be illuminated when an aircraft is detected by a radar entering a volume bounded by 4 km (horizontal distance) from the perimeter group of turbines and 300m above the highest turbine tip of the Site. The EIA Report calculations estimate that the upper boundary of this volume would be around 2500 ft above ground level². The aviation lighting would not be activated when commercial airlines pass over the Site as such aircraft ordinarily operate in Controlled Airspace (CAS), the base of which CAS over the Site being 5,000 ft and above.
52. Given the lights are only required for general aviators flying at night in the vicinity of the Site at altitudes of up to 2500 ft, it is anticipated that the lights would be rarely on in this quiet airspace. The widest transit across proposed Development is circa 4 km (approximately north to south between turbine 4 and turbine 13), then the horizontal coverage volume would be 12km

² In terms of the maximum height of the coverage volume, this is calculated as follows (300m above the highest part of the turbine or group of turbines). The highest height above sea level within the proposed Development is turbine 2 (see Figure 3.1) located at 220 m (rounded up to the nearest 10m contour). With 200 m turbines and 300 m above the highest part of the turbine, the maximum height of the radar coverage required would be 720 m or 2362 ft, rounded up to 2500 ft.

(4+4+4). At 250 knots the lights would be on for approximately 2 minutes, provided the radar can track the aircraft across the windfarm.

53. If radar activated lighting is required, this would require a separate planning application, radar licencing and relevant CAA approvals. Optimally, any such radar deployment could benefit multiple windfarms in the South Ayrshire or Dumfries and Galloway regions.

54. Periphery lights would also be lit with infra-red lighting to meet the MoD's low flying requirements (to be agreed with the MoD prior to turbine instalment).

2.2.2.2 CEMP

55. The Outline CEMP, at Technical Appendix 3.1 of the EIA Report, sets out the principles and procedures for environmental management during construction of the windfarm. Should consent be granted for the proposed Development, the outline CEMP would be revised and updated to a site specific CEMP, the content of which would be agreed with South Ayrshire Council (SAC) through consultation and enforced via a planning condition. The CEMP would be used by the Contractor to ensure appropriate environmental management is implemented throughout the construction phase of the proposed Development including:

- setting out roles and responsibilities for environmental measures;
- phasing of the proposed Development;
- good practice measures;
- pollution prevention measures;
- drainage and surface water management;
- water quality monitoring; and
- other pre-construction surveys.

56. The CEMP would be prepared to take account of Good Practice during Windfarm Construction (SNH 2015), Guidelines for Onshore and Offshore Windfarms (2010) and provides the construction activities methodology pertinent to the EIA, or any update to these documents.

57. SPR would engage an ECoW onsite during the construction phase. The services of other specialist advisors would be retained as appropriate, such as an Archaeological Advisor, to be called on as required to advise on specific environmental issues. The Principal Contractor (PC) would ensure construction activities are carried out in accordance with the mitigation measures outlined in the EIA Report and any planning conditions, and this would be monitored by SPR and the ECoW.

58. Prior to the commencement of development, a detailed Traffic Management Plan (TMP) would be agreed with Police Scotland, Ayrshire Roads Alliance, Dumfries and Galloway Council and Transport Scotland. This would include a number of measures to reduce the effects of the construction of the proposed Development on local receptors and communities, including the effects from turbine deliveries (abnormal loads). This would include details of any required temporary widening and other road improvement measures, together with detailed consideration of vehicle swept paths, loadings, structural assessments (where required), temporary street furniture removal details, dust and dirt management and community engagement. An element of preparation of the TMP would be a trial run, which would be undertaken through a special licence, with the Roads Authorities and Police Scotland in attendance. It would also include the requirement to carefully consider the way in which the site entrance is managed. The TMP would require that a Traffic Control system is implemented which would include the following:

- All on site deliveries and collections will be co-ordinated through the Site Management Team and movements on to and off of site would be tracked by the Site Security Team;
- Drivers will be issued with and required to carry induction cards with a unique number to identify them that will be reviewed if any site protocols are breached; and

- Where possible, no daytime or overnight parking of site or construction vehicles (site employees or visitors) outside of any predetermined construction compounds or work sites will be allowed.

2.2.2.3 Forestry

59. As a result of the construction of the proposed Development, there would be a net loss of commercial forestry. The proposed Development would require 135 ha of woodland to be felled in order to facilitate wind turbines and associated infrastructure (of which 44.3 ha will be re-stocked with productive conifer and broadleaf woodland would increase 30.6 ha). As a result of the construction of the proposed Development, there would be a net loss of woodland area. The area of stocked woodland in the study area would decrease by 60.1 ha. Further details are provided in EIA Report at Technical Appendix 3.2.

60. In order to comply with the criteria of the Scottish Government's Control of Woodland Removal Policy, off-site compensation planting would be required. The Applicant is committed to providing appropriate compensatory planting. The extent, location and composition of such planting to be agreed with Scottish Forestry, taking into account any revision to the felling and restocking plans prior to the commencement of operation of the windfarm. It is anticipated that this would be the subject of a planning condition should consent be forthcoming.

2.2.2.4 Proposed Community Shared Ownership

61. SPR is committed to offering a package of community benefits to local communities that could include the opportunity for community benefit and to invest in the operational windfarm. SPR has already shared initial information with the community about an opportunity to invest and has provided an introductory leaflet which outlines a potential investment structure. See Appendix 1 for further details.

62. SPR will discuss with local stakeholders and Forestry and Land Scotland which communities would be the appropriate 'Community Organisations' to participate. The criteria to define the appropriate Community Organisation come from the community right to buy under Land Reform legislation.

63. Further information setting out the potential benefits of this is provided at 3.5.1 of this Planning Statement.

2.2.2.5 Proposed Community Benefit

64. In addition to the shared ownership opportunity, should the proposed Development gain consent, a Community Benefit Fund would be made available.

65. Further information setting out the potential benefits of this is provided at 3.5.5 of this Planning Statement.

3 Planning and Renewable Energy Assessment

3.1 Introduction

66. As set out in introductory Chapters, given the proposed Development would exceed 50 MW in generating capacity it must be considered under S36 of the Electricity Act 1989. The Act contains a number of requirements which decision makers can use as a guide as part of the process to determine whether to grant consent for the proposed Development or not. In summary the requirement is to consider what effects would the proposed Development have on a range of environmental matters and to what extent has the applicant sought to mitigate any such effects. It is not a test that has to be passed or can be failed. The wording is clear that the developer shall have regard to the desirability of preserving a number of features and reasonably do what they can to mitigate effects on the features. The decision maker is required to have regard to the desirability of the features and the extent to which the developer has sought to mitigate effects.
67. The proposed Development has thoroughly assessed the matters which are raised in Schedule 9 and has, where appropriate, identified significant effects and reasonable mitigation of those effects. The EIA has considered matters which are not covered by Schedule 9 as well as those which are covered. It is submitted that the requirement to have regard to the preservation of matters stated in Schedule 9 has been met and that the requirement to reasonably mitigate effects has also been met through the EIA process.
68. The S36 approach to determination is set in the context of legislation which seeks to support electricity developments which might be considered to be nationally important (i.e. in excess of 50 MW). In the decision making process it is therefore material to consider the extent to which the proposed Development may contribute to national policy both in terms of energy and planning. To help understand how the proposed Development contributes to national planning objectives and to help inform the decision maker the extent to which the applicant has complied with Schedule 9, it is relevant to consider the extent to which the proposed Development accords with the Development Plan.
69. It must be remembered that in materially considering the Development Plan the test to be applied is not the same as in the case of the Town and Country Planning (Scotland) Act 1997 as amended (the 1997 Act). The test, as set out in Section 25 of the 1997 Act, against the Development Plan is not triggered in the case of a S36 applications (See Appendix 2 for some case law examples). In effect a development being considered under Section 36 of the Electricity Act need not accord with the Development Plan to be considered acceptable and for consented to be granted.

3.2 Key Points for Consideration

70. 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. Appendix 3 sets out details of this international context. The international policy context has been adopted by successive Government in both the UK and Scotland. 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. Appendix 5 sets out the detailed planning policy background to which the proposed Development is brought forward.
71. In May 2019 the Scottish Government declared a climate emergency. At the same time in Westminster the Environment Secretary acknowledged a climate change emergency.
72. 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.”

73. She 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.”

74. National Planning Policy in the form of National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) also recognise the benefits which renewable energy project can bring. NPF3 support Governments energy policy initiatives through the land use planning system. SPP seeks to ensure Development Plan policy for renewable energy projects takes a balanced approach, encouraging the right development in the right place. To this end it sets out a formula for local authorities to create a ‘spatial framework’ within their development plans which sets out areas which might be considered suitable for on shore wind development based on a range of identified criteria. It encourages development which contributes to sustainable economic development. Details of relevant parts of the NPF3 and SPP can be found in Sections 3.4 and 3.5. It should be noted that NPF3 and SPP were prepared prior to the publication of the current Scottish Government policy in the form of SES and the OWPS It is anticipated that when NPF3 and SPP are updated they will reflect the drive for renewables contained in the SES and the OWPS 2017 in line with the Ministers comments on the climate change emergency.

75. A further key point of consideration is the findings of the EIA. The EIA Report sets out the design process for the proposed Development and how that has been shaped and influenced by the policy documents set above. It sets out the final proposal and the mitigation which is taken into account in the assessment (as set out in brief in Section 2 of this Planning Statement). It systematically considers the potential significant effects on the environment which might be as a, direct or indirect, result of the proposed Development, should it go ahead, based on a series of topics agreed with statutory consultees and the mitigation measures which may be required to balance those effects. The topics take cognisance range of guidance and advice on methodology and industry best practice.

76. The wider benefits of the proposed Development must be weighed against any significant effects of the proposed Development to take a view on the overall acceptability of the proposed Development.

3.3 Progress to the Scottish Renewable Energy & Electricity Targets

3.3.1 Renewable Energy Targets

77. The targets that are set for renewable energy are described in Appendix 3 of this Planning Statement. As it is acknowledged that the proposed Development would not be contributing energy to the national grid until after 2023, post 2020 targets are of more relevance to the proposed Development. Table 3. sets out the relevant targets post 2020.

Target	Current position
Overall renewable energy target – total Scottish energy consumption from renewables 50% by 2030	20% in 2017 (provisional)
Renewable Electricity Target – Gross electricity consumption from renewables 100% by 2020	74.6% in 2018

Table 3.1: Scottish Renewable Energy Targets

(Source 1 Energy Statistics for Scotland Q4 Figures March 2019)

78. The Scottish Government estimates that, in 2018, renewable sources generated the equivalent of approximately 74.6% gross electricity consumption. (Energy Statistics for Scotland Q4 (Scottish Government 2019)).

79. Chapter 1 of the Routemap for Renewable Energy in Scotland Update 2015 (see Appendix 3 of this Planning Statement) states that the 2020 renewables target of 100 % equates to the equivalent of circa 16 GW of installed capacity. The most recent Renewable Electricity Planning Statistics for Scotland advise that as of December 2018 Scotland had in the region of 10.9 GW of installed renewable energy capacity the majority of which was wind generation projects. The total renewable energy capacity, by stage in Scotland is as follows:

- planning applications – 4.3 GW;
- projects awaiting construction – 7.4GW;
- projects under construction –0.9GW; and
- operational projects – 10.9 GW.

80. The information provided shows that there is a significant shortfall against the Scottish 2020 renewable electricity generation target as the 'operational' and 'under construction' figures together equate to 11.8 GW of the required 16 GW. It is considered that many of the schemes which are awaiting construction are historic and are no longer viable and therefore will not be built. It can also be argued that some of the schemes which are in planning are no longer viable and will never be built, even if consented.

81. It is recognised that the targets which have been set by the Scottish Government are a target and not a cap, as set out in the letter from the Chief Planner to the Heads of Planning (2015). This letter advises that the Scottish Government target to generate at least 100 % of gross electricity consultation from renewables by 2020 does not place a cap on the support for renewable energy development, which includes onshore windfarms, should the target be reached.

82. It is considered that although the proposed Development would not be operational before 2020 it would make a valuable contribution to meeting any shortfall in the 2020 target. If post 2020 Scotland is starting from a point behind where Scotland is targeted to be, then there will be a clear need to increase capacity at greater speed. In this context the proposed Development would therefore make an important contribution to what is anticipated to be an unmet and uncapped target.

83. The international, UK and Scottish contexts set a framework of ambitious targets which should be met and exceeded if possible. It is considered that the international, UK and Scottish Renewable Energy Policy are all important considerations and should be afforded significant weight in the decision making process. This approach is supported by the Reporter in the case of Windy Edge Appeal Decision (Reference PPA-140-2055, June 2016) who stated that: *"It seems to me that there is no doubt that there is strong support in Scottish Government planning and energy policy for further renewable energy developments, including new commercial scale wind farms."*

84. In the case of Windy Edge (Reference PPA-140-2055, June 2016) the output of the proposed Development was 22.5 MW which the Reporter described as a modest but still important contribution towards the various targets set at the European, UK and Scottish level.

85. Since Windy Edge the Scottish Government has published the SES 2017 and the OWPS 2017. These documents are clear that there is an intensification of the need for renewable energy developments and in particular onshore windfarm developments. There is a clear need for new projects to come forward as quickly as possible to meet the demand, it is accepted that this does not mean that all projects that come forward should be consented. This interpretation has been supported in the case of Pencloe Wind Farm 2018 (Reference WIN-140-4) where the Reporter stated:

"I see no sign that the Scottish Government is slackening the pace; rather, the latest policy statements on energy and onshore wind indicate that the effort is being intensified. The latest target of generating 50% of energy from renewable sources by 2030 is a deliberately challenging one, which may require around 17GW of installed capacity by that date. The newly adopted Scottish Energy Strategy and the accompanying Onshore Wind Policy Statement are explicit that onshore wind will continue to play a vital role in that regard."

The Scottish Government's latest energy strategy expects onshore wind to help decarbonise Scotland's electricity, heat and transport systems, boost the economy, and meet demand.

I can only conclude that the Scottish Government remains firmly committed to the development of onshore wind energy, and that the relative success achieved so far in pursuit of renewable energy targets is not a persuasive argument against the future approval of new such schemes."

86. The proposed Development would have an installed capacity of around 72.8 MW, which would make an important contribution to Scottish Government targets on renewable energy and carbon emission reductions.

87. 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 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 Section 3 of this Planning Statement.

88. 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 proposed Development draws considerable support from the policy material discussed in this Section of the Planning Statement. In particular it would make a meaningful contribution towards targets for renewable energy and it is considered to be commercially viable on a subsidy free basis as a result of the proposed tip height.

3.3.2 Arecleoch Windfarm Extension contribution to targets and national policy objectives

89. It is anticipated that the proposed Development would have a total installed capacity of around 72.5 MW and (based on currently available turbines and assuming the same supplier for all turbine positions). This means that the proposed Development would produce between 200-230 GWh of electricity annually (based on site derived capacity factors of 31-36 %³). This equates to the power consumed by between approximately 53,000 and 60,000 homes⁴.

90. The use of the proposed turbines, rather than turbines of the same scale as the existing Arecleoch turbines, means that the proposed Development could produce 4 to 4.5 times more energy per turbine (annual energy production) than the existing turbines. The proposed Development could therefore produce between 75 – 85 % of the estimated production of the existing Arecleoch turbines, for an addition of only 22 % additional turbines (13 turbines against 60 existing).

91. Turbines with a maximum height of 200 m to blade tip have been selected due to the increased yield that can be achieved from taller turbines and also the environmental benefits intrinsic to larger turbines. Using taller turbines means that the overall number of turbines required on a per MW basis is reduced, which in turn reduces the scale of the associated infrastructure required. With larger turbines the amount of concrete per MW produced is lower than a scheme with smaller turbines, and similarly the length of new access track (km) required per MW produced is also generally less. Less and fewer, but taller turbines reduce the felling required by increasing the rotor clearance above the tree canopy which reduces the impacts upon existing forestry operations. Overall, larger turbines of this scale would help to deliver new onshore wind capacity required to help the UK and Scottish Government meet its climate goals whilst providing low-carbon power.

92. 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 SPR to reduce the cost of energy from the proposed Development, giving a positive benefit to consumers in terms of electricity cost.

93. In recent years, the onshore wind industry has experienced the reduction in supply of smaller turbines across Europe due to lack of demand from mainland Europe, where the tendency is to install turbines at higher tip heights (eg 175 – 240m to blade tip). Therefore, it is highly unlikely that a range of smaller turbines (eg 120m) would be available at competitive prices by the time the proposed Development is ready to be constructed. Larger turbines need to be considered if onshore wind development is to continue to make a contribution to both the UK and Scottish Government's renewable energy targets.

94. 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 proposed Development draws considerable support from the policy material discussed in this Section and Appendix 3 of this Planning Statement. In particular it would make a meaningful contribution towards targets for renewable energy and it is considered to be potentially commercially viable on a 'subsidy-free' price basis as a result of the tip height. This would help to deliver new onshore wind capacity required to help the Scottish Government meet its climate goals, and provide low-carbon power that will keep consumer bills down. In the event that the 2020 targets are not achieved, the proposed Development would contribute significantly to making up the shortfall and help create the

³ Site derived capacity factors for the proposed development are estimated to be between 31% and 36% Generation figures are based on currently available turbines and assume a consistent supplier for all turbine locations (i.e. turbine types are chosen by manufacturer).

⁴ Calculated using the most recent statistics from the Department of Business, Energy and Industrial Strategy (BEIS) showing that annual UK average domestic household consumption is 3,781kWh (RenewableUK, 2018). Calculation is based on 5.6 MW based on currently available turbines and assume a consistent supplier for all turbine locations (MW x capacity x 8760)/3.781 – where 8760 is number of hours in a year.

circumstances which make future targets more achievable. In the increasingly unlikely event that the 2020 targets are met then the proposed Development would contribute significantly to longer reaching targets.

3.4 National Planning Framework (NPF 3)

95. The National Planning Framework (NPF3) was laid before the Scottish Parliament on June 23 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 and includes 14 national developments identified which support the strategy. It is expected that the targets relating to renewable energy and the reduction of greenhouse gases which are stated in NPF3 will be updated and pushed out in the next version of NPF, following the lead given by the Energy Strategy.
96. The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 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.
97. There is high level support for the promotion of renewable energy developments throughout many parts of NPF 3. 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.
98. 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."*
99. Paragraph 3.7 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.
100. 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.
101. NPF 3 recognises the important role that windfarms can have in improving the long term resilience of rural communities. It advises at paragraph 3.7 that in some areas onshore wind energy *"is recognised as an opportunity to improve the long-term resilience of rural communities. We are seeing more communities benefiting from local ownership of renewables, with at least 285 MW of community and locally-owned schemes installed by 2013."* Paragraph 3.15 goes onto advise that the Scottish Government are aiming to achieve at least 500 MW of renewable energy in community and local ownership by 2020. The proposed Development is being brought forward with the opportunity for community shared ownership.
102. Paragraph 3.9 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 south west Scotland.
103. 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.
104. NPF 3 advises, at paragraph 3.24, the local and community ownership can have a lasting impact on rural Scotland building business and community resilience and providing an alternative source of impact. It states that *"collectively the potential benefits of community energy projects are nationally significant."*
105. NPF 3 provides strong support for developments such as the proposed Development.

3.5 Scottish Planning Policy 2014

106. The SPP provides the planning policy of the Scottish Government relating to nationally important land use matters. It is an important material 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 NPF 3 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.
107. 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.
108. 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 refers to the 2009 Act 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. This target has now been met, however the Scottish Government has announced further carbon emission targets in the 2017 Climate Change Plan as described in Appendix 3 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.
109. In the cases of Corlic Hill Wind Farm (Reference PPA-280-2022, May 2016) and Windy Edge Wind Farm (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 72.8MW). 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"*.
110. SPP sets out 2 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"*.
111. 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.
112. SPP creates a presumption in favour of development that contributes to sustainable development. Sustainable development is focussed on throughout the SPP. Paragraph 28 advises that: *"the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of the proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost."*
113. 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.

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114. The proposed Development Site is part of Arcleoch Windfarm and the National Forest Estate and has an extensive network of existing forestry roads onsite. The proposed Development makes efficient use of the existing land by maximising the use of the existing roads, some of the borrow pits and the construction compound and other hard standings. This will all minimise the creation of infrastructure and associated environmental impact.
115. 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. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising.”*
116. Paragraph 33 of SPP advises that if the Development Plan is over five years old, the relevant policies are out of date; if there are no relevant policies then the presumption in favour of sustainable development is a significant material consideration.
117. The Development Plan is currently up to date having been adopted in October 2014. It is noted that it was adopted in October 2014 it will therefore be 5 years old later this year. As such, at the point of determination, it may be considered of lesser weight than a more recent Development Plan and the presumption in favour of sustainable development would be considered as a significant material consideration. It is acknowledged that the Wind Energy Supplementary Guidance, which is part of the Local Development Plan was adopted in December 2015 and was prepared in the context of SPP. When SPP is updated, the weight to the Supplementary Guidance would be diminished. 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.
118. SPP paragraph 145 relates to Scheduled Monuments (SMs) and is applied only to such designated sites. The SPP Glossary definition of SMs advises that they are:
- “Archaeological sites, buildings or structures of national or international importance. The purpose of scheduling is to secure the long term legal protection of the monument in the national interest, in-situ and as far as possible in its existing state and within an appropriate setting”.*
119. Paragraph 145 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.”*
120. It is understood from paragraph 145 and the definition of SMs that SMs should be preserved within an ‘appropriate setting’; and, that proposed Development should avoid adverse effects on the ‘integrity’ of those settings. The EIA Report Chapter 11 advises that there are no predicted significant effects on heritage assets or their settings resulting from the proposed Development. This test is therefore not considered further in this Planning Statement.
121. 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 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.
122. In Paragraph 154 the SPP states (inter alia) that:
- “The planning system should:*
- *support the transformational change to a low carbon economy, consistent with national objectives and targets, 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;”

* 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.

123. 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 3.2.

<p>Group 1: Areas where wind farms will not be acceptable: National Parks and National Scenic Areas.</p>		
<p>Group 2: Areas of significant protection: Recognising the need for significant protection, in these areas wind farms 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.</p>		
<p>National and international designations:</p> <ul style="list-style-type: none"> • 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. 	<p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. 	<p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • 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.
<p>Group 3: Areas with potential for wind farm development: Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p>		

Table 3.2: SPP Spatial Frameworks

124. The Site is located predominantly within a Group 3 Area with potential for wind development. There is a small area of the Site which is in Area 2 Area of Significant Protection, due to the area of carbon rich soils, deep peat and priority peatland habitat. This accounts for approximately 1% of the total Site. The presence of peat on the Site is a matter which has been carefully considered throughout the design evolution process. This has included peat probing work and consideration of peat depth, peat quality and peat slide risk. Further information is contained in Chapter 10 of the EIA Report. No turbines or infrastructure are located in the mapped carbon rich/ priority peatland area. In any event the mapping which is used in the SNH Carbon and Peatland Map 2016 is high level mapping which should not be used to rule out windfarm 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...”

125. 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.

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126. It is concluded that the proposed Development should therefore be seen as being located in a Group 3 location under the terms of SPP Table 1.
127. The SPP states that local development plans should set out the criteria that will be considered in deciding all applications for windfarms of different scales - including extensions and re-powering. It is noted, at paragraph 169, 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 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; and
 - the need for a robust planning obligation to ensure that operators achieve site restoration.
128. These criteria cover and go beyond the matters which are identified in Schedule 9 for consideration in S36 applications.
129. The following text of the 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 test set out in SPP. 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 Section of the Planning Statement considers the technical tests for the proposed Development and for ease of reference they are ordered as per the criteria set out in SPP Table 1 and paragraph 169.
- 3.5.1 Net Economic Impact**
130. SPR have a clear track record of delivering economic benefit as a result of their developments across Scotland and in the south west of Scotland specifically. The BVG Report (September 2017) 'Economic Benefits from Onshore Wind' (BVG Associates, 2017), sets out some of the economic benefits that have been realised as a result of the investments that SPR have

made in south east Scotland. From this it is evident from recent SPR experience, including the eight windfarms in south west Scotland subject of the BVG report, that suppliers of a wide range of goods and services within South Ayrshire, Dumfries & Galloway and Scotland as a whole would obtain benefit from the proposed Development. The eight windfarms recently constructed will result in a £1.6 billion lifetime investment with 66% of this within the UK. The study showed that, for these windfarms alone, investment in the local area amounted to £257 million, in addition to which the schemes generated £297 million GVA and created 7,768 local full time equivalent (FTE) jobs. Other economic benefits include direct payment to community benefit schemes amounting to over £59 million over the 25 year lifetime of the windfarms.

131. Chapter 14 of the EIA Report advises that it is anticipated that the proposed Development could total approximately £97 million, including turbines, civil engineering works, electrical plant and grid connection. It is expected that construction phase expenditure of approximately £2.1 million (approximately 2.2% of the overall total) would be spent in the South Ayrshire and Dumfries & Galloway administrative area. An estimated £18.0 million (18.6%) would be expected to be spent in the Scotland as a whole.
132. During the 18 months' construction phase, the proposed Development is expected to support 141 FTE jobs during the wider construction phase. . During the operational phase the proposed Development is expected to require between 3 and 5 new full time employees (engineers and technicians) locally and a further 2-3 posts would be created elsewhere in Scotland The proposed development would contribute between 10 and 14 FTE jobs to the local economy over its operational life and additional 10 - 14 FTE jobs number to the Scottish economy as a whole (total of 20 – 28 FTE). The effect on employment during the operational phase is considered to be positive.
133. The Scottish economy would be expected to be boosted by a total of £15 million of net GVA during the construction period. During the operational phase, based on a nominal 40 year period, the proposed Development would contribute some £42 million in GVA to the local economy through direct, indirect and multiplier effects, and over £116 million GVA to the economy of Scotland as a whole. This is considered to be a positive benefit of the proposed Development.
134. .Should the proposed Development gain planning permission SPR is committed to offering a package of community benefits to local communities that would include the opportunity for the community to invest in the operational windfarm. SPR has already shared initial information with the community about their opportunity to invest and has provided an introductory leaflet which outlines the investment structure (see Appendix 1). SPR would discuss with local stakeholders and Forestry and Land Scotland which communities would be the appropriate 'Community Organisations' to participate.
135. If the community were to invest in the ownership of the proposed Development it is expected that any proposed income streams could provide a long term, flexible revenue which could be used to support community projects within South Ayrshire and Dumfries & Galloway. A range of options would be available to local communities who would have the flexibility to be able to choose how the money is spent and prioritise it on the things which matter most to them. The Barrhill Community Action Plan 2017-2022⁵ gives an indication as to the type of initiatives that might be considered important within the Barrhill Community Council area, including the following:
- energy efficiency measures for residential properties;
 - improve broadband and mobile phone services;
 - IT, social media and communications training;
 - more health education and activities; and
 - improved visitor information and services.
136. Whilst these effects cannot be quantified at this stage due to uncertainty as to the quantum of funding that would be available to the Community Vehicle and its choice of investment priorities, it is clear that the proposed community investment measures could offer real socio-economic benefits to the local community and do have the potential to be significant.

⁵ Barrhill Community Council: Barrhill Community Action Plan 2017-2022

3.5.2 Contribution to Renewable Energy Generation Targets

137. 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 the decarbonisation of electricity generation and the proposal would contribute to this policy objective.
138. The proposed Development would have a total installed capacity of around 72.5 MW and (based on currently available turbines and assuming the same supplier for all turbine positions). This means that the proposed Development would produce between 200-230 GWh of electricity annually (based on site derived capacity factors of 31-36 %). This equates to the power consumed by between approximately 53,000 and 60,000 homes.
139. The use of the proposed turbines could produce in the region of 4-4.5 times more energy annually than using turbines of a similar size and specification as the existing Arcleoch Windfarm turbines on the Site. The type of turbines which are envisaged for the proposed Development could produce another 75 – 85% of the estimated production from the existing Arcleoch project, for an addition of only 22% of the existing number of turbines.
140. The scale of the proposed turbines means that 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.
141. 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 projects.

3.5.3 Effect on Greenhouse Gas Emissions

142. 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.
143. The proposed Development would make Scotland, and therefore the UK, less reliant on imported and price-volatile fossil fuels by generating energy to supply domestic needs of households.
144. The potential savings in CO₂ emissions due to the proposed Development replacing other electricity sources over the lifetime of the windfarm (assumed to be 40 years for the purpose of the carbon calculator) are approximately:
- 193,913 tonnes of CO₂ per year over coal-fired electricity (4.85 million tonnes assuming a 40 year lifetime for the purposes of the carbon calculator);
 - 59,111 tonnes of CO₂ per year over grid-mix of electricity (1.48 million tonnes assuming a 40 year lifetime for the purposes of the carbon calculator); or
 - 96,807 tonnes of CO₂ per year over a fossil fuel mix of electricity (2.42 million tonnes assuming a 40 year lifetime for the purposes of the carbon calculator).
145. It is concluded that the proposed Development would make a valuable and meaningful contribution to the reduction of Greenhouse gas emissions.

3.5.4 Cumulative Impacts

146. 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, cultural heritage and noise and is addressed in Chapters 7, 9, 13 and 14 respectively. Arcleoch, Kilgallioch, Chirmorie, Strannoch and Mark Hill are the key windfarms within close context of the proposed Development. Airies Farm, Balmurrie Fell, Artfield Fell and Glenchamber to the south increase the spread of windfarm development within the local area.

3.5.4.1 Landscape

147. The potential for cumulative impacts as a result of the proposed Development is carefully considered in the EIA Report at Chapter 7. The introduction of the proposed development within close context to the existing Arcleoch Windfarm would avoid any potential for encroachment into the most clearly defined 'spaces' within the local area, particularly between Kilgallioch and Arcleoch. The existing 'space' between Arcleoch and Mark Hill would be reduced as a result of the

proposed Development however the Duisk Valley maintains a spatial and visual separation between these developments. The proposed Development would extend the overall footprint of windfarm development in the local area however it would not, in itself, contribute to the coalescence of the existing windfarm development in the area.

148. It is acknowledged that the proposed Development turbines would be larger than the existing turbines of Arecleoch and Kilgallioch. In the case of the Pines Burn Wind Farm (Reference PPA-140-2069) which was consented Aug 2018 following a planning appeal cumulative design fit was a key issue. On this matter the Reporter concluded that: *'It is not unusual for wind farms, especially if extended, to comprise different turbines, and I am not aware that when built that aspect has been particularly contentious, nor has anyone brought such cases to my attention.'*

149. Notwithstanding the outcome of the consented scenario, it is the professional opinion, of the LVIA author, that the proposed Development in itself would not alter the current perception of a 'landscape with wind farms' characteristic within the immediate landscape and visual context of the Site.

3.5.4.2 Ecology and Ornithology

150. 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 respectively. In the case of both no significant cumulative impacts are predicted as a result of the proposed Development.

3.5.4.3 Cultural Heritage

151. Chapter 11 of the EIA Report considers cultural heritage. No significant cumulative effects are predicted on cultural heritage or archaeology as a result of the proposed Development.

3.5.4.4 Noise

152. The potential for noise to cause an unacceptable impact cumulatively has been carefully considered as part of the design process. The potential for unacceptable cumulative noise effects, as a result of the proposed Development, were a key design factor. As a result of the design iteration process and the embedded mitigation no significant cumulative noise or vibration impacts are predicted as a result of the proposed Development.

3.5.4.5 Summary

153. It is concluded that although there would be some significant landscape and visual cumulative effects, when considered in the round the cumulative effects, of the proposed Development, are considered to be acceptable.

3.5.5 Impacts on Communities and Individual Dwellings

3.5.5.1 Economic Impact

154. The proposed Development offers to the opportunity for economic benefit to the local community. To date, SPR has voluntarily awarded over £5.7 million in community benefit funding to South Ayrshire communities (and a nearly £5.5 million to communities in Dumfries and Galloway). A wide range of local projects and community initiatives in South Ayrshire have been supported by the funds including:

- 25 skills and employment projects totalling £183,067
- 158 youth and education projects totalling £602,237
- 143 sport and recreation projects totalling £561,503
- 224 community facilities and services projects totalling £602,237
- 74 community or local event projects totalling £218,490
- 27 environmental projects totalling £219,861
- 15 heritage projects totalling £87,441

155. A further community benefit allocation of more than £600,000 is expected to have been paid by the end of the calendar year in 2019⁶ bringing the total figure paid out to South Ayrshire communities to over £6 million.

156. Examples of jobs and training opportunities that have been funded by SPR's community benefit packages in South Ayrshire and Dumfries and Galloway:

- Ailsa Horizons Ltd - Extend Carrick Rural Opportunities Project to tackle local unemployment and underemployment;
- 2017 Newton Stewart initiative - Project Officer to improve the appearance and facilities in the town;
- 2018 Girvan Community Sport Hub - To fund a six-month employability pilot project seeking to identify, recruit, train and support six young people into employment in the South Carrick area; and
- 2018 Barrhill Community Interest Company - Employment of Village Handyman.

157. Benefits would accrue from the scale and nature of the proposed income streams, which would include the proposed Development, and, depending on the choices made, could have a positive effect on the physical and mental well-being of local residents as well as economic benefits. The long term nature of the income, arising from community benefit, would allow the community to plan ahead, to draw in other sources of match funding to maximise the benefits and investment projects could be designed to match local priorities.

3.5.5.2 Landscape

158. The impact of the proposed Development, in landscape terms, on communities, is considered in the EIA Report at Chapter 7. The settlements, and property clusters, which have been considered include: Barrhill, Pinwherry, Colmonell, Ballantrae, Newton Stewart, Stranraer and Girvan. The EIA Report concludes that of the settlements assessed none were assessed as having significant visual effects.

3.5.5.3 Residential visual amenity

159. Some significant landscape and visual effects, as a result of any proposed commercial wind farm, are unavoidable. Any wind farm proposed within 2km of residential properties has 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 wind farm.

160. 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 wind farms. 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."

161. In their Report on the proposed Fauch Hill/Harburnhead Wind Farms (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."

162. In their decision in relation to the proposed Afton Wind Farm (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."

163. The EIA Report includes an Assessment on Residential Visual Amenity RVAA at Technical Appendix 7.2. This has been carried out in accordance with the approach set out in the Landscape Institutes Technical Guidance Note 2/19 Residential

⁶ Not including indexation or top ups. Anticipated amount of remaining funds awarded to South Ayrshire by the end of the calendar year 2019 is c. £627,000.

Visual Amenity Assessment. The RVAA identifies no residential properties within 1 km of the turbines. Of the 4 residential properties within the study area 3 (Glenour, Kilrenzie Farm and Wheeb Farm) have potential views of the proposed Development. Although a high magnitude of change has been predicted for both of these properties the conclusion advises that the visual amenity at neither property is at a sufficiently high enough level of change for an overwhelming or overbearing visual effect to occur. The effect on residential amenity is considered to be acceptable.

3.5.5.4 Noise

164. The potential for noise to impact on the local community and individual properties has been carefully considered as part of the design iteration process. As a result of this process no significant noise or vibration impacts are predicted on local communities and individual dwellings as a result of the proposed Development.

3.5.5.5 Shadow flicker

165. The potential for the proposed Development to result in shadow flicker has been considered in the EIA Report. The results, presented in Chapter 15 of the EIA Report, confirm that the properties assessed would not experience over 30 hours of shadow flicker in a year. The effect is considered to be not significant and is acceptable.

3.5.5.6 Private Water Supplies

166. The potential for private water supplies to be impacted by the proposed Development has been considered in the hydrological assessment and the findings of the work undertaken in presented in Technical Appendix 10.3. At the request of SAC a conceptual site model has been included in the hydrology section of the EIA Report. It is concluded that there would be no significant impacts on private water supplies as a result of the proposed Development.

3.5.5.7 Traffic

167. Chapter 12 of the EIA Report considers the impact of the proposed Development on the local community. It is understood that residents at the site entrance are concerned over traffic movements in this area during the construction period. In order to address these concerns a TMP which would be prepared prior to the commencement of the proposed Development. This document would require that a Traffic Control system during construction is implemented and would include the following:

- All on site deliveries and collections will be co-ordinated through the Site Management Team and movements on to and off of site would be tracked by the Site Security Team;
- Drivers will be issued with and required to carry induction cards with a unique number to identify them that will be reviewed if any site protocols are breached; and
- Where possible, no daytime or overnight parking of site or construction vehicles (site employees or visitors) outside of any predetermined construction compounds or work sites will be allowed.

168. This TMP would be agreed with South Ayrshire Council and Dumfries and Galloway Council.

169. The impact on the traffic and transport network is considered to be acceptable.

3.5.5.8 Summary

170. No significant effects have been identified through the EIA process in respect of potential impacts on communities and individual dwellings. It is acknowledged that careful management of the construction traffic at the site entrance would be required and this would be addressed in the CEMP should consent be forthcoming. It is further acknowledged that Kilrenzie and Wheeb Farm would be subject to a high level of change as a result of the proposed Development. It is concluded that there are no effects on local communities and individual dwellings that mean that the proposed Development is unacceptable.

3.5.6 Landscape and Visual Impacts

171. 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 at Chapter 7.

172. The LVIA concludes that the significant landscape and visual effects of the proposed Development would be contained within a relatively moderate area around the Site, particularly when compared with other windfarm developments of a similar scale. Significant landscape character effects are identified as occurring within a maximum of 3 km from the nearest turbine to the

north and north west, increasing to 5km to the north and east. Significant visual effects have been identified as occurring out to 7 km. This is considered to be limited and localised in the context of windfarm development.

3.5.6.1 Visual Effects

173. The majority of significant visual effects are identified as typically occurring within 7km from the nearest proposed turbine. The assessment of effects on views has been informed by a series of 22 viewpoints that were selected, in agreement with SNH and South Ayrshire Council, to represent visibility from a range of receptors and distances throughout the study area. The visual assessment has found significant effects at seven locations, as follows:
174. For the operational scenario, there was found to be a significant effect for the following viewpoints:
- Viewpoint 01 - Chirmorie Cairn;
 - Viewpoint 02 - SA61 Core Path / Craigneil Road;
 - Viewpoint 03 - Minor road to the south of Barrhill;
 - Viewpoint 05 - A714 road near Blairhall Farm;
 - Viewpoint 07 - Minor road south of Pinwherry;
 - Viewpoint 13 - A714 road near Corwar House; and
 - Viewpoint 14 – Knockdolian.
175. For the cumulative scenarios, significant cumulative effects are limited to Viewpoint 13 - A714 road near Corwar House.
176. In addition to the viewpoints, potential effects of the proposed Development on routes through the local area were assessed. Of the routes assessed in detail, the A714 would have significant effects for a localised section of the route although significant sequential effects were not predicted. No significant effects on The Southern Upland Way are predicted.
- ### 3.5.6.2 Impact on Landscape Character
177. The LVIA has identified significant effects for localised parts of the landscape character areas that cover the Site and its immediate surroundings. Significant effects within the Plateau Moorlands with Forestry and Wind Farms (18c) Landscape Character Type (LCT) would extend to around 3km to the north and west as far as Pinwherry and Ford Hills which contain the effect from the Stinchar Valley; 5 km to the south, across the minor road to Luce from Barrhill and as far as the existing Kilgallioch windfarm; 2-3 km to the north east as far the Duisk Valley and 5 km to the east defined by the west slopes of the upper Duisk Valley.
178. Significant effects are also found for Plateau Moorlands with Forestry and Wind Farms (18c) LCT when the proposed Development is introduced into the consented and application cumulative scenarios.
179. Significant effects within the Intimate Pastoral Valley (13) LCT would be restricted to the Duisk Valley, effects within the Stinchar Valley assessed as negligible and Not Significant. The EIA Report, Chapter 7, notes that there are a large number of agreed viewpoints within the Intimate Pastoral Valley LCT (10 of the 22 viewpoints considered). Of these 7 are located within the Duisk Valley with 4 of these considered to experience significant visual effects. Of the 3 viewpoints within the Stinchar Valley part of this LCT the Knockdolian viewpoint is considered to experience significant effects and whilst this viewpoint overlooks the Stinchar Valley it sits above the valley floor and is not representative of effects within the smaller scale of the valley itself. Notwithstanding the differences between visual and landscape effects, the results of the viewpoint assessment does tend to support the findings of the landscape assessment of this LCT.
180. Significant effects within the Glen Tig (14) LCT would be restricted to the eastern end of the glen (limited to the area immediately surrounded by the Plateau Moorlands with Forestry and Wind Farms (18c) LCT. Such significant effects would arise largely due to the close proximity of the proposed Development but also take account of the interaction with the visibility and potential cumulative effects with other existing windfarms within this area, in particular Arecleoch, Mark Hill and Kilgallioch windfarms.

181. At greater distances, the effect on landscape character would not be significant due to the level of screening from intervening landform such as upland ridgelines and interconnecting hills that contain views of the Site from the surrounding landscape, the large scale Galloway Hills and Merrick range to the east and screening by other landscape elements such as the large degree of commercial forest in the immediate and wider surrounding landscape context as well as shelterbelt and woodland planting within surrounding valleys and on valley sides.

3.5.6.3 Impact on Landscape Designations

182. Part of the access route for the proposed Development is within the South Ayrshire Special Landscape Area (SLA). The Site is not located in any other area designated for landscape reasons. Significant effects within the South Ayrshire SLA would be limited to the area within the Duisk Valley of the Intimate Pastoral Valley (13) LCT and the eastern area of Glen Tig (14) LCT.

183. It is considered that other designations in the study area have no potential for significant effects including areas of Regional Scenic Areas, SLA, National Scenic Areas and Gardens and Designed Landscapes. It is also concluded that there would be no significant landscape effects on the Galloway Forest Park, Merrick Wild Land Area or Dark Sky Park.

3.5.6.4 Landscape Capacity

184. The EIA Report advises that in landscape and visual terms, it is considered that there is scope for wind farm development within the large scale upland landscape of the Plateau Moorlands with Forestry and Wind Farms (18c) LCT. Whilst significant effects extend to the nearby Duisk Valley and parts of Glen Tig, the proposed Development would appear set back from the edges of this upland area when viewed from the surrounding valleys and glens and would add to an existing pattern of development experienced from the immediately surrounding landscape and visual resource.

185. Whilst the proposed Development would extend the overall footprint of windfarm development it, is considered, that it would not in itself contribute to the coalescence of the existing or consented windfarms in the area. It is considered that the landscape is capable of accommodating the proposed Development, and that significant effects on the existing landscape character or visual amenity are relatively contained and are acceptable.

3.5.6.5 Night Time Assessment

186. The effect of the aviation lighting on the turbines has been considered in the EIA Report in the context of landscape at Chapter 7. The assessment of night time effects for the proposed Development has predicted significant effects for some of the viewpoints where effects were assessed as not significant during the day time. This is largely due to the appearance of lighting on an upland horizon which currently experiences limited effects from existing lighting. These are described as follows:

- For receptors at Viewpoint A: Wallace Terrace, Barrhill (LVIA VP 04)
 - 2000cd light in clear visibility - a significant effect for residential receptors is identified but is not identified for road users.
 - 200cd in clear visibility the effect is considered to be not significant for both receptors assessed;
- Viewpoint B: Minor road south of Pinwherry (LVIA VP 07)
 - 2000cd lighting in clear visibility would result in a significant night time effect.
 - 200cd in clear visibility the effect is considered to be not significant;
- Viewpoint C: A714 road near Corwar House (LVIA VP 13),
 - 2000cd lighting in clear visibility would result in a significant night time effect.
 - 200cd in clear visibility the effect is considered to be not significant;
- Viewpoint D: Minor road between Colmonell and Lendalfoot
 - 2000cd lighting would result in a significant effect during periods of darkness.
 - 200cd in clear visibility the effect is considered to be not significant.

187. The duration of the effect of the lights on receptors is likely to be over a relatively short period, more commonly experienced during evening and morning hours of darkness, around dusk and sunrise. The visual effects of the proposed Development at night would also be limited by the activity of receptors at night. Receptors that experience views at night are generally limited to residents of settlements, rural properties and motorists using the road network. Views from within properties are likely to be restricted by the use of window coverings, particularly in winter. Views from remote rural / coastal locations, beaches, mountains and footpaths etc. are visited infrequently at night therefore numbers of receptors affected will be low. The assessment of night time effects is also based on clear night time viewing conditions. At dusk and sunrise it may be possible

to identify the formation of the turbines with the red CAA lighting, but only in conditions of good and excellent visibility. At sunrise it may also be possible, in views from the west, to see the turbines lit and backlit by the rising sun.

3.5.6.6 Summary

188. It is acknowledged that there would be significant impacts on landscape and visual amenity as a result of the proposed Development. The design has been subject to a comprehensive review process, to ensure that as far as reasonable landscape and visual impacts of the proposed Development have been mitigated and avoided.
189. The EIA Report Chapter 7 concludes that in landscape and visual terms, there is scope for windfarm development within the large scale upland landscape of the Plateau Moorlands with Forestry and Wind Farms (18c) LCT. Whilst significant effects extend to the nearby Duisk Valley and parts of Glen Tig, the proposed Development would appear set back from the edges of this upland area when viewed from the surrounding valleys and glens and would add to an existing pattern of development (namely the Arecleoch, Kilgallioch and Mark Hill windfarms) experienced from the immediately surrounding landscape and visual resource.
190. Whilst the proposed Development would extend the overall footprint of windfarm development in the local area the proposed Development would not in itself contribute to the coalescence of the existing or consented windfarms in the area. It is considered that the landscape is capable of accommodating the proposed Development, and that significant effects on the existing landscape character or visual amenity are relatively contained.
191. The final design for the proposed Development has minimised effects within the wider landscape resource and ensured that the proposed Development has an appropriate landscape fit within the scale of the host landscape types and wider surrounding landscape context. It is considered that there is capacity for the proposed Development in this part of the South Ayrshire
192. For the reasons that are set out in the DAS, the EIA Report and this Planning Statement the proposed development is considered to be, on balance, acceptable in landscape terms.

3.5.7 Effects on the Natural Heritage, Including Birds

193. The Site is not located within any international, national or local ecology or ornithological designations. Chapter 8 of the EIA Report identifies the ecology designated sites in the vicinity of the proposed Development. They are as follows:
- Craig Wood Site of Special Scientific Interest (SSSI);
 - River Bladnoch Special Area of Conservation (SAC);
 - Kirkcowan Flow SAC;
 - Feoch Meadows SSSI; and
 - Blood Moss SSSI.
194. The locations of these are shown on Figure 8.1 of the EIA Report.
195. Chapter 9 of the EIA Report advises that the nearest designated areas for birds is the Glen App and Galloway Moors Special Protection Area (SPA) which is designated for breeding hen harrier. This is located approximately 3 km south of the proposed Development.
196. A number of ecology and ornithology surveys have been undertaken and the results of these have been provided in the EIA Report at Chapters 8 and 9 respectively. The presence of ecological features, in particular bats, have been carefully considered as part of the design iteration process for the proposed Development.
197. It is acknowledged that there would be an impact on goshawk and reasonable mitigation is proposed. The EIA Report advises that there would be no change in the conservation status of goshawk as a result of habitat loss and the adverse effects of direct habitat loss on them are deemed negligible and not significant under the EIA Regulations.

198. The proposed Development will result in some changes to the felling plan which will allow for the earlier introduction of more broad leaf species in the forest that would otherwise have been the case. This is considered to be beneficial to ecology.

199. In the case of ecology, it is concluded that there would be no significant impacts on any ecological features subject to the inclusion of the appropriate mitigation which is detailed in the EIA Report. This includes habitats and fauna. In the case of ornithology, it is concluded, the likely effects of the proposed Development are not significant under the terms of the EIA Regulations. The non-significant effects which have been predicted on natural heritage, including birds but excluding landscape, are considered to be acceptable.

3.5.8 Impacts on Carbon Rich Soils, Using the Carbon Calculator

200. Each unit of wind generated electricity would displace a unit of conventionally generated electricity, therefore, saving power station emissions. Table 15.4 of the EIA Report provides a breakdown of the estimated emissions displaced per annum and over the assumed 40 year lifespan for the proposed Development. The reference for the online Carbon Calculator Tool is AEIL-O3DM-Y1WSv4.

201. 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 2.2 years, when compared to the fossil fuel mix of electricity generation.

202. This means that the proposed Development is anticipated to take around 26 months (2.2 years) to repay the carbon exchange to the atmosphere (the CO₂ debt) through construction of a windfarm; the Site would in effect be in a net gain situation following this time period and can then claim to contribute to national objectives.

203. The impacts of the proposed Development on carbon rich soils has been carefully considered and is considered to be acceptable. The carbon calculator has been used to calculate the carbon payback which is considered to be acceptable.

3.5.9 Public Access

204. The Southern Upland Way is a 228 km footpath, one of the original four officially designated Long Distance Routes in Scotland, and now one of the family of Scotland's Great Trails. It is a coast to coast trail from Portpatrick in Dumfries & Galloway to Cockburnspath in Borders. It crosses to the south east of the Site, 2.4 km from the Site boundary.

205. The South Ayrshire website states that Core Paths, as the most important outdoor access routes in the area, provide a basic framework for public access which meets community needs, and minimises any potential conflict with land management operations. They provide opportunities for walking, cycling, horse riding and other activities, for people of all abilities, though each core path is not necessarily suitable for all types of access or ability of user. There are no core paths within the site.

206. In general terms the Site and surrounding area are deficient in Core Paths. SA67 is a 506 m long core path that leads from the centre of Barrhill along Cross Water past the Martyr's Tomb approximately 1 km east of the Site. Core Path SA61 is to the north of the Site and connecting Sixpence on the A714 with Colmonell, from where it continues west as Core Path 63. Core path 62 runs to the north of Core path 61 and is followed by the Whithorn way. Core Path 65 is to the west of the Site in the vicinity of Beneraird.

207. The Land Reform (Scotland) Act 2003 conferred general access rights over much of rural Scotland. The lack of any designated or recorded paths within the site, does not necessarily preclude the right of the public to use the area for recreational purposes including for walking, cycling and horse riding.

208. It is expected that members of the public may use parts of the site for walking and cycling and horse riding informally. The EIA Report chapter 14 advises that the provision of new tracks within the Site as a result of the proposed Development would have a beneficial effect for users, although within the context of being managed as a commercial forest. There is not expected to be any change from the baseline position whereby the level of recreational use is relatively low key and not formally promoted. Given the temporary nature of the construction works, the measures that would be put in place and the low sensitivity of the receptors, the effect on such users would be negligible and not significant. The impact of the proposed Development on public access is considered to be acceptable.

3.5.10 Impacts on the Historic Environment

209. Chapter 11 of the EIA Report considers archaeology and cultural heritage. There are no World Heritage Sites or inventoried Battlefields within 10 km of the proposed turbines. There are no designated heritage assets within the proposed Development area.
210. Within the Inner Study Area, used in the assessment, there is a single Listed Building, Glenour (Category B). There are 30 designated assets within the Outer Study Area used in the assessment. The Site is heavily forested but contains relict features of post-medieval agriculture with some prehistoric assets surviving within this context.
211. The EIA Report advises that the potential for unknown assets dating from the prehistoric period is moderate, from the medieval period low to moderate and for all other periods the potential is low. It concludes that there are no predicted significant construction or operational effects on heritage assets or their settings resulting from the proposed Development. The potential impact of the proposed Development on the historic environment is considered to be acceptable.

3.5.11 Impacts on Tourism and Recreation

212. 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 there is no conflict between visitors and the development of onshore windfarms. These documents include:
- Visit Scotland (2014) Scotland Key facts on tourism 2014;
 - Visit Scotland (2015) Scotland Visitor Survey;
 - Glasgow Caledonian University, Moffat Centre, Cogentsi (2008) The economic impact of Windfarms on Scottish tourism. A Report for Scottish Government;
 - Economy Energy and Tourism Committee 7th Report, 2012 Report on the achievability of the Scottish Governments renewable energy targets; and
 - BiGGAR Economics (2016) Windfarms and Tourism Trends In Scotland– A Research Report.
213. The overall conclusion of this review is that published national statistics on employment in sustainable tourism demonstrate that there is no relationship between the development of onshore windfarms and tourism employment at the level of the Scottish economy, either at local authority level or in the areas immediately surrounding windfarm development. Therefore the likely effect of the proposed Development when operational on the tourism and visitor economy is assessed as negligible and not significant.
214. The impact on public access, which includes recreation, has already been considered and this is not repeated. No impact on recreation in the Site is predicted.
215. The impact of the proposed Development on tourism and recreation are considered to be minimal and therefore acceptable.

3.5.12 Impacts on Aviation and Defence Interests and Seismological Recording

216. The EIA Report considers the potential for the proposed Development to impact upon aviation and defence interests in Chapter 15. From the consultation which has been undertaken it is concluded that the proposed Development, would not have an effect on aviation, from either physical obstruction or radar interference. This is considered to be acceptable. No seismological effects are predicted as a result of the proposed Development.

3.5.13 Impacts on Telecommunications and Broadcasting Installations

217. The potential impact of the proposed Development on telecommunications and broadcasting installations has been considered as part of the EIA Report. There is no indication that the proposed Development would interfere with telecommunications links. There is no predicted impact on these facilities. This is considered to be acceptable.

3.5.14 Impacts on Road Traffic

218. The EIA Report Chapter 12 considers the potential for the proposed Development to have a significant impact on road traffic. The proposed Development would not result in significant adverse effects with regards to Site access, traffic and transportation. The assessment has been based on the worst case scenario, with all rock material sourced from external site locations. Onsite borrow pits have been identified and it is anticipated that they would supply the Site with the majority of

material required to construct the access tracks which would further reduce the amount of HGV movements required to build the proposed Development. In summary, the proposed Development would create an increase to HGV traffic levels within the study area but these levels would remain well within the design capacity of the local road network.

219. The impact of the construction phase on each of the identified environmental criteria has been categorised as 'not significant'. The impacts of the proposed Development are considered to be acceptable.

3.5.15 Impacts on Adjacent Trunk Roads

220. In order for the proposed turbines to be delivered to the Site they would need to travel along some trunk roads. Abnormal loads would be transported from Cairnryan (although this is a restricted port) or more likely George V Dock in Glasgow to the Site as detailed in the Abnormal Load Assessment Report (ALRA) (Technical Appendix 12.5). The ALRA details that the Abnormal Loads would be delivered to the Site under controlled conditions and under a suitable escort. The manner in which abnormal loads are transported along the public highway/ trunk road network would be subject to the approval of Transport Scotland, the relevant Local Authorities and Police Scotland in advance and would be planned to ensure road safety is not compromised.

221. No significant impacts on the trunk road network are predicted as a result of the proposed Development. This is therefore considered to be acceptable.

3.5.16 Effects on Hydrology, the Water Environment and Flood Risk

222. 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 Technical Appendix 3.1: outline Construction Environmental Management Plan.

223. The EIA Report finds no significant effects on hydrology or the water environment. It finds no significant risk of flooding. These findings are subject to the implementation of mitigation measures which would be covered by a planning condition should consent be forthcoming. The proposed Development is therefore considered to be acceptable in terms of its effects on hydrology, the water environment and flood risk.

3.5.17 The Need for Conditions Relating to the Decommissioning of Developments

224. There is no proposal to limit the lifetime of the proposed Development. Should consent be granted, it is anticipated that there would be a condition which would deal with the requirement to remove turbines if they become non-operational for a defined period of time.

3.5.18 Opportunities for Energy Storage

225. The proposed Development includes a compound for ancillary grid services. The facility would be able to undertake a range of ancillary services as welcomed by National Grid, such as storing electricity, both importing and exporting power to the National Grid network as required and allowing the grid to manage both supply and demand (balancing services). The facility may also offer other services to National Grid such as frequency control, reactive power compensation and re-starting the electrical grid in the event of failure ('black start'). Amongst a range of services, an energy storage facility would provide back-up power to National Grid for the benefit of providing stability to the electricity supply network and the integration of more renewable energy generation. This would include battery containers, with up to 20 MW of battery equipment.

3.5.19 The Need for a Robust Planning Obligation to Ensure that Operators Achieve Site Restoration

226. There is no proposal to limit the lifetime of the proposed Development. Should consent be granted, it is anticipated that there would be a condition which would deal with the requirement to remove turbines if they become non-operational for a defined period of time or in the event of the proposed Development being decommissioned.

3.5.20 Summary

227. The proposed Development would meet the principles set out in SPP (paragraph 29). They would assist in the delivery of the outcomes which are identified in SPP and are considered to be consistent with sustainable development. The proposed Development is considered to satisfy the criteria which are set out at paragraph 169 of SPP. The proposed Development is in an area which has the potential for windfarm development subject to the satisfaction of the relevant criteria. The relevant

criteria have been considered and addressed through the EIA process. It has been concluded that, although there are a number of significant landscape and visual impacts as a result of the proposed Development, these are considered acceptable when the proposed Development is considered as a whole.

228. SPP also sets out a clear presumption in favour of development that contributes to sustainable development. Reference has been made to the application of the presumption in various Appeal cases and these are set out in this Planning Statement. It is submitted that weight should be attached to the meaningful contributions the proposed Development would make to meeting sustainability targets.

229. The proposed Development has been considered against the criteria set out in paragraph 169 of SPP. No significant effects have been found as a result of the proposed Development in respect of any of the criteria with the exception of landscape and visual. The significant landscape and visual effects have been found to be limited to approximately 7 km of the Site. These impacts are considered to be contained and localised. It is concluded in the LVIA that the landscape is capable of accommodating the proposed Development.

230. It is concluded that, when the proposed Development, the significant impacts which it would have and the benefits it would bring are considered in the whole, the proposed Development is acceptable and should gain consent.

3.6 The Development Plan

231. The majority of the Site is located within the administrative area of SAC. The Site entrance is located within the administrative area of D&GC. The Development Plan for the Site therefore comprises:

- South Ayrshire Local Development Plan (2014) and associated Supplementary Guidance; and
- Dumfries and Galloway Local Development Plan (2014) and associated Supplementary Guidance.

232. The proposed turbines would be located in SAC the Development Plan policies relevant to windfarm development are considered. In the case of the development in D&GC the proposed Development relates to traffic and the traffic and transport policies are considered in this Planning Statement.

3.6.1 South Ayrshire Local Development Plan 2014

233. The South Ayrshire Local Development Plan was adopted in September 2014 (the SALDP). Preparation of a new Local Development Plan (SALDP2) is underway with the proposed plan due to be published in the summer of 2019 with a period of consultation to follow. It is expected that SALDP2 will be adopted in 2020. The SALDP is therefore considered to be a relevant and up to date Local Development Plan, noting that the weight to be attached to it would decrease once it becomes 5 years old towards the end of 2019 and also in the context of the revisions in SPP and NPF 3 to reflect SES and OWEP.

234. The Wind Energy Policy is the most relevant SALDP Policy to the proposed Development. The SALDP Wind Energy Policy states:

“We will support proposals if:

- a. they are capable of being accommodated in the landscape in a manner which respects its main features and character (as identified in the South Ayrshire Landscape Wind Capacity Study or in any subsequent updates to that study), and which keeps their effect on the landscape and the wider area to a minimum (through a careful choice of site, layout and overall design);*
- b. they do not have a significant detrimental visual impact, taking into account views experienced from surrounding residential properties and settlements, public roads and paths, significant public viewpoints, and important recreational assets and tourist attractions;*
- c. they do not have any other significant detrimental effect on the amenity of nearby residents, including from noise and shadow flicker;*
- d. they do not have a significant detrimental effect on natural heritage features, including protected habitats and species, and taking into account the criteria in LDP policy: natural heritage;*
- e. they do not have a significant detrimental effect on the historic environment, taking into account the criteria in LDP policy: historic environment and LDP policy: archaeology;*
- f. they do not adversely affect aviation, defence interests and broadcasting installations; and*

g. their cumulative impact in combination with other existing and approved wind energy developments, and those for which applications for approval have already been submitted, is acceptable.

We will produce supplementary guidance on wind farms, which will identify preferred areas of search, areas with potential constraints and areas requiring significant protection; and will provide more detail on how the above-mentioned criteria will be applied in assessing all proposals for wind farms and turbines. We will use the South Ayrshire Landscape Wind Capacity Study (or any subsequent updates to that study) to help us decide the effect of proposals on the landscape.

Development proposals will not be permitted where, either individually or cumulatively, they would adversely affect the integrity of a Natura 2000 site.”

235. The wind energy policy is generally supportive of windfarm developments subject to the satisfaction of specified criteria. The matters raised these criteria have been addressed in the context of SPP and Table 3.3 with the exception of the South Ayrshire Landscape Wind Capacity Study which is contained in Section 3.6.2. The commentary in respect of the criteria is not repeated here.

236. The following policies of the SALDP are also considered to be relevant to the proposed Development:

- LDP Policy: Renewable Energy;
- LDP Policy: Landscape Quality;
- LDP Policy: Protecting the Landscape;
- LDP Policy: Woodland and Forestry;
- LDP Policy: Preserving Trees;
- LDP Policy: Historic Environment;
- LDP Policy: Archaeology;
- LDP Policy: Natural Heritage;
- LDP Policy: Land use and Transport;
- LDP Policy: Outdoor Public Access and Core Paths;
- LDP Policy: Water Environment;
- LDP Policy: Agricultural Land;
- LDP Policy: Air, Noise and Light Pollution;
- LDP Policy: Minerals and Aggregates: and
- LDP Policy: Dark Skies.

237. These policies are provided in full in Appendix 5 of this Planning Statement for ease of reference. An assessment of the proposed Development against these policies is contained in Table 3.3. Table 3.3 is contained at the end of Section 3.6.1 of this Planning Statement.

3.6.1.1 South Ayrshire Local Development Plan Supplementary Guidance: Wind Energy 2015

238. The South Ayrshire Local Development Plan Supplementary Guidance: Wind Energy 2015 (the SGWE) adopted in December 2015 outlines the Spatial Framework for wind energy development within South Ayrshire. The purpose of the SGWE is to set out in the spatial strategy for wind energy and to provide guidance to developers on how the policy criteria in the SALDP will be interpreted by SAC.

239. The Site is largely located in an area which the SGWE defines as being an operational windfarm. This is shown in Figure 4. This classification is also shown in Figure 1 of the South Ayrshire Landscape Wind Capacity Study.

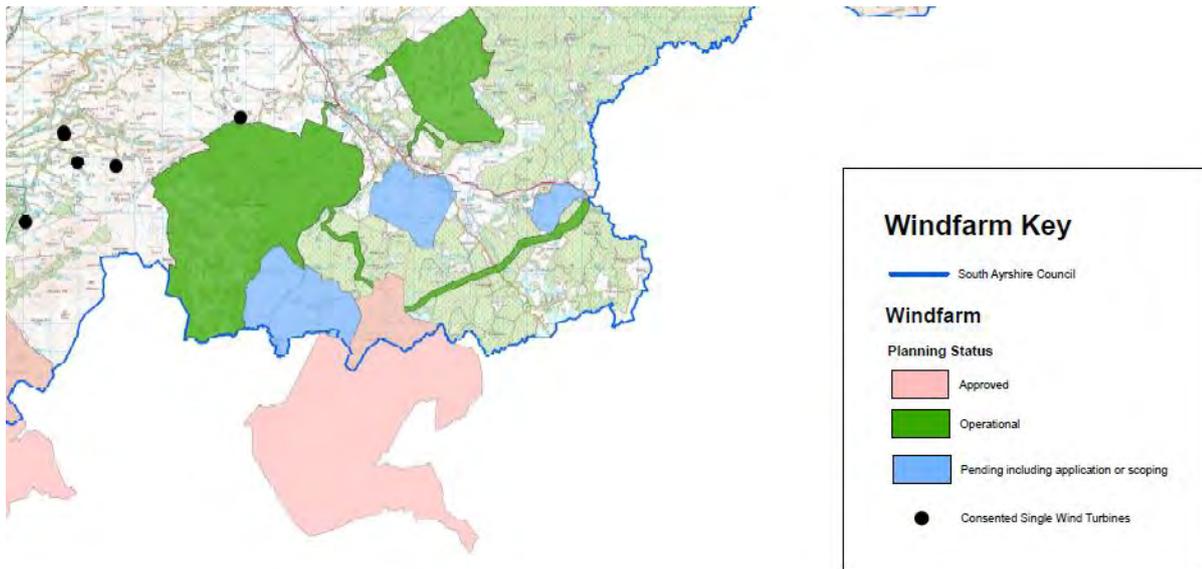


Figure 4 Extract Map 1 Wind Energy Proposals SGWE

240. The SGWE identifies contains a Spatial Framework which is based on SPP. This identifies areas which have potential for windfarm development and those which require significant protection. The Site for the proposed Development is located in an area identified as 'Areas with potential for Windfarm development' and 'Area of significant protection'. The area of the Site within the Area of significant protection relates to the proximity of the Site to Barrhill and the presence of peat on the Site as considered in respect of Table 1 of SPP in earlier text. This is shown in Figure 5.

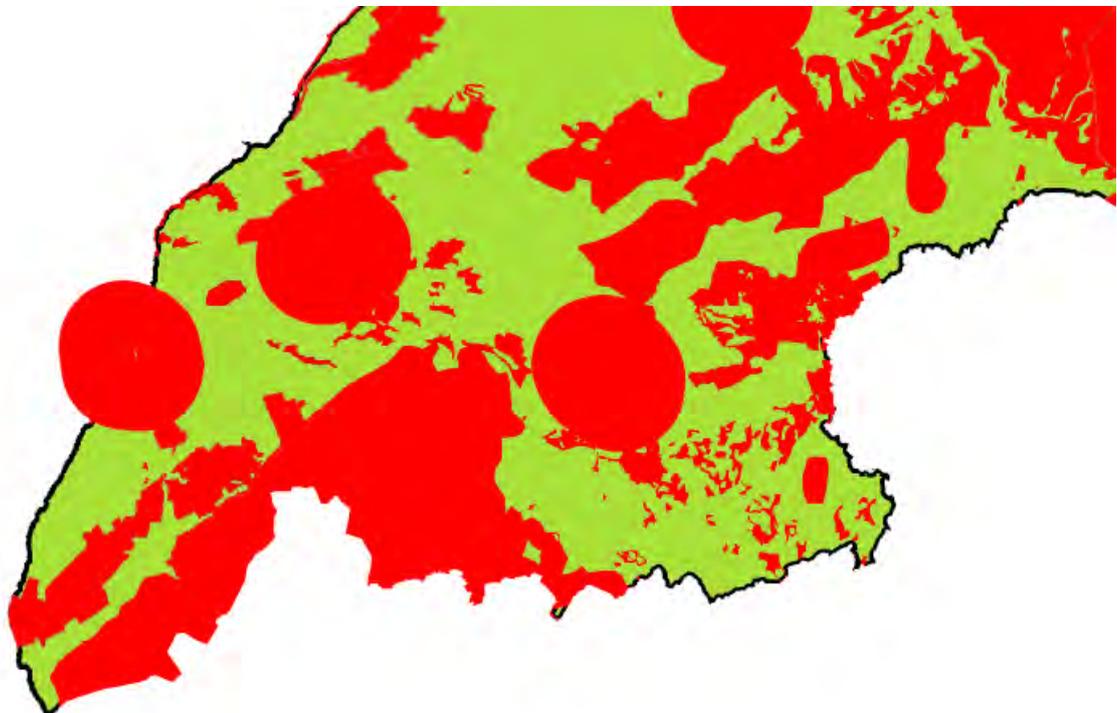


Figure 5 Extract Picture 3 Spatial Framework SGWE

3.6.1.2 South Ayrshire Landscape Wind Capacity Study

241. The SGWE, refers to the (SALWCS) which provides advice on landscape sensitivities, thresholds and cumulative issues amongst other things. The SALWCS was updated in August 2018. The SALWCS is a useful tool but it must be clear that the

way in which landscape capacity studies generally provide advice on landscape sensitivity careful consideration on a case by case basis is required. This is backed up by several appeal and Scottish Ministers decisions relating to windfarm applications.

242. The SALWCS places the Site within Landscape Character Type (LCT) 18 C Plateau Moorlands with Forestry and Windfarms. This area is identified as having some potential to accommodate turbines over 130m high as part of repowering schemes for operational windfarms.
243. 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 including Dersalloch Windfarm (Reference EC00003172) Larbrax Windfarm (Reference PPA-170-2105 October 2016), Sorbie Windfarm (Reference AIR-NAY-001 September 2015) and Kirk Hill Wind Farm (Reference PPA-370-2052, February 2017).
244. In the case of Dersalloch Wind Farm (Reference EC00003172) in South Ayrshire, the site partly borders East Ayrshire. The site is within an area identified in the South Ayrshire Landscape Wind Capacity Study as an area having no capacity for turbines of greater than 70m in height. Despite submissions from East Ayrshire Council that the proposal should be refused because there was no capacity for turbines of greater than 70m, the Scottish Ministers granted consent for 16 turbines of 125m to tip and 7 turbines of 115m to tip.
245. In the decision on Larbrax Windfarm (Reference PPA-170-2015 October 2016) the Reporter was clear, at paragraph 26, that although the relevant landscape capacity study (for Dumfries & Galloway and which formed part of the adopted Supplementary Guidance) indicated there was no capacity for a wind farm development on the scale proposed at the Site, it did not oblige the decision maker to refuse planning permission. Indeed in that case the Reporter went on to uphold the appeal and grant planning permission.
246. In the case of Kirk Hill Wind Farm Reference PPA-370-2052, February 2017), the Reporter allowed the appeal despite the fact that the South Ayrshire Landscape Capacity Study did not consider there to be capacity for the proposed development.
247. 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 wind farm 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.
248. The EIA Report concludes that the landscape has the capacity to accommodate a windfarm of the scale of the proposed Development.

3.6.1.3 Review of the Proposed Development against SALDP

249. Table 3.3 identifies the matters which are raised in the SALDP that are considered to be relevant to the proposed Development. It responds in summary to the issues that are raised in the relevant policies.

Issue	Local Development Plan Reference	Response
Renewable Energy	LDP Policy: Renewable Energy LDP Policy Wind Energy	The wind energy policy is supportive of windfarm developments subject to the satisfaction of specified criteria. The matters raised these criteria have been addressed in the context of SPP. The landscape capacity study is considered in the context of the SALWCS in 3.6.1.2 and in the other parts of this table.
Landscape and visual impact	LDP Policy Wind Energy - Parts a. and b. LDP Policy: Landscape Quality LDP Policy: Protecting the Landscape LDP Policy: Dark Skies SGWE part A SGWE part B	There are a number of significant landscape and visual impacts which are identified in the EIA Report. These are reported in the context of para 169 of SPP. In the context of Protecting the Landscape it is important to note that the proposed Development would have tangible benefits to the economy. The proposed Development is clearly justifiable in a rural location. It is not considered that the landscape impacts which are predicted mean that the proposed Development is not in accordance with any of the SALDP.
Woodland and Forestry	LDP Policy: Woodland and Forestry; LDP Policy: Preserving Trees SGWE Part H	The proposed Development would result in the net loss of 60.1 hectares of commercial forestry. There would compensatory planting for this in line with current requirements. The proposed Development is considered to be in accordance with the woodland and forestry policies of the SALDP.
Historic environment	LDP Policy Wind Energy Part e LDP Historic Environment LDP Policy: Archaeology SGWE Part E	The design evolution of the proposed Development has had cognisance of Listed Buildings, Scheduled Monuments, Conservation Areas, Gardens and Designed Landscapes and their settings. Regard has also been had to the presence of non-designated known archaeological features. The proposed Development would not have a significant impact on the historic environment, either as a result of the proposed Development on its own or cumulatively. Archaeological monitoring is proposed during construction, as set out in Chapter 16 of the EIA Report. The proposed Development is considered to be in accordance with the historic environment requirements of the SALDP.
Natural environment (excluding landscape)	LDP Policy: Natural Heritage LDP Policy Wind Energy – Part d SGWE Part D	The Site is not located in an international, national or local designated ecology or ornithology area. The design of the proposed Development has had due regard to the presence of ecology and ornithological features. There would be no adverse effect on protected species as a result of the proposed Development. The proposed Development would not have a significant impact on the natural environment, either as a result of the proposed Development on its own or cumulatively. Ecological mitigation is proposed, as set out in Chapter 16 of the EIA Report. The proposed Development is considered to be in accordance with the natural environment requirements of the SALDP.
Traffic and transport	LDP Policy: Land use and Transport SGWE Part C	The proposed Development would not have a significant impact on traffic and transport. Mitigation is proposed during construction in the form of a TMP, as set out in Chapter 16 of the EIA Report. This would seek to minimise the potential for any negative effects of road traffic. The proposed Development is considered to be in accordance with the traffic and transport requirements of the SALDP.
Socio economics	LDP Policy: Outdoor Public Access and Core Paths	The proposed Development would not have any significant impacts on core paths and public access. It would provide additional access within the Site itself. It would not impact upon a core path. The proposed Development is considered to be in accordance with the public access policy of the SALDP.
Noise	LDP Policy: Air, Noise and Light Pollution SGWE Part C	The proposed Development would not have a significant impact in respect of noise, either as a result of the proposed Development on its own or cumulatively. The proposed Development is considered to be in accordance with the natural environment requirements of the SALDP.
Hydrology and geology	LDP Policy: Water Environment	The potential impact of the proposed Development on the water environment has been assessed. The proposed Development would

	LDP Policy: Minerals and Aggregates SGWE Part H	not harm the water environment or its biodiversity, it would not pose an unacceptable risk to the quality of controlled waters. The inclusion of 6 borrow pit areas within the site layout and the approach to using material that would be won as the site is developed would help to ensure that the impacts on local communities associated with the import off aggregate to the site are minimised. The borrow pit search areas have been assessed as part of the EIA process and no significant effects have been identified. The proposed Development is considered to be in accordance with the hydrology and geology requirements of the SALDP.
Land use	LDP Policy: Agricultural Land	The proposed Development would not result in the loss of prime agricultural land and therefore the proposed Development is in accordance with the SALDP in this regard.
Residential amenity	LDP Policy Wind Energy – Part c SGWE Part C	The potential impact of the proposed Development on residential amenity is considered in the context of SPP at 3.5.5. The proposed Development is considered to be in accordance with the residential amenity requirements of the SALDP.
Aviation and broadcasting	LDP Policy Wind Energy Part f SGWE Part F	There would be no significant impact on aviation and broadcasting as stated at 3.5.12 and 3.5.13. The proposed Development is considered to be in accordance with the aviation and broadcasting requirements of the SALDP.
Cumulative	LDP Policy Wind Energy Part g SGWE Part G	The issue of significant cumulative impact as a result of the proposed Development has been considered throughout the EIA. It is reported in 3.5.4 of this Planning Statement. The proposed Development is considered to be in accordance with the cumulative requirements of the SALDP.
Communities	SGWE Part C	The potential positive and negative impacts of the proposed Development on communities has been considered in the commentary on SPP and in other parts of this Table. The impact on communities not significant and is considered to be acceptable.

Table 3.3: Review of SALDP Policies

250. For the reasons set out in Table 3.3 and by inference in Section 3.5 of this Planning Statement, it is concluded that the proposed Development is in accordance with the SALDP.

3.6.2 Dumfries and Galloway Local Development Plan (2014)

251. The Dumfries and Galloway Local Development Plan (DGLDP) was adopted in September 2014. D&GC are currently working on a new Local Development Plan which will supersede the DGLDP, however this is not expected to come into force until September 2019. The DGLDP is therefore considered to be a relevant and up to date Local Development Plan Policy. Like the SALDP the weight to be attached to the DGLDP should be reduced once it reaches 5 years old.

252. DGLDP Policy T1 Transport Infrastructure is considered to be the most relevant DGLDP policy to the proposed Development located in DGC. Policy T1: Transport Infrastructure states that proposals relating to existing and new transport infrastructure should accord with the regional and local transport strategies. It states that Development proposals which have the potential to affect the performance of the strategic transport network should be appraised. The proposed Development would involve the transportation of turbines within the strategic network along the A74 (M) and A75. The policy further advises that development which involves a new direct access onto the regional road network should not materially reduce the level of service on the route. The proposed Development would utilise an existing access onto the A714 which is a regional route. For the reasons set out in the context of SPP and SALDP it is considered that the impacts on traffic and transportation as a result of the proposed Development are considered to be acceptable and therefore the matter is not considered further here.

253. DGLDP Policies IN1 Renewable Energy and IN2: Wind Energy, also have some relevance as the proposed Development would include a Site access for windfarm development. Policy IN2 states that proposals will be assessed against set considerations, which have been considered in the context of SPP and SALDP and are not considered further here. For the reasons set out in table 3.3 and by inference in section 3.5 of this Planning Statement it is concluded that the proposed Development is in accordance with DGLDP in so far as it is relevant.

254. Policies T1, IN1 and IN2 are provided in full in Appendix 6 for ease of reference. There is no relevant Supplementary Guidance which relates to the type of works proposed in the Dumfries & Galloway Council (D&GC) area as part of the proposed Development.

255. It is concluded that the proposed Development is in accordance with the DGLDP.

3.7 Scottish Government Planning Guidance

256. The Scottish Government provides advice and guidance for planning applications which has relevance to windfarm development. This Guidance is for planning applications and covers many of the issues that have been identified in the context of renewable energy policy, the Development Plan, NPF and SPP and is therefore not set out in this Planning Statement.

3.8 SNH - Spatial Planning for Onshore Wind Turbines – Natural Heritage Considerations 2015

257. In June 2015, SNH published Spatial Planning for Onshore Wind Turbines – natural heritage considerations. This guidance document focuses on providing advice in developing spatial frameworks for wind energy developments. The guidance is aimed at planning authorities and, whilst the document does not set out any new policy positions or technical requirements for applicants, it does highlight the importance of natural heritage considerations and provides links to existing policy and guidance documents.

258. The design evolution process which has been carried out for the proposed Development has respected natural heritage considerations in an appropriate manner. The proposed Development is in a location which, is largely, considered as an area with the potential for windfarm development in the context of SPP Table 1 provided as Table 3.2 of this Planning Statement.

3.9 Historic Environment Scotland Policy Statement 2019 (HESPS)

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

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

261. The EIA Report Chapter 11 has been prepared with reference to HESPS and concludes that there are no direct effects and limited effects on the settings of any cultural heritage assets arising from the construction and operation of the proposed Development.

3.10 The Balance of Issues

262. When the issues set out above are considered in the context of National Energy and Planning Policy and Local Planning Policy it becomes clear that the focus for any decision becomes a balance between the Landscape and Visual impacts of the proposed Development as the only significant unmitigatable environmental effects against the potential benefits of the project. The proposed Development is not located within a National Park or National Scenic Area and is therefore not in an area where windfarms are unacceptable under the terms of SPP.

263. The Site is not nationally or internationally designated, nor is it within a nationally important mapped area for wild land. The proposed turbines would be beyond 2 km from the nearest settlement. The closest settlements are Barrhill (3 km), Pinwherry (3.3 km) and Colmonell (3.5 km). The Site includes only a small area which are identified as priority peatland which has been would not be impacted on by the construction of the proposed Development. This has been achieved through a comprehensive design evolution process. The layout of the proposed Development incorporates embedded mitigation which has limited the impact of the proposed Development on peat. The proposed Development is considered to have an acceptable impact on peat. The minority of the Site is therefore considered to be a Group 2 area of significant protection.

264. Given that much of the Site is within an 'Area with Potential for Wind Farm Development' it is considered that there is a general presumption of support for a windfarm in this location.

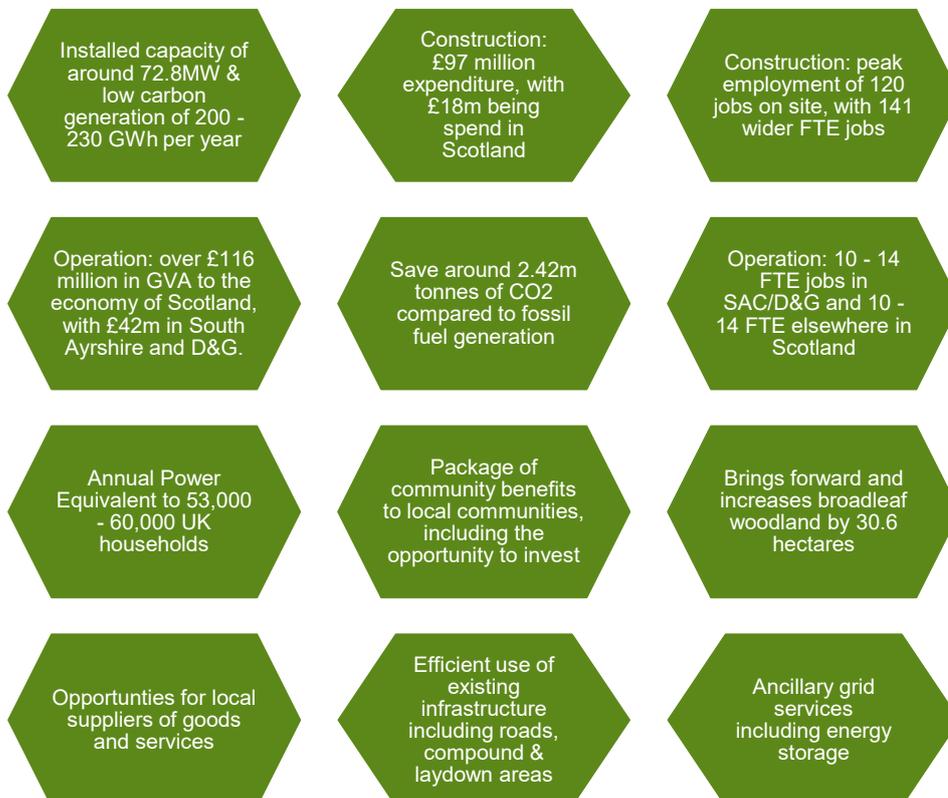
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265. Significant landscape and visual effects are an expected part of any windfarm development. The manner in which the proposed Development has been designed has sought to avoid significant effects on the most sensitive landscapes and viewpoints. The residual significant landscape and visual effects are commensurate with the scale and nature of the proposed Development and are considered to be acceptable.
266. It is considered likely that the proposed Development would generate in the region of between 200 – 230GWh per annum (annual energy production). The promotion of wind energy, and its supply to the national grid, would contribute towards the aim of a low carbon economy set out clearly in National Policy.
267. The use of the proposed turbines could produce in the region of 4-4.5 times more energy annually than using turbines of a similar size and spec as the existing Arecleoch turbines on the Site. The type of turbines which are envisaged for the proposed Development could produce another 75 – 85% of the estimated production from the existing Arecleoch project, for an addition of only 22% of the existing number of turbines (60 turbines at Arecleoch and 13 at the proposed Development).
268. The scale of the proposed turbines means that potential of the Site is being maximised to its full generation potential while carefully balancing the environmental impacts.
269. A project of this scale would create local economic benefits, particularly during construction where local businesses, trades, suppliers, construction firms and hoteliers would see increased trade. The applicant is committed to offering the community the opportunity to invest in the proposed Development. The potential economic benefits, associated with the proposed Development as a result of the shared ownership process, offer valuable financial support to the community over and above the community benefits which would be made. The offer provides the community with the opportunity to invest in the future of the local area. The benefits could be used for long term investment in the local community.
270. Overall the proposed Development would have beneficial economic impacts, which include local and community socio-economic benefits such as employment and associated business and supply chain opportunities. The potential economic benefits are considered to be substantial sums of money which are demonstrable and clearly linked to the proposed Development.
271. It is submitted that the identified economic benefits would support the outcomes of National Policy on shared ownership. They have the potential to help the community become a successful, sustainable, naturally resilient and low carbon place.
272. SPP sets out a clear presumption in favour of development that contributes to sustainable economic development. Given the level of environmental effects expected from the development which have been carefully considered following design and mitigation, set against the positive outcomes which the proposed Development would demonstrably have, it is considered that the proposed Development would contribute significantly to sustainable economic development.
273. It is concluded that the proposed Development gains considerable support from both planning and renewable energy policy.

4 Conclusions

274. This Planning Statement has considered renewable energy policy and has identified the renewable energy targets which have been set in Appendix 3. Appendix 3 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 billed as a climate ‘crisis’ or ‘emergency’. The proposed Development would make a meaningful contribution to the Scottish Government’s uncapped target of generating the equivalent of 100% of electricity demand from renewable sources beyond 2020. While the UK Government is clear that they expect the generation of renewable energy to become more self-sufficient, Scotland continues to support the existing framework to meet ambitious targets. The viability of sites is critical to the ability to meet targets. The design process has sought to maximise the viability of the proposed Development. It has carefully considered the scale of the turbines in order to maximise the generating capacity of the windfarm within the technical and environmental constraints that exist on the site and in the surrounding area.
275. There is a clear need to intensify the drive for renewable development production and onshore wind energy plays an important part of meeting the renewable energy targets. Developments such as the proposed Development, which are considered to be environmentally acceptable and maximise the potential opportunity of a site, need to be consented.
276. The UK Government’s objective to cut carbon emissions (at a low cost) combined with the Scottish Government’s ambitious targets mean that large onshore wind sites with good wind resource, which are well located in terms of infrastructure, including grid connection, along with limited significant environmental impacts, should be developed. The proposed Development fulfils these requirements.
277. The proposed Development is located in a site which is considered to be suitable for windfarm development in the context of Table 1 of SPP.

4.1 Benefits of the Proposed Development

278. The benefits of the proposed Development can be summarised as follows:



4.1.1 Energy Policy and Relevant Targets

279. The benefit of the proposed Development in respect of its contribution to Energy Policy and relevant targets, as well as the expected energy generation potential of the Site are set out in Section 3.

280. It is anticipated that the proposed Development would provide a valuable contribution to renewable energy and decarbonisation targets with a total installed capacity of around 72.5 MW and (based on currently available turbines and assuming the same supplier for all turbine positions). This means that the proposed Development would produce between 200-230 GWh of electricity annually (based on site derived capacity factors of 31-36 %). This equates to the power consumed by between approximately 53,000 and 60,000 homes.

281. The use of the proposed turbines, rather than turbines of the same scale as the existing Arcleoch turbines, means that the proposed Development could produce 4 to 4.5 times more energy per turbine (annual energy production) than the existing turbines. The proposed Development could therefore produce between 75 – 85 % of the estimated production of the existing Arcleoch turbines, for an addition of only 22 % additional turbines (13 turbines against 60 existing).

4.1.2 Economic Impacts

282. The total economic value of the renewables industry within South Ayrshire is not known, but some data are available for the south west Scotland region. One of the most recent studies, which was undertaken in 2018 by independent renewable energy analysts BVG Associates looked at economic benefits created by eight ScottishPower Renewables onshore windfarms in south west Scotland commissioned between 2016 and 2017. The windfarms have a combined capacity of 474MW and would have a £1.6 billion lifetime investment, 66% of this would be in the UK. The study showed that, for these windfarms alone, investment in the local area amounted to £257 million, in addition to which the schemes generated £297 million GVA and created 7,768 local full time equivalent (FTE) jobs. Other economic benefits include direct payment to community benefit schemes amounting to over £59 million over the 25 year lifetime of the windfarms.

283. Chapter 14 of the EIA Report advises that proposed Development expenditure during the construction phase is estimated to be approximately £97 million and there is expected to be a peak workforce of 120. The Scottish economy would benefit by some £15 million net GVA during construction. During the operational phase, based on a nominal 40 year period, the proposed Development would contribute some £42 million in GVA to the South Ayrshire and Dumfries and Galloway economy through direct, indirect and multiplier effects, and over £116 million to the economy of Scotland as a whole. This is considered to be a positive benefit of the proposed Development.

4.1.3 Community Shared Ownership Impacts

284. As stated in Section 2 of this Planning Statement, as an integral part of the proposed Development SPR is offering the community the opportunity to invest in the proposed Development.

285. Given recognised economic uncertainty associated with on shore wind Scottish Energy Strategy 2017 and OWPS (See Appendix 3) it is difficult to predict the net economic impact of the shared ownership offering from the proposed Development. However it is recognised that it has the potential to make a valuable contribution to the local economy generally.

4.1.4 Community Benefit Impact

286. If consented, a Community Benefit Fund would be made available to communities in the region of the Site in addition to the £5.7 million in community benefit funding to South Ayrshire communities that SPR has contributed to date through existing windfarm projects (with nearly £5.5 million to communities in Dumfries and Galloway).. The potential that this could create in the form of investment and match funding should be recognised and considered as valuable.

4.1.5 Other Benefits

287. In addition to the economic benefits of the proposed Development set out above the proposals include for:

- a carbon payback period of 2.2 years for the proposed Development;
- could provide a range of ancillary grid services to National Grid such energy storage which would provide back-up power to National Grid for the benefit of providing stability to the electricity supply network and meet our increasing demands for cleaner energy, a low carbon economy and provide for energy security;
- displacement of 96,807 tonnes of CO₂ per year over a fossil fuel mix of electricity (2.42 million tonnes assuming a 40 year lifetime for the purposes of the carbon calculator);

- the project makes efficient use of existing land and infrastructure such as tracks which limits the amount of new track required to facilitate the proposed Development; and
- improves forestry access tracks which could be used under the right to roam.
- brings forward and increases broadleaf woodland by 30.6ha.

4.2 Residual Environmental Effects

288. This section is supported by Section 3 which sets out a detailed consideration of the environmental effects of the proposed Development on a topic by topic basis, based on the criteria set out in Paragraph 169 of SPP 2014.
289. The scoping and consultation effort alongside further survey work highlighted some key issues which would require careful consideration including:
- the positioning of turbines with respect to ecological constraints;
 - the positioning of turbines with respect to peat deposits onsite;
 - the positioning of turbines with respect to the closest properties to the Site;
 - the potential for cumulative effects;
 - the composition of turbines in views from key viewpoints; and
 - the manner in which the turbines would be accommodated in and respect the landscape into which they would be placed.
290. These issues have been carefully considered alongside technical and economic matters including:
- spacing turbines appropriate to the swept rotor area so they would capture the wind efficiently as an array,
 - the size of turbines and energy generation potential to make an economic Site;
 - the need to create cost efficient road access to turbine positions; and
 - the manner in which to treat forestry onsite to minimise felling requirements for the proposed Development.
291. Environmental and technical factors as well as advice from consultees and members of the public continually fed into the design process. Taking all these main issues into account a final design for the proposed Development was agreed which could be subject to final EIA.
292. The EIA considered the effects of the proposed Development on a topic by topic basis. Its purpose was designed to expose the potential for significant environmental effects from the proposed Development and thereby understand the need for mitigation, where required or possible, concluding with an understanding of what residual effects would be. The conclusions of the EIA are presented by independent consultants in the EIA Report which accompanies the application. The findings in the EIA Report identify the required mitigation as integral to the proposed Development. The findings of the EIA Report are set out in brief in Table 4.1 which summarises the findings of the EIA Report.

Topic	Summary of Mitigation	Residual environmental Effect
Landscape	<ul style="list-style-type: none"> Design 	Limited significant effects
Visual	<ul style="list-style-type: none"> Design 	Limited significant effects
Ecology	<ul style="list-style-type: none"> Design Pre-Construction Surveys Construction Environmental Management Plan Species Protection Plan Bat Mitigation and Monitoring Plan 	Not significant
Ornithology	<ul style="list-style-type: none"> Design Pre-Construction Surveys Construction Environmental Management Plan 	Not significant
Soils, Geology and the Water Environment	<ul style="list-style-type: none"> Design Water quality monitoring Construction Environmental Management Plan Peat Management Plan Construction Methodology Statement (CMS) Pollution Prevention Plan (PPP) (including monitoring, as appropriate); Site Waste Management Plan (SWMP); and Water Management Plan (WMP). 	Not significant
Forestry	<ul style="list-style-type: none"> Compensatory Planting 	Not significant
Cultural Heritage and Archaeology	<ul style="list-style-type: none"> Design Monitoring 	Not significant
Noise and Vibration	<ul style="list-style-type: none"> Design Construction Environmental Management Plan Conditions covering operational noise 	Not significant
Site Access, Traffic and Transport	<ul style="list-style-type: none"> Construction Environmental Management Plan Traffic Management Plan 	Not significant
Socio-economic, Tourism and Recreation	<ul style="list-style-type: none"> None 	Not significant
Aviation	<ul style="list-style-type: none"> Use of aviation lighting for CAA Use of aviation lighting for MOD 	Not significant
Other Environmental Issues	<ul style="list-style-type: none"> Design Construction Environmental Management Plan 	Not significant

Table 4.1: Summary of Environmental Effects

293. The EIA Report sets out a number of mitigation measures, including embedded mitigation as part of the design process and the inclusion of a CEMP, should consent be forthcoming. As a result, the proposed Development would not result in any significant adverse effects on biodiversity, traffic and transportation, aviation and defence, noise and residential amenity. In addition to this there is the potential for economic benefits to arise as a result of the proposed Development.

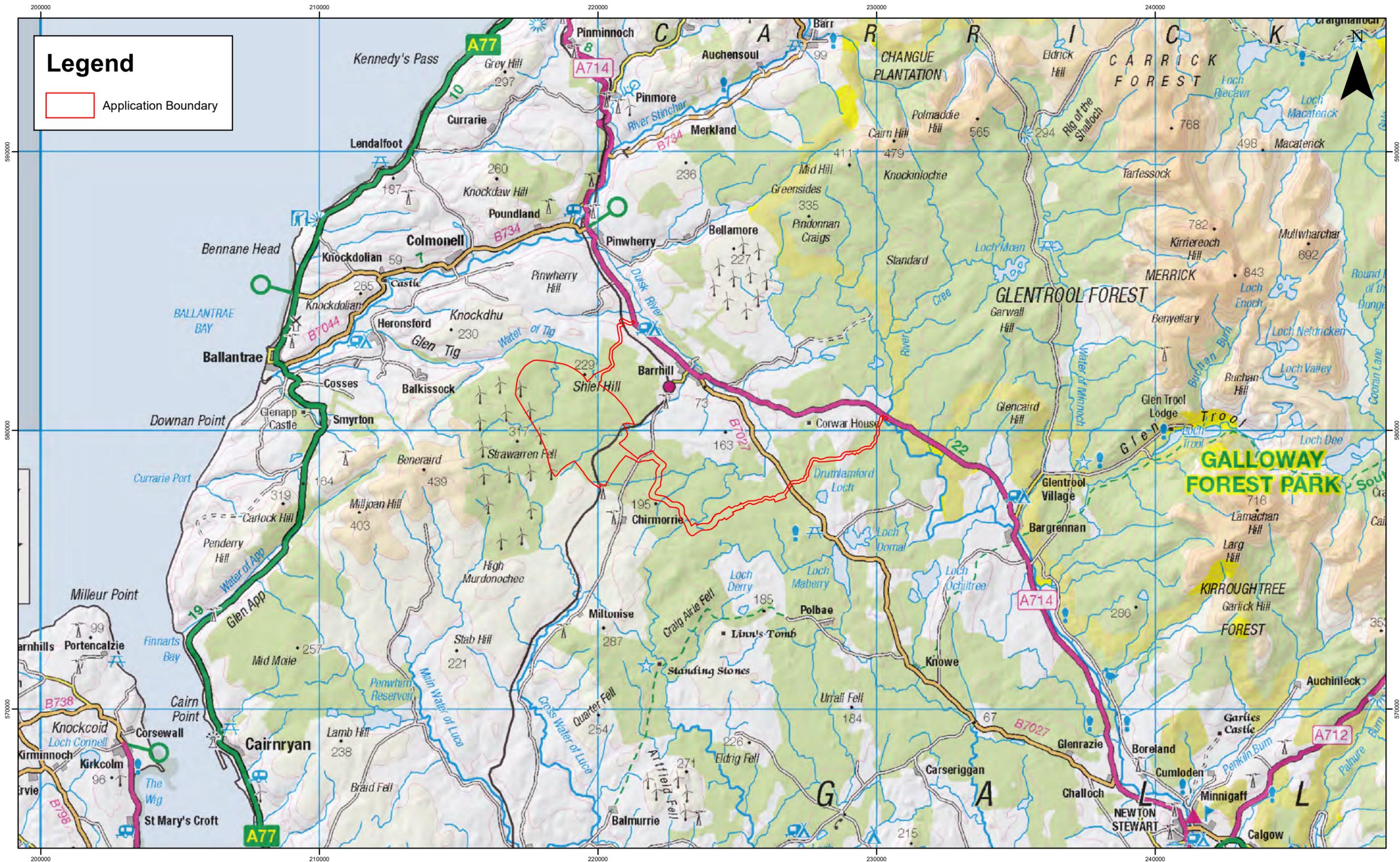
294. The proposed Development has the potential to make a valuable contribution to the targets that have been set by the Scottish Government for the production of renewable energy and reduction of carbon emissions. The proposed Development would also make valuable community and socio-economic benefits which are described in this Planning Statement.

295. The national planning policy is supportive of the proposed Development. The proposed Development is considered to be acceptable when assessed against the criteria set out in SPP at paragraph 169. In the context of the SALDP and the DGLDP it is concluded that the proposed Development is acceptable. In reaching this conclusion regard has been had to the potential for significant effects on the identified criteria. The proposed Development is considered to be in accordance with the Development Plan.
296. The proposed Development has addressed the criteria set out in Schedule 9 of the 1989 Act taking into account other policy considerations including the relevant Development Plan. On this basis, it is requested that the S.36 consent is granted and deemed planning permission is forthcoming in order that the benefits identified in this Planning Statement can be delivered

Figures

Legend

 Application Boundary



Rev	Date	By	Comment
A	13/05/19	LM	First Issue.

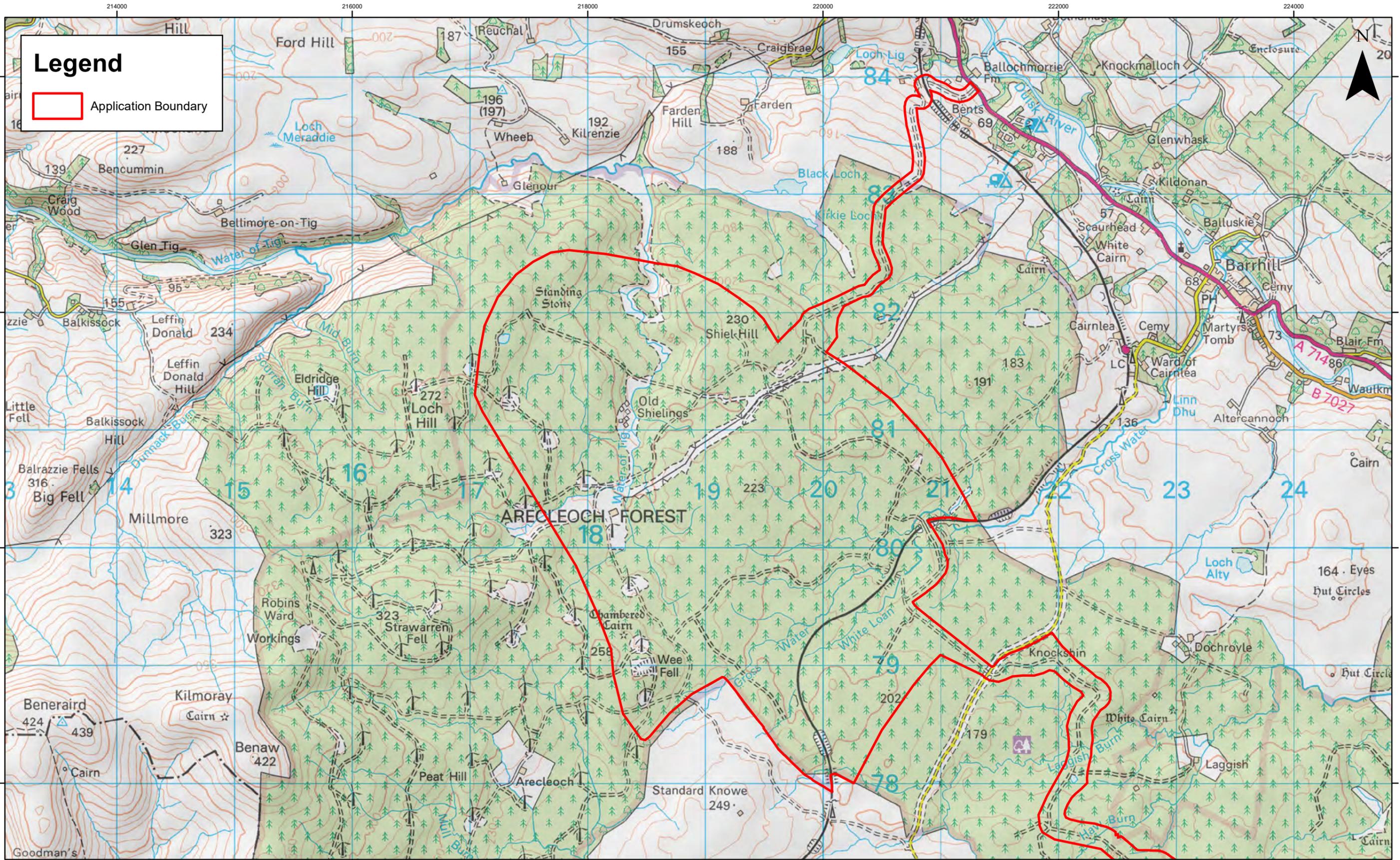
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Arecleoch Windfarm Extension - EIAR Planning Statement Site Context

Drg No	00481.00049.1.0 PS		
Rev	A	Datum:	OSGB36
Date	13/05/19	Projection:	TM
Figure	1		



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Application Boundary



Rev	Date	By	Comment
A	13/05/19	LM	First Issue.

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Arecleoch Windfarm Extension - EIAR
Planning Statement
Site Location

Drg No	00481.00049.2.0 PS	
Rev	A	Datum: OSGB36
Date	13/05/19	Projection: TM
Figure	2	



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Application Boundary



Rev	Date	By	Comment
A	13/05/19	LM	First Issue.

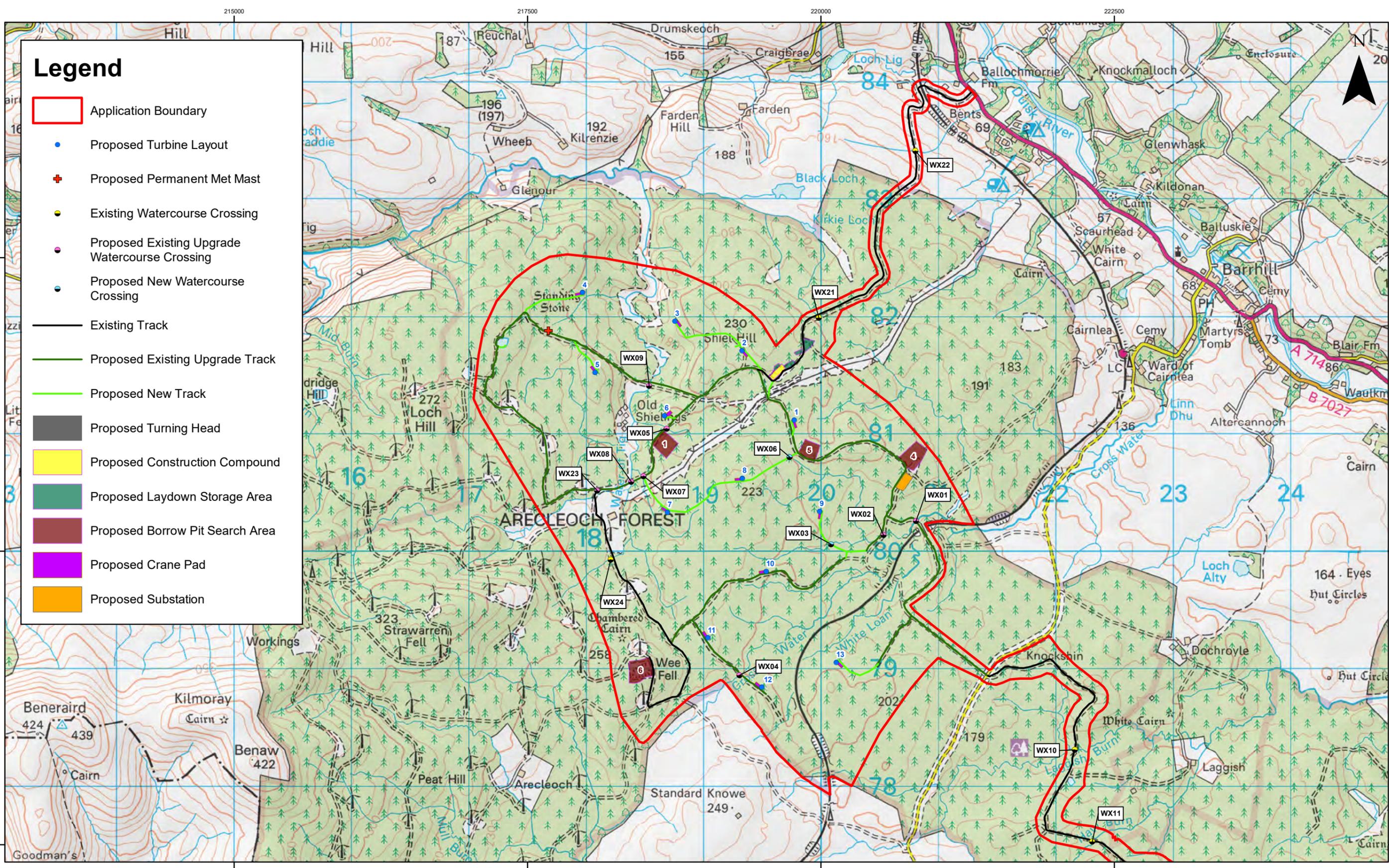
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Arcleoch Windfarm Extension - EIAR
Planning Statement
Site Location

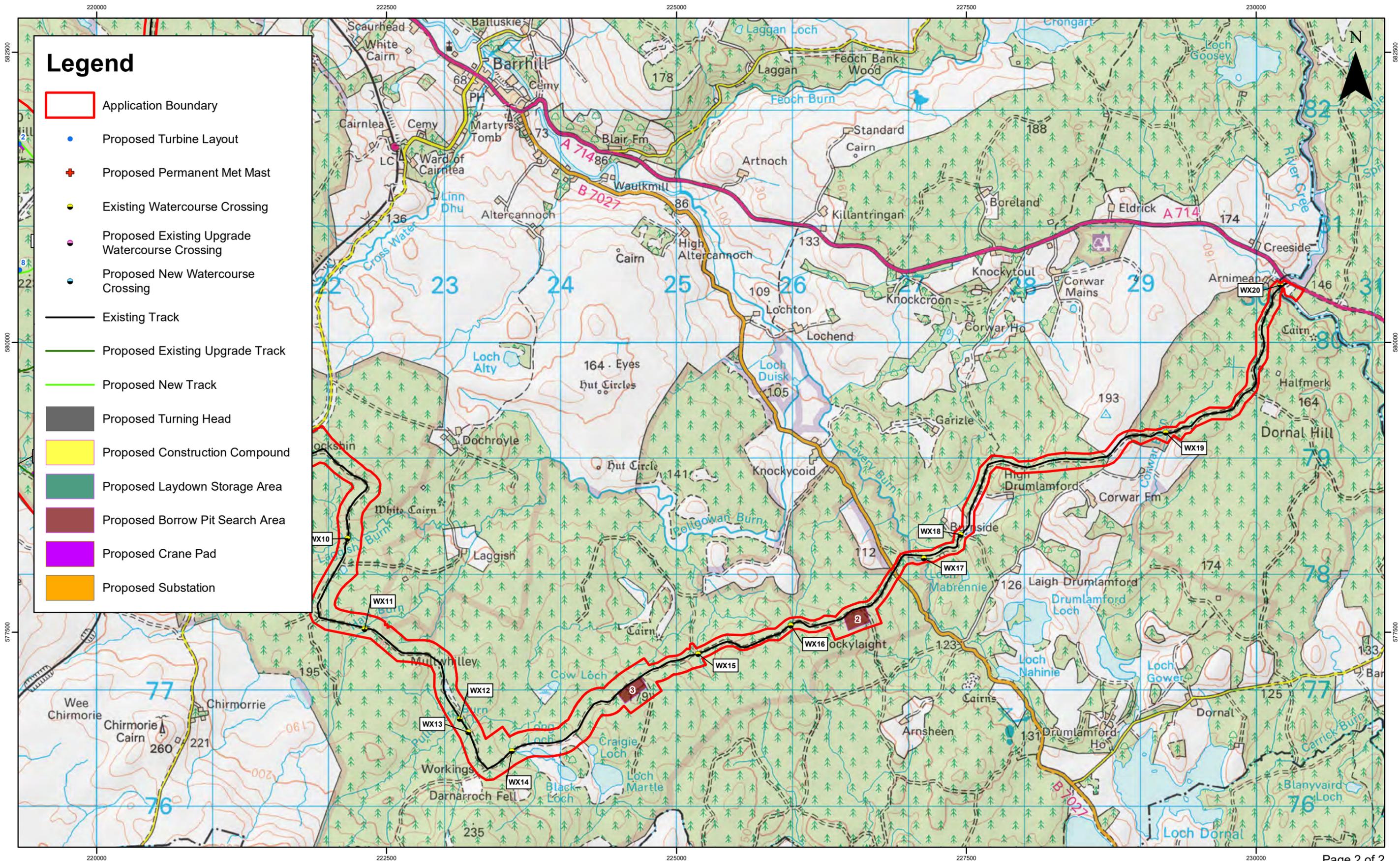
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Rev	A	Datum: OSGB36
Date	13/05/19	Projection: TM
Figure	2	



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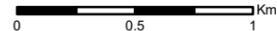
- Application Boundary
- Proposed Turbine Layout
- + Proposed Permanent Met Mast
- Existing Watercourse Crossing
- Proposed Existing Upgrade Watercourse Crossing
- Proposed New Watercourse Crossing
- Existing Track
- Proposed Existing Upgrade Track
- Proposed New Track
- Proposed Turning Head
- Proposed Construction Compound
- Proposed Laydown Storage Area
- Proposed Borrow Pit Search Area
- Proposed Crane Pad
- Proposed Substation

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Rev	Date	By	Comment
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Arecleoch Windfarm Extension - EIAR
Planning Statement
Proposed Site Layout

Drg No	00481.00049.3.0 PS	
Rev	A	Datum: OSGB36
Date	13/05/19	Projection: TM
Figure	3	

Appendix 1: Community Ownership Leaflet



Background

Forestry and Land Scotland* appointed ScottishPower Renewables as one of several developers to investigate the possibility of developing wind energy projects on the National Forest Estate.

ScottishPower Renewables has been investigating this opportunity and our Arecleoch Windfarm Extension, in South Ayrshire, is currently under development. We have carried out a range of environmental surveys and consulted with a wide variety of local stakeholders and anticipate the project is likely to be up to 13 turbines capable of generating around 73 megawatts.

The added capacity will help meet our increasing demands for cleaner energy, and will contribute towards the Scottish Government's targets for renewable energy, a low carbon

economy and greater energy security.

The process to take a windfarm through development from initial environmental assessments, to receiving permission to build and operate it, through to the point where communities may invest could take approximately five years.

Should ScottishPower Renewables receive consent to build and operate Arecleoch Windfarm Extension, we intend to provide benefits to the local communities. This will include an opportunity to invest in the operational windfarm, should the community choose to do so.

Community participation

We will talk to local stakeholders and Forestry and Land Scotland to determine which communities are eligible to participate. The criteria to define an appropriate Community Organisation comes from the community right-to-buy under Land Reform legislation. These include:

- being properly constituted;
- being geographically defined and situated by, near to, or on the land proposed for development;
- having open membership - membership of the Community Organisation is expected to be open to all members of the Community the Organisation represents; and
- ensuring members of the Organisation remain in control of the Organisation.

Responsibility resides with the Community Organisation to show how it has defined the community area. Existing geographical boundaries that can help with this include: community council areas, postcode units, council wards etc.



The Scottish Government has developed a Rural Community Mapping Tool to assist communities:
<http://crtb.sedsh.gov.uk/crtb/>

*From 1st April 2019, Forestry Commission Scotland became part of Scottish Government, with the regulatory section named Scottish Forestry and Forest Enterprise named Forestry and Land Scotland.

Proposed Investment structure

Interested Community Organisations should combine to form a single Community Vehicle to channel their investment. The Community Vehicle should be either a limited company or a limited liability partnership. The Community Vehicle will be the entity that administers the community benefit fund and would also have the opportunity to invest in the operational windfarm, on behalf of all the interested Community Organisations.

The Community Vehicle can:

- A) Receive a community benefit payment to the Community Organisation, OR
- B) Convert the community benefit payment into a Carried Equity stake** for the Community Organisation
- C) Raise capital to invest in the operational windfarm***

The Community Vehicle as a whole will be able to invest between a minimum of 5% and a maximum of 49% of the overall windfarm costs (please note that the 5% minimum does not apply to the Carried Equity stake).

There is no obligation on the Community Organisation to invest in the windfarm. The Community Vehicle may select to receive the community benefit payment without investing.

**A Carried Equity stake is one where the Community Vehicle converts its entire community benefit payment into an investment in the windfarm. In this case the Community Vehicle foregoes the right to the annual community benefit payment, but in return receives an equity stake in the windfarm and therefore a share of the windfarm's profits.

*** The Community Vehicle will raise funds from third parties such as banks or individuals in order to invest in the windfarm and to buy an equity stake in the windfarm.

Risks of investing

Investing in an operational windfarm carries risks as we cannot predict how the windfarm will perform.

At this stage in the windfarm's development it is not possible for ScottishPower Renewables to provide accurate information regarding the return on investment the Community Vehicle could make. This will become more clear after the project has received planning permission and we move towards construction. At that stage we will know the size of the windfarm and more accurate

information about project finances. ScottishPower Renewables will only progress the project if it is financially viable for us to do so.

Once the windfarm is operational any return the Community Vehicle may get from the investment would be variable, and would depend on how much energy the windfarm produces. Any return may not be paid out for a number of years and there is no guarantee on a return from the investment.

Investment information

Should the windfarm receive consent, ScottishPower Renewables will publish an appropriate investment Offer Document. This document will detail what the Community Vehicle could expect to earn from an investment and the related risks. The Community Vehicle does not need to decide if it wishes to invest until an Offer Document is provided and should base the decision to invest solely on the information provided within the Offer Document. The Offer Document would be published after planning consent and prior to commencement of construction.

Support for Communities

The Scottish Government has put in place a number of mechanisms to support communities that wish to invest in renewable projects. Local Energy Scotland can help guide communities through the process and provide access to grants which can be used to pay for legal and financial advisers to help you consider if an investment opportunity is appropriate for your community. The Scottish Government funds the Community and Renewable Energy Support (CARES) scheme, which can provide repayable finance to communities to help them invest in renewable projects.

CARES is administered by Local Energy Scotland, more information can be found at <https://www.localenergy.scot/>

We will keep you informed as the project progresses and, in line with Forestry and Land Scotland guidance, we will provide you with information in a timely manner so you are able to

fully assess the opportunity. If you think that your Community Organisation may be interested and would like to receive more information as it becomes available, please register your interest with ScottishPower Renewables.

Further information about community investment in renewables on the National Forest Estate can be found on Forestry and Land Scotland's website.

For further information about Arecleoch Windfarm Extension or to register your interest to invest please contact arecleochwindfarmext@scottishpower.com or write to:

Arecleoch Windfarm Extension Project Team, ScottishPower Renewables, 9th Floor, ScottishPower House, 320 St Vincent Street, Glasgow, G2 5AD.

Appendix 2: Schedule 9 of the Electricity Act 1989

1. 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) *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."*

2. 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."

3. 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.
4. 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.
5. In Scotland the matter was considered in the William Grant / Dorenell s.36 Wind Farm 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 Malcolm stated:

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

“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”.

6. It is therefore considered that there is no ‘primacy’ of the Development Plan in the case of application made under section 36 of the 1989 Act. This was made clear in the Reporter’s Report in respect of Harestanes Windfarm (Reference IEC/3/77 May 2007). The findings of fact stated:

“Schedule 9 of the Electricity Act 1989 identifies a number of matters – concerning natural and built heritage and fisheries – to which regard must be had in considering an application under section 36 of the Electricity Act. However these are not the only relevant matters in this case. Others include: energy policy; the development plan and other planning policy guidance; the environmental effects of the proposal; and the views of consultees and other parties.”

7. In the Fauch Hill/Harburn Head S36 Decision (Reference EC00003184 and EC00003190 respectively July 2014) the Reporters found that:

“There was general agreement that section 25 of the Town and Country Planning (Scotland) Act 1997 was not engaged in a section 36 Electricity Act application. Nonetheless, there was also agreement that this did not mean that the development plan was irrelevant, not least because it contained policies relating to many of the environmental features listed in Schedule 9. There was also general agreement that the Scottish Government energy policy is a further important consideration.”

“We consider the basis of our decision is the consideration of the impact on the environmental features listed in Schedule 9, the policies of the development plan and other relevant practical considerations (such as the impact on aviation radar) bearing in mind the context set by the Scottish Government energy policy.”

Appendix 3: Renewable Energy Policy

Renewable Energy Policy

1. 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 material considerations to the determination of the application for the proposed Development.
2. 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 Section 3.3 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

3. 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.
4. 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.
5. 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.
6. The twenty-first session of the Conference of the Parties (COP 21), 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.
7. The twenty-second session of the Conference of the Parties (COP 22), the twelfth session of the Conference of the Parties (serving as the meeting of the Parties to the Kyoto Protocol (CMP 12)), and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1) were held in Morocco in November 2016. The Conference successfully demonstrated to the world that the implementation of the Paris Agreement is underway and the constructive spirit of multilateral cooperation on climate change continues. The 23rd Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 23) took place in Bonn from 6 to 17 November 2017. The Conference produced new climate action initiatives, commitments and partnerships, the announced actions cover many of the areas covered by the Sustainable Development Goals including energy, water, agriculture, oceans and coastal areas, human settlements, transportation, industry, and forests. Climate finance and climate resilience were also at the centre of the discussions at the conference.

European Context

8. In January 2008 the European Commission published a package of 20-20-20 targets. This included proposals to:
 - reduce the EU’s greenhouse gas emissions to at least 20 % below 1990 levels;
 - increase the proportion of final EU energy consumption from renewable sources to 20 %; and
 - a reduction in primary energy use by 20 % compared with projected levels, which is to be achieved by improving energy efficiency.

-
9. These targets are set out in the EU Renewable Energy Directive (March 2009) and are to be achieved by 2020. The 20 % target is split between Member States. For the UK, the EC's obligations include a 16 % reduction in UK greenhouse gas emissions by 2020 and for 15 % of all energy consumed in the UK to be produced by renewable sources by 2020.
10. Directive 2009/28/EC created, at clause 13, mandatory national targets consistent with a 20 % share of energy from renewable sources by 2020. The Directive, clause 15, advises that it is necessary to translate the European Community target into individual targets for each Member State, with due regard to an equitable allocation, this takes into account the different starting points of the Member States and their potential, including the current level of energy from renewable sources and the existing energy mix.
11. In January 2014 the European Commission presented 'A 2030 Framework for Climate and Energy Policies' stating that the target of a 40 % emissions reduction below the 1990 level would be met through domestic measures alone. An EU-wide binding target for renewable energy of at least 27 % of energy consumption by 2030 was introduced which will be enforced through a new governance system based on national energy plans.

UK Context

12. 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

13. 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.
14. 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.
15. 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 UK Renewable Energy Strategy 2009

16. The requirement for delivery and monitoring, contained in the EU Directive March 2009, is reflected in the Executive Summary at paragraph 2.3 of the UK Renewable Energy Strategy (published in July 2009) (UKRES). It advises that the Commission has set indicative interim targets for the delivery of renewable energy to 2020. The summary advises that the first interim target, for the years 2011-2012, will be most challenging to meet, due to the time required to plan, finance and build renewable energy infrastructure. This interim target was to achieve 4 % share for renewables in the energy mix.

National Renewable Energy Action Plan

17. The National Renewable Energy Action Plan for the UK was published in July 2010, and advises that the UK needs to radically increase its use of renewable energy. It states that:

"The UK Government believes that climate change is one of the gravest threats we face, and that urgent action at home and abroad is required.....The development of renewable energy sources, alongside nuclear power and the development of carbon capture and storage, will also enable the UK to play its part in international efforts to reduce the production of harmful greenhouse gases."

2050 Pathways Analysis

18. The 2050 Pathways Analysis (published July 2010 by Business Energy Infrastructure and Strategy Department) presents a framework through which to consider some of the trade-offs and choices that will have to be made over the next 40 years. It

is system-wide and covers all parts of the economy and all greenhouse gas emissions in the UK. It demonstrates that it is possible for the 80 % emissions reduction target to be achieved in a range of ways. The document invited feedback on the choices that were to be made at the time.

The UK Renewable Energy Roadmap (UKRER)

19. The UK Renewable Energy Roadmap (published July 2011) sets out a comprehensive action plan to speed up the UK's deployment and use of renewable energy and to place the country on a path to achieving the targets for 2020, whilst reducing the cost of renewable energy over time. It identifies eight technologies, including onshore wind, that have the potential to assist the UK in meeting the targets in a cost effective way or that offer the greatest potential for the future.
20. The UK Renewable Energy Roadmap Update 2013 (published November 2013) advised that, since the first UK Roadmap, the UK was at that time on track to meet the first interim target towards the ambitious target of 15 % renewable energy by 2020. The Executive Summary reaffirmed the Coalition Government's commitment to increasing the deployment of renewable energy across the UK. The Executive Summary noted that the UK Government projections of energy consumption in 2020 had been revised downwards, and the estimated amount of renewable energy required to meet the 15 % target of renewable energy production (for heat, transport and electricity) had also been revised downwards in line with this projection of energy consumption.

UK Carbon Plan

21. The UK Carbon Plan (published December 2011) sets out how the UK Government proposes to tackle climate change and build a green economy through specific, practical action across government, with clear targets and milestones. The Plan is set in the context of Scotland's role in leading the way to a low carbon society, explaining what is meant by a low carbon society and economy, and why Scotland is ideally placed to be at the forefront of this transition.

The Fifth Carbon Budget

22. In November 2015, the Committee on Climate Change (CCC) advised the UK Government to set the fifth carbon budget (as required by the 2008 Act) to reduce UK greenhouse gas emissions in 2030 by 57 % relative to 1990 levels; that advice was accepted in June 2016. At that time provisional figures showed that in 2015 UK emissions were 38 % below 1990 levels (Source CCC).
23. In June 2016 the CCC also laid its annual progress report before Parliament. That report emphasised the need to then bring forward policies and proposals that would achieve the levels of reduction set out in the fifth carbon budget.
24. At the UK level there remains a clear commitment to reducing carbon emissions and seeking to address the impacts of climate change alongside support for renewable energy.

Reducing UK Emissions 2018 Progress Report to Parliament

25. Reducing UK Emissions 2018 Progress Report to Parliament (June 2018) is the most recent report to Parliament on progress in reducing emissions to meet carbon targets, as required under the 2008 Act.
26. The foreword to the Summary and Recommendations section of the report advises that although overall UK emissions continue to fall, the emissions from sectors out with power and waste have plateaued. This is sited as a worrying trend which cannot continue if the 2050 target is to be met. The committee says it is giving the government a strong message: "*Act now, climate change will not pause while we consider our options*".
27. The report concludes that progress in emission reduction is mixed across the devolved nations, with transport emissions in particular seeing increases across all three nations.

Scottish Context

28. 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.

29. 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

30. 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 Delivery Plan: Meeting Scotland's Statutory Climate Change Targets 2009

31. In the Climate Change Delivery Plan: Meeting Scotland's Statutory Climate Change Targets 2009 the Scottish Government set 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 been steadily increased since it was first introduced and is now 100 %. There is currently a substantial shortfall against this target, further information is provided in Section 3 of this Planning Statement. It is acknowledged that the proposed Development would not directly assist in meeting the 2020 targets owing to the timescales for its development. However, given that, if consented, it could achieve grid connection in 2023 it would start commercial operation in the third quarter of 2023 and would contribute making up for the anticipated shortfall in achieving the 2020 target.

The 2020 Renewable Routemap for Scotland Update 2011

32. The 2020 Routemap for Renewable Energy was published in June 2011 and updates and extends the Scottish Renewable Action Plan 2009. This document sets out a Scottish Government target to meet an equivalent of 100 % demand for electricity from renewable energy by 2020. The 2020 Routemap also makes a commitment to achieve at least 30 % overall energy demand (heat and transport as well as electricity) from renewable sources by 2020.

33. Section 2.3.4 of the 2020 Routemap identifies that in order to meet the 2020 target for 100 % of electricity demand from renewables, a further increase in consenting and deployment rates will be required.

34. Given the proven status of the technology, and the known and anticipated quantity of applications in the system, the Routemap notes that onshore wind is expected to provide the majority of capacity in the timeframe of the 2020 renewable electricity targets. Key actions relate to providing a supportive planning system which provides clear spatial and policy direction, continues to engage local communities, and balances the need to protect the environment alongside the need to continue to make progress to renewable energy targets (page 72).

Electricity Generation Policy Statement (EGPS) 2013

35. The Scottish Government published the Electricity Generation Policy Statement (EGPS) in 2013. The EGPS sets out the pathway to meeting the Scottish Government target of delivering the equivalent of at least 100 % of gross electricity consumption from renewables by 2020. It sets out how Scotland currently generates electricity, and the changes needed to meet Scottish Government targets and deliver a low carbon generating mix.

36. Paragraph 5 of the Executive Summary of the EPGs advises that the EPGs is constructed around a number of relevant targets and related requirements which include the following:

“delivering the equivalent of at least 100% of gross electricity consumption from renewables by 2020 as part of a wider, balanced electricity mix, with thermal generation playing an important role though a minimum of 2.5GW of thermal generation progressively fitted with Carbon Capture and Storage (CCS); and enabling local and community ownership of at least 500MW of renewable energy by 2020”.

The 2020 Renewable Routemap for Scotland Update 2013

37. The 2020 Renewable Routemap for Scotland Update 2013 was issued in December 2013. This document advises on the progress that has been made to date in the renewable energy sector and identifies what requires to be progressed and the ways in which the requirements are being addressed.

38. The Ministerial Forward states that *“Renewable energy is a central element of a strategy for a successful Scotland. Scotland’s vast renewable energy resources create major job and investment opportunities and – as part of wider common balanced energy mix – will deliver secure, low carbon and cost effective energy supplies”* (page 3)

Reducing Emissions in Scotland 2015 (2015 Report)

39. The fourth report on Scotland’s progress towards meeting emission reduction targets, as requested by Scottish Ministers under the Climate Change (Scotland) Act 2009, was published in March 2015 by the Committee on Climate Change. The 2015 Report assessed latest emission trends across the economy and for energy supply; homes and communities; business and the public sector; transport; agriculture; rural land use and forestry and waste.

40. The 2015 Report suggests that the Scottish Government should continue to investigate additional opportunities to reduce emissions that go beyond current policies. The 2015 Report advises that the Climate Change Committee proposes to agree a process and timeline with the Scottish Government to advise on the implications of improved inventory data that is expected later in 2015 and again in 2017.

The 2020 Renewable Routemap for Scotland Update 2015

41. In September 2015, the Scottish Government published the 2020 Routemap for Renewable Energy in Scotland Update 2015. The foreword of this document advises that provisional figures show that renewable sources generated 49.8 % of gross electricity consumption in 2014. While this suggests that Scotland was on target to meet the interim target of 50 % by 2015 it is clear that Scotland should not underestimate the challenge of meeting the 2020 target of 100 % renewable generation.

42. The document is clear that onshore wind has a pivotal role in delivering the 2020 renewable energy targets for Scotland. It confirms that the Scottish Government policy on windfarm applications strikes a careful balance between making the most of Scotland’s renewable energy potential and protecting environmental issues and residential amenity.

43. The document identified the potential for energy storage to enable the integration of renewables into the grid, and balance supply and demand thus enhancing the security of supply.

Energy in Scotland 2016

44. Energy in Scotland 2016 has in many respects been updated by Energy in Scotland 2017. However, it considers the matter of storage which is not repeated in the 2017 document. Page 27 of the document states:

“With the increased deployment of renewables and the decarbonisation of heat and transport, energy storage technologies alongside other flexibility options such as demand side response, active network management and interconnectors – could greatly improve the flexibility, security, sustainability, and affordability of Scotland’s energy system.”

45. It goes on to advise that the role at all scales of energy storage will be an important consideration in the Scottish Government’s strategy to support the next stage in the energy transition for Scotland.

Consultation on proposals for a new Climate Change Bill (Scotland) June 2017

46. The Scottish Government intends to introduce a new Climate Change Bill with even more ambitious targets than The Climate Change (Scotland) Act 2009. The proposals include setting targets based on actual emissions, increasing the 2050 target to

90 % emissions reduction (up from 80 %), and making provisions for a net-zero greenhouse gas emissions target to be set when the evidence becomes available. A number of technical amendments designed to improve the transparency of the targets and functioning of the Act are also being considered. The Bill will reaffirm the Scottish Government's commitment to focusing Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.

47. Proposals for a new Bill were outlined by the Cabinet Secretary for Environment, Climate Change and Land Reform, Roseanna Cunningham, in a statement to Parliament in June 2017. A consultation on these proposals ended in September 2017.

Reducing Emissions in Scotland 2017

48. The sixth report on Scotland's progress towards meeting emission reduction targets, as requested by Scottish Ministers under the Climate Change (Scotland) Act 2009, was published in September 2017 by the Committee on Climate Change. The 2017 Report assessed latest emission targets and trends across the economy and for energy supply; homes and communities; business and the public sector; transport; agriculture; rural land use and forestry; and waste.
49. The report concluded that Scotland has performed well and that the annual legislated target for 2015 was met, the second annual target to be achieved. The 2015 target for net emissions is 45.928 MtCO₂e. Net Scottish emissions were 45.5 MtCO₂e in 2015, i.e. below the annual target. Emissions on the net basis in 2015 were 41 % below 1990 levels. The report anticipates Scotland is on track to meet the interim target for at least a 42 % reduction in net emissions by 2020.
50. The report suggests that in order to meet Scotland's ambitious target, more needs to be done in sectors other than power, especially in sectors such as transport, agriculture and heat for non-residential buildings in which little progress is currently being made. Otherwise, Scotland's ambitious targets will be at risk. There have not been significant emission reductions in most sectors outside electricity generation in recent years.

Energy in Scotland 2017

51. Energy in Scotland 2017 provides a summary of the energy statistics for Scotland across the range of technologies. It provides information on where matters stand with regards to meeting the energy generation targets and this is covered in Section 3 of this Planning Statement.
52. Energy in Scotland 2017 advises that battery devices which store electrical energy in the form of chemical energy, and then convert that energy back into electrical energy when there is demand, can be used in a variety of applications and can operate at a range of scales, including the balance of supply and demand from the grid.

Climate Change Plan The Third Report on Proposals and Policies 2018-2032

53. The Climate Change Plan (CCP 2018), is the third report on proposals and policies for meeting Scotland's annual greenhouse gas emissions targets that the Scottish Ministers must lay before the Scottish Parliament as required by the 2009 Act.
54. CCP 2018 outlines the Scottish Government revised target of reducing greenhouse gas emissions by 66 % by 2032. The reduction figure is to be measured against the 1990 baseline figures. The CCP 2017 envisages that by 2030 Scotland's electricity system will be wholly decarbonised and with electricity supplying a growing share of Scotland's energy needs.

Current Scottish Government Energy Policy

55. 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 OWPS.
56. 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 is contained in the following text.

Scottish Energy Strategy 2017

57. 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.
58. 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.
59. The main document was published alongside the OWPS. This document provides focus for onshore wind.
60. The SES 2017 advises that for Scotland to meet the domestic and international climate change targets, the 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."*
61. 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."*
62. 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.
63. 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."*
64. 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 battery storage which is considered to be a benefit of the proposed Development.
65. Under the heading of Renewable Energy SES 2017 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"*.
66. In the section on Onshore Wind, SES 2017 advises that "onshore wind is now amongst the lowest cost forms of power generation of any kind, and is a vital component of the huge industrial opportunity that renewables create for Scotland". Onshore wind is identified as being required to play a vital role in the future of Scotland, helping to decarbonise electricity, boosting the economy and meeting demand. The SES 2017 notes that in order to achieve the targets it means developers and communities working together and striking the right balance between environmental impacts, local support, benefit and where possible economic benefits deriving from community ownership.

Onshore Wind Policy Statement

67. 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.

68. The section on Route to Market makes it 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.”

69. The OWPS 2017 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.” Chapter 2 of the EIA Report sets out the design evolution process and sets out the expected yield associated with the turbines for the proposed Development.

70. 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 (2017) 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.

71. In the Chapter on Community Benefits the OWPS 2017 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 set out in Section 2.3.4 of this Planning Statement and is considered to be a valuable contribution to the community.

72. The OWPS 2017 is clear that the Scottish Government is keen to see a significant increase in shared ownership of renewable energy projects delivering long lasting economic assets to communities across the country.

73. The progress to the renewable energy targets is considered to be an important material consideration.

Climate Change Plan, The Third Report on Proposals and Policies 2018-2032

74. The Scottish Government published the Climate Change Plan, The Third Report on Proposals and Policies 2018-2032 (CCP 2018) in February 2018 which sets out Scotland’s decarbonisation plans to 2032. The Executive Summary advises that the CCP 2018 sets out how Scotland can deliver its target of 66 % emissions reductions, relative to the baseline for the period 2018-2032.

Appendix 4: Shared Ownership and Economic Benefit

Net Economic Benefit

1. The Scottish Government has set a target of 1 GW of community owned renewable energy projects by 2020 and 2 GW by 2030. In addition, by 2020, the Scottish Government want at least 50 % of newly consented renewable electricity projects to have an element of shared ownership.
2. The Draft Advice on Net Economic Benefit and Planning (Scottish Government 2016) sets out advice on calculating net economic benefit. It advises that a development should be valued and the net economic benefit calculated over the lifetime of the proposed Development. It advises that *“the key criterion in assessing the economic impact of a proposed development is to estimate the economic position where the development proceed, and then compare it with the estimated economic position if the proposal does not go ahead. The difference between these two estimates is the net economic benefit.”*

Shared Ownership

3. The principle of shared ownership is supported within the planning framework in NPF3 and SPP. NPF3 advises that:
 - *“Shared ownership projects may generate positive social and economic benefits; and*
 - *There is potential for renewable energy developments to bring new employment, reverse population decline, stimulate demand for development and services and make a significant contribution to the diversification of energy supplies.”*
4. SPP advises that:

“Net economic benefits are considered to be a material planning consideration.”
5. In addition, the Scottish Government supports the principle of shared ownership as part of renewable energy developments. Good Practice Principles for Shared Ownership from Onshore Renewable Energy Developments was recently updated in 2019. This document provides guidance on the process of a renewable energy business making an offer, and a community accepting that offer. The aim of the review was to ensure that Scottish communities continue to benefit from local projects in a manner that is appropriate for the current and future context in which renewable energy projects are developed, and advises on how local communities, renewable energy companies and local authorities can work together to achieve this. The document is clear that in order for a development to receive planning permission it should be acceptable without taking into consideration the shared ownership element.

Shared Ownership - a Material Consideration

6. SPP is clear that net economic benefits that may result from a shared ownership investment are a material consideration when these benefits serve a planning purpose and show a perceptible link to the development. The weight to be attached to the material consideration is a matter for the decision maker. It is submitted that a benefit which supports the outcomes of SPP or reflects paragraph 169 of SPP should be given weight in the decision making process.

Appendix 5: Development Plan Policies (South Ayrshire)

LDP policy: landscape quality;

We will maintain and improve the quality of South Ayrshire's landscape and its distinctive local characteristics. Proposals for development must conserve features that contribute to local distinctiveness, including:

- a. community settings, including the approaches to settlements, and buildings within the landscape;
- b. patterns of woodland, fields, hedgerow and tree features;
- c. special qualities of rivers, estuaries and coasts;
- d. historic landscapes; and
- e. skylines and hill features, including prominent views.

LDP policy: protecting the landscape

We will consider proposals within or next to Scenic Areas (as defined on the LDP environment map) against the following conditions.

- a. The significance of impacts and cumulative impacts on the environment, particularly landscape and visual effects as informed by the Ayrshire Landscape Character Assessment (SNH 1998).
- b. How far they would benefit the economy.
- c. Whether they can be justified in a rural location.

LDP policy: woodland and forestry

We will support proposals for woodland and forestry that are:

- a. consistent with the objectives and main actions of the Ayrshire and Arran Woodland Strategy; and
- b. sympathetic to the environmental, nature and wildlife interests of the area, and, wherever appropriate, provide recreational opportunities for the public.

LDP policy: preserving trees

When assessing proposals for development that might involve loss of, or work to, trees, we will consider how much it would affect the local area and will take measures to protect trees, especially those covered by a provisional or confirmed tree preservation order. Where appropriate we will take into account the criteria in the Scottish Government Policy on the Control of Woodland Removal.

Where the council is minded to grant planning permission for a development that will necessitate the removal of existing trees, we will require the developer to replace them with new appropriate compensatory planting, taking into account the specific circumstances of the site.

LDP policy: water environment

We support the objectives of the Water Framework Directive (2000/60/EC). We will only allow development that meets these objectives and shows that:

- a. it will not harm the water environment;
- b. it will not pose an unacceptable risk to the quality of controlled waters (including groundwater and surface water); and
- c. it will not harm the biodiversity of the water environment.

LDP policy: agricultural land

We will protect prime-quality agricultural land from irreversible development, unless developers can show that the development is:

- a. essential to the spatial strategy;
- b. necessary to meet an established need;
- c. of a small scale which is directly related to rural business; and
- d. for generating renewable energy.

LDP policy: air, noise and light pollution

We will not allow development which would expose significant numbers of people to unacceptable levels of air, noise or light pollution.

LDP policy: minerals and aggregates

We will seek to ensure that known mineral deposits are not permanently sterilised by development proposals unless there are significant benefits which outweigh protecting the deposits. We will support the extraction of the mineral resource before other development takes place if it can be carried out in an acceptable timescale and in an environmentally acceptable manner, in accordance with the relevant criteria listed below.

In all cases, development proposals which will have an adverse effect on the integrity of Natura 2000 sites will not be permitted.

Minerals other than coal

We will accept proposals for extracting and working minerals other than coal if they accord with the following criteria:

- a. they help to ensure the availability of an adequate supply of the mineral in question within the relevant market area;
- b. they ensure that the environmental impacts on local communities, including from noise, blasting and vibration, and potential pollution of land, air and water, are adequately controlled or mitigated;
- c. they do not have a significant adverse landscape or visual impact;
- d. they do not have a significant adverse effect on the natural heritage and historic environment; and
- e. they ensure that the impact of the transportation of the mineral on local communities, and particularly the road traffic generated, is kept to a minimum.

In determining applications for winning and working minerals, we will have regard to the benefits to the local and national economy. We will also take into account any cumulative impacts that may arise in connection with other mineral workings or landfill sites.

LDP policy: renewable energy

We will support proposals for generating and using renewable energy in stand-alone locations, and as part of new and existing developments, if they will not have a significant harmful effect on residential amenity, the appearance of the area and its landscape character, biodiversity and cultural heritage.

Development proposals will not be permitted where they would adversely affect the integrity of a Natura 2000 site.

LDP policy: historic environment

We will support development proposals, affecting the following heritage resources, if we believe the quality and design of the proposed development will protect, conserve and improve them.

Listed buildings of architectural and historic interest

We are in favour of protecting listed buildings and their settings, especially from inappropriate development, and will actively encourage their sensitive maintenance, restoration and reuse.

Conservation areas

All new development in, or affecting the setting of, a conservation area, has to improve or preserve the area's character or appearance.

We will actively encourage and, where resources permit, implement upgrading and enhancement for conservation areas.

We will use conservation area appraisals and management plans to help make sure development is carried out to a consistent high standard.

Scheduled monuments

We will not accept development which would negatively affect the site or setting of a scheduled ancient monument.

Gardens and Designed Landscapes

We will not accept development which would negatively affect gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes in Scotland.

More guidance

We will follow the supplementary guidance on historic environment when considering all proposals which would affect our heritage resources. This gives detailed guidance on the following.

- a. Principles of development affecting built heritage resources
- b. Conservation area appraisals and management plans
- c. Policies giving guidance on specific types of development

LDP policy: archaeology

We will only allow development which will negatively affect a known archaeological site, or archaeological resources discovered during the period of the local development plan, if developers can show that the benefits of the proposal will clearly outweigh the archaeological value of the site or feature.

To fully assess and understand the implications of development on archaeological sites, we will ask the advice of the West of Scotland Archaeological Service.

LDP policy: natural heritage

International Designations

Development, either individually or in combination with other plans or projects, which is likely to have a significant effect on a designated or proposed Natura 2000 site (Special Protection Areas, Special Areas of Conservation) will be subject to an appropriate assessment of the implications for the site in view of the site's conservation objectives. Development proposals will only be supported where the assessment concludes that:

- a. it will not adversely affect the integrity of the site; or,
- b. there are no alternative solutions, and there exist imperative reasons of overriding public interest, including those of a social or economic nature.

Where such a site hosts a priority habitat and/or priority species as defined by the Habitats Directive (92/43/EC), the imperative reasons of overriding public interest must relate to human health, public safety or beneficial consequences of primary importance to the environment. Other allowable exceptions are subject to the views of the European Commission (via Scottish Ministers).

National Designations

Development, either individually or in conjunction with other proposals, which would affect a designated or proposed Site of Special Scientific Interest will only be permitted where ecological appraisals have demonstrated to the satisfaction of the Council as planning authority that:

- a. it will not adversely affect the integrity of the site or the qualities for which it has been designated; or,
- b. any adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

Local Designations

Development, either individually or with other proposals, which would affect the following local heritage sites and designations, shall only be supported where the developer can show that the integrity of the site will not be put at risk.

- a. Local nature reserves;
- b. Sites containing species protected by the Habitats Directive, Wildlife and Countryside Act 1981 or the Badgers Act 1992;
- c. Wildlife sites;
- d. Tree Preservation Orders;
- e. Forest Parks
- f. Wildlife corridors
- g. Ornithological sites.

In all instances, the Council will require development proposals to have regard to safeguarding features of nature conservation value including woodlands, hedgerows, lochs, ponds, watercourses, wetlands and wildlife corridors.

Protected Species

Planning Permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

LDP policy: dark skies

We will support the Galloway Forest Dark Sky Park, and will presume against development proposals within the boundaries of the park that would produce levels of lighting that would adversely affect its 'dark sky' status. The boundaries of the Dark Sky Park [and of the buffer zone] are shown on the map on page 40. Development will have to be in line with the supplementary guidance on lighting within the Galloway Forest Dark Sky Park, which we will produce jointly with the adjoining planning authorities and Forestry Commission Scotland. This will also provide guidance for proposed developments within the buffer zone which may have a lighting impact on the Dark Sky Park. [The supplementary guidance will define the geographical extent of the buffer zone.]

LDP policy: land use and transport

Development proposals should:

- a. align with the Regional Transport Strategy and our Local Transport Strategy;
- b. take appropriate measures to keep any negative effects of road traffic on the environment to a minimum;
- c. ensure accessibility to local services is maintained and improved by the integration of transport networks linking services to local communities;
- d. where otherwise in accordance with the LDP and where required to facilitate development, provide interventions to the strategic transport network to maintain the efficiency of the transport network for both users and operators;
- e. where possible, closely link to existing and proposed walking, cycling and public transport networks;
- f. ensure essential use of the private car is accommodated within the context of an integrated approach to transport;
- g. safeguard existing car parking facilities, particularly strategic car parking facilities and those identified in the LDP strategy maps;
- h. provide parking that reflects the role of the development, the location in which it is situated and the projected capability of existing parking facilities;
- i. ensure roadside facilities for drivers, including snack bars, are directed to settlements, and especially town centres, with a preference for the use of permanent structures rather than mobile or temporary ones which are to be used on a long-term basis;
- j. encourage freight to be transported by rail, sea or air rather than by road; and
- k. meet the costs of new transport infrastructure and services (in cases where these would not be provided commercially) which are needed as a result of their development.

Green travel plans will be encouraged for all developments and, where appropriate, will be required for those with a significant effect on traffic and parking.

LDP policy: outdoor public access and core paths

We will aim to improve and protect all core paths and other significant access routes - including recognised rights of way, disused railway lines, riverside walkways, wind farm access tracks and cycleways and cycle parking facilities.

We will only support proposals which would have a negative effect on a core path or other significant access route if we are satisfied that they provide a suitable alternative route.

Development or redevelopment sites should include appropriate facilities for active travel, particularly walking and cycling.

Development that is next to or near the core paths network should provide suitable links to the network, where appropriate and practical.

Development proposals will not be permitted where they would adversely affect the integrity of the Glen App and Galloway Moors Special Protection Areas.

Appendix 6: Development Plan Policies (Dumfries and Galloway)

Policy IN1: Renewable Energy

The Council will support development proposals for all renewable energy provided they do not individually or in combination have an unacceptable* significant adverse impact on:

- landscape;
- the cultural and natural heritage;
- areas and routes important for tourism or recreational use in the countryside;
- water and fishing interests;
- air quality; and
- the amenity of the surrounding area.

To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal:

- any associated infrastructure requirements including road and grid connections (where subject to planning consent)
- environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues.
- relevant provisions for the restoration of the site
- the extent to which the proposal helps to meet the current government targets for energy generation and consumption.

* Acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed.

Policy IN2: Wind Energy

PART 1: Assessment of all windfarm proposals:

The Council will assess the acceptability* of any proposed wind energy development against the following considerations (1):

Landscape and visual impact:

- the extent to which the proposal addresses the guidance contained in the Dumfries and Galloway Windfarm Landscape Capacity Study.
- the extent to which the landscape is capable of accommodating the development without significant detrimental impact on landscape character or visual amenity
- that the design and scale of the proposal is appropriate to the scale and character of its setting, respecting the main features of the site and the wider environment and that it fully addresses the potential for mitigation.

Cumulative Impact

The extent of any detrimental landscape or visual impact from two or more wind energy developments and the potential for mitigation.

Impact on local communities

The extent of any detrimental impact on communities and local amenity including assessment of the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation.

Impact on Aviation and Defence Interests

The extent to which the proposal addresses any impacts arising from location within an area subject to potential aviation and defence constraints including the Eskdalemuir Safeguard Area.

Other Impacts and considerations

- a. the extent to which the proposal avoids or adequately resolves any other significant adverse impact including:- on the natural and historic environment, cultural heritage, biodiversity; forest and woodlands; and tourism and recreational interests.
- b. the extent to which the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration.
(1) Further details on this assessment process including its application to smaller capacity windfarms are to be provided through Supplementary Guidance on Wind Energy Development: This will also include mapping of the constraints relevant to the considerations above.

* Acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed.

PART 2: Spatial Framework

The considerations in Part 1 above will be applied in the context of the following Spatial Framework*:

- **Areas of Greatest Potential (1):** areas free from significant constraint where proposals for large and medium turbine typologies will be supported subject to detailed assessment.
- **Areas of Significant Protection (2):** Areas where a presumption against development applies due to significant constraints. These include:
 1. Sites designated for their national or international landscape or natural heritage value where Policies NE1, NE3, NE4 and NE5 also apply.
 2. Areas where the cumulative impact of existing and consented windfarms limit further development.
- **Cumulative Sensitivity Zones (3):** Areas where cumulative impact is a potential constraint. In these areas proposals should: address potential future cumulative impact and avoid unacceptable coalescence between clusters of windfarms to retain an acceptable and coherent pattern of windfarm development.
- **All other areas (4):** Areas where potential constraints apply but with potential for mitigation. Wind energy proposals will be assessed against all the considerations set out above in Part 1. For Regional Scenic Areas the proposal should assess the potential impact on the objectives of the designation and demonstrate the extent to which these can be addressed.

(1) - (4) The relevant mapping of these areas including an updated and consolidated spatial framework map is to be included within supplementary guidance.

*The following Interim Spatial Framework Maps provide some strategic guidance on the relevant areas but must be read in conjunction with paragraphs 4.94 and 4.95 above and the relevant detailed mapping to be included in supplementary guidance. This mapping will be consolidated and revised to provide an updated spatial framework within the LDP at the earliest possible opportunity.

Policy T1: Transport Infrastructure

Proposals for the improvement of existing transport infrastructure and, where appropriate, the provision of new transport infrastructure and/or services will be supported provided they accord with the Regional and Local Transport Strategies; and where it can be demonstrated to the satisfaction of the Council that following appropriate assessment (where needed), the proposal has no adverse effects either alone or in combination on the integrity of any Natura site.

Development of facilities for cyclists and pedestrians will be supported.

a) Strategic Network

The strategic transport network includes the trunk road, motorway and rail networks. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be appraised to determine their effects. The national and strategic role of these routes should not be compromised by development which individually or incrementally materially reduces the level of service of a route.

b) Regional Network

Development which involves a new direct access onto the regional road network should not, individually or incrementally, materially reduce the level of service of a route.

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