Planning, Landscape & Environment
an RSK company

# LYNEMORE WIND FARM

## PLANNING STATEMENT

Galileo 05 Limited

April 2025

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Appendix 1 Planning History

Appendix 2 Development Plan Policy Wording

# Document history

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# 1 EXECUTIVE SUMMARY

1.1.1 The Proposed Development is to generate electricity from renewable energy sources and directly responds to national and local planning and energy policy objectives and emissions reduction law which seek to achieve Net Zero by 2045. The Scottish Government's Onshore Wind Policy Statement (2022) seeks to deploy 20 Gigawatts (GW) of onshore wind capacity by 2030. Importantly, this target is not a cap; Scottish Ministers acknowledge that renewable energy generation will be necessary beyond 2030 to meet increasing energy demands. The Draft Energy Strategy and Just Transition Plan (January 2023) also outlines a way to achieve a flourishing Net Zero energy system to 2030 and beyond, identifying the clear benefits of onshore wind projects and battery energy storage, recognising that the generation of surplus electricity will enable the export of electricity to support decarbonisation across Europe and provide energy security through the development of Scotland's own energy resources and storage. Significant weight requires to be given to these contributions in the planning balance.

1.1.2 The need for national renewable energy developments over 50 Megawatts (MW) has been established by NPF4. The Proposed Development proposes up to a maximum installed combined capacity of 150.8 MW.

1.1.3 The Proposed Development will make a significant contribution to meeting the Net Zero emissions target resulting in significant beneficial effects enabling total emissions savings of 2,481,469 $tCO_2e$ against grid mix electricity generation over its 50 year operational lifetime.

1.1.4 The Proposed Development is anticipated to produce electricity equating to the annual power consumed by approximately 70,000 average households in Scotland per year.

1.1.5 It is anticipated that the carbon emissions of the Proposed Development will be offset 5.0 years after the Proposed Development becomes operational against a grid-mix of electricity and 2.8 years against a fossil-fuel mix of electricity generation.

1.1.6 The Proposed Development is a S.36 application and whilst not a licence holder, the Applicant has had due regard to the requirements of Schedule 9 of the Electricity Act 1989, in acknowledgement of the requirement for Scottish Ministers to consider as part of their determination.

1.1.7 Due regard has been given to relevant considerations including climate change, energy and planning policy. The Proposed Development is considered to comply with the Development Plan, including NPF4, the Highland Wide Local Development Plan and Inner Moray Firth Local Development Plan 2 and other relevant considerations including supplementary planning guidance.

1.1.8 The Applicant is committed to maximising the socio-economic benefits including measures such as local procurement, developing supplier networks and skills in the local area are being put in place.

1.1.9 During the construction phase it is estimated that the Proposed Development could generate up to £34.3 million GVA and 533.4 job years across Scotland, with approximately £10.9 million and 183.1 job years' worth of this total directly benefitting the Highlands and £1.9 million GVA and 31.1 job years in Inner Moray Firth.

1.1.10 Over the course of the operational phase of the Proposed Development, it is estimated that over the Proposed Development's 50-year lifetime, the operation and maintenance costs could generate up to £122.5 million GVA and 1722.4 job years for Scotland, of which £88.0 million GVA and 1212.1 job years directly benefit the Highlands economy and £32.3 million GVA and 442.4 job years for Inner Moray Firth.

1.1.11 Approximately £24.5 million in community benefit funding and £46.5 million in non-domestic rates would also be provided over the operational lifetime of the Proposed Development.

1.1.12 In addition to habitat reinstatement following the completion of construction works, the Proposed Development also provides an opportunity to deliver long-term beneficial habitat enhancement measures for habitats and species, including restoration and enhancement of key habitats at the Site. These proposals form the basis of an Outline Habitat Enhancement and Management Plan (OHEMP), which will deliver significant biodiversity enhancement.

1.1.13 The Site is located outwith National Parks and National Scenic Areas. No significant effects are predicted from the Proposed Development on national or local landscape designations. NPF4 and the Onshore Wind Policy Statement both recognise that the need to address the climate crisis will result in the need for large and more efficient technology and that this will change the landscape, furthermore that where effects are localised and/or appropriate mitigation has been applied it will generally be considered acceptable. Whilst some significant landscape and visual effects are predicted, these have been limited through a detailed process of embedded design mitigation whereby the Proposed Development is considered to result in localised effects and has included appropriate mitigation, it is therefore considered to comply with the requirements of the Development Plan in terms of landscape and visual impacts.

1.1.14 No other residual adverse significant effects are predicted for the Proposed Development.

1.1.15 Positively, significant beneficial effects are predicted following the implementation of the OHEMP.

# 2 INTRODUCTION

## 2.1 Introduction

2.1.1 Stephenson Halliday Ltd has prepared this Planning Statement to accompany an application for consent under Section 36 (S.36) of the Electricity Act 1989 (Electricity Act) and deemed planning permission under Section 57 (S.57) of the Town and Country Planning (Scotland) Act 1997 (TCPSA) by Galileo 05 Limited (the Applicant), to the Scottish Ministers via the Energy Consents Unit (ECU).

2.1.2 This application is for consent to construct and operate the proposed Lynemore Wind Farm comprising of up to fourteen wind turbines with a maximum height of 200 m with a total installed capacity of approximately 7 megawatts (MW) each, but with a maximum output of 100.8 MW plus Battery Energy Storage with capacity of up to 50 MW, giving a combined total of 150.8 MW. The application also includes associated infrastructure and ancillary development as set out in detail in **Chapter 2** of the EIA Report and summarised in **Chapter 4** of this Planning Statement (Proposed Development). S.36 Consent and deemed planning permission is sought for a period of 50 years, after which the Proposed Development would be decommissioned.

2.1.3 The Site within the application red line boundary is shown in **Figure 1.2** of the EIA Report, with the final layout including ancillary infrastructure shown in **Figure 2.5** of the EIA Report.

2.1.4 The Site is located on the Lynemore Estate on the hills 2 km west of the A9 at Moy, wholly within The Highland Council (THC) administrative area.

## 2.2 Purpose

2.2.1 The purpose of this Planning Statement is to confirm the relevant considerations required to be taken into account by Scottish Ministers in reaching a decision on the Proposed Development.

2.2.2 The Planning Statement does not form part of the EIA Report. It is a separate document but draws upon and adopts the findings presented in the EIA Report for the purposes of assessing the Proposed Development against the relevant considerations, in particular, this includes planning, climate and energy legislation and policy considerations.

## 2.3 Statutory Framework

2.3.1 The application is to be determined under S.36 of the Electricity Act because the installed capacity of the Proposed Development exceeds 50 MW. S.57(2) of the TCPSA allows Scottish Ministers to direct that planning permission shall be deemed to be granted upon granting consent under S.36 of the Electricity Act.

2.3.2 The provisions of Schedule 9 sub-paragraph 3 (1) (a) and (b) of the Electricity Act are relevant to the assessment of the Proposed Development. As set out in subparagraph 3(1)(a) Scottish Ministers must 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"*

2.3.3 Scottish Ministers are required under Schedule 9, sub-paragraph 3(2), to have regard to:

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

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

2.3.4 Furthermore, Scottish Ministers, are also obliged under sub-paragraph 3(3) to:

*"avoid, so far as possible, causing injury to fisheries or to the stock of fish in any waters."*

2.3.5 The Applicant is not an electricity generation licence holder and therefore the duties set out in Schedule 9 do not apply to the Applicant, however the requirements set out under Schedule 9 of the Electricity Act still apply to Scottish Ministers and have been fully considered and accounted for throughout the design and EIA assessment processes.

## 2.4 The Applicant

2.4.1 The Applicant, Galileo 05 Limited is a wholly-owned subsidiary of Galileo Empower UK Ltd which is the UK arm of Galileo Empower, a joint venture between Empower Renewables and Galileo Green Energy.

2.4.2 Galileo Empower is a European renewable energy developer, owner, and operator managed by a team of experienced professionals who have decades of experience over more than 30 energy markets.

2.4.3 Known in the UK as Galileo, it was founded in early 2020 and is currently progressing an ambitious development pipeline across Europe including the UK, Ireland, Sweden, Finland and Germany. Within the UK, Galileo has offices in Edinburgh and Cardiff from which its development activities are based.

# 3 SITE AND SURROUNDING AREA

3.1.1 This Chapter of the Planning Statement sets out the key characteristics of the Site and the surrounding area before providing a summary of the relevant planning history.

## 3.2 Site Description and Context

3.2.1 The Site as shown on **Figure 1.2** of the EIA Report is located within the Lynemore Estate on the hills 2 km west of the A9 at Moy. The Site is located approximately:

- 10 km south of Inverness;
- 6 km northwest of Tomatin;
- 4 km east of Farr;
- 2 km west of the A9 at Moy; and
- 2 km northeast of Farr and Glen Kyllachy Wind Farms.

3.2.2 The Site is mostly open moorland, managed primarily for stalking and grouse shooting. The named hill of Carn na h-Easgainn (616m) is located within the southern edge of the site boundary. Areas of open deciduous woodland and commercial plantation lie to the north of the Site. The Farr/ Glen Kyllachy Wind Farm complex lies approximately 2 km to the southwest of the Site.

3.2.3 The Site is situated primarily on the northeastern slopes of Beinn nan Cailleach, Carn na h-Easgainn, and Carn na Loinne. The landscape consists of a mix of stepped hillsides and consistently steeper slopes, with elevations ranging from 616m AOD at Carn na h-Easgainn in the south to 290m AOD near the northeastern site boundary along the A9 public road.

3.2.4 The Site generally slopes moderately from south to north, featuring a series of plateaus on the stepped hillsides in the west, transitioning to steeper gradients in the central and eastern areas before levelling out near the A9, which serves as the main access point. There is one existing track on site which is in poor condition and steep therefore it is unable to be upgraded for use for the Proposed Development

3.2.5 Environmental Designations as they relate to the Proposed Development are shown in **Figure 2.1** of the EIA Report.

### Site Selection

3.2.6 There are several criteria used by the applicant to assess the appropriateness of sites for the development of onshore wind projects. These include:

- suitable wind conditions;
- feasibility of access for abnormal indivisible loads (AILs);
- favourable topography and access to enable the construction of projects;
- planning policies which support the development of renewable energy;
- avoidance of environmental designations (where possible) (see **Figure 2.1** of the EIA Report); and
- avoidance of the most sensitive landscapes.

3.2.7 A review of the site selection requirements for the Site found the following:

- initial desk-based assessments and a review of wind resource suggest that there are high wind speeds, and the Site is available for a renewable energy development; and

- there are no planning policies which, in principle, preclude wind farm or renewable energy development.

## Landscape designations.

3.2.8 The Lynemore Wind Farm is located within the undesignated Rolling Uplands landscape character.

3.2.9 The Site is not located within a designated landscape and would have limited visibility / interconnection with designated landscapes in the wider area. The closest designated landscape is the locally designated Drynachan, Lochindorb and Dava Moors SLA which is approximately 5 km to the northeast, and Loch Ness and Duntelchaig SLA approximately 6 km to the west.

3.2.10 The nearest nationally designated landscape (Cairgorms National Park) is located over approximately 10 km to the southeast.

3.2.11 The nearest Wild Land Areas are located approximately 10 km to the south.

## Ornithological Designations

3.2.12 There are no statutory designations with qualifying ornithological interest on the Site.

3.2.13 Within the surrounding area there are a number of statutory and non-statutory designations with ornithological interest, these include:

### International

- Loch Ashie Special Protection Area (SPA), 8.7 km northwest;
- Loch Ruthven SPA, 9.4 km southwest;
- Inner Moray Firth SPA, 11.9 km north; and
- Inner Moray Firth Ramsar Site, 11.9 km north.

### National

- Loch Ashie Site of Special Scientific Interest (SSSI), 8.7 km northwest; and
- Loch Ruthven SSSI, 9.4 km southwest.

### Non-statutory

- Loch Ruthven RSPC Reserve, 9.4 km southwest.

## Ecological designations

3.2.14 The Site does not form part of any statutory designated site for nature conservation with cited ecological interest. Statutory (international and national) designated sites located within 10 km of the Site include:

- Carn nan Tri-tighearnan Special Area of Conservation (SAC) (4.8 km);
- Carn nan Tri-tighearnan Site of Special Scientific Interest (SSSI) (6.3 km);
- Slochd SAC (8.0 km);
- Loch Ruthven SSSI (9.3 km);
- Loch Ruthven SAC (9.4 km); and
- Loch Ruthven Ramsar (9.4 km).

## Ancient Woodland

3.2.15 None of the proposed turbines are within areas of forestry but the proposed access route and construction compound pass through Forestry Land Scotland (FLS) and Lynemore Estate woodland. The access track will pass through woodland recorded on the Ancient Woodland Inventory and Long-Established Woodland of Plantation Origin. These are shown in **Figure 13.4** of the EIA Report.

## Peat

3.2.16 The Peatland Condition Assessment (**see Annex I, Technical Appendix 6.5: Peatland Condition Assessment** of the EIA Report) shows the Site to be characterised by extensive erosional gullies and various modifying influences. The majority of the peatland (71.6%) was classified as either Modified or Modified and Drained, with only a small fraction (1.4%) retaining Near-Natural features. Actively-Eroding areas accounted for 16.9% of the Study Area.

## Public and Private Water Supplies

3.2.17 There are no known water supply boreholes or Surface Water Drinking Water Protected Areas (DWPA) within the Site boundary. However, there is a Surface Water DWPA located approximately 4.4 km south-east of the Site. There are three licensed surface water abstractions in the vicinity of the Site with other registered water abstraction areas identify in **Chapter 8** of the EIA Report in **paragraph 8.5.70.**

3.2.18 The Site is classified as a groundwater DWPA, however it should be noted that the whole of Scotland is classified as a groundwater protection zone.

## Hydrology, Geology, Hydrogeology Designations

3.2.19 There are two designated areas within 5 km of the Site boundary:

- The Littlemill Fluvioglacial Landforms, located 1.8 km to the north-west of the Site, is designated as both a Site of Special Scientific Interest (SSSI) for earth sciences and a Geological Conservation Review (GCR) site.
- Carn nan Tri-tighearnan, located further north, is designated as both an SSSI and a Special Area of Conservation (SAC). This area is recognised for its blanket bog and, in the case of the SSSI, also for subalpine dry heath.

3.2.20 There are no known PWS sources connected to the Proposed Development.

## Archaeological/cultural heritage

3.2.21 There are no designated heritage assets within the Site. There are 13 features of heritage interest identified within the Site (**Technical Appendix 9.1** of the EIA Report). Of these, eight known heritage assets within the Site assessed for direct and indirect physical impacts as a result of the Proposed Development.

3.2.22 The Site is considered to hold negligible archaeological potential for hitherto unknown subsurface archaeological remains of all periods.

3.2.23 Details of designated and non-designated assets surrounding the site include:

- Within the 2 km OSA (from the proposed turbine locations) there are 17 non-designated assets.
- Within the 2-5 km OSA (from the proposed turbine locations) there are nine scheduled monuments, one Category A Listed Building and seven Category B Listed Buildings.
- Within the 5-10 km OSA (from the proposed turbine locations) there is one Garden and Designed Landscape and an associated Category A Listed Building, 32 Scheduled Monuments, and one Conservation Area.
- Within the 10-20 km OSA (from the proposed turbined locations) there are six Inventory Garden and Designed Landscapes, 91 Scheduled Monuments, 31 Category A Listed Buildings, two Conservation Areas, and one Inventory Battlefield.

## 3.3 Planning History

3.3.1 There have been no previous wind farm applications on the Site. The Site has been subject to other planning applications found in **Table 1, Appendix 1: Planning History** which has been prepared using data from The Highland Council (THC) planning portal.

3.3.2 A scoping report (Application Ref: 24/01633/SCOP) for the Proposed Development was submitted on the 17th of April 2024 and a scoping opinion was issued on the 6th of August 2024.

3.3.3 Details of the planning history other relevant decisions are also contained in **Appendix 1: Planning History.** This includes details of a number of operational wind farms within the surrounding area including Moy Wind Farm (Application Ref: EC00005221), Tom Na Clach Wind Farm (Application Ref: ECU00003453), Farr Windfarm (Application Ref: ECU00002123) and Glen Kyllachy (Application Ref: 13/02441/FUL / PPA-270-2115).

# 4 PROPOSED DEVELOPMENT

4.1.1 The layout for the Proposed Development is shown in **Figure 2.5** of the EIA Report. The design of the Proposed Development has been informed by the EIA process.

4.1.2 The finalised design incorporates a suite of peatland restoration and biodiversity enhancements appropriate for the Site and its geographical and habitat context. The enhancements are contained with the Outline Habitat Enhancement Management Plan (OHEMP **Technical Appendix 6.5**), which accompanies the EIA Report submission.

## Summary of Key Components

4.1.3 The Proposed Development infrastructure would comprise the following components:

- Fourteen wind turbines of approximately 7 megawatts (MW) each, with a maximum blade tip height of up to 200 m.
- Hardstanding areas at the base of each turbine, with a permanent area of approximately 3,282.5 $m^2$.
- Sub-station/control building with parking and welfare facilities.
- A network of onsite access tracks and up to 6 associated watercourse crossings.
- Transformers and underground cables to connect the turbines to the onsite substation.
- Telecommunications equipment.
- Two temporary construction compounds and laydown area.
- One borrow pit search area, to provide suitable rock for access tracks, turbine bases and hardstandings.
- Battery Energy Storage System (BESS) with a capacity up to 50 MW.

### Outline Habitat Enhancement and Management Plan

4.1.4 A number of biodiversity enhancement measures are proposed as part of the Proposed Development's Outline Habitat Enhancement and Management Plan (OHEMP). This OHEMP identifies candidate habitat creation and enhancement search areas and presents outline habitat enhancement and management principles. These will be finalised through consultation with NatureScot and THC as the 'Lynemore Wind Farm Habitat Enhancement and Management Plan' (HEMP), following receipt of consent and on completion of detailed site investigation works.

4.1.5 The biodiversity enhancement measures will be achieved through the enhancement of degraded peatland and heath habitat, using the following measures:

- Peat restoration using translocated peat.
- Peat restoration using traditional techniques.
- Removal and control of regenerating trees.
- Control of bracken.

4.1.6 The OHEMP also aims to deliver native hedgerow creation. This is discussed in greater detail in **Technical Appendix 6.5 Outline Habitat Enhancement and Management Plan** and the measures assessed against policy requirements in **Table 8.1** of this Planning Statement.

# Wind Turbines

## Turbine Parameters

4.1.7 The turbines would be a three-bladed horizontal axis model, with an approximate rotor diameter of 162 m. The candidate model considered in the EIA Report is Vestas EnVentus 162, with blade tip height of 200 m. Indicative elevations are shown on **Figure 4.2** of the EIA Report. Grid references and height above sea level, above Ordnance Datum (AOD) for the proposed turbines are identified in **Table 4.1**.

### Table 4.1: Proposed Turbine Locations

| Turbine | Easting | Northing | AOD |
|---|---|---|---|
| T1 | 274854 | 833061 | 517m |
| T2 | 274232 | 833205 | 470m |
| T3 | 273329 | 833308 | 512.5m |
| T4 | 272803 | 833373 | 500m |
| T5 | 272779 | 832737 | 535m |
| T6 | 273343 | 832691 | 525m |
| T7 | 273973 | 832581 | 543m |
| T8 | 274670 | 832549 | 555m |
| T9 | 274891 | 832175 | 545m |
| T10 | 275197 | 832811 | 512m |
| T11 | 275381 | 832339 | 502m |
| T12 | 275980 | 832429 | 505m |
| T13 | 275031 | 831702 | 545m |
| T14 | 275999 | 831951 | 505m |

4.1.8 The proposed turbine locations and ancillary infrastructure would be subject to a proposed maximum micrositing tolerance of 50 m in any direction. In those places where environmental features may be affected by micrositing, tolerance would be constrained to less than 50 m, and such changes would be managed in consultation with an Environmental Clerk of Works (ECoW) for the Proposed Development during its construction phase.

## Turbine Foundations

4.1.9 The underground turbine foundations would be dependent upon site-specific ground conditions; however, it is envisaged that installation of the turbines using a steel reinforced concrete base (gravity foundation) would be suitable. For the purposes of the EIA Report, a maximum (worst-case) scenario for turbine foundations of a 3 to 4 m depth and 25 m by 25 m circular or octagonal footprint was assumed.

### Turbine Lighting

4.1.10 The Air Navigation Order Article 222 requires turbines with a tip height of or exceeding 150 m to display aviation lighting.

4.1.11 A reduced lighting scheme has been designed which aims to identify the outline of the wind farm by using 2000 candela visible red lights on 7 of the 14 turbines. In addition, all 14 turbines will be fitted with infra-red lighting. This lighting scheme was approved by the CAA in February 2025.

### Turbine Hardstanding

4.1.12 Level hardstanding areas are required adjacent to each turbine base for the operation of a heavy lifting capacity crane, and a smaller service crane, used for assembly of the turbine components. It is anticipated that each permanent hardstanding would be approximately 100 m x 35 m with a 6 m wide track running along the length of the hardstanding as shown in **Figure 2.8** of the EIA Report. In addition to the hardstanding for the main assembly crane, up to three additional temporary crane pads may be required for crane assembly.

### Duration of Construction and Operational Periods

4.1.13 The indicative construction period is anticipated to take place over a period of 16 months, which includes Site establishment and reinstatement.

4.1.14 The Proposed Development is expected to operate for 50 years, after which it will be decommissioned and its components dismantled, removed and recycled where possible.

4.1.15 Any alternatives to this process would require separate approval from the Energy Consents Unit and does not form part of the S.36 Application, its EIA or planning assessment.

# 5 BENEFITS OF THE PROPOSED DEVELOPMENT

5.1.1 The Proposed Development would result in a number of key benefits which are beneficial to at a local, regional and national level.

## 5.2 Contribution to Renewable Energy targets

5.2.1 The Proposed Development will provide the following contribution to renewable energy targets:

- A total rated output of up to 100.8 MW, and a BESS up to 50 MW capacity, which equates to a total combined generation capacity of up to 150.8 MW.
- Generation of enough wind energy to power over 70,000 households annually[1].
- Battery Energy Storage System (BESS) to store energy, providing stability to the electricity supply network, meeting energy demands and providing improved energy security.
- Significant contribution to improving the security and cost of energy supply taking account the cost-of-living crisis and war in Ukraine.
- Significant contribution to meeting onshore renewable energy generation targets by 2030 and beyond and reduction of greenhouse gases, taking account of the climate crisis.

## 5.3 Reduction in Carbon Emissions

5.3.1 Delivery of a total greenhouse gas (GHG) emission savings of 2,481,469 tCO2e over its lifespan (against a grid-mix of electricity and based on operational lifespan of 50 years for the wind farm).

5.3.2 Dividing the net GHG emissions predicted for the manufacture, construction and decommissioning stages of the wind turbines by the predicted annual carbon savings from windfarm operation gives a predicted emissions payback period of 5.0 years against a grid-mix of electricity and 2.8 against a fossil-fuel mix of energy generation.

## 5.4 Socio-Economic Benefits

5.4.1 It was estimated that development and construction contracts could generate £34.3 million GVA and 533.4 job years across Scotland, of which £10.9 million and 183.1 job years would be provided in the Highlands, and £1.9 million GVA and 31.1 years being directly supported in the Inner Moray Firth local area.

5.4.2 It was estimated that turnover generated by the operation and maintenance of the Proposed Development could support £122.5 million GVA and 1722.4 job years in Scotland, of which

[1] RenewableUK, Statistics Explained. Using average domestic household consumption in UK of 3,239kWh. Accessible at: https://www.renewableuk.com/page/UKWEDExplained

£88 million GVA and 1212.1 jobs will be supported within the Highlands and £32.3 million GVA and 442.4 jobs in the Inner Moray Firth.

5.4.3 It is anticipated there will be over £46.5 million in non-domestic rates generated over the operational lifetime.

5.4.4 The community benefit offer from the Proposed Development is equivalent to £0.49 million annually, or £24.5 million during the 50-year operational lifetime of the Proposed Development.

## 5.5 Biodiversity Enhancements

5.5.1 The Proposed Development would include a number of biodiversity enhancement measures as part of the Proposed Developments' Outline Habitat Enhancement Management Plan (OHEMP) (**Technical Appendix 6.5**). The OHEMP includes a variety of measures designed to mitigate and compensate for impacts on important habitat features, including blanket bog. This includes a commitment to control and manage some of the pressure factors which are contributing to the degradation of blanket bog habitat within the Site, such as removal and control of regenerating trees in areas where these are seeding onto peatland habitat and blocking of any suitable ditches which may be present and facilitating drainage of the Site. Additionally, a Peatland Restoration Agreement is proposed to compensate for loss of blanket bog habitat at a ratio of 1:10 as recommended in NatureScot's peatland guidance.

5.5.2 Further, specific measures to improve the condition of degraded bog habitat within the Site, which includes 218 ha of enhancement and restoration comprised of the following measures:

- Open bare ground translocation.
- Translocation into gullies.
- Restoration by reprofiling and damming of gullies on shallow slopes <5°.
- Restoration by reprofiling and localised damming / baffles of gullies on moderate slopes 5-7.5°.
- Restoration by reprofiling only on steeper slopes >7.5°.
- Hand restoration of 'micro-erosion'.

5.5.3 The implementation of these measures will result in an overall increase in the quality of retained blanket bog and modified bog habitats at the Site, and reverse some of the degradation of bog habitat which is already taking place under baseline conditions, and which it should be noted may be expected to continue in the absence of the Proposed Development, potentially eventually leading to a loss of the further bog due to modification.

5.5.4 Within upland and blanket bog areas of the Site as identified by up to date survey, habitat management principles will include the control of non-native conifer species saplings and seedlings within this search area, with the objective of managing colonising conifer species to prevent excessive encroachment and the associated risk of degradation of the bog and heathland habitats.  Bracken control is also proposed.

# 6 CLIMATE CHANGE AND RENEWABLE ENERGY CONTEXT

## 6.1 Introduction

6.1.1 This Chapter identifies the key international, UK and Scottish climate change and renewable energy policy and guidance relevant to the Proposed Development. This provides an overall framework for the need for the Proposed Development in respect of climate change and renewable energy generation.

## 6.2 International Context

### United Nations Framework Convention on Climate Change

6.2.1 The United Nations Framework Convention on Climate Change (UNFCCC) is a global treaty aimed at addressing climate change through international cooperation. The Conference of Parties (COP) is an annual gathering where representatives from each country involved in the UNFCCC meet. At COPs, representatives discuss how to address the challenges of climate change and encourage collaboration in order to address these challenges.

### The Paris Agreement

6.2.2 The Paris Agreement was adopted at the UN Climate Change Conference (COP21), which was held in Paris in 2015. It is a legally binding international treaty on climate change, and its goal is to hold:

*"the increase in the global average temperature to well below 2°C above pre-industrial levels" and to pursue efforts "to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change."*

### The United Nations Gap Emissions Report 2024 (October 2024)

6.2.3 The United Nations Environment Programme (UNEP) prepare a yearly report which reports on the progress in meeting the Paris Agreement. The October 2024 Key Messages report advises:

*"…nations must use COP29 in Baku, Azerbaijan, as a launchpad to increase ambition and ensure the new NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of the commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5°C will be gone within a few years and the 2°C target will be in danger.*

*It remains technically possible to get on a 1.5°C pathway, with solar, wind and forests holding real promise for sweeping and fast emissions cuts. To deliver on this potential, sufficiently strong NDCs would need to be backed urgently by a whole-of-government approach, measures that maximize socioeconomic and environmental co-benefits, enhanced international collaboration that includes reform of the global financial architecture, strong private sector action and a minimum six-fold increase in mitigation investment. G20 nations, particularly the largest-emitting members, would need to do the heavy lifting."*

### The IPCC's AR6 Synthesis Report: Climate Change 2023 (March 2023)

6.2.4 The International Panel on Climate Change (IPCC) prepares comprehensive Assessment Reports relating to the gathering of knowledge on climate change, including its impacts, further risks and possible mitigation measures. The IPCC's recent Sixth Assessment Report consists of three Working Group contributions and a Synthesis Report.

6.2.5 Released in March 2023, the AR6 Synthesis Report: Climate Change 2023 integrates the main findings from the working groups and outlines the impacts of global warming and recognises that human activity, principally through the emission of greenhouse gases (GHG), has unequivocally caused global warming. The report finds that limiting human-caused global warming required Net Zero $CO_2$ emissions.

6.2.6 The report emphasises that the severity of future climate change and its impacts are dependent on the level of future emissions. It also notes that not only have carbon dioxide concentrations increased, but the rate of increase has also accelerated. Over the next 20 years, global temperatures are expected to exceed or reach 1.5°C of warming. It is evident that without large-scale, sustained reductions in GHG emissions like carbon dioxide and methane, limiting global warming to 1.5°C is an improbable goal.

### Copernicus Climate Change Service (C3S) Report: Global Climate Highlights

6.2.7 On 10 January 2025, C3S issued the ‘Global Climate Highlights’ prepared for the European Union and implemented by the European Centre for Medium-Range Weather Forecasts (ECMWF) and confirmed the urgency of challenge. It notes that 2024 is the warmest year on record globally, and the first calendar year that the average global temperature exceeds 1.5°C above its pre-industrial level. Samantha Burgess, Strategic Lead for Climate at ECMWF commented on the report advising:

*“Each year in the last decade is one of the ten warmest on record. We are now teetering on the edge of passing the 1.5°C level defined in the Paris Agreement and the average of the last two years is already above this level.”*

6.2.8 This emphasises the urgency of the requirement to address global warming and increasing evidence that we are approaching a position of exceeding the lower limit agreed in the Paris Agreement.

## 6.3 United Kingdom Government Context

6.3.1 This section provides an overview of climate change legislation, the climate emergency declaration and the polices and reports which followed, within a UK context.

### Climate Change

*The Climate Change Act 2008*

6.3.2 The Climate Change Act 2008 (as amended by The Climate Change Act 2008 (2050 Target Amendment) Order 2019) provides the basis for the UK’s approach to adapting to and tackling climate change. The Act sets out the requirement for carbon dioxide and other GHG emissions to be reduced by 100% of 1990 levels by 2050 and the need for the UK Government to adapt to the impacts of climate change. The Act provides a framework to achieve these requirements.

6.3.3 The Act requires the UK Government to set out legally binding 'carbon budgets' towards achieving Net Zero. Once the carbon budget has been set, the UK Government is obliged to prepare policies to achieve the set target. Under the Act, the Climate Change Committee (CCC) was established as an independent adviser to advise the UK and devolved Governments on emissions targets and progress towards the reduction of GHG emissions and adapting to climate change.

## The Climate Emergency

6.3.4 In May 2019, the UK Government and Opposition parties unilaterally agreed to pass a motion to declare an environmental and climate emergency.

## The Sixth Carbon Budget: The UK's Path to Net Zero (December 2020)

6.3.5 On 09 December 2020 the CCC released the Sixth Carbon Budget which updates intermediary targets for the UK's progress to Net Zero to a reduction of 78% by 2035 and outlines that action is required across all sectors or the UK will not deliver Net Zero by 2050. The forward states:

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

6.3.6 The foreword continues by stating:

*"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge - the UK will not deliver Net Zero by 2050. The 2020s must be the decisive decade of progress and action."*

## Net Zero Strategy: Build Back Greener (October 2021)

6.3.7 On 19 October 2021, the previous UK Government (Conservative Government succeeded by Labour in 2024) published the Net Zero Strategy: Build Back Greener, which sets out the UK Government's policies and proposals for decarbonising the UK economy to meet Net Zero targets by 2050.

6.3.8 The strategy states that:

*"the Net Zero economy will be underpinned by cheap clean electricity, made in Britain. A clean, reliable power system is the foundation of a productive Net Zero economy as we electrify other sectors – so we will fully decarbonise our power system by 2035, subject to security of supply. Our power system will consist of abundant, cheap British renewables, cutting edge new nuclear power stations, and be underpinned by flexibility including storage, gas with CCS, hydrogen and ensure reliable power is always there at the flick of a switch."*

### Climate Change Explained Guidance (June 2023)

6.3.9 The former UK Government recognised that human influence has unequivocally led to an altered climate. The Department for Energy Security and Net Zero highlighted in their Climate Change Explained Guidance (June 2023) that there is undeniable evidence of climate change, stating:

*"The United Kingdom (UK) is experiencing rising temperatures. The most recent decade (2012 to 2021) has been on average 1.0°C warmer than the 1961 to 1990 average. All 10 of the warmest years in the UK have occurred since 2003. 2022 was the UK's hottest year on record, with an average year-round temperature above 10°C seen for the first time."*

### Progress in reducing emissions 2024 Report to Parliament Climate Change Committee (July 2024)

6.3.10 The CCC's latest progress report outlines the country is not on track to meet the 68% reduction by 2030 target and that action is needed across all sectors of the economy. Setting out that in order to meet these targets:

*"Annual offshore wind installations must increase by at least three times, onshore wind installations will need to double and solar installations must increase by five times."*

### COP29 (November 2024)

6.3.11 The most recent COP was held in Baku, Azerbaijan in November 2024. The UK Government reinforced the need to tackle the climate crisis at COP29 when Prime Minister Keir Starmer remarked that the:

*"Government recognises that the world stands at a critical juncture in the climate crisis. and the United Kingdom not only has a critical role to play but also, an opportunity to grasp the chance to maximise opportunities for Britain and make us more secure in the here and now."*

6.3.12 In addition, Sir Keir Starmer accelerated the UK's emissions reduction target for 2035, aiming for an 81% reduction compared with 1990 levels. This relates to nationally determined contributions (NDC's) which are due to be announced by early 2026. In announcing the UK's NDC early, the Prime Minister sought to show global climate leadership in reaching Net Zero by 2050. The UK's previous NDC was 68% emission cut by 2030 (made by the previous Conservative Government).

## 6.4 UK Energy Context

6.4.1 The following section provides a summary of the UK Government's key energy policies and strategies. A number of these documents were published under the previous Conservative UK Government.

6.4.2 The Right Honourable Ed Miliband, current Secretary of State for Energy Security and Net Zero set out his priorities for the Department of Energy Security and Net Zero on 08 July 2024 following the election of the Labour UK Government on 5 July 2024. His priorities included:

*"• delivering our mission to boost energy independence and cutting bills through clean power by 2030;*

*•taking back control of our energy with Great British Energy;….*

*•leading on international climate action, based on our domestic achievements."*

6.4.3 The current UK Government published the Great British Energy Founding Statement on 25 July 2024. The Secretary of State Foreword outlines:

*"The new government is taking immediate action on our mission. We lifted the ban on onshore wind within our first 72 hours in government and have set up a new 2030 Mission Control at the heart of government."*

## The Energy White Paper (December 2020)

6.4.4 On 13 December 2020, the previous UK Government published the Energy White Paper: Powering Our Net Zero Future.

6.4.5 The Energy White Paper states to meet the electricity needs from retiring capacity and increased demand would require four times more clean electricity generation.

6.4.6 The Energy White Paper sets out 3 key strategy points for the generation of a wider energy system that:

*"•Transforms energy, building a cleaner, greener future for our country, our people and our planet.*

*•Supports a green recovery, growing our economy, supporting thousands of green jobs across the country in new green industries and leveraging new green export opportunities.*

*•Creates a fair deal for consumers, protecting the fuel poor, providing opportunities to save money on bills, giving us warmer, more comfortable homes and balancing investment against bill impacts."*

6.4.7 Page 45 of the Energy White Paper recognises the importance of onshore wind and states:

*"Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet Net Zero emissions in all demand scenarios."*

## British Energy Security Strategy (April 2022)

6.4.8 The previous Conservative UK Government published the British Energy Security Strategy in April 2022. The UK Government acknowledged that onshore wind is one of the cheapest forms of renewable energy and they were:

*"…serious about delivering cheaper, cleaner, more secure power, so we need to consider all options. That is why we included onshore wind in the latest Contracts for Difference auction round and will include it in future rounds."*

## Powering up Britain: Energy Security Plan (March 2023)

6.4.9 The previous Conservative UK Government published the Updated Energy Security Plan on the 04 April 2023.

6.4.10 The Plan outlines the UK's ambitions to ensure a smooth transition to abundant, low-carbon British energy. It states:

*"Our strategy to increase supply of low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. This includes the infrastructure to produce, store and transport low-carbon energy around the country and to capture, transport and store carbon dioxide. We aim to remove barriers and address blockages, whilst developing new options."*

6.4.11 The Plan is supported by the Net Zero Growth Plan published on 04 April 2023.

## Powering Up Britain: Net Zero Growth Plan – Updated (April 2023)

6.4.12 The previous Conservative UK Government published the Updated Net Zero Growth Plan on 04 April 2023. The Plan outlines the UK Government's strategy to replace imported fossil fuels with cheaper, cleaner, domestic energy sources.

6.4.13 The plan states:

*"In response to high household energy bills resulting from Putin's invasion of Ukraine, the Government stepped in, paying around half of the average household's energy bills over winter and around half of wholesale energy costs for some businesses. But the way to maintain lower cost energy for everyone is to move to cleaner and cheaper energy to protect us from volatile international energy markets, while underpinning our clean energy transition, so the UK becomes a Net Zero economy by 2050."*

6.4.14 The purpose of the plan is to bolster the delivery of Net Zero by 2050.

6.4.15 The UK Government recognises in the Plan that Net Zero and energy security are *"two sides of the same coin".* Therefore, to meet the Net Zero target, it is essential for the energy sector to transition and move away from the decades-long reliance on fossil fuels towards greener, renewable sources.

## Clean Power 2030 Action Plan (December 2024)

6.4.16 The Clean Power 2030 Action Plan published in December 2024 sets out the UK Government's pathway to a clean power system by 2030, stating that successful delivery of UK ambitions to secure Clean Power 2030 "*will require rapid deployment of clean energy capacity across the whole of the UK*."

6.4.17 The Action Plan sets expectations for 2030 capacities of key technologies at national and regional levels, including 27 - 29 GW of onshore wind to assist in reducing fossil fuel dependency. Major steps required include grid reform, twice as much network infrastructure than that built in the last decade, and regulatory reform including the Scottish planning system to align with Clean Power 2030 aims. The Action Plan also recognises the benefits of battery storage to provide flexibility to the grid system.

6.4.18 The key message from the Action Plan is that a review of the delivery of renewables will seek to remove constraints and bottlenecks, to help deliver the aims which is cited as "*Clean Power means that by 2030, Great Britain will generate enough clean power to meet our total annual electricity demand, backed up by unabated gas supply to be used only when essential.*"

## 6.5 Scottish Climate Context

6.5.1 The Scottish Government are committed to transforming the energy system and ending Scotland's contribution to climate change. The following section will demonstrate the Scottish Government's energy and emissions targets to achieve Net Zero by 2045.

### Climate Change

#### The Climate Change (Scotland) Act 2009 and The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

6.5.2 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to revise the Act to set a target date of 2045 for reaching Net Zero emissions, which the Scottish Ministers are legally bound by.

6.5.3 On 18 April 2024, the Net Zero Secretary Mairi McAllan confirmed the Scottish Government's commitment to Net Zero by 2045. In response to the CCC's Progress in reducing emissions in Scotland – 2023 Report to Parliament the Net Zero Secretary confirmed:

*"that the 2030 target for emissions reduction is not achievable, this will no longer be a statutory target."*

6.5.4 The Net Zero Secretary stated that:

*"new legislation will be brought forward to introduce multi-year 'Carbon budgets' replacing the current, annual targets."*

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

6.5.5 The Climate Change (Emissions Reduction Targets) Scotland Act 2024 was passed by the Scottish Parliament on 05 November 2024 and received Royal Assent on 22 November 2024. The Act replaces the annual and interim emissions targets, with five-year carbon budgets from 2026-2045. Additionally, the Act changes the current deadline for finalising the next Climate Change Plan for Scotland to align with the time scale for carbon budgets.

### The Climate Emergency

6.5.6 On 14 May 2019, Climate Change Secretary, Roseanna Cunningham, declared a climate emergency in her statement to the Scottish Parliament. The Climate Change Secretary's statement indicated that the Scottish Government placed climate change at the core of its ambitious agenda. The Scottish Government recognised that responding to climate change is essential as the "*cost of inaction far outweighs the cost of action*."

#### The Highland Council Climate Emergency

6.5.7 On 19 May 2019, the Highland Council declared a climate emergency and committed to achieving net-zero carbon emissions at latest by 2045. The council stated that:

*"Highland Council recognises the serious and accelerating changes to the world caused by climate change and therefore declares a climate and ecological emergency."*

6.5.8 The Council published the Net Zero Strategy on 05 October 2023, which provides direction and identifies key actions to address the Climate Emergency and achieve Net Zero by 2045. On page 1 of the Plan, it states that:

*“The journey to net zero will be challenging, but we know climate action can deliver more comprehensive economic, environmental, social and health benefits. We must embrace the potential of the ‘green economy’ and nurture the development of new industries that create jobs and wealth.”*

6.5.9 The Plan sets out outcomes to facilitate Net Zero, including:

*“Capitalise on our areas of immense natural capital to deliver alternative energy solution including development of solar, hydrogen, Hydro, and wind solutions.”*

### Securing a Green Recovery on to Path to Net Zero: Climate Change Plan Update (December 2020)

6.5.10 The Climate Change Plan was adopted on 16 December 2020 and sets out the Scottish Government's pathway to achieving the targets set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

6.5.11 The plan focuses the ambitious target to address Net Zero by 2045 and delivering a green recovery and states:

*"The green recovery and transition to Net Zero present considerable economic opportunities for Scotland. By capitalising on Scotland's strengths in energy, natural capital, innovation and our skilled workforce and universities, we can set Scotland at the forefront of growing global."*

## 6.6 Scottish Energy Context

6.6.1 On 28 September 2023, the Minister for Energy and the Environment, Gillian Martin, in a statement to the Scottish Parliament, restated the Scottish Government's vision for the future of Scotland’s energy system. The Scottish Government remains committed to a Net Zero future, stating:

6.6.2 “We remain committed to a Net Zero future, and we will use every power at our disposal to support sustainable economic growth and maximise the opportunities of the green economy.”

6.6.3 Furthermore, the statement goes on to emphasise:

*“Our focus must be on meeting our energy security needs, reducing emissions, delivering affordable energy supplies, whilst ensuring a just transition”*

6.6.4 The section below highlights the Scottish Government's commitment to renewable energy and the policy context for the energy sector in Scotland.

### The Scottish Energy Strategy (December 2017)

6.6.5 Published in December 2017, the Scottish Energy Strategy (SES) provides a framework, for the period to 2050, for Scottish Government decision making and outlines the vision for the future energy schemes in Scotland. The SES sets the target of the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources.

6.6.6 The Scottish 2050 energy vision aims to create a thriving, competitive energy sector that provides secure, affordable, and clean energy to households, communities, and businesses. The vision is centered around six priorities, including:

*"exploiting Scotland's huge renewable energy resources; and innovative local energy systems which empower communities"*

6.6.7 With regards to onshore wind, the SES states:

*"Our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.*

*That means continuing to support development in the right places, and – increasingly – the extension and replacement of existing sites with new and larger turbines, all based on an appropriate, case by case assessment of their effects and impacts."*

## Onshore Wind Policy Statement (December 2022)

6.6.8 On 21 December 2022, Scottish Ministers published The Onshore Wind Policy Statement (OWPS). The OWPS sets out the Scottish Government's ambition to deploy 20 GW of onshore wind by 2030.

6.6.9 The Ministerial Foreword states that the world is facing a climate emergency and, in addition:

*"Russia's illegal invasion of Ukraine and the resulting extraordinary rise in the price of fossil fuels, in particular gas, demonstrates that continuing to rely on commodities that are subject to global price shocks is no longer an option.*

*That is why we must accelerate our transition towards a Net Zero society. Scotland already has some of the most ambitious targets in the world to meet Net Zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage."*

6.6.10 Renewable energy has the ability to generate significant benefits for the Scottish public, particularly in the case of onshore wind, which *"has the ability to be deployed quickly, is good value for consumers and is widely supported by the public."*

6.6.11 The OWPS recognises that the deployment of wind energy projects must be delivered quickly. In paragraph 1.1.2 the OWPS states:

*"We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support Net Zero delivery across all sectors, including heat, transport and industrial processes."*

6.6.12 This ambition has been set to allow:

*"the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to Net Zero whilst other technologies reach maturity."*

6.6.13 The OWPS outlines the Scottish Government's approach to environmental considerations in Chapter 3. The OWPS outlines that to achieve the ambitious minimum target of 20GW by 2030 there will be impacts to the landscape. Paragraph 3.6.1 states:

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

6.6.14 Chapter 5: Onshore Wind and Benefits to Scotland of the OWPS outlines that onshore wind developments already provide significant socio-economic benefits through investment, innovation and the creation of jobs. The Scottish Government anticipate that all onshore wind development will support the national and local supply chains.

6.6.15 The conclusion of the OWPS states that:

*"Deployment of onshore wind is mission-critical for meeting our climate targets. As an affordable and reliable source of electricity generation, we must continue to maximise our natural resource and deliver Net Zero in a way that is fully aligned with, and continues to protect, our natural heritage and native flora and fauna."*

## Draft Energy Strategy and Just Transition Plan (January 2023)

6.6.16 The Scottish Government published the Draft Energy Strategy and Just Transition Plan on 10 January 2023 for consultation. The Ministerial Foreword clearly states that we are entering a decade that will be critical in determining the future of Scotland's energy system and that:

*"we must deliver an energy system that meets the challenge of becoming a Net Zero nation by 2045, supplies safe and secure energy for all, generates economic opportunities, and builds a just transition."*

6.6.17 The draft Strategy sets out key ambitions for Scotland's energy transition and those considered to be of particular relevance to the Proposed Development are:

*"• More than 20 GW of additional renewable electricity on- and offshore by 2030.*

*• Accelerated decarbonisation of domestic industry, transport and heat.*

*• Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.*

*• Energy security through development of our own resources and additional energy storage.*

*• A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production."*

6.6.18 Chapter 3: Energy Supply outlines that Scotland will be a renewable powerhouse and sets what the Scottish Government will do to achieve this transformation. In terms of onshore wind, it refers to the additional 12 GW of installed onshore wind by 2030.

6.6.19 The draft Strategy refers to scaling up renewable energy and section 3.1 states:

*"We will continue to build a diverse renewable energy mix, with significant offshore and onshore wind deployment supported by technologies such as hydro and solar."*

6.6.20 It also recognises the value of battery storage to the supply and confirms the need case for onshore wind and battery storage beyond simply addressing climate change referring to the need to address energy security and cost of supply.

### Onshore Wind Sector Deal (September 2023)

6.6.21 The Onshore Wind Sector Deal was published by the Scottish Government on 23 September 2023 and looks at collaborative ways in which the onshore wind industry and Scottish Government can work together to deliver the 20GW ambition. It also looks beyond the narrowness of the benefits which can be delivered by individual developments and seeks to identify how collectively onshore wind developers can maximise the benefits to Scotland as a whole, on an industry-wide scale.

### Green Industrial Strategy (September 2024)

6.6.22 The Green Industrial Strategy was published by the Scottish Government on 11 September 2024 and identifies areas of competitive global growth and opportunity for Scotland to realise the maximum possible economic benefit in the transition to Net Zero.

6.6.23 The Joint Ministerial Foreword notes that:

*"We now stand in the midst of the next energy transition – to clean and renewable power. Scotland can, and should, play a leading role in this next revolution, just as it did in the growth of the fossil fuel economy in earlier decades."*

6.6.24 Under Part Two: Opportunity Areas on page 20, the Strategy outlines the significant opportunities for attracting onshore and offshore wind. Page 21 continues by stating:

*"Onshore wind is the biggest single technology in Scotland's current mix of renewable electricity generation, comprising 62% of installed capacity. A thriving onshore wind sector is therefore critical to the decarbonisation in Scotland and the UK."*

## 6.7 Progress Towards Energy and Emissions Targets

6.7.1 It is considered that the key targets for Scotland are:

- to reach Net Zero GHG emissions by 2045;
- to generate the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030; and
- A minimum installed capacity of 20GW of onshore wind by 2030 and recognition that this target is not a cap. Scottish Ministers acknowledge that renewable energy generation will be necessary beyond 2030 to meet increasing energy demands. The Draft Energy Strategy and Just Transition Plan (January 2023) outlines a way to achieve a flourishing net-zero energy system to 2030 and beyond, identifying the clear benefits of onshore wind projects, recognising that the generation of surplus electricity will enable the export of electricity and production of renewable hydrogen to support decarbonisation across Europe and provide energy security through the development of Scotland's own energy resources and storage.

6.7.2 **Table 6.1** presents the current position based on these key targets.

**Table 6:1 – Energy Targets**

| Target | Timescale | Source | Current Position |
|---|---|---|---|
| Annual and Domestic Effort Targets<br><br>53.8% reduction from 1990 baseline (2022 target) | Annual<br><br>2022 | The Climate Change (Scotland) Act 2009 | Emissions reduced by 50% of 1990 emissions in 2022; therefore, the target was not met. |
| 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources | 2030 | Scottish Energy Strategy: The future of energy in Scotland (2017) | The Q2 2024 Energy Statistics for Scotland outline that Scotland now generates the equivalent of nearly 29.5% of total final energy consumption from renewable sources. |
| Minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 | 2030 | Onshore Wind Policy Statement (2022) | 10.176 GW grid-connected in June 2024 |

6.7.3 The Scottish Government has confirmed that their target for GHG emission reductions by 2030 is out of reach. The Net Zero target by 2045 remains.

### Energy Statistics for Scotland Q3 2024 (December 2024)

6.7.4 The Energy Statistics for Scotland – Q3 2024, outline that:

*"Scotland's renewable electricity generation in 2024 quarter 3 was 7,483 GWh - an increase 8.5% increase from 6.868 GWh in the same quarter in 2023. In the first three quarters of 2024, Scotland generated 26.6TWh of renewable electricity, up 16.8% on 2023.*

*Renewable electricity capacity in Scotland has risen over the last 12 months, from 15.1 GW in September 2023 to 16.0 GW in September 2024. This is largely due to increases in wind capacity."*

### Scottish Government, Scottish Energy Statistics Hub

6.7.5 The latest online hub tracker[2] advises that in relation to operational onshore wind capacity, there is 10.176 GW as of Q3 2024.

6.7.6 As of the same date, there is 14.5 GW in the pipeline (7.670 GW in planning, 5.354 GW awaiting construction, 1.458 GW under construction). The largest part of the pipeline forms applications in planning and there is no certainty all of these applications will receive consent and be constructed.

[2] Scottish Energy Statistics Hub

### Onshore Wind Pipeline Analysis

6.7.7 The BVG Associates, Scotland onshore wind pipeline analysis 2024-2030 December 2024 update, outlines that based on the Scenario 1 (low) dataset it is predicted there will be 15.7 GW of operational wind by 2030 which falls short of the 20 GW target. They do note that using Scenario 2 (medium) and Scenario 3 (high) datasets that 20 GW is achievable but "may be restricted by its current ability to resource these key services."

6.7.8 The scenarios outlined demonstrate that it is going to be very challenging to meet the 2030 targets. It should also be recognised that the 2030 target is a minimum target and not a cap. There will be a continued need for onshore wind development post 2030 to meet the Net Zero target by 2045.

6.7.9 BVG's analysis predicts:

*"The number of current consent decisions in the ECU will at least need to double for at least three of the next five years.*

- *If future projects are to use the CfD framework as their route to market, allocation for onshore wind in the next three ARs (AR 7 to AR 9), compared to AR 6's actual allocation of 0.9 GW, will need to:*
  - *More than double to at least 2.4 GW per year on average to achieve the Scenario 2, and*
  - *Almost quadruple to at least 3.5 GW per year on average to achieve Scenario 3."*

### Scottish Greenhouse Gas Statistics 2022

6.7.10 The Scottish Government's, Scottish Greenhouse Gas Statistics 2022, was published on 18 June 2024 and confirmed the GHG emissions reduced by 50% between the baseline period and 2022. Therefore, the target of 53.8% was not met.

## 6.8 Summary and Conclusion

6.8.1 In summary, it is clear that international, UK, national and local climate change legislation recognises that this is a decisive decade where rapid action is required to address the climate emergency and that the efforts to date are not on track to limit global warming by 1.5°C. Indeed, evidence indicates that *"we are teetering on the edge of passing"* this limit. This will make it harder to reach the higher 2°C target. Further, that despite Scotland having some of the most ambitious climate change targets in the world, the international message is clear and is has been translated into UK and Scottish policy - there is a need to go further and faster to protect from irreversible climate damage. Both the UK and Scottish Governments now have in place legal requirements to meet Net Zero.

6.8.2 The solution recognises the need to secure a move away from fossil fuels and the requirement for increased renewable energy to address climate change and meet the Net Zero targets. The contribution of onshore wind is recognised across international, UK and Scottish policy and guidance as a reliable, easily deployed, cheap and a widely supported solution to support this transition.

6.8.3 The move away from fossil fuels, is resulting in an increased demand for further electrification, at the same time that fossil fuel sources are being shut down and not replaced. Affordability and security of supply add further impetus for the need for renewable energy. Both UK and Scottish Policy therefore recognises the importance of the deployment of onshore wind.

6.8.4 It has been shown that Scotland is not meeting the GHG emissions reduction targets and therefore more onshore wind development is needed to meet Net Zero by 2045.

6.8.5 The OWPS and DESJTP clearly support quick deployment of new renewable energy developments is required to meet the GHG emissions reduction targets and to create a more secure, fair and affordable energy system. A summary of some of the key points are:

- OWPS sets a target of 20GW of installed onshore wind by 2030, but importantly notes this is not a cap and that further generation is required beyond 2030. The OWPS recognises that not all of the projects in planning/consented will be constructed.
- The war in Ukraine and the subsequent rise in the price of fossil fuels provides additional policy imperatives why Scotland must accelerate towards a Net Zero society. Security of supply and low-cost generation is key.
- Onshore wind can be deployed quickly, is good value for consumers and widely supported by the public.
- Recognition in policy that the developments needed to contribute to a Low Carbon economy will change the landscape.
- Recognition of the benefits of energy in relation to energy security and resilience and that the capacity needs to be significantly increased.
- Recognition that the combined national imperative to deploy additional onshore wind provides significant economic opportunities.
- The OWPS states that the deployment of onshore wind is mission-critical for meeting our climate targets.

# 7 PLANNING POLICY CONTEXT

## 7.1 Introduction

7.1.1 This Chapter provides an overview of the Development Plan and other relevant considerations.

## 7.2 Development Plan

7.2.1 The Development Plan for the Site comprises:

- National Planning Framework 4 (NPF4) adopted February 2023;
- Highland-wide Local Development Plan (HwLDP) adopted in 2012 and the Highland Council Supplementary Planning Guidance, which is of relevance to the Site, includes the Onshore Wind Energy Supplementary Guidance (OWESG) (2016) and its Addendum (2017)
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted 2024.

7.2.2 The Chief Planner letter published on 08 February 2023 outlined that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is later in date is to prevail (TCPSA, Section 24 (3)). Provisions that are contradictory or in conflict would be likely to be considered incompatible.

## 7.3 Development Plan

### NPF4

7.3.1 The Scottish Government adopted and published NPF4 on 13 February 2023.

7.3.2 Annex A of NPF4 explains that the policies are to be read as a whole. The weight to be attached to policies is for the decision-maker to determine. It explains that:

*"where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies."*

7.3.3 The NPF4 includes three parts:

- Part 1 – A National Spatial Strategy for Scotland 2045
- Part 2 – National Planning Policy
- Part 3 – Annexes.

#### The National Spatial Strategy

*Delivery of Sustainable Places*

7.3.4 The opening paragraph to Part 1 demonstrates the national importance placed on addressing the impacts of climate change and enabling development that reduces GHG emissions. Part 1 – A National Spatial Strategy for Scotland 2045 states:

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

*change. We will need to respond to a growing nature crisis, and to work together to enable development that addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality."*

7.3.5 *'Sustainable places'* are described under the National Spatial Strategy as:

*"Scotland's future places will be Net Zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.*

*Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.*

*Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."*

7.3.6 Part 1 of NPF4 - A National Spatial Strategy begins with stating:

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

7.3.7 Page 4 of NPF4 details the six overarching spatial principles. The principles will play a critical role in delivering the Scottish Government's National Performance Framework and the United Nations Sustainable Development Goals. Those considered to be of particular relevance to the Proposed Development are:

*"**Just transition**. We will empower people to shape their places and ensure the transition to Net Zero is fair and inclusive;*

***Conserving and recycling assets**. We will make productive use of existing buildings places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy;*

***Rebalanced development**. We will target development to create opportunities for communities and investment in areas of past decline, and manage development sustainably in areas of high demand; and*

***Rural revitalisation**. We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together."*

7.3.8 Page 4 sets out how these principles will be applied in practice and states:

*"By applying these spatial principles, our national spatial strategy will support the planning and delivery of:*

*• sustainable places, where we reduce emissions, restore and better connect biodiversity;*

*• liveable places, where we can all live better, healthier lives; and*

*• productive places, where we have a greener, fairer and more inclusive wellbeing economy."*

7.3.9 Page 6 of NPF4 concerns the impact of climate change on Scotland and the delivery of sustainable places. It states:

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

7.3.10 Paragraphs 1 and 2 of page 7 of NPF4 outline the national spatial strategy for sustainable places:

*"Scotland's future places will be Net Zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development in the right place."*

7.3.11 Paragraph 3 of page 7 details that the Scottish Government will encourage the:

*"expansion of renewable energy generation".*

7.3.12 Cross-cutting Outcome and Policy Links' are outlined on page 8 of NPF4 which concerns the reduction of GHG emissions:

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

### National Developments

7.3.13 NPF4 has identified eighteen national developments, which are defined within Annex A as:

*"…significant developments of national importance that will help to deliver the spatial strategy. National development status does not grant planning permission for the development and all relevant consents are required. Their designation means that the principle of the development does not need to be agreed in later consenting processes, providing more certainty for communities, business and investors."*

7.3.14 Therefore, whilst national developments will need to apply for consent, the principle of the development has been accepted and the national need for such developments has been explicitly recognised.

7.3.15 As a development over 50 MW, the Proposed Development is designated as a national development in NPF4 under National Development 3 Strategic Renewable Electricity Generation and Transmission Infrastructure (ND3).

7.3.16 Page 103 describes ND3:

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

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

*The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions."*

7.3.17 NPF4 outlines that the need for ND3 is:

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

### National Planning Policy

7.3.18 It is considered Policy 11 Energy is the lead policy for the Proposed Development.

7.3.19 Policy 11 Energy's stated intent is:

*"To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisations and storage (CCUS)."*

7.3.20 The policy outcome is for:

*"Expansion of renewable, low-carbon and zero emissions technologies."*

7.3.21 Policy 11 is supportive of all forms of renewable energy developments (as detailed in criteria a) and includes (i) wind farms and (iii) battery storage) and provides detailed criteria for the assessment of renewable energy proposals.

7.3.22 Criteria b) of Policy 11 states the only areas wind farms will not be supported are within National Parks and National Scenic Areas (NSAs).

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

7.3.24 Criteria d) outlines that development proposals which impact on international or national designations will be assessed in relation to Policy 4.

7.3.25 Criteria e) includes project design and mitigation to demonstrate how impacts are addressed.

7.3.26 NPF4 recognises that significant landscape and visual impacts are to be expected for some forms of renewable energy and requires that design and mitigation has been applied, to ensure that impacts are addressed as far as possible. For landscape effects it confirms that where impacts are localised and/or appropriate design migration has been applied, they will generally be considered to be acceptable. Criteria e) states:

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

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

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

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

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

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

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

*vii. impacts on historic environment;*

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

*ix. biodiversity including impacts on birds;*

*x. impacts on trees, woods and forests;*

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

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

*xiii. cumulative impacts".*

7.3.27 When decision makers are considering the impacts detailed in part e) of Policy 11 they need to give significant weight to the contribution of the Proposed Development to renewable energy generation targets and on GHG emissions reduction targets. The OWPS sets a minimum target of 20GW of deployed onshore wind by 2030.

7.3.28 It is considered that the following NPF4 policies are also relevant to the Proposed Development. The requirements for each policy are set out in **Appendix 2: Planning Policy Wording** under **Table 1:** NPF4 Policies relevant to the Proposed Development:

- Policy 1: Tackling the Climate and Nature Crisis.
- Policy 3: Biodiversity.
- Policy 4: Natural Places.
- Policy 5: Soils.
- Policy 6: Forestry, Woodland and Trees.
- Policy 7: Historic Assets and Places.
- Policy 18: Infrastructure First.
- Policy 20: Blue and green infrastructure.
- Policy 25: Community Wealth Building.

## Highland Council Local Development Plan

7.3.29 The HwLDP was adopted in April 2012.The Onshore Wind Energy Supplementary Guidance (November 2016) also forms part of the LDP and is a relevant consideration for the Proposed Development.

7.3.30 The key HwLDP policy for the Proposed Development is Policy 67 – Renewable Energy Developments, which states that:

*"Renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation. The Council will also consider:*

- *the contribution of the proposed development towards meeting renewable energy generation targets; and*
- *any positive or negative effects it is likely to have on the local and national economy;"*

7.3.31 The Policy goes on to state:

*"the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments (see Glossary), having regard in particular to any significant effects on the following:*

- *natural, built and cultural heritage features;*
- *species and habitats;*
- *visual impact and impact on the landscape character of the surrounding area (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations);*
- *amenity at sensitive locations, including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary);*
- *the safety and amenity of any regularly occupied buildings and the grounds that they occupy- having regard to visual intrusion or the likely effect of noise generation and, in the case of wind energy proposals, ice throw in winter conditions, shadow flicker or shadow throw;*
- *ground water, surface water (including water supply), aquatic ecosystems and fisheries;*
- *the safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas;*
- *other communications installations or the quality of radio or TV reception;*
- *the amenity of users of any Core Path or other established public access for walking, cycling or horse riding;*
- *tourism and recreation interests;*
- *land and water based traffic and transport interests."*

7.3.32 Other relevant policies of the HwLDP are listed below. **Table 2** of **Appendix 2: Planning Policy Wording** provides the policy text of the HwLDP policies considered to be most relevant to the Proposed Development.

- Policy 28: Sustainable Design.
- Policy 30: Physical Constraints.
- Policy 31: Developer Contributions.

- Policy 51: Trees and Development.
- Policy 55: Peat and Soils.
- Policy 57: Natural, Built and Cultural Heritage.
- Policy 58: Protected Species.
- Policy 59: Other Important Species.
- Policy 60: Other Important Habitats and Article 10 Features.
- Policy 61: Landscape.
- Policy 63: Water Environment.
- Policy 64: Flood Risk.
- Policy 67: Renewable Energy Developments.
- Policy 69: Electricity Transmission Infrastructure.
- Policy 72: Pollution.
- Policy 77: Public Access.
- Policy 78: Long Distance Routes.

## Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted 2024

7.3.33 The IMFLDP2 was adopted in 2024 and focuses on the regional and settlement strategies for the Inner Moray Firth area. It is to be read along with the NPF4 and HwLDP. The IMFLDP2 notes on page 36 that the overarching aim of the Plan is to support the transition to a green economy, including:

*"delivering a strategy which utilises our natural and cultural resources and supports the prosperity of key growth sectors for the region's future, particularly sustainable tourism and renewable energy."*

7.3.34 The IMFLDP2 also states in relation to the environment that:

*"Safeguarding and enhancing the natural, built, and cultural environment of the Inner Moray Firth is vital to the prosperity of the area, the health of its residents and the quality of its places. Protecting, managing and enhancing this environment also plays a part in tackling the climate and ecological emergency. This is one of the two overarching aims of the Plan and has shaped its content. We hope to make the Plan area more resilient to the environmental impacts of climate change and help contribute to Scotland's ambitious carbon reduction targets of a 75% reduction in all greenhouse gas emissions by 2030 and net zero by 2045."*

7.3.35 **Table 3** in **Appendix 2: Planning Policy Wording** provides the policy text of the IMFLDP2 policies considered to be most relevant to the Proposed Development, which are:

- Policy 1: Low and zero carbon development.
- Policy 2: Nature protection, restoration and enhancement.
- Policy 9: Delivering Development.
- Policy 14: Sustainable Transport Policy.

### Supplementary Guidance

*THC Onshore Wind Energy Supplementary Guidance*

7.3.36 The relevant Supplementary Guidance pertaining to the Proposed Development is the Onshore Wind Energy Supplementary Guidance (amended 2017) (OWESG). The OWESG was adopted in November 2016. The OWESG sets out a range of matters that THC will consider when determining wind farm applications including landscape, aviation interests, roads, peat and tourism.

*Culloden Conservation Area Management Plan*

7.3.37 The Site is located 6.87km to the south of the Culloden Muir Conservation Area.

7.3.38 In November 2015, THC published the Culloden Muir Conservation Area: Character Appraisal and Management Plan.

7.3.39 This is supplementary guidance to the policies set out in the adopted Highland-wide Local Development Plan (2012), the Inner Moray Firth Local Plan (2015) and Highland Historic Environment Strategy (2012).

7.3.40 The Culloden Muir Conservation Area: Character Appraisal and Management Plan states that:

*"Sensitivity to development both within and outwith the designated Conservation Area has been identified in the Proposed Culloden Muir Conservation Area: Visual Setting Assessment report by AOC Archaeology Group (2014). Development types identified as having a significant visual impact on historic environment assets and their setting will not be supported by Highland Council."*

7.3.41 It goes on to state that:

*"In accordance with the accompanying Visual Setting Assessment, the wider setting of the Conservation Area may be impacted by development located outwith the designated Conservation Area boundary. The Conservation Area designation will be a material consideration for any development proposals outwith the designated area which have the potential to visually impact on the Conservation Area. This policy will also include those developments located further afield as well as those within the immediate landscape setting."*

## Non-Statutory Planning Guidance

7.3.42 The Highland Council adopted the Biodiversity Planning Guidance on 02 May 2024. The Guidance is a non-statutory planning guidance that provides clarity regarding the necessary supporting information to demonstrate the conservation, restoration, and enhancement of biodiversity as required under NPF4. The revised guidance requires a minimum 10% biodiversity enhancement.

## Emerging Policy

7.3.43 Following the publication of NPF4, the Highland Council has begun the process of replacing the current HwLDP and three individual 'area' LDPs with a new Highland Local Development Plan (HLDP) that will cover the whole of the Highland Council area. The New HLDP is anticipated to be adopted by Q3 of 2027. Due to its emerging status, it is not considered to be a relevant consideration in the determination of the S.36 Application.

## 7.4 Planning Guidance

7.4.1 The Scottish Government has published a number of Planning Advice Notes (PANs) and planning guidance which provide good practice advice and other relevant information to be considered. Relevant guidance applicable to the Proposed Development is detailed below:

- PAN 50 Planning Advice Note 50: controlling the environmental effects of surface mineral workings (1996).
- PAN 60 Planning for Natural Heritage (2000).
- PAN 61 Sustainable Urban Drainage Systems (2001).
- PAN 75 Planning for Transport (2005).
- PAN 51 Planning, Environmental Protection and Regulation (Revised 2006).
- PAN 79 Water and Drainage (2006).
- PAN 3/2010: Community Engagement (2010).
- PAN 1/2011 Planning and Noise (2011).
- PAN 2/2011 Planning and Archaeology (2011).
- PAN 1/2013 Environmental Impact Assessment (as amended) (2013).
- Onshore Wind Turbines: Planning Advice (2014).
- Flood Risk: Planning Advice (2015).
- Biodiversity: Draft Planning Guidance (2023).

## 7.5 Other Relevant National Guidance

7.5.1 This section of the Chapter includes reference to other national guidance which is relevant to the Proposed Development.

7.5.2 The Scottish Government published Tackling the Nature Emergency – Scottish biodiversity strategy to 2045 in September 2023. The strategy sets out the Scottish Government ambition "*for Scotland to be Nature Positive by 2030, and to have restored and regenerated biodiversity across the country by 2045*".

## 7.6 Summary and Conclusion

7.6.1 This Chapter demonstrates that planning policy is very supportive of onshore wind development.

7.6.2 The Proposed Development is a national development and NPF4 recognises that *"a large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets."*

7.6.3 NPF4 is clear that onshore wind development is required in order to meet the GHG emission reduction targets and renewable energy targets.

7.6.4 Planning policy includes a number of impacts which are to be considered as part of a Proposed Development and in considering the impacts, significant weight is to be given to the contribution of the development to the GHG emission reduction and renewable energy targets.

7.6.5 NPF4 recognises that significant landscape and visual impacts are to be expected for some types of renewable energy developments and where the impacts are localised and/or appropriate design has been applied, they will generally be considered to be acceptable.

7.6.6 Support for renewable energy is also provided within the HwLDP under Policy 67.

7.6.7 A detailed assessment of the Proposed Development against the policy position set out above is provided in **Chapter 8**.

# 8 ASSESSMENT AND CONCLUSIONS

## 8.1 Introduction

8.1.1 This Chapter assesses the Proposed Development against relevant considerations.

## 8.2 The Electricity Act 1989

8.2.1 As noted in **Section 2.3** of this Planning Statement, the application is made under S.36 of the Electricity Act. A direction under section 57(2) of TCPSA is also sought. An application under S.36 of the 1989 Act for consent for the construction of an electricity generating station whose capacity exceeds 50 MW is significantly different from an application for planning permission for a similar station whose capacity is less than 50 MW. The reason for this difference in approach relates to the strategic nature of generating stations of capacity greater than 50 MW and the correspondingly greater significance of national energy policies. This distinction is further reinforced by NPF4, which designates onshore electricity generation from renewables exceeding 50 MW capacity as national development.

8.2.2 In the Electricity Act, there are no prescribed considerations such as those contained in section 37(2) of the TCPSA. In the Electricity Act, there are only the Schedule 9 provisions, (as described in **Section 8.3** below) and there the requirement is to *"have regard to the desirability"* of specified matters, rather than a pass or fail test.

8.2.3 There is no mention of the development plan in the Electricity Act. There is accordingly no scope for the application of section 25 of the 1997 Act for decisions to be made in accordance with the development plan unless material consideration indicate otherwise. This was confirmed in the case of William Grant & Sons Distillers Ltd v Scottish Ministers [2012] CSOH 98 (paragraphs 17 and 18).

8.2.4 The procedure under section 57(2) of the 1997 Act does not involve a grant of planning permission, but rather a deeming of such a grant. Section 57(3) is concerned with the status of a deemed grant of planning permission, rather than the process by which the direction is to be granted. There is no mention of the development plan in section 57(2), and accordingly no scope again for the application of section 25.

8.2.5 It is therefore potentially confusing to think of "material considerations" in the context of the decision-making process under S.36 of the Electricity Act, because that term has a particular meaning in section 37(2) of the TCPSA, which includes the development plan. For this reason, it is more helpful to use the term "relevant consideration" to describe the considerations relevant to Scottish Ministers in reaching their decision-making under S.36.

## 8.3 Schedule 9 of the Electricity Act

8.3.1 Whilst not a licence holder, the Applicant has taken account of the requirements of Schedule 9, in particular, 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. They have also had regard to the requirement to avoid, as far as possible, causing injuries to fisheries or to the stock of fish in any waters as confirmed in **Chapter 6: Ecology and Biodiversity**, **paragraphs 6.7.26 and 6.7.27** of the EIA Report.

## 8.4 Principle of the Proposed Development

8.4.1 The Proposed Development is categorised as a national development and therefore the principle or "need" for the Proposed Development does not need to be demonstrated.

8.4.2 The Proposed Development would make a significant beneficial contribution to meeting current GHG emissions reduction targets as set out in **Chapter 13, Section 13.6**. The Proposed Development is predicted to deliver total emissions savings of 2,481,469 tCO2e over a modelled 50-year operational lifetime, against a grid mix of electricity. The payback period of predicted emissions from manufacture, construction and decommissioning against the predicted annual carbon savings is predicted to be 5.0 years against a grid-mix of electricity.

8.4.3 The Proposed Development would estimate to generate up to 150.8 MW of renewable electricity annually, which could meet the energy needs of approximately 70,000 households annually. This is a considerable contribution towards the need statement of National Development 3 in NPF4 and as discussed below in terms of helping to tackle the climate crises, renewable energy generation, GHG reduction and the Net Zero target.

## 8.5 Assessment against the Energy and Climate Change Legislation, Policy and Guidance

8.5.1 To address the climate crisis and to ensure security and affordability of supply, both UK and Scottish Governments are aligned in the requirement for the quick deployment of low-cost renewable energy. Onshore wind is recognised as a key technology to deliver this deployment as an established and low-cost solution.

8.5.2 2030 is the critical window for climate change. This is reflected in the renewable energy targets and derives from the UK White Paper where it confirms that onshore wind has a crucial role. Indeed, onshore wind was put in with solar in the Contracts for Difference (CfD) auction Round 4. There were no offshore bids in CfD Round 5 and this emphasises the critical role that onshore wind contributions will make in terms of delivery. The British Energy Security Strategy recognises the increased importance of onshore wind. Subsequent UK policy reviews confirm that they have the right policy, where onshore is required to play a significant part, there is no suggestion that this strategy needs to change, on the contrary the focus is now on delivering the renewable energy capacity through the CfD process.

8.5.3 Scottish Government's Securing a Green Recovery on a Path to Net Zero: Update to the Climate Change Plan 2018 – 2032 Annex 1 (December 2020) called on the UK Government to reform the CfD process to support onshore wind and solar technologies. Post the changes made by the UK Government to the CfD the Scottish Government published their revised policy position setting out an ambition through the OWPS outlining support for onshore wind and considers the requirements and confirms how this can be met by 2030.

8.5.4 The OWPS confirms the requirement of a minimum of 20GW of onshore wind capacity in Scotland by 2030, and recognises that this is not a cap with a requirement to meet Net Zero beyond 2030. Scottish Ministers acknowledge that renewable energy generation will be necessary beyond 2030 to meet increasing energy demands. The Draft Energy Strategy and Just Transition Plan (January 2023) also outlines a way to achieve a flourishing net-zero energy system to 2030 and beyond, identifying the clear benefits of onshore wind projects, recognising that the generation of surplus electricity will enable the export of electricity and production of renewable hydrogen to support decarbonisation across Europe and provide energy security through the development of Scotland's own energy resources and storage.

8.5.5 Significant weight requires to be given to the energy generation and GHG reductions where the Proposed Development could make a meaningful contribution and provide additional flexibility to the grid through the co-location of a BESS.

8.5.6 Furthermore, grid connection reform is underway, it will remain unclear until a consent is in place, whether schemes consented and "ready for connection" will be prioritised and given early connections to help meet the initial 2030 targets, as the targets approach.

## 8.6 Assessment against the Development Plan

8.6.1 This section of the Planning Statement assesses the Proposed Development against the policies which were identified in **Chapter 7**.

8.6.2 As discussed in **Section 8.2**, whilst the Development Plan does not have primacy in S.36 applications, it is a relevant consideration. The assessment against NPF4 in **Tables 8.1 and 8.2**, the HwLDP and IMFLDP2 in **Tables 8.3 and 8.4** respectively demonstrate compliance with the Development Plan when read as a whole.

### Policy 11 Energy Policy

8.6.3 It is considered Policy 11 Energy is the key policy relevant to the Proposed Development. Policy 11 supports all forms of renewable energy development, including onshore wind and BESS.

#### National Parks and National Scenic Areas

8.6.4 Policy 11 b) confirms that proposals for wind farms in National Parks and NSAs will not be supported. The Proposed Development is not located within either of these designations; therefore, this criterion is not applicable to the Proposed Development.

#### Maximise Net Economic Impact

8.6.5 Policy 11 c) advises that proposals will only be supported where they maximise economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The Applicant is committed to maximising the net economic impact of the Proposed Development.

8.6.6 The Socio-Economic Impact Assessment provided in **Chapter 12: Socio-economics, Land Use, Recreation and Tourism** of the EIA Report describes how the proposal maximises the benefits for the local area, summarised below.

8.6.7 During the construction phase it is estimated that the Proposed Development could generate up to £34.3 million GVA and 533.4 job years across Scotland, with approximately £10.9 million and 183.1 job years' worth of this total directly benefitting the Highlands and £1.9 million GVA and 31.1 job years in Inner Moray Firth.

8.6.8 It is estimated that over the Proposed Development's 50-year lifetime, the operation and maintenance costs could generate up to £122.5 million GVA and 1722.4 job years for Scotland, of which £88.0 million GVA and 1212.1 job years directly benefit the Highlands economy and £32.3 million GVA and 442.4 job years for Inner Moray Firth.

8.6.9 Approximately £24.5 million in community benefit funding and £46.5 million in non-domestic rates would also be provided over the operational lifetime of the Proposed Development.

8.6.10 **Chapter 12** of the EIA Report outlines a series of initiatives the Applicant would undertake to ensure that the socio-economic impacts are maximised. This recognises that current and future demographic pressures in the highlands requires job creation as a priority to retain and attract more working age people to the area. The renewable energy industry can play a pivotal role in revitalising local communities by generating economic growth and promoting community wealth building. The Proposed Development would have a key role in providing long-term job opportunities in the Inner Moray Firth and the Highlands and ensuring community benefits are reinvested locally. The socio-economic benefits of as a result of the investment in construction and operation of the Proposed Development would result in:

- high quality, secure jobs through the demand created
- sustain the rural economy through supporting private estates
- supporting local services and contributing to enabling infrastructure through non-domestic growth contributions.

8.6.11 **Paragraph 12.12.3** of the EIA Report advises that:

*"the Proposed Development also provides significant opportunities for maximising local benefits through wider economic benefits. Whether this is realised will depend on the actions of communities, developers and the public sector. However, the Onshore Wind Sector Deal indicates a willingness on all sides to work together to achieve these benefits. It is considered there are opportunities for the Proposed Development to deliver wider and lasting economic benefits through:*

- *maximising local supply-chain content;*
- *developing future workforce skills; and*
- *investment in the local community".*

8.6.12 The opportunities include the involvement of suppliers from the Inner Moray Firth, the Highlands and Scotland, including research and development, design, project management, civil engineering, component fabrication and or manufacture, installation and maintenance. There is experience in all these areas within the wider region, although a full wind energy supply chain has not yet been developed. The Applicant has opened a formal supplier registration scheme to notify local contractors and businesses regarding upcoming opportunities as well as committing to prioritise local suppliers where feasible and wording with local chambers of commerce to boost awareness of opportunities to the local supply chain.

8.6.13 Through the construction phase, there will be opportunities for those employed to development skills of benefit to the local economy and business in the longer term, helping to diversify the local economy and retain the working age population.

8.6.14 Whilst not a planning consideration, in addition to the direct and indirect economic impact from the investment of the Proposed Development, the applicant has committed to £5,000/MW of community benefit, anticipated to generate approximately £24.5 million to local communities over the lifetime of the project.

8.6.15 At present whilst it is not possible to confirm local content, the Applicant is able to demonstrate by putting the measures in place to ensure that local socio-economics are maximised individually and through a commitment towards the delivery of ambition of the onshore wind sector deal, through collaboration between the Applicant, THC and host communities.

8.6.16 **Paragraph 12.12.9** of the EIA Report confirms that the applicant would look to apply the following recommendations, where applicable, in collaboration, governed by the guidance in The Highland Council's Community Benefit Policy, with local stakeholders as part of a bespoke solution:

- High local content of the supply chain.
- Bespoke opportunities for local employment and skills development that reflect the characteristics of the local labour market.
- Fair community benefit packages that generate tangible benefits for the host community while remaining affordable for the developer.
- Continued innovation to support the process of continuous improvement.

8.6.17 The scale of the socio-economic and community benefits, the high local supply chain content, providing local employment and skills development, contributing to the cost for enabling infrastructure and other interventions alongside a commitment to promote the continuation of an innovative process to enhance community wealth is considered to maximise the net economic impact, particularly at the local level and accords with part c) of Policy 11.

### International or National Designations

8.6.18 Policy 11 Energy, part d) advises that proposals that impact on international or national designations will be assessed in relation to Policy 4.

8.6.19 With regard to assessment against criterion d), it has been demonstrated through **Chapter 5 Landscape and Visual Impact Assessment** of the EIA Report that following a process of detailed design iteration (described fully in **Chapter 5 and Chapter 2** of the EIA Report), that appropriate mitigation has been included in the Proposed Development to limit significant landscape and visual effects such that, as summarised in **Table 5.2** all international and national landscape designations were scoped out of detailed assessment based on the distance and limited ZTV confirming that no significant effects were predicted.

8.6.20 Furthermore, with regard to other international and national designations for ecological and ornithological interests no significant effects were predicted, as confirmed in **Chapters 6 and 7** of the EIA Report.

8.6.21 Notwithstanding this, the policy does not state consideration against Policy 4 only relates to significant effects, and therefore assessment is made against Policy 4 in **Table 8.2** below.

### Project Design and Mitigation

8.6.22 Policy 11 Energy, part e) outlines that project design and mitigation will demonstrate how the following impacts will be addressed. **Table 8.1** below outlines how each impact has been addressed.

8.6.23 With regard to mitigation, the Proposed Development has been designed to ensure appropriate embedded design mitigation with landscape and visual impact as a key driver, as confirmed in **Chapter 2 Proposed Development, Section 2.5** of the EIA Report.

8.6.24 Key considerations during the design process involving the full technical team to inform the layout at technical meetings and design workshops included:

- landscape and visual impacts – On site, by considering landform of the site, including scale, elevation and complexity, topography, patters of the landscape and reducing the vertical extent locating turbines to lower elevations, away from summits and ridgeline of Beinn nan Cailleach and Carn na h-Easgainn. Within the wider study area, consideration was given to the effects on the landscape character and landform visible from the A9, on visitor attractions and residents (including Lynemore Cottage and how best to reach a balance fit with the existing patter of wind energy development viewed from the northern edge of the Cairngorms National Park.
- location of residential properties – proximity to noise-sensitive receptors and potential for shadow flicker effects – incorporating a minimum buffer of 1 km applied to residential properties and further refined based on expert noise advise, taking account of cumulative effects. Locating turbines outwith ten rotor diameters (1620m) from residential properties to address potential shadow flicker effect. Undertaking Residential Visual Amenity Assessment (RVAA) to ensure that the Proposed Development would not reach the RVAA threshold
- ground conditions (including slope steepness and Peat). Avoiding areas of deep peat (>1m depth)
- geology, hydrology and Peat – undertaking numerous forms of survey and assessment due to particular constraint relating to hydrology and peat
- forestry – locating the turbines away from woodland areas and limiting the effects of the track and considering compensatory planting and enhancement measures where effects are unavoidable
- access feasibility
- presence of ornithological and ecological receptors and protected habitats, including peatland habitats, and species – ensuring appropriate buffers and standoff distances from blades and key habitat features are included and sensitive habitats avoided or where not possible, potential impacts reduced as far as practicable. Areas of priority peatland were avoided where possible
- area topography, including gradients, exposure, watercourses, hydrology, and land use;
- presence of cultural heritage features
- proximity to telecommunications infrastructure – including consultation with telecommunication link operators
- compatibility with aviation interests
- key recreational and tourist routes.

8.6.25 As a result of these considerations, as well as incorporating feedback through the scoping process and consultation, the Proposed Development went through four main design iterations (as shown in **Figure 2.4** of the EIA Report). The full iteration process is described in **Section 2.7** of the EIA Report.

8.6.26 In summary, the initial turbine development area saw a reduction in turbines to improve visual amenity, whilst a number of turbines were relocated to achieve a better visual arrangement and buffer from forestry. To retain the overall number of turbines, the red line boundary was changed to provide additional land for the development to the east, which enabled a more suitable area for development to be incorporated. Detailed infrastructure design considered how to utilise existing track and minimise watercrossings with site access options reviewed, with technical review to further refine the overall design to take account of all other technical considerations and confirm the preferred option for the access from the A9.

8.6.27 The final design saw further design iteration to improve the landscape and visual design objectives by: micrositing turbines to lower elevations; avoiding summits; reflecting the existing pattern of development as viewed from the Cairngorms National Park; maximising the distance to Lynemore cottage as far as possible to approximately 1545m south of the closest turbine; and reducing sequential visibility from the A9.

8.6.28 The design iteration process has sought to balance the potential wind and generating capacity whilst taking account key design considerations to mitigate the effects of the Proposed Development, as far as possible. This has resulted in turbines positioned carefully to address the matters raised above, whilst also ensuring that on Site the development footprint, through foundations, crane pads, access roads and other infrastructure is minimised. Careful attention has been taken in reducing the need for cut and fill across the Site to further reduce the footprint of the project. Turbines have been spaced carefully to operate efficiently and capture the wind resource on site whilst balancing the other aspects set out above.

8.6.29 The design and layout represents a Proposed Development which carefully balances protection of the receiving landscape and receptors whilst maximising wind yield. Based on the iteration process, the final layout achieves the following:

- Delivers long-term beneficial habitat enhancement measures for habitats and species, which will be delivered by an Outline Habitat Enhancement Management Plan (OHEMP).
- Enhances energy production efficiency and maximises energy yield capture.
- All key considerations are addressed to create a design that is both environmentally responsible and technically robust.
- Can be engineered and constructed safely.
- Optimises turbine separation distances and engineering constructability.
- Minimises the length of track used to access turbines but also the construction footprint of infrastructure as a whole to minimise the impact on carbon-rich soils.
- From a visual amenity perspective, improved composition of the array from key viewpoints.
- Includes an appropriate set back distance from residential properties: thereby avoiding noise, shadow flicker and visual amenity impacts to nearby residents.
- Avoids impacts on telecommunications links.
- The substation, BESS and Site compound are all positioned on lower, less visually sensitive areas.
- Avoiding siting on the more visible and sensitive locations, on lower elevations.
- Takes account of the key landscape and visual and cultural heritage design viewpoints.
- Creates a compact layout, contained by adjacent topography that avoids outlying turbines.
- Secures a reduced visible aviation lighting scheme, which has been agreed with the CAA.
- Minimises effects on associated habitats and species by applying appropriate buffers between infrastructure or construction activity around all watercourses, except where a minimum number of watercourse crossings are required.
- Minimises the extent of new track and number of watercourse crossings required where feasible considering the topography of the Site and other environmental Site constraints.
- Avoids deep peatland (>1 m) and potential high Ground Water Dependent Terrestrial Ecosystems (GWDTE) for the location of turbines and other infrastructure as far as practicable.

- A minimum 50 m buffer from turbine blade tips to important edge habitats for bats across the Site to reduce collision risk.

8.6.30 As demonstrated above, through embedded and secondary mitigation the Proposed Development has included appropriate mitigation to limit the environmental effects. The only residual effects following an EIA are localised landscape and visual effects.

Table 8.1 - Policy 11e) Impacts

| Impact | How the impact has been addressed |
|---|---|
| i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker; | **Residential Visual Amenity**<br>A residential and visual amenity assessment (RVAA) is provided as **Technical Appendix 5.3 RVAA** of the EIA Report and considered the effects of the Proposed Development and cumulative wind farms including Farr, Glen Kyllachy, Moy and Tom nan Clach wind farms. It confirms that embedded mitigation included a set back of 1.5 km to the nearest residential properties as well as taking account the view from local residential properties, including those to the northeast at Lynebeg to reduce potential visual effects. Considering daytime effects, of a total of six properties assessed within 2 km, significant visual effects were assessed for two properties, namely Keeper's Cottage and 1-4 Forestry Houses. The night-time assessment concludes that none of the properties would experience significant night-time visual effects. The RVAA concludes in **paragraph 1.7.4** that none of the properties would reach the Residential Visual Amenity Threshold and no instances where the visual effects (albeit significant) would be "*so severe as to be considered as "overwhelming view in all directions", "unpleasantly encroaching" or being "inescapably dominant from the property" as exampled in the RVAA guidance."*<br>**Noise**<br>**Chapter 11 Noise and Vibration** (and supporting **Technical Appendix 11.1 Technical Noise Impact Assessment Report** and **Figure 11.1 Noise Contours and Sensitive Receptors**) of the EIA Report provides an assessment of the noise predicted from the Proposed Development.<br>During construction activities excluding the Site access track, **paragraph 11.7.8** of the EIA Report confirms that the effects would be not significant. With mitigation, noise from the Site access track would be not significant, and as confirmed in **paragraph 11.8.3** of the EIA Report. Overall, the residual effects including mitigation would result in at worst a minor temporary adverse and not significant effect. Similarly, decommissioning effects are predicted to be not significant.<br>**Paragraph 11.7.13** of the EIA Report confirms that operational noise of the Proposed Development is considered to be not significant. **Paragraph 11.10.3** of the EIA Report also confirms that no significant cumulative noise is predicted.<br>**Shadow Flicker**<br>The impact of shadow flicker has been considered based upon consideration of the Proposed Development alone and cumulatively with other developments and an assessment is detailed in **Chapter 13: Other Issues** of the EIA Report.<br>Based on the realistic worst-case scenario, which incorporates data including average monthly sunshine data as obtained from the National Meteorological Service (Met) Office's weather station nearest to the Proposed Development at Nairn Druim, a correction factor of 0.28 was applied to the worst-case scenario. The assessment found that for the worst case scenario receptors 1 and 2 were the only properties predicted to experience shadow flicker effects greater than 30 hours per year (as shown in **Table 13.10, Chapter 13** of the EIA Report. The realistic scenario results confirms that taking account of the 0.28 correction factor none of the identified receptors would experience shadow flicker exceeding the thresholds of 30 hours per |

| Impact | How the impact has been addressed |
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| | year or 30 minutes per day. Therefore, **paragraph 13.5.16** of the EIA Report confirms that the shadow flicker effects are not significant and the Proposed Development meets acceptable thresholds to protect residential amenity without the requirement for additional mitigation measures.<br><br>**<u>Conclusion</u>**<br><br>Taking account of the above conclusions of the EIA Report on RVAA, noise and shadow flicker and the noise mitigation measures proposed, the Proposed Development is considered to protect residential amenity and has fully addressed the requirements of Policy 6 e) i). |
| ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable; | As noted in paragraph 7.3.26 of Chapter 7 of this Planning Chapter and column one of this table, it is recognised by NPF4 that significant landscape and visual impacts are to be expected for some forms of renewable energy development and where they are localised and/or appropriate design mitigation has been applied, they will generally be considered acceptable.<br><br>The OWPS also confirms that to meet the climate targets, taller and more efficient turbines will be required and a recognition that <u>this will change the landscape</u>. **Chapter 5 Landscape and Visual Impact Assessment** of the EIA Report provides a detailed assessment of the Landscape and Visual Impacts of the Proposed Development. A summary of the findings relevant to the assessment and whether effects are localised and/or appropriate design mitigation has been applied is addressed below.<br><br>**Paragraph 5.1.3 of Chapter 5** of the EIA Report confirms that the following landscape and visual receptors are assessed: landscape character, key characteristics and elements; designated landscapes; and views and visual amenity experienced by residents tourists/visitors, recreational and transport users. This assessment follows this structure.<br><br>**<u>Landscape Character, Key Characteristics and Elements</u>**<br><br>**Paragraphs 5.12.32 – 5.12.35** confirm that direct landscape effects on the Site and its component landscape elements resulting from the construction phase would be not significant.<br><br>In terms of construction phase effects on landscape character on the Rolling Uplands – Inverness LCT (primarily as a result of turbine construction and infrastructure including the access road, tracks, construction compounds, substation, battery storage and borrow pits) within the Site itself and extending 3 km west and east up to large areas of forestry and A9 corridor out to 2 km south to the existing Farr Wind Farm and 1-3 km north and northeast up to the A9 and railway corridor and forested areas would be major and significant, whereas beyond this the distance the level of effect would reduce to moderate or less and not significant.<br><br>**Paragraph 5.12.37** confirms that for the operational period, most of the key characteristics of the Rolling Uplands - Inverness LCT are physical in nature and would not be affected or altered by the Proposed Development.<br><br>Noting the presence of existing and consented wind farm development it is recognised that the Proposed Development would introduce a new wind farm, consolidating the influence of wind farms whilst becoming a new visual focus (albeit adjacent to Farr |

| Impact | How the impact has been addressed |
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| | and Glen Kyllachy wind farms) where it would be "*situated on an extensive area of upland hills to the south of the A9, away from the "intimately scaled glens which cut into the [south]-western edge of these uplands (these include Glen Doe, Glen Fechlin, Glen Brein and Glen Tarff)*", and from the "*small hills which contain the settled and smaller scale Strathdearn*".<br>The Proposed Development would be set back from the Great Glen, Strathnairn and Strathdearn and contained by a series of low-lying summits when viewed from low-lying areas such as the valley floors. This containment also limits the overall visibility from the Cairngorms National Park. **Paragraph 5.12.39** confirms that the effects on part of the Rolling Uplands – Inverness LCT would be major and significant, *"extending out to approximately 3 km west and east up to large areas of forestry and the A9 corridor, up to approximately 2 km south up to the existing Farr Wind Farm and out to approximately 1-3 km north and northeast up to the A9 and railway corridor, and forested areas*". Beyond this distance the level of effect would not be significant.<br>Critically, **Chapter 5 Paragraph 5.12.40** notes that this level of effect and geographical extent is not unusual for large scale wind farm development and significant effects on the host landscape are unavoidable, however mitigation which sought to reduce the effects of the Proposed Development were embedded through the design iteration process. With the additional planting to the northeast, which would take 10-15 years to establish it would have a localised and beneficial effect on the landscape character from the A9.<br>With regard to other LCTs, whilst the effects are not significant for the majority of the LCT, the northern edge of Strathnairn (Farmed Strath - Inverness LCT) between Balnafoich and the Faillie near the A9 would be significantly affected due to the introduction of the Proposed Development which would appear clearly visible above the Strath when viewed from this limited area of the LCT. However, as noted in **Chapter 5, Table 5.12** of the EIA Report, none of the key characteristics of this LCT would be notably affected by the Proposed Development.<br>None of the other surrounding LCTs within 15 km would be significantly affected in terms of their landscape character, although there would be significant visual effects on the views from some of these areas, discussed later.<br>**<u>Designated Landscapes</u>**<br>There are no national landscape designations covering the Site. Effects on locally designated landscapes are covered in **paragraphs 5.12.58** to **5.12.85** and assessed in **Tables 5.13 - 5.15 of Chapter 5** of the EIA Report and confirms that during the day time, the Proposed Development would not significantly affect:<br>● Any of the Special Landscape Qualities (SLQs) or underlying character types of the Loch Ness and Duntelchaig SLA. The nearest point on the SLA boundary to the proposed turbines is approximately 8.2 km distance. There is very limited ZTV coverage across the SLA, where theoretical visibility is indicated it does not overlap with the main features of importance listed within *THC's Assessment of Highland Special Landscape Areas guidance, June 2011*. Overall, the magnitude of change within the SLA would be Very |

| Impact | How the impact has been addressed |
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| | Low to Zero and the level of effect Minor to None and Not Significant and whilst cumulative effects were predicted, this was not due to the Proposed Development.<br>• Any of the SLQs of the Drynachan, Lochinord and Dava Moors SLA. The Drynachan, Lochindorb and Dava Moors SLA is located approximately 5 km to the east and northeast of the Proposed Development. At most there would be a moderate to minor but not significant effect on the SLQ: "*Expansive views and broad panoramas across open, rolling moorland and vast skies instil a boundless sense of scale and space, enhanced by the consistency of moorland cover and landform character*". No significant cumulative effects are predicted.<br>• any of the SLQs of the Sutors of Cromarty, Rosemarkie and Fort George SLA, at most the level effect would be minor but not significant, including no cumulative effects.<br>The potential for night-time effects were assessed within **Technical Appendix 5.4** of the EIA Report and concluded that there would be no significant adverse effects on any of the SLA's or the special qualities that they were designated for.<br>With regard to Wild Land, NPF4 Policy 4 g) does not require a buffer zone around wild land, therefore as the Proposed Development is not within Wild Land, it is not a relevant consideration.<br>**Visual Effects**<br>Visual receptors were assessed within 15 km of the Proposed Development, guided by the results of viewpoint analysis (**Technical Appendix 5.2**) which indicated significant visual effects would be limited to within approximately 10.5 km of the Proposed Development except for a potential significant effect to the northwest at 13.9 km. This included receptors including Scotland's Great Trails, Sustrans Cycle Routes and popular hill walking summits overlapped by the blade tip ZTV.<br>Night-time assessment on visual receptors, as contained in **Technical Appendix 5.4** of the EIA Report confirms no significant visual effects are predicted<br>During construction approximately 200m of the access track would follow the route of General Wade's Military Road heritage path, where visual effects within 200m – 300m would be experienced and would be significant, however the nature of effects would be temporary, post construction the temporary construction compound would be removed and the new access track would assimilate into the existing track along the route of the heritage path. Other effects of the access track would not be significant.<br>During decommissioning the Site would return to a construction site for a temporary period, reducing during the period to non-significant levels, these effects would also be temporary. |

| Impact | How the impact has been addressed |
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| | *Settlements*<br>As noted above, during daylight hours, there would be significant visual effects on the views from elevated areas at Leachkin within Inverness at approximately 13.9 km from the Proposed Development, although this is not representative of views from the city, and there would be no significant visual effects on the city of Inverness overall.<br>There would be no significant visual effects from any of the other the settlements identified in the local development plan (Farr, Inverarnie, Westhill, Tomatin, Smithton, Culloden, or Newlands of Culloden). Although not a settlement, the views from Balnafoich on the western side of Strathnairn would be significantly affected as illustrated by Viewpoint 4 of the EIA Report.<br>The views from Moy are well screened by mature roadside vegetation, although there may be significant visual effects from the adjacent Moy estate buildings at approximately 3 km distance.<br>Effects on residential properties are considered in this table under i).<br>*Transport Routes*<br>During daylight hours, significant effects are limited to sections of the following four transport routes within 15 km of the Proposed Development, as outlined in **paragraph 5.13.24** of the EIA Report:<br>"*A9*<br>• *Northbound: Of the approximately 439 km total route, approximately 2.9 km of the 439km route across four short sections would be significantly affected equating to a total of approximately 2 minutes of travel time assuming an average speed of 60mph; and*<br>• *Southbound: Of the approximately 439 km total route, approximately 3.9 km (reducing to approximately 2.6 km accounting for coniferous forestry) across four short sections would be significantly affected equating to a total of approximately 2.5 minutes of travel time assuming an average speed of 60mph.*<br>*B9154*<br>• *Approximately 5.5 km of the route, southbound, between Moy and Auchnahilin (reducing to approximately 1.1 km accounting for coniferous forestry) equating to approximately 5 minutes of travel time (reducing to 1 minute of travel accounting for screening) assuming an average speed of 40mph.*<br>*B861*<br>• *Approximately 1.5 km of the route, southbound would be significantly affected (Major to Moderate and Moderate) near Mains of Gask (approximately 900m) and Balnafoich (approximately 600m) and equating to less than 1 minute of travel time at each location, assuming an average speed of 40mph.*<br>*Main Railway Line – Inverness to Perth*<br>• *Of the approximately 190 km total route, approximately 800m close to the site would be significantly affected equating to less than approximately 1 minute of travel time assuming an average speed of 60mph".* |

| Impact | How the impact has been addressed |
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| | No other transport routes would be significantly affected.<br>*Recreational routes*<br>During daylight hours, significant visual effects on the views from recreational routes are identified in four areas. A number of these routes are subject to some forestry screening and the assessment in **Chapter 5** of the EIA Report has assumed a 'worst case' (that forestry is recently felled), although in practice these areas would be subject to rotational harvesting and re-growth. The significant effects are summarised in **paragraph 5.13.32** of the EIA Report and advise:<br>National Recreational Routes - The Great Glen Way / Loch Ness 360 Trail:<br>● significant visual effects for approximately 1 km of the combined routes in the elevated Leachkin part of southwestern Inverness.<br>Sustrans National Cycle Network – Cycle Route 7:<br>● significant visual effects for approximately 8 km of the route (reducing to approximately 2.3 km due to the screening effects of forestry in the Tomatin, Dalmagarry and Moy areas.<br>Core Paths:<br>● Core Path IN27.02 at Tomatin – significant visual effects would be experienced for approximately 1.2 km of the route through the forest - on the assumption that all forestry has been felled.<br>● Core Paths IN19.08, IN.19.09 and IN.19.44 in the Leachkin and Kinmylies area of Inverness – significant visual effects in proximity to the Great Glen Way to the north and west of Kings Golf Club.<br>Heritage paths and Scottish Hill Tracks:<br>● Heritage Path HP1: General Wade's Military Road, Moy to Inverness: significant visual effects for approximately 6.8 km of the route (reducing to approximately 4.5 km accounting for coniferous forestry) between Lynemore and Auchbain.<br>● Heritage path HP2: Old Road to Forres / Scottish Hill Track 229 - significant visual effects for approximately 200m of the combined routes at Milton of Moy.<br>● Heritage path HP3: Slochd Military Road / Scottish Hill Track 230 - significant visual effects for approximately 1.3 km of the combined routes north of Creag an Tuim Bhig and south Raigbeag.<br>No other significant visual effects on views from other recreational routes in the study area are predicted.<br>*Recreational and Tourist Destinations*<br>During daylight hours **paragraph 5.12.35** refers to the assessment in **Table 5.19 of Chapter 5** of the EIA Report and confirms that there would be no significant effects on views from recreational and tourist destinations within 15 km. There would also be no significant effects on views from hill summits between 15-45 km distance from the Proposed Development. |

| Impact | How the impact has been addressed |
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| | <u>**Cumulative Landscape and Visual Effects**</u><br>These are considered in detail under criterion xiii).<br><u>**Relevant considerations for assessing whether an effect is localised**</u><br>There have been a number of onshore wind decisions which have discussed whether effects are considered to be localised. In the case of Glendye Wind Farm (ECU Reference: ECU00000676), paragraph 3.160 of the Reporters' Report outlined they agreed: "*with the Landscape and Visual Impact Assessment that the proposed development would have a significant effect on part of the landscape character unit of the Moorland Plateau Landscape Character Type and that this would extend up to 5 km from the proposed turbines, as indicated within Figure 6.6 of the Environmental Impact Assessment*." Paragraph 3.284 of the Reporters' Report concluded that: "*The majority of the significant effects identified would be confined to viewpoints within 5 km of the closest wind turbine (viewpoints 1 – 6). We consider these effects to be localised. The remaining viewpoints from which significant effects are predicted are limited to four regional locations (situated 9.6 km, 14.5 km, 17.7 km, and 18.5 km from the nearest visible turbine). Given the scale of the proposed development we find that the wind farm would be well positioned to minimise medium to long distance effects*." The Scottish Ministers agreed with the Reporters' conclusions and adopted them for their own decision.<br>The decision notice for Chleansaid Wind Farm ECU Reference: ECU00002031 outlines that: "*The Scottish Ministers agree with the EIA report conclusions that the proposed Development will have some significant landscape and visual impacts but overall these would remain relatively localised with the majority of significant effects occurring not more than 12 km from the proposed Development. It is therefore considered by the Scottish Ministers that the landscape and visual impacts are acceptable*".<br>Further commentary on what Scottish Ministers considered to be localised effects was provided in the decision notice for the Achany Extension ECU Reference ECU00001930. The Scottish Ministers acknowledge that the Proposed Development would have some significant landscape and visual impacts but overall these would remain relatively localised with the majority of significant effects occurring within 10 km of the Proposed Development and none at a distance greater than 12.5 km. It was also acknowledged that no national or regional landscape designations would be significantly affected by the Proposed Development. It is therefore considered by the Scottish Ministers that the landscape and visual impacts, including on the NSA, were acceptable.<br>The Reporter for Sanquhar II Community Wind Farm (ECU Reference: ECU00001801) prepared a report pre NPF4 and post NPF4 and in both instances recommended by the Reporter that the development was consented by Scottish Ministers. In relation to landscape effects, the Reporter concluded in paragraph 3.101 of the original report that: "*significant landscape effects would be confined to within 7 km of the proposed turbines*." In relation to visual effects, the Reporter outlined in paragraph 3.128 that: "*I consider that significant effects in views from the south and southwest would not generally extend beyond elevated areas of land within around 8 to 10 km of the turbines*." In the upland area, the Reporter outlined in paragraph 3.173 of the original |

| Impact | How the impact has been addressed |
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| | report that: "*All told, I find the visual effects of the development in the upland area within around 5 km of the windfarm would be significantly adverse*." The Reporter considered these effects localised and the Scottish Ministers agreed.<br>For Garvary Wind Farm (ECU Reference: ECU00003251), the Reporter agreed with the assessment in the EIA and this position was adopted by Scottish Ministers. This recognised that there would be significant landscape and visual effects, however, these were considered to be localised and would not impact on the special qualities or integrity of the Dornoch NSA. In paragraph 89 of the Scottish Ministers Decision, they recognised that these effects are considered acceptable in the context of the benefits that the Proposed Development will bring in terms of contributing to renewable energy and climate change targets and economic benefits.<br>These decisions demonstrate what has been determined to be acceptable to Scottish Ministers in these cases in relation to significant landscape and visual impacts.<br>**Design Mitigation**<br>**Chapter 2** of the EIA Report confirms the iterative process which was undertaken to evolve and mitigate the landscape and visual effects of the Proposed Development and details of the mitigation are included in **paragraphs 8.6.22 to 8.6.28** of this Planning Statement. Following the application of the detailed design mitigation and iterative design process, **Chapter 5 Landscape and Visual Impact Assessment** confirms in **Section 5.11** the overall embedded mitigation relating to landscape and visual impact considerations, including key design considerations, listed in **paragraph 5.11.5** of the EIA Report as:<br>• *"the scale and topography of the Site, including the patterns of the landscape such as watercourses, field boundaries, and woodland;*<br>• *reducing the vertical extent of the wind farm by micro-siting turbines to lower elevations, away from the summits and ridgeline of Beinn nan Cailleach and Carn na h-Easgainn;*<br>• *reducing effects on the landscape character and landform visible from the A9;*<br>• *reducing visual amenity effects from Culloden battlefield and Visitor centre;*<br>• *reducing effects on views from settlements, visitor attractions, and local residents of the area around the Site, whose visual amenity may be affected by the Proposed Development, such as Lynemore Cottage; and*<br>• *reaching a balanced fit in the already existing pattern of wind energy development, particularly when viewed from the closest part (northern edge) of the Cairngorms National Park."*<br>Furthermore, **Chapter 5, paragraph 5.11.6** notes that as far as practical, the final layout design also took into account the following principles: |

| Impact | How the impact has been addressed |
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| | <ul><li>*“Reduced the vertical extent of the wind farm by micro-siting turbines to lower elevations, away from prominent summits and ridgelines.*</li><li>*Reduced turbine overlap as far as possible and cluttering.*</li><li>*Presented a balanced composition with limited opportunities for turbines to be viewed as ‘outliers’.*</li><li>*Reflected the existing pattern of wind energy development viewed from the northern edge of the Cairngorms National Park.*</li><li>*Increased the distance between the proposed turbines and the closest residential property, Lynemore Cottage, as far as possible. T12 is the closest proposed turbine to Lynemore Cottage, located approximately 1,545m south of the property.*</li><li>*Reduced sequential visibility for road users of the A9.”*</li></ul>A review of relevant policy to inform landscape sensitivity and ensuring the requirements were addressed through mitigation, includes an assessment against the Loch Ness Strategy Capacity Study (Landscape Sensitivity Appraisal) provided in **Chapter 5, Table 5.9** of the EIA Report confirms that the Proposed Development achieves or largely achieves the suggested design considerations, where practical.<br><br>Further landscape specific mitigation is set out in **paragraphs 5.11.11 to 5.11.31** of the EIA Report, which confirms a range of additional mitigation measures including a CEMP to avoid adverse landscape and visual effects during construction, regular environmental monitoring and clear up on construction areas and a site restoration to address construction effects.<br><br>Careful siting of the temporary construction compounds was selected due to its low landscape sensitivity and as it would largely not be visible from surrounding receptors and once works undertaken, the compounds and laydowns area would be fully reinstated to match local contours and existing vegetation. Similarly, the location of borrow pits were in areas with low landscape sensitivity and very limited visibility from the surrounding area. On completion, the borrow put would be reinstated and repurposed to form the substation and BESS compound.<br><br>Operational mitigation is also included. To address removal of woodland, an area of compensatory woodland planting of 2.46ha is included adjacent to the A9 with the mitigation that this planting would provide illustrated in sequential viewpoints 23-24.<br><br>The design and directional rotation of each turbine has been considered and the transformers including within the turbine tower and with aviation lighting on only seven of the 14 turbines.<br><br>The design of the substation control building and BESS is to include colours which have a low contrast with the surrounding uplands/landscape.<br><br>All on-site electrical cables would be underground alongside internal access tracks to avoid further disturbance. |

| Impact | How the impact has been addressed |
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| | Proposed woodland planting would be maintained for 5 years until established and monitored for a total of 10 years.<br>A site decommissioning plan would secure the removal of all visible above grounds structures, such that the vast majority of landscape and visual effects will be reversible.<br>Based on the design iteration process, embedded and additional mitigation measures to address landscape and visual impacts, the Proposed Development has evolved to take into consideration a number of landscape and visual constraints to mitigate the effects of the Proposed Development as far as possible. This ensures as well as ensuring landscape and visual impacts are limited to localised effects and that appropriate design mitigation was applied.<br>**Summary**<br>In summary, it is considered that the Proposed Development meets the policy test, which indicates that "*where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable*".<br>Whilst each application must be considered on its merits. The effects of the Proposed Development are in keeping with the effects which have been considered localised on other projects and which are expected for this type and scale of development by NPF4.<br>The Proposed Development is considered to meet the policy requirements in that **Chapter 5** of the EIA Report on review of the assessment considers the effects to be localised. Notwithstanding this, even should the decision maker disagree with this assessment, the policy confirms development will also be considered to be acceptable where appropriate mitigation has been applied. The detailed mitigation process described confirms that the Proposed Development meets both requirements, it is both localised and has applied appropriate design mitigation.<br>The Proposed Development is therefore considered to accord with criterion ii). |
| iii. public access, including impact on long distance walking and cycling routes and scenic routes; | **Chapter 12** of the EIA Report confirms that during construction, whilst there are not predicted to be any significant effects on recreational receptors during construction, there could be temporary direct impacts affecting accessibility of recreational routes within the Site. However, subject to Construction (Design and Management) Regulations 2015, notices would be placed in prominent locations around the Site to outline areas of restricted access, as well as information such as details of alternative arrangements and routes and public safety secured through the CEMP.<br>**Chapter 12** refers to the assessment in **Chapter 5** (relating to visual effects on recreational receptors) and notes that, whilst significant visual effects are predicted for certain sections of recreational trails and core paths these impacts are localised, no significant overall effects on recreational use anticipated. The visual effects are not expected to alter the motivations or behaviour of recreational users, and no notable impact on recreational activity is predicted.<br>The assessment in **Chapters 5 and 12** therefore demonstrate that consideration has been given to the requirements of Policy 11 e iii). |

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| iv. impacts on aviation and defence interests including seismological recording; | **Chapter 13 Other Issues** of the EIA Report considers aviation and defence interests and confirms in **Section 13.7** that mitigation measures will be required including the instrument flight procedures (IFP's) re-design and re-publication of relevant published procedure charts for Inverness Airport ATCSMAC. **Paragraph 13.7.18** confirms that the Applicant is currently engaged in discussions with HIAL on the process of implementing mitigation measures to address any potential construction effects. A suspensive planning condition is sought which will require the approval and implementation of an IFP mitigation scheme prior to construction of the Proposed Development.<br>A reduced aviation warning lighting scheme was submitted to and approved by the Civil Aviation Authority (CAA) on 14 February 2025. The aviation warning lighting schemes is required for the Proposed Development alongside information of the structures to be provided. A planning condition requiring this can be agreed with implementation controlled through a CEMP which can also be conditioned for agreement prior to construction.<br>It is expected that the Terma radar will mitigate the effects of the Proposed Development on the STAR 2000 PSR at Inverness Airport. A planning condition will be agreed which requires approval and implementation of the required radar mitigation measures prior to operation of the Proposed Development.<br>Taking account of the mitigation proposed and to be agreed there are no residual significant effects on aviation and defence interests predicted and therefore, subject to appropriately worded planning conditions, these interests have been addressed by the Proposed Development in accordance with criterion iv). |
| v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised; | Telecommunications are covered in **Chapter 13: Other Issues** of the EIA Report. It confirms in **paragraph 13.2.1** that "*Review of the Ofcom Spectrum Information Portal determined that there are no microwave fixed links within 1000m of any proposed turbine position in the Proposed Development. Consultations with the Joint Radio Company (JRC), Atkins and Arqiva confirmed that there are no UHF scanning telemetry or television re-broadcast links with the potential to be affected by the Proposed Development. Consequently, telecommunications have been scoped out of assessment".*<br>TV Reception is also covered in Chapter 13 Other Issues of the EIA Report. It confirms in **paragraph 13.2.2** that whilst wind farms have the potential to adversely affect analogue TV reception, the Proposed Development's location is in an area served by a digital transmitter and therefore television reception is unlikely to be affected as digital signals are rarely affected. In the unlikely event that television signals were demonstrated to be affected by the Proposed Development, the Applicant would be willing to accept an appropriately worded planning condition, where this is considered necessary, to undertake reasonable mitigation measures.<br>Based on the findings of the EIA Report, there are no unacceptable impacts on telecommunications and broadcasting installations and transmission links are not likely to be compromised.<br>Impacts on telecommunication and broadcasting installations have therefore been addressed by the Proposed Development. |
| vi. impacts on road traffic and on adjacent | The assessment of traffic and transport is detailed in **Chapter 10: Traffic and Transport** of the EIA Report. The Proposed Development would not lead to any potential effects subject to Rule 1 or Rule 2 of the IEMA Guidelines which would require a |

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| trunk roads, including during construction; | full assessment. The highest impact of construction is on the A95 where a 6.4% increase in HGV's is anticipated but substantially below the 30% increase likely to result in effects on this road. **Table 10.16, in Chapter 10** of the EIA Report confirms that the significance of effects would be no greater than minor adverse and therefore not significant.<br>With regard to cumulative effects, these are addressed under criterion xiii), however in summary there are no significant cumulative effects predicted.<br>Notwithstanding that no significant effects are predicted, a construction traffic management plan (CTMP) is proposed to secure best practice and limit the effects of the Proposed Development for the construction phase. Details of the mitigation measures are provided in **paragraphs 10.8.2 – 10.8.7** of the EIA Report.<br>An Abnormal Load Transport Management Plan (ATMP) is also proposed to ensure best practice for the delivery of abnormal indivisible loads.<br>Both CTMP and ATMP measures can be controlled through the application of appropriately worded planning conditions.<br>The Proposed Development has addressed the impacts on road traffic and on the adjacent truck roads as required by criterion vi). |
| vii. impacts on historic environment; | **Chapter 9 Archaeology and Cultural Heritage** of the EIA Report considers the impacts on the historic environment.<br>**<u>Construction Effects</u>**<br>The EIA Report confirms that construction phase setting effects are scoped out of the EIA due to the temporary nature which are unlikely to give rise to significant effects.<br>Eight known non-designated heritage assets are located within the Site (as detailed in **Table 9.5 of Chapter 9** of the EIA Report). **Paragraphs 9.7.5 – 9.7.9** of the EIA Report confirm that no turbine infrastructure would physically impact known designated heritage assets. One known non-designated assets within the Site would potentially be subject to direct physical impact due to the construction of proposed tracks and construction compound, this relates to a circa 230 m section of MHG23810 General Wade's Military Road (which relates to a 164 km road between Perth (Dunkeld) and Inverness), which would result in a negligible but not significant adverse effect. One known heritage asset (HA2 – a modern memorial cairn) lies within the 50 m micrositing buffer of Turbine 1 crane pad, which could result in an adverse effect through potential accidental impact during construction would be of minor but not significant adverse effect. However, as confirmed in **paragraph 9.7.12,** mitigation measure to protect the cairn could be agreed within the CEMP to minimise the likelihood of any impact on HA2.<br>There is negligible archaeological potential for unknown archaeology remains, however impacts on previously unknown heritage assets is possible, which without mitigation could result in minor but not significant effects. However, as confirmed in **paragraph 9.8.3** of the EIA Report, in consideration of the programme of archaeological monitoring, fencing, fieldwork, recording and reporting proposed, subject to a Written Scheme of Investigation (WSI) which can be secured through a planning conditions, no residual physical effects are predicted on cultural heritage. |

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| | <u>**Operational Effects**</u><br>**Paragraph 9.7.17** of the EIA Report confirms that, as agreed with HES, the following designated assets were assessed in **Chapter 9** of the EIA Report. It notes that **Technical Appendix 9.1** provides a proportional consideration of potential operational effects on all other heritage assets within the outer study area, as no likely significant effects were anticipated.<br>*SM11550 Milton of Tordarroch, fort 800 m S of*<br>**Chapter 9** of the EIA Report, supported by **CHVP10 Figures 9.12 – 9.14** confirms that following a detailed assessment of the Scheduled Monument that no impact was identified from the Proposed Development.<br>*GDL00264 & Category A Listed Building LB8053 Leys Castle*<br>Chapter 9 of the EIA Report supported by **CHVP13 Figure 9.15** confirms that following a detailed assessment of the Inventory Garden and Designed Landscape that no impact was identified from the Proposed Development.<br>*SM967 Culloden Battlefield, Graves of the Clans, Cairn and Well of the Dead, BTL6 Battle of Culloden, CA667 Culloden Muir Conservation Area*<br>**Chapter 9** sets out, in detail, the immense historical significance of the battle of Culloden in Scottish Culture and the cultural significance of the management of the battlefield as a unique heritage asset. Moreover, it sets out its place within Scottish cultural legacy and notes it as one of the most visited tourist sites in the Highlands and that it is the only place in Scotland where ongoing attempts are underway to actively recreate the 18th century battle landscape through the removal of negative elements of its setting in accordance with a conservation management plan. Noting that this makes the setting of the battlefield sensitive to visual change in how the events are understood to have occurred, and how this is appreciated and experienced by visitors today. As a result, the EIA Report recognises that the battlefield is of very high (International) importance. It also confirms its designations as: a scheduled monument (SM967); Inventory Battlefield (BTL6); Conservation Area (CA667 Culloden Muir Conservation Area); includes Listed Buildings (Old Leanach Cottage (LB1712) and the King's Stables (LB8042)); and Inventory Garden and Designed Landscape (GDL) (an overlapping designation with Culloden House (CA106 Culloden House: policies)). This GDL contains four Category A, two Category B and one Category C Listed Buildings). Detailed pre-application discussions with HES confirmed the elements requiring detailed assessment.<br>**Chapter 9** provides the agreed detailed assessment and supported by **CHVP04-CHVP09, Figures 9.6 – 9.11** of the EIA Report, confirms the following.<br>**Paragraph 9.7.89** confirms that no impact is anticipated upon the archaeological significance of the battlefield, whilst **paragraph 9.7.90** confirms that there is no scope for the Proposed Development to impact on the Clan associations or an understanding of the battles' historical significance.<br>**Paragraph 9.7.94** notes that the red and blue flags which currently express the position of the opposing forces' lines are the prominent features of the battlefield, and at a distance of 11.66 km away the Proposed Development would be "*barely* |

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| | *perceptible and would not challenge the prominence of the flags…A visitor is more likely to be focused on the battlefield and its events as opposed to the distance horizon, towards which view are not relevant to the battle timeline or landscape*".<br>Furthermore, **paragraph 9.7.97** considers that "*the presence of the Proposed Development, as per the current presence of operational wind farms, in no way blocks or in any other way interferes with or intrudes into these identified 'key' view, appearing well beyond the areas of influence which contribute to the understanding, experience or appreciate of the battlefield's cultural significance".*<br>The assessment considered agreed viewpoints, noting the following:<br>'THC Viewpoint 1' (**Photomontage CHVP05, Figure 9.7** of the EIA Report) from the Jacobite Memorial Cairn (Scheduled Monument SM967) where hubs of four turbines and blade tips of a further turbine would be visible over the horizon. It considered that the Proposed Development would not impact on an understanding, appreciation or experience of the opposing forces lines, nor battle's open moorland.<br>'THC Viewpoint 3' (**Wireline CHVP06, Figure 9.8** of the EIA Report) from the B9006 at Westhill which shows that the hubs of 12 turbines and blade tips of two turbines and six turbine bases visible. The Proposed Development would be in the opposite direction from the views relevant to the battle.<br>'THC Viewpoint 4' (Wireline **CHVP07, Figure 9.9** of the EIA Report) at the junction of the B9006 and the B851 which shows that the hubs of three turbines and the blade tips of eight further turbines would be visible over the horizon. The views east towards Nairn and view west from Government and approaching forces would be unaffected by the Proposed Development.<br>'AOC Viewpoint 7' (**Wireline CHVP06, Figure 9.8** of the EIA Report), the B9006 at Blackpark, shows that the hubs of 12 turbines and the blade tips of two further turbines and six turbine bases would be visible. The appreciation of the relationship between the battlefield and Inverness and to hold the drove road route towards the port and appreciation of the hilltop location of the Muir would remain unaffected by the Proposed Development at 11.43 km to the south. With the open nature of the battlefield retained.<br>'AOC Viewpoint 10' (**Wireline CHVP08, Volume 2c, Figure 9.10** of the EIA Report) representative of the northern limit of the Government line, shows that the hubs of five turbines and blade tips of four further turbines would be visible over the horizon. The Proposed Development appearing over the horizon 12.35 km to the south would not impact the ability to understand, appreciate and experience the set up of batttlelines or scale of the field.<br>'AOC Viewpoint 11' (**Wireline CHVP09, Figure 9.11** of the EIA Report), representative of the opposing view to 'AOC Viewpoint 10' from the Jacobite force perspective before the battle commenced, shows that the hubs of 14 turbines would be visible at a minimum distance of 10.37 km and four turbine bases would be visible. The Proposed Development would be in the opposite direction to views toward Inverness and government forces and would have no impact.<br>With regard to the Conservation Area, the ZTV **Figure 9.2** of the EIA Report, shows more turbines would be visible in the western part of the Inventory Battlefield and Conservation Area and Chapter 9 notes that there is limited modern development visible from the battlefield, except the visitor center, and overhead line and operational wind farms ranging from 15.4 km to 26.7 |

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| | km away. **Photomontage CHVP04, Figure 9.6** is from the roof of the visitor centre. This visualisation shows that the hubs of two turbines and the blade tips of three/four further turbines would be visible over the horizon at a minimum distance of 11.67 km. The Mountains would remain visible to the west. The introduction of further modern development into views is recognised as being an adverse impact, however, **paragraph 9.7.109** confirms that given the distance would not be "*intrusive or prominently visible*"<br><br>The assessment in **Chapter 9** of the EIA Report concludes the following:<br><br>Taking account of all elements of the Scheduled monument's cultural significance, **paragraph 9.7.115** of the EIA Report states that the Proposed Development would result in an adverse minor but not significant effect on the Scheduled Monument. Furthermore, the integrity of the setting would not be significantly adversely affected. This is considered further under Policy 7 in **Table 8.2** of this Planning Statement**.**<br><br>With regard to the Inventory Battlefield (BTL6 Battle of Culloden) designation, **paragraph 9.7.117** of the EIA Report advises that the Proposed Development would result in an adverse minor but not significant effect and would protect its cultural significant, key landscape characteristics, physical remains and special qualities, as further detailed in **Table 8.2** of this Planning Statement, under NPF4 Policy 7.<br><br>Furthermore, considering all elements of the conservation area's character, **paragraph 9.7.119** of the EIA Report concludes that the Proposed Development would result in a minor adverse, but not significant effect and would preserve the character and appearance of the conservation area and its setting, as further assessed in **Table 8.2** of this Planning Statement, under NPF4 Policy 7.<br><br>*SM11446 Isle of Moy, Fortified Island and Laird's House Scheduled Monument / LB14889 Moy Obelisk Category B Listed Building / Moy Estate NRHE 14102 Non-designated heritage asset*<br><br>The wireline (CHVP01, Figure 9.3 of the EIA Report) shows that the hubs of all 14 turbines would be visible from the island, but it is noted that its heavily wooded, overgrown nature, that the extent of visibility of the Proposed Development would vary greatly subject to exact location. A photomontage (**CHVP02, Figure 9.4** of the EIA Report) shows that looking westerly toward the development, with the Proposed Development at its rear from the elevation viewpoint on the eastern shore of Loch Moy, the nearest turbines would appear over the horizon but no turbines on the hillside immediately overlooking the Loch. Turbine 12, the nearest turbine, would be 2.5 km from the monument and **paragraph 9.7.140** noted that none of the characteristics of cultural significance defined in it scheduling description would be altered in any way and intervisibility with SM11447 Eilean nan Clach would remain unaffected. Moreover, **paragraph 9.7.141** considers that due to the changes in water levels surrounding the Isle of Moy, the monuments setting is substantially altered so that it is no longer appreciable, "*even more so from distance*" and that from all surrounding shores of the loch, no remains are visible such that the island can be understood, appreciated or experienced as a heritage asset. Critically, **paragraph 9.7.142** outlines that there is no evidence that the view from the eastern shore of the loch was a key (designed or curated) view and *"the surrounding hills are not understood to contribute to the cultural significance of the Isle of Moy, nor view from them".* Whilst **paragraph 9.7.143** confirms that the only way to understand that |

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| | the Isle of Moy was once a laird's residence is through documentary sources, which would not be affected by the Proposed Development.<br>The assessment does confirm that what is "prominently visible" is the Moy Obelisk, built in 1824 intended to be viewed from Moy House. **Paragraph 9.7.144** advises that Wireline **CHVP03, Figure 9.5** of the EIA Report shows that the Proposed Development would be substantially offset to the west from the important southerly-orientated sightline, whilst **paragraph 9.7.145** confirms that there is no evidence that westerly views from the island were important to the Mackintoshes.<br>Recognition of the Isle of Moy in the Middle Ages with the laird's house would have "occupied a relatively inward-focused landscape, contained by surrounding hills" in a remote and isolated position within limited modern infrastructure currently visible. As such the Proposed Development is considered to impact on the cultural significance, through the introduction of this modern landscape component, but that overall on the scheduled monument that this would be a minor adverse, but not significant effect and no impact on the listed building.<br>Further consideration in terms of assessment against Policy 7 of NPF4 is contained in **Table 8.2** of this Planning Statement**.**<br>Cumulative effects are considered under criterion xiii) of this table, however, in summary no cumulative effects have been identified.<br>The Proposed Development has considered the impacts on the historic environment and therefore meets the requirement of criterion vii). Further assessment of the cultural heritage effects are provided in **Tables 8.2** (regarding NPF4 Policy 7) and **Table 8.3** (regarding Policy 57). |
| viii. effects on hydrology, the water environment and flood risk; | **Chapter 8 Hydrology, Geology, Hydrogeology and Peat** of the EIA Report considers the potential effects on important hydrological, hydrogeological, geological and peat features associated with the Proposed Development. The Proposed Development sought to reduce potential impacts on peat through embedded design mitigation. The assessment includes consideration of a number of sensitive receptors which the Site supports including: modified peat, watercourses, water bodies, potentially groundwater dependent terrestrial ecosystems (GWDTE), shallow and deep groundwater, and Loch Moy. With mitigation measures including a drainage management plan, water quality management plan appointment of an Ecological Clerk of Works (ECOW) and Geotechnical Engineer to oversee the ecological and hydrological best practice and implementation of a Peat Management plan, the Chapter concludes in **paragraph 8.14.1** that overall the effects of the Proposed Development to the water environment including peat resource would be minor and not significant, but also notes that subject to the degree of success of translocation and bog restoration that that the minor adverse effects have the potential to become minor beneficial effects.<br>With regard to flood risk, a review of the SEPA Flood Risk Management Mapping indicates that the majority of the Site is not located within or near any identified flood risk areas. **Chapter 8** of the EIA Report confirms that any upgrades to existing crossings will adhere to SEPA guidelines, ensuring that they can accommodate the conveyance of a 0.5% annual probability (200-year) flow event. It also confirms in **paragraph 8.5.66** that the development is unlikely to significantly increase the probability of flooding elsewhere or raise surface runoff rates in a substantial way. Furthermore, **paragraph 8.5.67** advises that |

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| | flood risk sensitivity for the Proposed Development is considered low, as no infrastructure will be placed within or near a SEPA floodplain. The design has also been optimised to minimise land take and hard surfacing, watercourse crossings designed for 0.5% annual probability (200-year) flow event, and runoff during can controlled and attenuated with appropriate mitigation measures. |
| ix. biodiversity, including impacts on birds; | **Ecology**<br>Chapter 6 of the EIA Report assessed the effects of the Proposed Development on ecological receptors and notes that the Site does not form part of any statutory designated site for nature conservation nor are there non-statutory designated sites within ecological interest within 2 km of the Site. **Table 6.5** of the EIA Report confirms the statutory designated Sites with Ecological Interests located within 10 km and includes, however **paragraph 6.7.7** confirms that all statutory designated sites for nature conservation were scoped out from detailed assessment, this was due to the degree of spatial separation, lack of connectivity and pathways or intervening infrastructure. **Chapter 6, table 6.8** provides a summary of the effects on the important ecological receptors taken forward for detailed assessment and demonstrates that either a negligible or minor adverse effect is predicted. However, no significant effects were predicted on ecological receptors for either the construction or operational phase. This takes account embedded mitigation measures and good practice including a CEMP which would include Species Protection Plan (SPPS) and pre-construction protected species surveys and appointment of an Ecological Clerk of Works (ECoW).<br>Cumulative impacts are considered under criterion xiii) of this table, however in summary, **Chapter 6** of the EIA Report concludes that there are no significant cumulative effects predicted with other wind farms.<br>**Ornithology**<br>**Chapter 7:** Ornithology of the EIA Report confirms that following a detailed ornithological assessment of Important Ornithological Features (IOFs) comprising wader and raptor species including golden plover, dunlin, curlew, golden eagle, red kite, white-tailed eagle and short-eared owl effects are assessed as being negligible or small adverse in magnitude and not significant. This takes account of embedded mitigation and best practice measures including a CEMP with a Breeding Bird Protection Plan and appointment of an Ecological Clerk of Works (ECOW) which are matters which can be subject to an appropriately worded planning condition, with no additional mitigation required. Notwithstanding this, habitat improvement measures which provide benefits for breeding waders are included in the OHEMP, as detailed below.<br>Cumulative impacts are considered under criterion xiii) of this table, however in summary, **Chapter 7** of the EIA Report concludes that there are no significant cumulative effects predicted with other wind farms.<br>**OHEMP**<br>The OHEMP includes specific measures to improve the condition of degraded bog habitat within the Site, which includes over 218 ha of enhancement and restoration comprised of the following measures:<br>• Open bare ground translocation;<br>• Translocation into gullies; |

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| | • Restoration by reprofiling and damming of gullies on shallow slopes <5°;<br>• Restoration by reprofiling and localised damming / baffles of gullies on moderate slopes 5-7.5°;<br>• Restoration by reprofiling only on steeper slopes >7.5°; and<br>• Hand restoration of 'micro-erosion'.<br>The implementation of these measures will result in an overall increase in the quality of retained blanket bog and modified bog habitats at the Site, and reverse some of the degradation of bog habitat which is already taking place under baseline conditions, and which it should be noted may be expected to continue in the absence of the Proposed Development, potentially eventually leading to a loss of the further bog due to modification.<br>Within upland and blanket bog areas of the Site habitat management principles will include the control of non-native conifer species saplings and seedlings to manage colonising conifer species to prevent excessive encroachment and the associated risk of degradation of the bog and heathland habitats. Bracken control is also proposed.<br>Full details of the measures are contained in **Technical Appendix 6.5.**<br>As confirmed in **Chapter 7** of the EIA Report, **paragraph 7.6.10**, the primary aim of the OHEMP is to provide large-scale improvement of degraded peatland habitats to improve habitat condition and extent, this is considered to provide a further beneficial impact on ornithological features, including breeding waters and for species such a red grouse, songbirds and meadow pipit. |
| x. impacts on trees, woods and forests; | **Chapter 13 Other Issues** of the EIA Report addresses Forestry and assessed a study area of 346.56 ha within the Application boundary (**Figure 13.1** of the EIA Report). It confirms that woodland would be impacted to accommodate the route and width of the proposed access track and construction compound. A 26.6m wide corridor would need to be felled in locations where the track passes through the standing crop and trees, this would need to be wider on bends to accommodate oversail. A 10m buffer around the construction compound would also need to be created. **Paragraph 13.4.51** confirms that the key objective for design in relation to forestry was to minimise tree felling. As it was not possible to use existing tracks due to archaeological and property constraints, the shortest possible route was chosen (subject to constraints including avoiding watercourses and other environmentally sensitive areas). **Paragraphs 13.4.54 - 13.4.61** confirm the best practice measures that would be employed for any forestry works.<br>With regard to predicted effects, the net area of permanent loss of FLS long term retention woodland is 0.75 ha. Similarly the loss of upland juniper woodland would be 0.06 ha.<br>There would be a very small loss of ancient woodland in the form of upland birch and juniper woodland amounting in the removal of 0.0613 ha. This is not considered a significant loss in terms of the overall forest resource.<br>In compliance with The Scottish Government's Policy on Control of Woodland Removal (2009) a change in land use would require compensatory planting. This is because the Proposed Development will not contribute significantly to any of the relevant criteria detailed in Appendix C of the policy. However, the Proposed Development would meet the acceptability criteria for |

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| | woodland removal as the change of land use with compensatory planting will contribute significantly to "*helping Scotland to adapt to climate change*" by providing facilities appropriate for the development of renewable energy projects and significantly reduce net GHG emissions.<br>As a result of the proposed felling of 4.29 net ha, 1.83 ha will be restocked. Therefore, the maximum area of land that will be needed as compensation (the Scottish Forestry default position) is an area equivalent to the area being kept clear of trees, which in this case is estimated to be 2.46 ha. Compensatory planting could take the form of native species with a high percentage of Scots pine, birch and common alder in the area shown on **Figure 13.6** of the EIA Report. There is opportunity for expanding native woodland under the Scottish Government's Forest Grant Scheme Eligibility Native Woodland Habitat Network and Target Woodlands for Riparian Benefits.<br>It is considered the requirement outlined criterion x) has been addressed. |
| xi. proposals for the decommissioning<br>of developments, including ancillary infrastructure, and site restoration; | The Proposed Development is expected to operate for 50 years, after which it will be decommissioned, and its components dismantled, removed and recycled where possible. Any alternatives to this process would require separate approval from the ECU and so is not considered within this EIA Report.<br>During the decommissioning phase, the turbines, BESS, and associated infrastructure will be dismantled and removed, including any above-ground electrical equipment. This decommissioning process will be managed by the Applicant or any future owners of the wind farm. Before decommissioning the Site, a method statement can be conditioned and thereafter will be prepared and approved by THC, following any relevant guidance available at that time.<br>Turbine foundations - topsoil, peat and other material excavated for the foundations would be removed and stored to for use in Site reinstatement.<br>Finally, the project will conclude with Site reinstatement activities to restore the area post-construction.<br>The Proposed Development therefore addresses the requirement to consider decommissioning as required by xi). |
| xii. the quality of site restoration<br>plans, including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and | The Applicant has committed to undertake appropriate Site restoration and is agreeable to a suitable condition or legal agreement if necessary to agree the submission of Site restoration plans and securing appropriate guarantees or financial bond for decommissioning.<br>The Proposed Development has therefore addressed the requirement to consider Site restoration plans and measure to guarantee availability of finances to implement plans, as required by criterion xii). |
| xiii. cumulative impacts. | Each of the technical chapters have considered cumulative impacts, as summarised below:<br>**LVIA** |

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| | **Cumulative effects on Landscape**<br>**Paragraphs 5.12.42 – 5.12.46 of Chapter 5** of the EIA Report confirms that consideration has been given to seven existing wind farms and four consented wind farms within the Rolling Uplands LCT. The closest of which are Farr and Glen Kyllachy (approximately 1 km south to the closest proposed turbines, and Moy Wind Farm approximately 4.5 km to the northeast across the A9. The existing Tom nan Clach and consented extension are approximately 10 km to the east on the northeast boundary with the adjacent Open Rolling Upland LCT. Other existing wind farms within 20 km include Aberarder and Dunmaglass wind farms (14 km to the southeast). Other wind farms are located between 24 km (Corriegarth and consented Corriegarth II) and 32 km (Stronelairg and consented Cloiche and Dell wind farms.)<br>Where they are visible, the Proposed Development's turbines would be seen in the context of other wind farm development, although there are some locations where it would be seen as a solo development (part of Strathnairn, the A9 within 10 km and in places between Inverness and Nairn within 25 km). However, **paragraph 5.12.44** confirms not in the more sensitive Strathdearn and Glen Kyllachy areas, no in the sensitive glens to the southwest.<br>**Paragraph 5.12.25** of Chapter 5 of the EIA Report outlines the additional cumulative effect of adding the Proposed Development to the existing and consented wind farm baseline would be slightly reduced by the presence of these wind farms, although still significant. **Paragraph 5.12. 46** of Chapter 5 of the EIA Report outlines that the level of effect resulting from the combined significant cumulative effect as a result of Farr, Glen Kyllachy, Moy and Tom nan Clach and the Proposed Development would be Major extending to a distance of approximately 1-3km around each wind farm, reducing to moderate or less beyond.<br>Cumulative effects on surrounding LCTs are limited with the exception of significant combined and additional effects on the northern edge of Strathnairn Farmed Strath – Inverness LCT: Stratherrick, Strathnairn LCA between Balnafoich and the Faillie near the A9 due to the Proposed Development.<br>**Cumulative Effects on Designated Landscapes**<br>There would be no significant cumulative effects on any of the designated landscapes within the landscape and visual study area.<br>**Cumulative Visual Effects**<br>There would be significant sequential cumulative effects on views from parts of the A9, B9154 and the Main Railway Line – Inverness to Perth, Sustrans National Cyle Route 7, Great Glen Way / Loch Ness 360 Trail and five local recreational routes. There would be no significant cumulative effects from the remaining visual receptors including all settlements or recreational and tourist destinations. There would be no significant cumulative night-time effects.<br>**Ornithology**<br>**Chapter 7, Paragraph 7.11.37** concludes that with regard to displacement and disturbance impacts of the Proposed Development, considered cumulatively with other relevant development would not be significant. Furthermore, **paragraph** |

| Impact | How the impact has been addressed |
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| | **7.11.38** concludes that for collision impacts, the Proposed Development considered cumulatively with other relevant development would also be not significant.<br>**Ecology**<br>**Chapter 6** of the EIA Report concludes in **paragraph 6.10.6** that there are no predicted increase in effects cumulatively with regard to foraging bats. Whilst **paragraphs 6.10.7 and 6.10.8** confirm that there is no potential for cumulative impact to important ecological features. Furthermore, whilst peatland habitat is not considered in terms of cumulative effects, the commitment to a 'Peatlands Restoration Agreement' will result in no net loss and a significant beneficial effect to the extent of peatland regionally.<br>**Geology, Hydrology, Hydrogeology and Peat**<br>**Chapter 8 confirms (paragraph 8.21.1)** that with regard to Geology, Hydrology, Hydrogeology and Peat, no significant cumulative effects are anticipated.<br>**Cultural Heritage**<br>**Chapter 9** of the EIA Report, confirms in **paragraph 9.10.7** that no significant cumulative effects are predicted on cultural heritage assets.<br>**Climate Change**<br>All GHG emissions are inherently cumulative on the same receptor, the Global Climate. Renewable energy developments considered together have a net beneficial effect, however as the receptor is not geographically constrained, it is not appropriate to undertake a conventional cumulative effects assessment.<br>**Transport and Access**<br>Taking account of cumulative development with the Proposed Development, Chapter 10 of the EIA Report confirms that whilst a small increase on all links in the study area are predicted, these still remain below the threshold for detailed assessment, and could be controlled through proposed mitigation which includes a Traffic Management Plan which could be conditioned to include a delivery phasing plan with other developers to be agreed with THC, the Police and other relevant stakeholders.<br>**Noise**<br>**Chapter 11** of the EIA Report concludes in **paragraph 11.10.1** that the cumulative operational noise levels at residential properties remain acceptable in line with ETSU-R-97 and are therefore not significant.<br>Furthermore, onsite construction activities from other sites are considered unlikely to produce any additional noise impacts.<br>**Chapter 11** of the EIA Report concludes in paragraph **11.10.3** that cumulative operational effects in relation to noise can be considered negligible and not significant in EIA terms. |

| Impact | How the impact has been addressed |
|---|---|
| | Construction works for the A9 upgrade (A9 Dualling) (Tomatin to Moy) is underway, consisting of 9.6 km of A9 near the Site, the published construction programme for the A9 dualling works in this area is not anticipated to align with the Proposed Development construction timescales, as such cumulative effects combination of these activities is not expected.<br>**Summary**<br>With the exception of the landscape and visual cumulative effects noted above, no other significant cumulative effects are identified by the EIA Report for the Proposed Development.<br>The Proposed Development has addressed the requirement to consider cumulative effects as required by criterion xiii). |

### Balancing the impacts with contribution to renewable energy and greenhouse gas emissions reduction targets.

8.6.31 Part e) of Policy 11 continues by stating: *"that in considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets."*

8.6.32 The NPF4 Policy 11 assessment as outlined above demonstrates only limited landscape and visual effects of Proposed Development which are considered to be localised and include appropriate mitigation, where the policy indicates that such development will generally be considered acceptable. As required by Policy 11, in considering these effects, significant weight is to be afforded to the contribution of the Proposed Development to GHG emissions reduction targets and renewable energy generation targets in the overall planning balance. As detailed in **Chapter 5** of this Planning Statement, the contribution that the Proposed Development will make to the targets, to be given significant weight is as follows:

- The Proposed Development proposes up to a maximum combined capacity of 150.8 MW.
- The Proposed Development will make a significant contribution to meeting the Net Zero emissions target resulting in significant beneficial effects enabling total emissions savings of 2,481,469 tCO2e against grid mix electricity generation over its 50 year operational lifetime.
- The Proposed Development is anticipated to produce electricity equating to the annual power consumed by approximately 70,000 average households in Scotland per year.
- It is anticipated that the carbon emissions of the proposed Development will be offset 5.0 years after the Proposed Development becomes operational against a grid-mix of electricity and 2.8 years against a fossil-fuel mix of electricity generation.

## Assessment against other relevant NPF4 policies

8.6.33 **Table 8.2** provides the assessment against the other relevant NPF4 polices:

Table 8.2 Assessment against other relevant NPF4 Policy Impacts

| Impact | How the impact has been addressed |
|---|---|
| Policy 1 Tackling the Climate and Nature Crisis | Climate – Contributions to greenhouse gas emissions reduction: The Proposed Development is predicted to have a total GHG saving of 2,481,469 tCO2e over a modelled 50-year operational lifetime, against a grid mix of electricity generation, which is enough to power the equivalent of 70,000 homes annually.<br>Nature - Compensation and additional enhancement via the implementation of a HEMP (as outlined in the OHEMP **Technical Appendix 6.5** of the EIA Report) which includes over **218 ha** of enhancement and restoration comprised of the following measures:<br>• Open bare ground translocation;<br>• Translocation into gullies;<br>• Restoration by reprofiling and damming of gullies on shallow slopes <5°;<br>• Restoration by reprofiling and localised damming / baffles of gullies on moderate slopes 5-7.5°;<br>• Restoration by reprofiling only on steeper slopes >7.5°; and<br>• Hand restoration of 'micro-erosion'.<br>The implementation of these measures will result in an overall increase in the quality of retained blanket bog and modified bog habitats at the Site, and reverse some of the degradation of bog habitat which is already taking place under baseline conditions, and which it should be noted may be expected to continue in the absence of the Proposed Development, potentially eventually leading to a loss of the further bog due to modification.<br>Within upland and blanket bog areas of the Site habitat management principles will include the control of non-native conifer species saplings and seedlings to manage colonising conifer species to prevent excessive encroachment and the associated risk of degradation of the bog and heathland habitats. Bracken control is also proposed. This clearly demonstrates the significant long-term enhancements for biodiversity to address the nature crisis.<br>Therefore, it is considered that the Proposed Development would meet the requirements of Policy 1 and significant weight should be afforded to the Proposed Development's contribution to tacking the climate and nature crises. |
| Policy 3 Biodiversity | National scale development is required to demonstrate that the proposal will conserve, restore and enhance biodiversity, including nature networks, including future management. This is achieved by the Proposed Development.<br>The design of the Proposed Development was subject to a thorough environmental constraints and professional consultant-led iteration process, with particular input from the landscape architect. This process was aimed at optimising a renewable energy development that minimised environmental impacts, in accordance with Schedule 9, paragraph 3(1) of the Electricity Act 1989. **Chapter 7 Ornithology** and **Chapter 6: Ecology and Biodiversity** of the EIA Report concludes that no significant residual |

| Impact | How the impact has been addressed |
| --- | --- |
| | effects are predicted to occur upon any important ornithological or ecological species, habitat or feature as a result of the Proposed Development.<br>The OHEMP is expected to provide significant beneficial effects as outlined under Policy 1 above.<br>As such, the final HEMP is expected to provide significant beneficial effects associated with the Proposed Development in the long term, particularly when contrasted with a future baseline, which accords with and gains positive support from meeting the requirements of Policy 3. |
| Policy 4 Natural Places | Assessment in **Table 8.1** under criteria ii), ix) and xiii) confirms that the effects of the Proposed Development would not compromise either the objectives of the designations or overall integrity relating to those designations outlined in part c) of Policy 4. Policy c) ii) is met as no significant adverse effects are predicted on the qualities for which these areas have been designated. |
| Policy 5 Soils | As demonstrated through the detailed design iteration and mitigation process, the Proposed Development followed the mitigation hierarchy in the location of the turbines and associated infrastructure to avoid as far as practicable and then minimise any disturbance of soils and incorporates good practice measures and mitigation via a CEMP to protect soils from damage, meeting criterion a). With regard to b) the Proposed Development is classed as essential infrastructure and therefore meets criterion b). The impact on peat has been addressed under **Table 8.1, criterion viii)** confirming that with the mitigation proposed, no significant effects are predicted on, and appropriate assessment has been undertake to identify the effects outlined within criterion d) of the Policy 5. |
| Policy 6 Forestry, Woodland and Trees | The impact on forestry, woodland and trees has been addressed in Table 8.1 under criterion x).<br>Policy 6 b) confirms that it will not support the loss of ancient woodland. The Applicant has sought to avoid ancient woodland, however due to other constraints, the access track will result in the very small loss of ancient woodland in the form of upland birch and juniper woodland amounting in the removal of 0.0613 ha. This is not considered a significant loss in terms of the overall forest resource.<br>**Chapter 13** of the EIA Report outlines that compensatory planting could take the form of native species with a high percentage of Scots pine, birch and common alder in the area shown on **Figure 13.6** of the EIA Report. There is opportunity for expanding native woodland under the Scottish Government's Forest Grant Scheme Eligibility Native Woodland Habitat Network and Target Woodlands for Riparian Benefits.<br>The Applicant is open to securing a range of mitigation measures specific to ancient woodland (such as translocation) and general management of wider habitats (such as supervisory role of the environmental clerk of works).<br>In accordance with Policy 6 the OHEMP would secure improvement to woodland and tree cover in suitable locations according with the requirements of c).<br>Taking the above measures and agreement to an appropriately worded condition and the very small loss of ancient woodland (0.0613) ha, the Proposed Development is considered to be acceptable. |

| Impact | How the impact has been addressed |
|---|---|
| Policy 7 Historic Assets and Places | In the terms NPF4 Policy 7 **Table 8.1** confirms the detailed consideration of the cultural heritage effects of the Proposed Development. **Chapter 9** of the EIA Report has provided detailed assessment against all relevant requirements of Policy 7 and confirms full compliance. |

## LDP

8.6.34 The majority of the requirements from policies relevant to the Proposed Development in the LDP have been addressed under the assessment of NPF4. **Table 8.3** provides an assessment against the applicable policies, as detailed in **Chapter 7** of this Planning Statement, and notes where the assessment has already been undertaken as part of the assessment against NPF4.

**Table 8.3 Assessment against other relevant HwLDP Policy Impacts**

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| Policy 28 - Sustainable Design | Compatible except where it states significant effects will not comply with the LDP and will only be supported where no alternatives exist. Policy 11 sets out prevailing policy regarding the key considerations and recognises that in considering effects, significant weight should be given to renewable energy and greenhouse gas emissions targets. | The requirements of Policy 28 are met through the production of an EIA Report following the EIA process which includes a detailed design mitigation process to limit environmental effects, as outlined in the Design and Mitigation section of this Chapter and within **Table 8.1**. Furthermore, the Maximising Net Economic Impact Section of this Chapter, read alongside **Chapter 12** of the EIA Report confirms that the Proposed Development seeks to maximise socio-economic benefits. **Table 8.1** under criterion xii) also confirms the environmental protection of ecological and ornithological interests including associated habitat enhancements as proposed in the OHEMP (**Technical Appendix 6.5** of the EIA Report).<br>As noted the policy is not compliant with NPF4 where it states that significant effects will only be |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| | | supported where no reasonable alternatives are available and where it states that where significant effects are present, that the Proposed Development will not comply with the Policy. Policy 11 sets out prevailing policy regarding the key considerations and recognises that in considering effects, significant weight should be given to renewable energy and greenhouse gas emissions targets.<br>The Proposed Development is considered to comply with all compatible elements of the policy and defers to NPF4 regarding the tests where significant effects are predicted. |
| Policy 30 - Physical Constraints | Compatible | The Proposed Development has fully considered constraints and where appropriate has outlined appropriate mitigation. |
| Policy 31 - Developer Contributions | Compatible | The Proposed Development is not considered to give rise to a need for new public services or infrastructure. |
| Policy 51 - Trees and Development | Compatible | The requirements of this Policy have been considered under **Table 8.1** under criterion x) and in **Table 8.2** under Policy 6. No further consideration is required. The Proposed Development is considered to comply with this Policy. |
| Policy 55 - Peat and Soils | Compatible | The Proposed Development is considered to be compliant with this policy without further assessment, as that has been carried out in **Table 8.1** under criterion viii) and **Table 8.2** under Policy 5. |
| Policy 57 - Natural, Built and Cultural Heritage | Where application of the policy requirements would potentially lead to a different assessment by | NPF4 policy is considered to prevail in the minor areas of identified incompatibility. However, not |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| | a decision maker to those made under NPF4 and could give rise to a different assessment outcome, then policy is considered to be incompatible.<br>Having reviewed the policy against NPF4 it is considered to be partially incompatible as refers to effects of development close to but not within Wild Land areas, the policy test for 1 and support for Fragile communities.<br>With regard to Wild Land Areas, NPF4 is clear that a buffer will not be applied around Wild Land Areas.<br>The policy test for 1 requires no unacceptable impacts, whereas NPF4 will consider this in the overall planning balance giving significant weight to renewable energy generation and greenhouse gas reduction targets. No such balance exists within this policy. For 2 with regard to the test which confirms effects can be outweighed by social or economic benefits, it does not allow effects to be outweighed by environmental benefits as recognised in NPF4. Additionally 2 requires in addition to effects being outweighed that it must also support fragile communities, which is not a policy test required by NPF4.<br>Criteria 3 is not considered to be relevant to the Proposed Development. | significant detrimental effects are predicted for natural or built heritage as previously assessed under **Table 8.1** in under criteria ix) and vii) and **Table 8.2** under Policies 3, 5 and 7.<br>Furthermore, the Proposed Development will secure national level environmental benefits and secure significant biodiversity enhancements.<br>The Site is not located in a Wild Land Area. NPF4 prevails in this regard and does not require a buffer around Wild Land areas, no further consideration on Wild Land is required.<br>Accordingly, the Proposed Development is considered to comply with Policy 57. |
| Policy 58 - Protected Species/ Policy 59 - Other Important Species/ Policy 60 - Other Important Habitats and Article 10 Features | Materially compatible except for the policy test for Policy 58, which does not include the required planning balance to give significant weight to renewable energy generation and greenhouse gas reduction targets, as required by NPF4. | The Proposed Development would not give rise to significant adverse effects on protected or other important species as assessed previously under **Table 8.1** under criterion ix) and **Table 8.2** under Policy 3.<br>The Proposed Development accords with the requirements of Policies 58, 59 and 60, and |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| | | through OHMEP measures will secure significant biodiversity improvement to the benefit of a wide range of habitats and species. |
| Policy 61 – Landscape | Policy 61 Landscape is considered to be incompatible with NPF4 as it clearly sets out that new development will take account of landscape capacity studies. This is no longer relevant, as the locational requirements for renewable energy are now set out in NPF4 and relates to the sensitivities and reasons for designation and overall integrity. Furthermore, Policy 61 provides no balance to the assessment of impacts. For example, compared to the assessment against NPF4 Policy 11, there is no provision to confirm that where just localised effects are experienced or where the scheme has been appropriately mitigated, that this will be considered in the balance against the significant weight afforded to the contribution to targets. As stated above, where the application of each policy requires a different assessment which might result in a different outcome, then it cannot be compatible. | The Proposed Development has fully considered landscape considerations and taken into account relevant supplementary guidance. Detailed assessment of landscape for renewable energy is considered with regard to the HwLDP under Policy 67 which should be referred to. |
| Policy 63 - Water Environment/Policy 64 - Flood Risk; | Compatible | The Proposed Development has fully considered the water environment and flood risk within **Table 8.1** under criterion viii), which demonstrates that the requirements of Policies 63 and 64 are met. |
| Policy 67 - Renewable Energy Developments | Where different criteria apply and a different assessment could be made by the decision maker, then it is considered that the two policies cannot be compatible. | This policy is materially compatible with NPF4 and sets out a range of criteria which must be taken into consideration, each of the criteria has been assessed under **Table 8.1** above (with the exception of tourism), such that it is considered that the Proposed Development accords with Policy 67. |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
| --- | --- | --- |
| | Having assessed the policy for compatibility with NPF4, it is considered to be materially compatible, except in some areas noted below.<br><br>The exclusion of the NPF4 requirement to balance the effects and give significant weight to the contribution towards greenhouse gas reduction and renewable energy generation targets and recognition that some developments will result in significant effects, particularly on the landscape which if localised and/or include appropriate mitigation will generally be acceptable.<br><br>Policy 67 of the HwLDP provides a need to balance considerations with the contribution towards renewable energy generation targets but does not consider greenhouse gas emissions reduction targets. Policy 67 of the HwLDP also seeks to take account of any positive or negative effects on the economy. However, it is inconsistent with NPF4 in confirming the weight to be attached to those considerations.<br>NPF4 Policy 11e) confirms that such weight is to be significant and attached to both renewable energy generation targets and on greenhouse gas emissions reduction targets.<br><br>Furthermore, the HwLDP includes a test which would lead to a different assessment to NPF4 as it requires "*the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly* | In addressing Policy 67, the landscape and visual effects from the Proposed Development are localised and would be expected (and indeed are recognised by NPF4). Furthermore, the Proposed Development has confirmed the positive aspects of its development, including maximising socio-economic benefits, securing net biodiversity gain and demonstrating its significant and national level contribution to renewable energy generation and greenhouse gas reduction targets.<br>With regard to tourism, this is not listed as a consideration in NPF4, which as the latest published document should prevail. Nothwithstanding this, tourism insofar as it relates to receptor groups for any visual effects and consideration under socio-economic effects has been fully considered.<br>There are no effects which would give rise to a consideration that taking account the full list of 11 factors that the Proposed Development would be judged significantly detrimental overall, which is the policy test. Notwithstanding this, there is as noted incompatibility with this requirement to ensure no significant detrimental effects overall, and consideration in terms of the balance of effects, particularly on landscape are deferred to the assessment against Policy 11 and Policy 4 of NPF4, as provided in **Tables 8.1 and 8.2**<br>With regard to any partial incompatibility between NPF4 and the HwLDP, The Meall Buidhe decision is relevant to consider (DPEA reference PPA-270-2277) which in paragraph 76 advises that "*I find some inconsistency overall between the Local Development Plan approach and the relevant balance of considerations now applied through* |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| | *detrimental overall, either individually or cumulatively with other developments*".<br><br>Policy 67 of the HwLDP also links in the OWESG which it confirms will seek to steer proposals through its area of search and criteria for assessment. The area of search which would inform the Council as to whether the proposal satisfies their policy is directly relates to SPP which NPF4 now supersedes, and this creates further incompatibility with this policy compared to NPF4. | *NPF4. The later adopted document places emphasis on the significant weight to be placed on the contribution to renewable energy targets. It also states that landscape and visual impacts of a localised scale will generally be acceptable subject to appropriate design mitigation. The Act advises that in the event of any incompatibility between the provision of National Planning Policy Framework 4 and the provision of an LDP, the later in date is to prevail. In that context I rely on my conclusions above in relation to the topic specific National Planning Framework 4 Policy 11*."<br>With regard to OWESG which is supplementary guidance referred to under Policy 67, the approach regarding areas of search and the level of protection to be afforded to designations is not compatible with NPF4 as it does not take account of the balancing exercise required by NPF4 Policy 11 (e). Furthermore, the OWESG is based on the locational criteria and guidance set out in Scottish Planning Policy (SPP) which has been superseded by NPF4.<br>Notwithstanding this, the **Technical Appendix 5.5** of the EIA Report has undertaken a full appraisal against the requirements of the OWESG which concludes that the requirements are achieved or largely achieved the suggested design considerations, where practical. It should be noted that the criteria do not set absolute requirements but seek to ensure that developers are aware of key considerations. |
| Policy 69 - Electricity Transmission Infrastructure | Compatible. | A separate application will be made for connection of the Proposed Development to the grid, these matters are outwith the control of the Applicant. |

| Impact | Reporting of inconsistency with NPF4 | How addressed |
|---|---|---|
| | | The EIA Report considers the location of the proposed on-site cables and has been addressed within the relevant technical chapters, no Significant effects are predicted in this regard, ensuring compliance with Policy 69. |
| Policy 72 – Pollution. | Compatible. | The Proposed Development has been subject to a full EIA which has considered the requirements for pollution prevention which will be addressed within the CEMP. |
| Policy 77 Public Access | Compatible | Assessment is provided in **Table 8.1** under criterion iii) which confirms alongside an overall assessment of impacts, that where public access is limited for safety or security reasons that appropriate alternative will be but in place. No further assessment is considered necessary. |
| Policy 78: Long Distance Routes | Compatible | There will be no direct effects and effects on their setting has been fully considered in **Table 8.1** under criteria ii) and iii). |

8.6.35 It is considered that the following IMFLDP2 policies are those most relevant to the Proposed Development

**Table 8.4 Assessment against other relevant IMFLDP2 Policy Impacts**

| Impact | Reporting of Inconsistency with NPF4 | How Addressed |
|---|---|---|
| Policy 1: Low and zero carbon development | Compatible | This is a general policy relevant to all types of development and is not directly applicable to renewable energy development, which is in itself seeking to move towards low and zero carbon development. Notwithstanding this, a carbon calculator has been undertaken which sets out the payback period for the Proposed Development |

| | | |
|---|---|---|
| | | and confirms that this will be 5 years against a grid mix of electricity generation and 2.8 against a fossil fuel mix of electricity generation.<br>**Paragraph 8.6.32** of this Chapter confirms the generation and carbon saving of the Proposed Development.<br>The Proposed Development is considered to meet with the policy requirements and aims of this policy. |
| Policy 2: Nature protection, restoration and enhancement | Compatible | The requirements of this policy have been fully addressed in **Tables 8.1 and 8.2** and the Proposed Development is considered to accord with this policy. |
| Policy 9: Delivering Development | Broadly compliant where relevant | The impacts of the Proposed Development on existing infrastructure and community facilities has been considered in terms of transport and access and socio-economic effects under **Table 8.1** and are considered to comply with the requirements of this policy. |
| Policy 14: Sustainable Transport Policy | Broadly compliant where relevant | The relevant parts of this policy relate to a requirement to confirm a proportionate assessment of the transport impacts has been undertaken, where required. The requirement for transport assessment and mitigation measures proposed are addressed in **Table 8.1**. The Proposed Development is considered to meet the relevant parts of this Policy. |

# 8.7 Summary and Conclusion

8.7.1 The Proposed Development has taken account of the requirements of Schedule 9 of the Electricity Act, and this is evidenced in the EIA Report submitted with the application.

8.7.2 A detailed assessment has been undertaken against the relevant Development Plan considerations in **Tables 8.1 – 8.4**. The conclusion of this assessment finds that the limited significant effects are considered to meet the policy tests as outlined in NPF4 Policies 4 and 11 and accords with NPF4 in all other regards and the Proposed Development meets the requirements of the IMFLDP2. It also meets the requirements of the HwLDP where they are compatible with NPF4.

8.7.3 It has been demonstrated that, through the design iteration process and proposed mitigation, the identified requirements of NPF4 Policy 11 Energy, would be addressed and that socio-economic effects are maximised, ensuring the intention and outcome of Policy 11 is achieved.

8.7.4 NPF4 Policy 11 Energy requires significant weight to be placed on the contribution of the proposed Development to renewable energy generation targets and on GHG reduction targets.

8.7.5 The Proposed Development will secure up to a maximum combined generation capacity of 150.8 MW.

8.7.6 The Proposed Development will make a significant contribution to meeting the Net Zero emissions target resulting in significant beneficial effects enabling total emissions savings of 2,481,469 tCO2e against grid mix electricity generation over its 50 year operational lifetime.

8.7.7 The Proposed Development is anticipated to produce electricity equating to the annual power consumed by approximately 70,000 average households in Scotland per year.

8.7.8 It is anticipated that the carbon emissions of the proposed Development will be offset 5.0 years after the Proposed Development becomes operational against a grid-mix of electricity and 2.8 years against a fossil-fuel mix of electricity generation.

8.7.9 The Proposed Development will deliver substantial Biodiversity Net Gain enhancements for the Site, meeting the requirements of, and gaining support from, NPF4 Policy 1 and NPF4 Policy 3.

8.7.10 In addition, Policy 1 Tacking the climate and nature crises of NPF4 requires significant weight to be given to the global climate and nature crises when considering all development proposals. It is considered that the limited landscape and visual significant effects, when balanced against these contributions weigh in favour of the Proposed Development.

8.7.11 The Proposed Development is strongly supported by the energy and climate change legislation, policy and guidance at an international, national and local level, which confirms the pressing need to address climate change and meet Net Zero carbon emission targets and there are no effects which are considered to outweigh this pressing need.

8.7.12 The Planning Statement demonstrates that the Proposed Development is in accordance with the Development Plan when read as a whole and is consistent with, and gains significant support from, other relevant considerations.

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# APPENDIX 1: PLANNING HISTORY

Besides the Proposed Development, the Site has been subject to the planning applications found in **Table 1.**

### Table 1: Onsite Planning History

| Reference | Description | Location | Decision/ Status |
|---|---|---|---|
| 22/04298/FUL | Construction of tracks, resurfacing of tracks | Land 900M West Of Lynemore Moy Tomatin | Application granted 15/06/2023 |
| 18/05083/S42 | Construct and erect windfarm without compliance with Condition 1 as attached to Glen Kyllachy wind farm (13/02441/FUL) as approved on appeal (Appeal Ref PPA-270 -2115) to allow operation of the turbines for 30 years. | Land 6000M W Of Findhorn Bridge At Glen Kyllachy Tomatin | Application granted 15/04/2019 |
| 10/02478/FUL | Erection of house and double garage. | Land 80m NE Of Lynemore<br>Moy<br>Tomatin | Granted<br>29/09/2010 |

**Table 2** provides details of the planning history within 500 m of the Site, within the past 5 years.

### Table 2: Planning history of notable applications within 500 m of the Site over the past 5 years

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| 24/03625/SCOP<br>ECU00005191 | Carn Na Saobhaidh Wind Farm - The proposed development would consist of up to 29 wind turbines with a maximum blade tip height of up to 200m & an associated battery energy storage system. | Carn Na Saobhaidh Wind Farm Monadhliath Mountains Near Farr Inverness<br>(Access track is located to the immedatiate north of the Site. The site is located c. 6 km south of Lynemore) | Scoping Application Decision Issued on 11 Nov 2024.<br>Pre Application |
| 22/01358/FUL | Conversion of derelict cottages to house | Acre Cottage Moy Tomatin Inverness IV13 7YG<br>(c.500m north of the Site) | Application granted<br>23/05/2022 |
| 21/03502/PNO | Peatland restoration on Farr Estate | Land 4800M West Of Bernstone<br>Tomatin<br>(Directly adjacent to the southeastern edge of the Site) | Decided<br>Prior approval not required<br>24/08/2021 |

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| 17/04217/S42 | Application under Section 42 for non-compliance with Condition 9 of planning permission 16/00769/FUL to allow for extended working hours | Land 900M NW Of Asgard Tomatin | Application granted 18/12/2017 |
| 16/00769/FUL | Erection of substation | Land 900M NW Of Asgard Tomatin | Application granted 18/1/2016 |

**Table 3** provides details of notable energy applications within 25 km of the site, during the last 5 years.

**Table 3: Planning history of relevant wind farm applications within 25km of the Proposed Development, including those refused on landscape grounds**

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| 25/00847/S36<br>ECU00005038 | Clune Wind Farm - Erection and operation of a wind farm for a period of 40 years, comprising up to 26 turbines with a maximum blade tip height of 200m, control building, substation, Battery Energy Storage System, new access, tracks, watercourse crossings, borrow pits, underground cabling, construction compounds, laydown areas and ancillary infrastructure. | Land 4KM SW Of Drumbain Steading Tomatin<br>(Located c. 7.11 km to the southeast) | Under consideration |
| 25/00629/S36<br>ECU00004904 | Balnespick Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising up to 9 turbines with a maximum blade tip height of 200m, control building, substation (including transformer and Battery Energy Storage System), upgraded access, tracks, watercourse crossings, borrow pits, underground cabling, construction compounds, laydown areas and ancillary infrastructure. | Land 4000M SE Of Balvraid Lodge Tomatin<br>(Located c. 7.33 km to the east) | Under consideration |
| 24/03494/SCOP<br>ECU00005153 | Kyllachy Wind Farm - Erection and Operation of a wind farm comprising of 11 Wind Turbines with a maximum blade tip height 200m, 20MW battery energy storage system (BESS). and associated infrastructure. This case will be determined by the Energy Consents Unit. Please visit Energy Consents Unit at https://www.energyconsents.scot/ApplicationSearch.aspx?T=2 using reference number ECU00005153 | Land 6000M W Of Findhorn Bridge At Glen Kyllachy Tomatin<br>(Located c. 4.11 km to the south) | Scoping Application Decision Issued on 23 Sep 2024.<br>Pre Application |
| 25/01355/S36 | Highland Wind Farm - Erection and operation of a wind farm for a period | Land 5000M SE Of Farmhouse Tomatin | Under consideration |

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| ECU00005082 | of 35 years, comprising up to 24 turbines, 5 with a maximum blade tip height of 230m and 14 with a maximum blade tip height of 200m along with a Battery Energy Storage System (BESS) facility with a combined generating capacity of 163MW, access tracks, borrow pits, substation, control building, cabling, temporary construction compound(s) and ancillary infrastructure. | (Located c. 14.0 km to the south) | |
| 22/05289/S36<br><br>ECU00001999 | Ourack Wind Farm - Erection and operation of a wind farm comprising 18 wind turbines of up to 180m to blade tip height, battery energy storage system, control building, substation, access tracks, three borrow pits, cabling, off-site road improvements on the A939 at Castle Grant and Dava Bridge and ancillary infrastructure | Land 4KM East Of Dava Station House Grantown-on-Spey<br>(Located c. 25 km east of the site) | Consented<br>25 March 2025 |
| 23/2340/SCOP<br>ECU00004785<br>Received<br>29/03/2023 | Balmore Wind Farm<br>The erection and operation of a wind farm at Balmore, comprising up to 8 wind turbines with a tip height of approximately 200m, battery storage system (BESS) of up to 30MW | Balmore Wind Farm Approximately 11km South Of Nairn (c.16km northeast of the Site) | A Scoping Opinion was issued by the Scottish Government Energy Consents Unit on the 9th August 2023. |
| 22/01732/S36<br>Received<br>05/04/2022<br>ECU00003453<br>21/01829/SCOP | Tom Na Clach Wind Farm Extension - Erection and Operation of a Wind Farm for a period of 40 years, comprising of 7 Wind Turbines with a maximum blade tip height of 149.9m, access tracks, borrow pits, battery energy storage compound substation, control building, and ancillary infrastructure. | Tom Na Clach Wind Farm Glenferness (C.12.2km southeast of Site) | Consented<br>10/05/2024 |
| 21/01521/S36<br>ECU00003225 | Cairn Duhie Wind Farm Redesign - Erection and operation of wind farm for a period of 35 years, comprising of 16 wind turbines with maximum blade tip height of 149.9m, access tracks, borrow pits, switching station, substation, control building, temporary construction compound, battery storage infrastructure, and ancillary infrastructure | Land 2.8KM SE Of Little Lyne Glenferness (c.21.5km northeast of the Site) | Consented<br>02/02/2024 |
| 21/05946/S36<br>ECU00002216 | Lethen Wind Farm - Erection and Operation of a Wind Farm for a period of 35 years, comprising of 17 Wind Turbines with a maximum blade tip height 185m, access tracks, | Land 4700M NW Of Gamekeepers Cottage Nairn | Refused by Scottish Ministers on 23/02/2024 |

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| | borrow pits, substation, energy storage facility, control building, meteorological mast and ancillary infrastructure | (c.14km northeast of the Site) | |
| 20/03263/S36<br>ECU00002123 | Farr Wind Farm - Variation of Section 36 Consent under the Electricity Act 1989 to extend the operational period of Farr Wind Farm from 25 years to 35 years | Farr Windfarm Moy Tomatin Inverness IV13 7ZA<br>(C.900m south of the Site) | Consented<br>23/03/2021 |
| 18/05083/S42 | Construct and erect wind farm without compliance with Condition 1 as attached to Glen Kyllachy wind farm (13/02441/FUL) as approved on appeal (Appeal Ref PPA-270 -2115) to allow operation of the turbines for 30 years. | Land 6000M W Of Findhorn Bridge At Glen Kyllachy Tomatin<br>(c.3.3km south of the Site) | Granted on Appeal<br>15/04/2019 |
| 15/03286/FUL<br>PPA-270-2150 | Erection of 13 wind turbines, including site tracks, crane hardstanding, 80m permanent anemometer mast, substation compound, temporary construction compound & provision for 3 onsite borrow pits (Tom nan Clach Wind Farm) | Tom Na Clach Wind Farm Glenferness (C.12.2km southeast of Site) | Granted on Appeal<br>28/10/2016 |
| 15/00737/FUL<br>16/00036/REFIN | Application for the erection of 12no turbines (130m in height) | Aberarder<br>Land At Carn Ghriogair Aberarder Estate Aberarder Inverness<br>(c.13km southwest of the Site) | Granted on Appeal<br>07/04/2017<br>Construction is scheduled to begin before the end of 2024, with completion scheduled for the end of 2026. |
| 13/02441/FUL<br>PPA-270 -2115 | Erection of a wind farm (max. 50MW installed capacity) comprising 20 Turbines (110m max. high to blade tip) and associated infrastructure, access tracks and 3 borrow pits (Glen Kyllachy Wind Farm). | Glen Kyllachy Land 6000M W Of Findhorn Bridge At Glen Kyllachy Tomatin<br>(c.3.3km south of the Site) | Granted on Appeal<br>15/06/2015 |
| 13/01180/S36<br>EC00005221 | Increase the generational capacity of the consented Moy Wind Farm up to maximum of 66MW | Moy Wind Farm<br>Moy Estate Land 3km NE Of Moy Tomatin<br>(c.2.4km north of the Site) | Consented<br>24/01/2014 |
| 13/04142/S36<br>EC00002087 | Cairn Duhie Wind Farm - Erection of 20 wind turbines up to 60MW total installed capacity | Cairn Duhie Wind Farm South East Of Ferness Between | Consented<br>09/10/2017 |

| Reference | Description | Location | Decision / Status |
|---|---|---|---|
| | | Nairn & Grantown-On-Spey<br>(c. 21.5km northeast of the Site) | |
| 12/00036/FUL | Application to construct a 13 no. wind turbine wind farm, including associated access tracks construction compound, substation, two permanent 100m lattice tower anemometry masts, ancillary developments and proposals for additional public access. | Daviot Wind Farm Lairgandour Daviot Inverness IV2 6XN<br>(c.580m north of the site) | Refused<br>25/06/2012 |
| 11/00853/S36<br>EC00003192 | Erection of 31 wind turbines and associated infrastructure (Allt Duine Wind Farm) | Allt Duine Wind Farm<br>Land At Dunachton, Alvie And Dalraddy Estate Alvie Kincraig<br>(c.19km southwest of the Site) | Refused<br>20/07/2015 |
| 05/01047/S36IN | Application to construct a 17 no. wind turbine wind farm | Glenkirk<br>Glenkirk Windfarm Tomatin Inverness-shire<br>(c.7.5km east of the Site) | Refused<br>14/06/2013 |
| 05/00217/SE36IN EC00003177 | Application for a wind farm 33no turbines | Dunmaglass<br>Wind Farm Dunmaglass Inverness<br>(c.14km southwest of the Site) | Operational<br>Granted<br>29/12/2010 |
| 02/000871/S36IN | Application for the erection of a wind farm 40 turbines | Farr Wind Farm<br>Farr Windfarm Moy Tomatin Inverness IV13 7ZA<br>(c.900m south of the Site) | Operational.<br>The existing Farr Wind Farm was constructed and has been in operation since December 2005.<br>The consented variation (detailed above) granted extension of operational period of Farr Wind Farm from 25 to 35 years. |

# APPENDIX 2: PLANNING POLICY WORDING

**Table 1** sets out the requirements for each of the NPF4 policies relevant to the Proposed Development.

**Table 1: NPF4 policies relevant to the Proposed Development**

| Policy Number | Policy Wording |
|---|---|
| Policy 1: Tackling the Climate and Nature Crisis | *"When considering all development proposals, significant weight will be given to the global climate and nature crisis."* |
| Policy 3: Biodiversity | *"a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.*<br>*b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:*<br>i. *the proposal is based on an understanding of the existing characteristics of the Site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;*<br>ii. *wherever feasible, nature-based solutions have been integrated and made best use of;*<br>iii. *an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;*<br>iv. *significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and*<br>v. *local community benefits of the biodiversity and/or nature networks have been considered.*<br>*c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.*<br>*d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build* |

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| | *resilience by enhancing nature networks and maximising the potential for restoration."* |
| Policy 4: Natural Places | *"a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.*<br>*b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.*<br>*c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:*<br>i. *The objectives of designation and the overall integrity of the areas will not be compromised; or*<br>ii. *Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.*<br>*All Ramsar sites are also European sites and/or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.*<br>*d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:*<br>i. *Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*<br>ii. *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.*<br>*e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.*<br>*f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a Proposed Development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.*<br>*g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:*<br>i. *will support meeting renewable energy targets; or,*<br>ii. *is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.*<br>*All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration."* |

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| Policy 5: Soils | *"a) Development proposals will only be supported if they are designed and constructed:*<br>i. *In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and*<br>ii. *In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.*<br>*b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:*<br>i. *Essential infrastructure and there is a specific locational need and no other suitable site;*<br>ii. *Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;*<br>iii. *The development of production and processing facilities associated with the land produce where no other local site is suitable;*<br>iv. *The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and*<br>v. *In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.*<br>*c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:*<br>i. *Essential infrastructure and there is a specific locational need and no other suitable site;*<br>ii. *The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;*<br>iii. *Small-scale development directly linked to a rural business, farm or croft;*<br>iv. *Supporting a fragile community in a rural or island area; or*<br>v. *Restoration of peatland habitats.*<br>*d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:*<br>i. *the baseline depth, habitat condition, quality and stability of carbon-rich soils;*<br>ii. *the likely effects of the development on peatland, including on soil disturbance; and*<br>iii. *the likely net effects of the development on climate emissions and loss of carbon.*<br>*This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the Site into a functioning peatland system capable of achieving carbon sequestration.*<br>*e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:*<br>i. *the extracted peat is supporting the Scottish whisky industry;* |

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| | ii. *there is no reasonable substitute;*<br>iii. *the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of part of at least 1 metre across the whole site, including drainage features;*<br>iv. *the time period for extraction is the minimum necessary; and*<br>v. *there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration."* |
| Policy 6: Forestry, Woodland and Trees | "*a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.*<br>*b) Development proposals will not be supported where they will result in:*<br>i. *Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;*<br>ii. *Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;*<br>iii. *Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;*<br>iv. *Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.*<br>*c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.*<br>*d) Development proposals onsite which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the Site (in accordance with the Forestry and Woodland Strategy) are integrated into the design."* |
| Policy 7: Historic Assets and Places | *"a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.*<br>*Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within the Historic Environment Records.*<br>*b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:*<br>*i. building is no longer of special interest;*<br>*ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;*<br>*iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price* |

*reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or*

iv. *demolition of the building is essential to delivering significant benefits to economic growth or the wider community.*

*c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.*

*d) Development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced. Relevant considerations include the:*

i. *architectural and historic character of the area;*

ii. *existing density, built form and layout; and*

iii. *context and siting, quality of design and suitable materials.*

*e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.*

*f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:*

i. *reasonable efforts have been made to retain, repair and reuse the building;*

ii. *the building is of little townscape value;*

iii. *the structural condition of the building prevents its retention at a reasonable cost; or*

iv. *the form or location of the building makes its reuse extremely difficult.*

*g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.*

*h) Development proposals affecting Scheduled Monuments will only be supported where:*

i. *direct impacts on the Scheduled Monument are avoided;*

ii. *significant adverse impacts on the integrity of the setting of a Scheduled Monument are avoided; or*

iii. *exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impacts on the monument or its setting have been minimised.*

*i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the Site, or its setting.*

*j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.*

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| | *k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.*<br>*l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.*<br>*m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.*<br>*n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:*<br>*i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and*<br>*ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.*<br>*The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.*<br>*o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.*<br>*Where impacts cannot be avoided, they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.*<br>*When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures."* |
| Policy 18: Infrastructure First | *"a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.*<br>*b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.*<br>*Where planning obligations are entered into, they should meet the following tests:*<br>*– be necessary to make the proposed development acceptable in planning terms*<br>*– serve a planning purpose*<br>*– relate to the impacts of the proposed development*<br>*– fairly and reasonably relate in scale and kind to the proposed development*<br>*– be reasonable in all other respects* |

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| | *Planning conditions should only be imposed where they meet all of the following tests. They should be:*<br>*– necessary*<br>*– relevant to planning*<br>*– relevant to the development to be permitted*<br>*– enforceable*<br>*– precise*<br>*– reasonable in all other respects"* |
| Policy 20: Blue and green infrastructure | *"a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.*<br>*b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.*<br>*Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multifunctional and well integrated into the overall proposals.*<br>*c) Development proposals in regional and country parks will only be supported where they are compatible with the uses, natural habitats, and character of the park. d) Development proposals for temporary open space or green space on unused or underused land will be supported.*<br>*e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these."* |
| Policy 25: Community Wealth Building | *"a) Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.*<br>*b) Development proposals linked to community ownership and management of land will be supported."* |

**Table 2** provides the policy text of the HwLDP policies considered to be most relevant to the Proposed Development.

**Table 2 – HwLDP policies relevant to the Proposed Development**

| Policy Number | Policy Wording |
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| Policy 28: Sustainable Design | *"The Council will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. Proposed Developments will be assessed on the extent to which they:* |

*• are compatible with public service provision (water and sewerage, drainage, roads, schools, electricity);*

*• are accessible by public transport, cycling and walking as well as car;*

*• maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy and heat;*

*• are affected by physical constraints described in Physical Constraints on Development: Supplementary Guidance;*

*• make use of brownfield sites, existing buildings and recycled materials;*

*• demonstrate that they have sought to minimise the generation of waste during the construction and operational phases. (This can be submitted through a Site Waste Management Plan)*

*• impact on individual and community residential amenity;*

*• impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality agricultural land, or approved routes for road and rail links;*

*• impact on the following resources, including pollution and discharges, particularly within designated areas:*

*o habitats*

*o freshwater systems*

*o species*

*o marine systems*

*o landscape*

*o cultural heritage*

*o scenery*

*o air quality;*

*• demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials;*

*• promote varied, lively and well-used environments which will enhance community safety and security and reduce any fear of crime;*

*• accommodate the needs of all sectors of the community, including people with disabilities or other special needs and disadvantaged groups; and*

*• contribute to the economic and social development of the community.*

*Developments which are judged to be significantly detrimental in terms of the above criteria will not accord with this Local Development Plan. All development proposals must demonstrate compatibility with the Sustainable Design Guide: Supplementary Guidance, which requires that all developments should:*

*• conserve and enhance the character of the Highland area;*

*• use resources efficiently;*

*• minimise the environmental impact of development;*

*• enhance the viability of Highland communities.*

*Compatibility should be demonstrated through the submission of a Sustainable Design Statement where required to do so by the Guidance.*

*All developments must comply with the greenhouse gas emissions requirements of the Sustainable Design Guide.*

*In the relatively rare situation of assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds*

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| | *for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle.*<br>*Where environmental and/or socio-economic impacts of a proposed development are likely to be significant by virtue of nature, size or location, The Council will require the preparation by developers of appropriate impact assessments. Developments that will have significant adverse effects will only be supported if no reasonable alternatives exist, if there is demonstrable over-riding strategic benefit or if satisfactory overall mitigating measures are incorporated."* |
| Policy 30: Physical Constraints | *"Developers must consider whether their proposals would be located within areas of constraints as set out in Physical Constraints: Supplementary Guidance. The main principles of the guidance are:*<br>*• to provide developers with up to date information regarding physical constraints to development in Highland; and*<br>*• to ensure Proposed Developments do not adversely affect human health and safety or pose risk to safeguarded sites.*<br>*Where a Proposed Development is affected by any of the constraints detailed within the guidance, developers must demonstrate compatibility with the constraint or outline appropriate mitigation measures to be provided."* |
| Policy 31: Developer Contributions | *"For development proposals which create a need for new or improved public services, facilities or infrastructure, the Council will seek from the developer a fair and reasonable contribution in cash or kind towards these additional costs or requirements. Such contributions will be proportionate to the scale and nature of the development proposed and may be secured through a Section 75 obligation or other legal agreement as necessary.*<br>*Other potential adverse impacts of any development proposal will normally be addressed by planning condition but may also require a contribution secured by agreement. The principles that guide the preparation of the Developer Contributions: Supplementary Guidance are:*<br>*• Fair and proportionate developer contributions for all developments on sites allocated in either the Highland wide Local Development Plan or one of the area local development plans or in terms of windfall development;*<br>*• Developer contributions will be sought where a need for new or improved services, facilities or infrastructure has been identified that relates directly to the Proposed Development;*<br>*• Flexibility in approach to ensure that development can be brought forward in difficult economic circumstances while ensuring that the development has no net detriment;*<br>*• Facilitate informed decision making by those involved in the development process, allowing potential financial implications to be factored into development appraisals prior to commercial decisions and actions being undertaken."* |
| Policy 51: Trees and Development | *"The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource.*<br>*The Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any* |

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| | *new development. In communal areas a factoring agreement will be necessary.*<br>*The Council's Trees, Woodland and Development Supplementary Guidance will be adopted as statutory supplementary guidance. The guidance will identify the main principles for the protection and management of trees and woodland in relation to new development. It will:*<br>*• identify key relevant legislation and regulation;*<br>*• establish the key factors for assessment of development sites in relation to the presence of trees;*<br>*• give guidance on preparation of tree protection, management, planting and landscape plans;*<br>*• for developments involving a significant element of woodland, give advice on the need for a woodland management plan;*<br>*• provide advice for development within existing woodland on the potential for woodland removal and need for compensatory planting;*<br>*• generally support well planned developments which are designed to create and coexist with significant areas of new woodland."* |
| Policy 55: Peat and Soils | *"Development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance of peat will not be permitted unless it is shown that the adverse effects of such disturbance are clearly outweighed by social, environmental or economic benefits arising from the development proposal. Where development on peat is clearly demonstrated to be unavoidable then The Council may ask for a peatland management plan to be submitted which clearly demonstrates how impacts have been minimised and mitigated.*<br>*New areas of commercial peat extraction will not be supported unless it can be shown that it is an area of degraded peatland which is clearly demonstrated to have been significantly damaged by human activity and has low conservation value and as a result restoration is not possible.*<br>*Proposals must also demonstrate to the Council's satisfaction that extraction would not adversely affect the integrity of nearby Natura sites containing areas of peatland."* |
| Policy 57: Natural, Built and Cultural Heritage | *"All development proposals will be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting, in the context of the policy framework detailed in Appendix 2. The following criteria will also apply:*<br>*1. For features of local/regional importance we will allow developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource.*<br>*2. For features of national importance we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services.*<br>*3. For features of international importance developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, and which are not directly connected with or necessary to the management of the Site for nature conservation will be subject to an appropriate assessment.* |

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| | *Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, we will only allow development if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex 1 of the Habitats Directive) would be affected, development in such circumstances will only be allowed if the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reasons subject to the opinion of the European Commission (via Scottish Ministers). Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, the proposal will not be in accordance with the development plan within the meaning of Section 25(1) of the Town and Country Planning (Scotland) Act 1997.*<br>*Note: Whilst Appendix 2 groups features under the headings international, national and local/regional importance, this does not suggest that the relevant policy framework will be any less rigorously applied. This policy should also be read in conjunction with the Proposal Map.*<br>*The Council intends to adopt the Supplementary Guidance on Wild Areas in due course. The main principles of this guidance will be:*<br>*• to provide mapping of wild areas;*<br>*• to give advice on how best to accommodate change within wild areas whilst safeguarding their qualities;*<br>*• to give advice on what an unacceptable impact is; and*<br>*• to give guidance on how wild areas could be adversely affected by development close to but not within the wild area itself. In due course the Council also intends to adopt the Supplementary Guidance on the Highland Historic Environment Strategy. The main principles of this guidance will ensure that:*<br>*• Future developments take account of the historic environment and that they are of a design and quality to enhance the historic environment bringing both economic and social benefits;*<br>*• It sets a proactive, consistent approach to the protection of the historic environment."* |
| Policy 58: Protected Species | *"Where there is good reason to believe that a protected species may be present on site or may be affected by a Proposed Development, we will require a survey to be carried out to establish any such presence and if necessary a mitigation plan to avoid or minimise any impacts on the species, before determining the application. Development that is likely to have an adverse effect, individually and/or cumulatively, on European Protected Species (see Glossary) will only be permitted where:*<br>*• There is no satisfactory alternative;*<br>*• The development is required for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and*<br>*• The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*<br>*Development that is likely to have an adverse effect, individually and/or cumulatively, on protected bird species (see Glossary) will only be permitted where:*<br>*• There is no other satisfactory solution; and* |

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| | *• The development is required in the interests of public health or public safety.*<br>*This will include but is not limited to avoiding adverse effects, individually and/or cumulatively, on the populations of the following priority protected bird species:*<br>*• Species listed in Annex 1 of the EC Birds Directive;*<br>*• Regularly occurring migratory species listed in Annex II of the Birds Directive;*<br>*• Species listed in Schedule 1 of the Wildlife and Countryside Act 1981 as amended;*<br>*• Birds of conservation concern.*<br>*Development that is likely to have an adverse effect, individually and/or cumulatively (see glossary), on other protected animals and plants (see Glossary) will only be permitted where the development is required for preserving public health or public safety.*<br>*Development proposals should avoid adverse disturbance, including cumulatively, to badgers and badger setts, protected under the Protection of Badgers Act 1992 (as amended by the Nature Conservation (Scotland) Act 2004."* |
| Policy 59: Other Important Species | *"The Council will have regard to the presence of and any adverse effects of development proposals, either individually and/or cumulatively, on the Other Important Species which are included in the lists below, if these are not already protected by other legislation or by nature conservation site designations:*<br>*• Species listed in Annexes II and V of the EC Habitats Directive;*<br>*• Priority species listed in the UK and Local Biodiversity Action Plans;*<br>*• Species included on the Scottish Biodiversity List.*<br>*We will use conditions and agreements to ensure detrimental affect on these species is avoided."* |
| Policy 60: Other Important Habitats and Article 10 Features | *"The Council will seek to safeguard the integrity of features of the landscape which are of major importance because of their linear and continuous structure or combination as habitat "stepping stones" for the movement of wild fauna and flora (Article 10 Features). The Council will also seek to create new habitats which are supportive of this concept. The Council will have regard to the value of the following Other Important Habitats, where not protected by nature conservation site designations (such as natural water courses), in the assessment of any development proposals which may affect them either individually and/or cumulatively:*<br>*• Habitats listed in Annex I of the EC Habitats Directive;*<br>*• Habitats of priority and protected bird species (see Glossary);*<br>*• Priority habitats listed in the UK and Local Biodiversity Action Plans;*<br>*• Habitats included on the Scottish Biodiversity List.*<br>*The Council will use conditions and agreements to ensure that significant harm to the ecological function and integrity of Article 10 Features and Other Important Habitats is avoided. Where it is judged that the reasons in favour of a development clearly outweigh the desirability of retaining those important habitats, the Council will seek to put in place satisfactory mitigation measures, including where appropriate consideration of compensatory habitat creation."* |
| Policy 61: Landscape | *"New developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character* |

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| | *Assessment of the area in which they are proposed. This will include consideration of the appropriate scale, form, pattern and construction materials, as well as the potential cumulative effect of developments where this may be an issue. The Council would wish to encourage those undertaking development to include measures to enhance the landscape characteristics of the area. This will apply particularly where the condition of the landscape characteristics has deteriorated to such an extent that there has been a loss of landscape quality or distinctive sense of place. In the assessment of new developments, the Council will take account of Landscape Character Assessments, Landscape Capacity Studies and its supplementary guidance on Siting and Design and Sustainable Design, together with any other relevant design guidance.*<br>*Note: The principles and justification underpinning the Council's approach to sustainable developments are contained in the supplementary guidance: Sustainable Design". The key principles underlying this guidance are set out in Policy 28: Sustainable Design."* |
| Policy 63: Water Environment | *"The Council will support proposals for development that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment. In assessing proposals, the Council will take into account the River Basin Management Plan for the Scotland River Basin District and associated Area Management Plans and supporting information on opportunities for improvements and constraints. (see Figure 8)."* |
| Policy 64: Flood Risk | *"Development proposals should avoid areas susceptible to flooding and promote sustainable flood management.*<br>*Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy (SPP) through the submission of suitable information which may take the form of a Flood Risk Assessment.*<br>*Development proposals outwith indicative medium to high flood risk areas may be acceptable. However, where:*<br>*• better local flood risk information is available and suggests a higher risk;*<br>*• a sensitive land use (as specified in the risk framework of Scottish Planning Policy) is proposed, and/or;*<br>*• the development borders the coast and therefore may be at risk from climate change;*<br>*a Flood Risk Assessment or other suitable information which demonstrates compliance with SPP will be required.*<br>*Developments may also be possible where they are in accord with the flood prevention or management measures as specified within a local (development) plan allocation or a development brief. Any developments, particularly those on the flood plain, should not compromise the objectives of the EU Water Framework Directive.*<br>*Where flood management measures are required, natural methods such as restoration of floodplains, wetlands and water bodies should be incorporated, or adequate justification should be provided as to why they are impracticable."* |
| Policy 67: Renewable Energy Developments | *"Renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation. The Council will also consider:*<br>*• the contribution of the Proposed Development towards meeting renewable energy generation targets; and* |

*• any positive or negative effects it is likely to have on the local and national economy;*

*and will assess proposals against other policies of the development plan, the Highland Renewable Energy Strategy and Planning Guidelines and have regard to any other material considerations, including proposals able to demonstrate significant benefits including by making effective use of existing and proposed infrastructure or facilities.*

*Subject to balancing with these considerations and taking into account any mitigation measures to be included, the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments (see Glossary), having regard in particular to any significant effects on the following: natural, built and cultural heritage features; species and habitats;*

*• visual impact and impact on the landscape character of the surrounding*

*• area (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations);*

*• amenity at sensitive locations, including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary);*

*• the safety and amenity of any regularly occupied buildings and the grounds that they occupy- having regard to visual intrusion or the likely effect of noise generation and, in the case of wind energy proposals, ice throw in winter conditions, shadow flicker or shadow throw.*

*• ground water, surface water (including water supply), aquatic ecosystems and fisheries;*

*• the safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas;*

*• other communications installations or the quality of radio or TV reception;*

*• the amenity of users of any Core Path or other established public access for walking, cycling or horse riding;*

*• tourism and recreation interests;*

*• land and water based traffic and transport interests.*

*Proposals for the extension of existing renewable energy facilities will be assessed against the same criteria and material considerations as apply to proposals for new facilities.*

*In all cases, if consent is granted, the Council will approve appropriate conditions (along with a legal agreement/obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, where necessary), relating to the removal of the development and associated equipment and to the restoration of the Site, whenever the consent expires, other than in circumstances where fresh consent has been secured to extend the life of the project, or the project ceases to operate for a specific period.*

*The Onshore Wind Energy Supplementary Guidance will replace parts of the Highland Renewable Energy Strategy. It will identify: areas to be afforded protection from windfarms; other areas with constraints; and broad areas of search for windfarms. It will set out criteria for the consideration of proposals. It will ensure that developers are aware of the key constraints to such development and encourage them to take those constraints into account at the outset of the preparation of proposals. It will seek to steer proposals, especially those for larger windfarms, away from the most*

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| | *constrained areas and ideally towards the least constrained areas and areas of particular opportunity. It will also set out criteria which will apply to the consideration of proposals irrespective of size and where they are located, enabling proposals to be considered on their merits. It will seek submission as part of the planning application of key information required for the assessment of proposals and provide certainty for all concerned about how applications will be considered by the Council."* |
| Policy 69: Electricity Transmission Infrastructure | *"Proposals for overground, underground or sub-sea electricity transmission infrastructure (including lines and cables, pylons/ poles and vaults, transformers, switches and other plant) will be considered having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Subject to balancing with this consideration, and taking into account any proposed mitigation measures, the Council will support proposals which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features. In locations that are sensitive, mitigation may help to address concerns and should be considered as part of the preparation of proposals. This may include, where appropriate, underground or sub-sea alternatives to overground route proposals. Where new infrastructure provision will result in existing infrastructure becoming redundant, the Council will seek the removal of the redundant infrastructure as a requirement of the development."* |
| Policy 72: Pollution | *"Proposals that may result in significant pollution such as noise (including aircraft noise), air, water and light will only be approved where a detailed assessment report on the levels, character and transmission and receiving environment of the potential pollution is provided by the applicant to show how the pollution can be appropriately avoided and if necessary mitigated.*<br>*Where the Council applies conditions to any permission to deal with pollution matters these may include subsequent independent monitoring of pollution levels.*<br>*Major Developments and developments that are subject of Environmental Impact Assessment will be expected to follow a robust project environmental management process, following the approach set out in the Council's Guidance Note "Construction Environmental Management Process for Large Scale Projects" or a similar approach."* |
| Policy 77: Public Access | *"Where a proposal affects a route included in a Core Paths Plan or an access point to water, or significantly affects wider access rights, then The Council will require it to either:*<br>*• retain the existing path or water access point while maintaining or enhancing its amenity value; or*<br>*• ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats.*<br>*For a proposal classified as a Major Development, the Council will require the developer to submit an Access Plan. This should show the existing public, nonmotorised public access footpaths, bridleways and cycleways on the site, together with proposed public access provision, both during construction and after completion of the development (including links to existing path networks and to the surrounding area, and access point to water)."* |
| Policy 78: Long Distance Routes | *"The Council, with its partners, will safeguard and seek to enhance long distance routes (as indicated on Figure 11), and their settings. Consideration will be given to developing/improving further strategic multi* |

*user routes both inland and along the coast with due regard to the impact on the Natural Heritage features along these routes."*

**Table 3** provides the policy text of the IMFLDP2 policies considered to be most relevant to the Proposed Development.

**Table 3: IMFLDP2 policies relevant to the Proposed Development**

| Policy Number | Policy Wording |
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| Policy 1: Low and zero carbon development | *"Each new build development proposal must minimise carbon emissions. A Low and Zero Carbon Development Section must be included within the Supporting Statement submitted as part of a planning application to demonstrate how this has been achieved. The information provided should be commensurate with the nature and scale of the proposed development.*<br>*The Council's Low and Zero Carbon Development Guidance document should be used to inform the statement and it is expected that the following components will need to be addressed (as appropriate to the nature and scale of the proposal):*<br>*1. "Fabric first" approach to maximise the thermal efficiency of the building.*<br>*2. Siting and design to maximise and manage solar gain.*<br>*3. On-site renewable energy generation.*<br>*4. On-site energy storage.*<br>*5. Zero direct emissions at source - heating/cooling low carbon heat source.*<br>*6. Future proofed electricity load capacity.*<br>*7. Other methods and innovations to decarbonise development (including the potential for nature-based solutions).*<br>*For proposals with space heating needs which are located within areas identified by the Council as a Heat Network Zone (included within the Low and Zero Carbon Development Guidance):*<br>*• All developments will be required to connect to an existing heat network where available.*<br>*• Where one does not already exist, Major Developments will be encouraged to create a new heat network.*<br>*• Where applications can demonstrate that connection to a heat network is not viable as part of the development, the proposal will need to be future proofed to allow connections to heat networks when one becomes available. In such cases an agreed network design will be required.*<br>*• Where the applicant can demonstrate that connection to a heat network is neither viable nor the most appropriate heating solution, both as part of the development and likely in the future, alternative low and zero carbon emitting heat arrangements will be required.*<br>*Outwith Heat Network Zones, developers are encouraged to consider the creation of or connection to existing heat networks as a means of heating system.*<br>*Whilst the following development proposals are exempt from this policy, the Council would encourage developers to consider the broad issues and opportunities to deliver low and zero carbon development:*<br>*• Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection.* |

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| | *• Buildings which have an intended life of less than two years.*<br>*• Any other buildings exempt from Building Standards."* |
| Policy 2: Nature protection, restoration and enhancement | *"**Nature Protection, Restoration and Enhancement***<br>*All developments must enhance biodiversity, including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Any potential adverse impacts of development proposals on biodiversity, nature networks and the natural environment must be minimised through careful planning and design and following the mitigation hierarchy. Design and layouts must show how they have considered enhancing biodiversity, safeguarding the services that the natural environment provides and building the resilience of nature by enhancing nature networks and maximising the potential for restoration.*<br>***Local Developments***<br>*Local developments will only be supported if they include appropriate measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development. All new local housing development, excluding householder alterations and extensions, and all other local development will be expected to deliver demonstrable net biodiversity enhancements above an agreed baseline. These enhancements can be provided onsite, or on other land within the applicant's ownership or control, and secured through planning conditions. Alternatively, a biodiversity enhancement developer contribution may be paid to facilitate collective biodiversity enhancements within the catchment of the closest main settlement of the proposed development.*<br>***National, Major and EIA Developments***<br>*Developments proposals for national, major and EIA development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.*<br>*To inform this, proposals should:*<br>*• be based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats or species;*<br>*• wherever feasible, integrate and make best use of nature-based solutions, demonstrating how this has been achieved;*<br>*• be supported by an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;*<br>*• provide significant biodiversity enhancements, in addition to any proposed mitigation.*<br>*• take into account the community benefit of biodiversity and nature networks.*<br>*Biodiversity enhancements proposed through development will require to be delivered within an agreed timescale and should include supporting nature networks, linking to and strengthening habitat connectivity within and beyond the development, where appropriate. Any submission should include management arrangements for long-term retention and monitoring of the approved biodiversity enhancements, wherever appropriate.*<br>***Planning Guidance***<br>*Non-statutory planning guidance on the provision of nature-based solutions and biodiversity enhancements, including developer contributions where* |

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| | *appropriate, will be prepared by the Council. This guidance will be used to inform development proposals.* |
| Policy 9: Delivering Development | *"**Delivering Development and Infrastructure**<br>The Council will assess each development proposal in terms of its impact on each relevant infrastructure network and community facility capacity. Developers will be required to demonstrate that adequate capacity to serve each proposal exists or can be created via a programmed improvement and/or by direct developer provision or funding. In doing so, developers should take account of the following.<br>• the Council's Delivery Programme which sets out further detail of current programmed capacity improvements and requirements.<br>• the Council's Developer Contributions Supplementary Guidance which specifies required financial contributions and standards in terms of network and facility improvements.<br>• settlement-specific Placemaking Priorities set out in this Plan.<br>• the site-specific Developer Requirements listed in this Plan for each main settlement allocation.<br>Developments on allocated sites and larger (4 or more homes or non residential equivalent) windfall proposals must be appropriately master planned. Timely provision of adequate infrastructure network and community facility capacity must be demonstrated through the developer's masterplan and be secured by condition and/or legal agreement. Proposals that don't demonstrate that adequate capacity exists or can be created will not comply with this policy."* |
| Policy 14: Sustainable Transport Policy | *"**Transport**<br>Development proposals should demonstrate how they can maximise walking, wheeling, cycling and public transport as alternative travel options (to use of the private car) for people using the development. A proportionate assessment should be included as part of the Transport Assessment or Statement, where one is required, and is expected to include the following<br>information:<br>1. Context: Appraisal of nearby committed major developments (as defined in THC Roads<br>and Transport Development Guidance).<br>2. Trips: Trip generation information, specific to the location, scale and type of development,<br>and origins of trips.<br>3. Users: Appraisal of the end users of the proposal and how this influences trip generation<br>and travel choice.<br>4. Journey times: Representative journey times for each mode of travel expected to be<br>available for end users of the site, including an explanation of data sources and<br>methodologies used.<br>5. Route quality: Appraisal of the quality and attractiveness of routes for each mode and<br>each origin identified.<br>6. Assessment: Provide an assessment of points 1 – 5 to determine the extent to which the proposal enables sustainable travel as an alternative to* |

*travel by private car. This should include any mitigation proposed to reach this goal.*

*Detailed supporting guidance about this information will be prepared in consultation with the development industry, transport providers and other key stakeholders.*

*Travel Plans should support development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development. A Travel Plan should demonstrate how the proposal will support a transition to sustainable transport. The Travel Plan should include the following information:*

*1. Clear and measurable targets and objectives to deliver sustainable transport for that development.*

*2. The range of effective measures that will be implemented to mitigate the impacts of development that will deliver sustainable transport.*

*3. The monitoring and reporting framework that will be used to quantify the effectiveness of measures implemented, and when this will take place and be reported to the Council.*

*4. How the existing transport context has determined the measures considered most effective to deliver sustainable transport.*

*5. What mitigation will be implemented if such measures are found to be ineffective through monitoring, and how these measures will be monitored and reported to the Council.*

*Developer contributions will be secured to mitigate the impacts of development to support the transition to sustainable transport. These contributions are set out in the Council's Delivery Programme, and are referred to in the Developer Requirements for sites and in the Placemaking Priorities for settlements.*

*Where an active travel or public transport priority scheme is identified in the Plan, financial contributions towards their delivery will be sought from development proposals within the settlement, or defined catchment, on a per home or floorspace equivalent basis."*