# Lochluichart Wind Farm Extension II

## Planning Statement

**October 2019**

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# Contents

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# 1 Introduction

1.1 This Planning Statement has been prepared by Savills on behalf of Bluebell Wind Farm Limited, the joint venture between Infinergy Limited and Loch Luichart Estate (the Applicant) and supports a current application for planning permission to the Highland Council for the extension of the Lochluichart Wind Farm.

1.2 Bluebell Wind Farm Limited submitted a planning application for Lochluichart Wind Farm Extension II in April 2019 to the Highland Council (THC). This proposed a 9-wind turbine scheme and associated infrastructure (hereafter known as the 'Original Scheme'). The application was accompanied by an Environmental Impact Assessment Report (EIA Report), and associated documents, under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2018.

1.3 Following submission of the application, THC consulted relevant organisations as well as the public. Having considered the matters raised, the Applicant undertook a re-design process and decided to formally amend the planning application. The amendments comprise the removal of the four turbines closest to the A835 to the north (turbines T2, T3, T9 & T10) along with the associated access tracks and infrastructure, and a reduction in size of the proposed substation and control building to 170m x 80m and removal of the access track spur connecting Turbine T6 to Lochluichart Wind Farm. The remaining five turbines, and their associated infrastructure and other infrastructure including proposed borrow pits, remain in the same locations as per the Original Scheme. This revised scheme is hereafter known as the Revised Development.

1.4 Environmental impacts arising from the amended 5 turbine scheme are described in the EIA Report Supplementary Information (SI) which accompanies this submission. This updated Planning Statement confirms any relevant and consequent changes to the planning considerations for the proposal.

1.5 The Revised Development comprises five wind turbines with a maximum blade tip height of up to 133 metres and a rotor diameter of approximately 114 metres. Access will be taken from the existing site entrance on the A835 and will connect to a network of existing and newly proposed tracks to the proposed wind turbines. Other permanent infrastructure would include a sub-station and control building, and temporary infrastructure would include two borrow pits and a construction compound.

1.6 This Planning Statement provides an assessment of the Revised Development against relevant local and national planning policy and associated Supplementary Guidance (SG), energy policy and other material considerations. The Planning Statement assesses the acceptability of the Revised Development in land use and planning policy terms in light of the residual impacts identified in the Environmental Impact Assessment Report (EIA Report) and latest Supplementary Information (SI), planning policy and other objectives. It concludes with considered comments about the overall acceptability of the Revised Development in land use and planning policy terms.

### Structure of the Statement

1.7 This Planning Statement is set out in sections. Following this introductory section, subsequent sections are set out as follows;

- Section 2 sets out details about the Site and the Revised Development;
- Section 3 assesses the Revised Development against the relevant policies of the Development Plan;
- Section 4 considers the Revised Development in relation to other material considerations such as relevant Scottish Government planning guidance and advice;
- Section 5 sets out energy policy matters and considers the Revised Development with reference to the relevant policies and targets; and
- Section 6 weighs up the planning case for the Revised Development providing concluding remarks on the overall acceptability of the Revised Development.

# 2 The Site and revised development

## Site description

2.1 The application site (hereafter referred to as *'the Site'*) comprises an area of approximately 2.3km$^2$ on land between Loch Luichart and Loch Glascarnoch, with the elevation of the site ranging from approximately 260m AOD in the eastern part of the site to approximately 500m in the west. The site is relatively low-lying in contrast to the large-scale *Rugged Mountain Massif* to the immediate west and *Rounded Hills* to the immediate east.

2.2 The Revised Development would form a direct extension to the existing wind farm cluster at Lochluichart and would be located to the north of the 17 operational Lochluichart Wind Farm turbines, 6 operational Lochluichart Wind Farm Extension turbines (thereafter known as the 'the Operational Schemes'). Also, nearby are the 19 operational Corriemoillie Wind Farm turbines (thereafter known as 'Corriemoillie'). These Operational Schemes and Corriemoillie (42 turbines in total, hereafter known as the 'Operational Wind Farms') are 125m in height to blade tip and have an existing influence on landscape character and visual amenity. The Revised Development has been designed as an integrated extension to these Operational Wind Farms.

2.3 In general, the Operational Schemes and Corriemollie Wind Farms are to the immediate south and south-east of the site, whilst the A835 (T) Garve to Ullapool road from which access to the site would be gained is to the north.

2.4 The site is centred on grid reference 232984E, 868776N. It consists mainly of a mosaic of wet heath and blanket mire. The site is grazed by deer and, during the summer months, by sheep. North of the site low-voltage power cables run in parallel with the banks of Loch Glascarnoch and the A835 (T).

2.5 The site lies approximately 18 km north-west of Dingwall, c.5km north of the intersection between the A835 (T) and the A832, and between the water bodies of Loch Luichart in the Conon Valley and Loch Glascarnoch in the Black Water Valley. Loch Fannich lies 5 km to the west.

2.6 Ben Wyvis, a locally prominent Munro, is located approximately 13km to the east, whilst Beinn Dearg is situated about 13 km to the north west. The nearest Munros in the Fannichs lie approximately 6 km to the west.

2.7 No buildings or structures are present on site with the separation distance from the closest residential property, the Aultguish Inn, now increased from 1.5 km to 2 km from the nearest proposed turbine.

**Figure 2.1: Site location plan**


2.8 The site does not lie within any designated landscape protection area, such as a National Scenic Area or an Area of Great Landscape Value (AGLV), and there are no ecological designations, such as a Site of Special Scientific Interest, covering the site. Likewise, there are no cultural heritage designations, such as listed buildings or Conservation Areas, in or close proximity to the site.

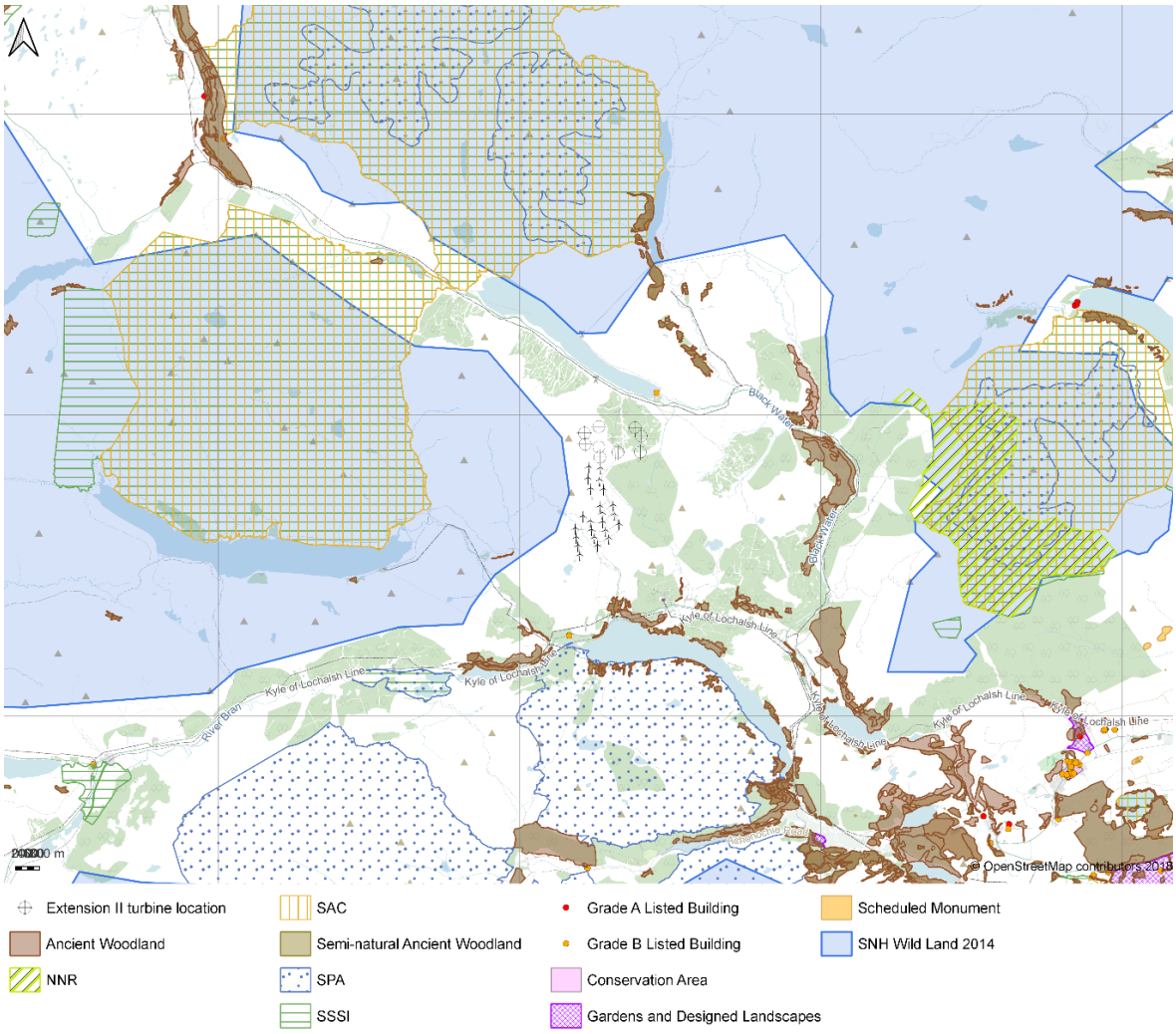
2.9 Immediately to the west of the site stands a row of hills that includes Beinn Liath Bheag, Meall nan Caorach, and Meall Mhic Iomhair. These hills form the eastern boundary of an area of Wild Land which extends to the west. A second area of wild land is located approximately 3 km north of the site extending from the northern shore of Loch Glascarnoch to the north. The site lies just within a Tactical Training Area (LFA14T) used by military aircraft for low level flight training (Figure 2.2).

2.10 The site is situated approximately 6 km from the Glen Affric to Strathconon Special Protection Area (SPA), designated under the European Union Directive on the Conservation of Wild Birds, in particular the large population of breeding golden eagles which it supports. At a similar distance at c. 5.3km is the Achanalt Marshes SPA, designated for breeding wood sandpiper, and the Beinn Dearg SPA, designated for breeding dotterel.

2.11 To the east of the site lies Corriemoillie Forest, a coniferous plantation with young trees. The hamlet of Lochluichart, which comprises fewer than 20 dwellings, lies beside the loch approximately 5.5 km to the south of the application site, and Corriemoillie Farmhouse lies approximately 5km to the south east of the site. The Aultguish Inn lies on the A835 (T), at the south eastern end of Loch Glascarnoch, approximately 2 km to the north east of the most proximate wind turbine.

2.12 In terms of cultural heritage and archaeology, interest is limited to the Category B-listed Loch Glascarnoch Dam within 2km to the north of the Site, four undesignated assets recorded in the HER within 2km of the Site and four known undesignated heritage assets within the Site. The closest Scheduled Monument is Little Garve, a bridge over Black Water, which is located approximately 8 km to the south east of the nearest turbines. The nearest Category A Listed Building is Wyvis Lodge located approximately 15km to the north-east; the nearest Conservation Area is at Strathpeffer approximately 17km to the south east and the nearest Garden and Designed Landscape is located at Castle Leod approximately 16.5km to the south east.

**Figure 2.2: Designations and constraints**




## The Proposal

2.13 Chapter 3 of the EIA Report, as updated by the corresponding SI chapter, provides a detailed description of the Revised Development and details are also shown in Figure 3.1. In summary the Revised Development will comprise:

- 5 wind turbines up to a maximum tip height of 133m, with a combined installed capacity of up to 18MW, and associated infrastructure (foundations, external transformers and crane hardstandings);
- approximately 3km of new permanent access tracks nominally 5 m wide, including new water crossings;
- a substation compound, approximately 170m by 80 m, comprising an electrical substation and control building;

- a temporary construction compound, approximately 100 m by 50 m, for site office, welfare facilities and material laydown area;
- an energy storage array approximately 17m x 14m, and;
- two on-site borrow pits.

2.14 The turbine dimensions will vary depending on the turbine selected, within the parameters of the maximum blade tip height of 133 metres. The candidate turbine for the purposes of the EIA is the Senvion 3.6MW114 (with a generation capacity of 3.6MW), although the Applicant is aware that turbines with an installed capacity of 4MW and above are commercially available within the tip height envelope. Blades will rotate at approximately 6.5 – 12.1 revolutions per minute (rpm), generating power at wind speeds between 3-22 m/s[1]. The wind turbines will be installed on foundations of stone and concrete. The final choice of wind turbine will be subject to a commercial tendering process should planning permission be granted, but would be required to at least match the performance of the candidate turbine with regards to key issues such as noise levels.

2.15 A total of approximately 3km of new and upgraded onsite access roads will be constructed. Owing to the size of some of the turbine components, all on-site access tracks will have to be a minimum of 5m wide with some additional localised bend widening to a maximum of approximately 13m.

2.16 Each wind turbine requires an area of hardstanding to be built adjacent to the turbine foundation. This provides a stable base on which to lay down turbine components ready for assembly and erection, and to site the cranes necessary to lift the tower sections, nacelle and rotor into place. The crane hardstanding will be left in place following construction in order to allow for the use of similar plant should major components need replacing during the operation of the wind farm. These could also be utilised during decommissioning at the end of the wind farm's life.

2.17 The turbines will be connected through suitable switchgear to be installed in a control building on-site. The substation compound will comprise a hard standing with maximum dimensions of approximately 60m x 30m and a single storey building approximately 6m x 26m which will house switchgear, metering, protection and control equipment as well as welfare facilities. An energy storage array measuring approximately 17 metres x 14 metres will also be provided.

2.18 The operational life of the proposal, as with many other wind farms, is for a period of 25 years from the date of the first commercial export of electricity to the transmission network. At the end of this period, the wind farm would be decommissioned and reinstated in accordance with a previously agreed restoration programme, or, alternatively an application will be submitted to extend the life of the proposal either by maintaining the existing infrastructure or installing new wind turbines and associated infrastructure.

2.19 The purpose of the proposal is to generate electricity from a renewable source (wind) to help reduce the requirement to generate electricity from more polluting fossil fuel sources. In doing so, the proposal would help to reduce greenhouse gas emissions associated with fossil fuel generated electricity, and make a positive contribution to Scottish, UK and international targets, aims and objectives that seek to increase the proportion of electricity generated from renewable sources as a means of tackling climate change. The various energy policy documents of relevance to this planning application are considered in Section 5 of this Planning Statement.

2.20 Based upon a total installed capacity of 18MW, the total annual predicted output from the wind turbines is 53,611 MWh per annum based upon an average capacity factor of 34%. The proposal could generate enough electricity to supply approximately 9,959 households[2] and could potentially displace the equivalent of between 14,615 and 15,501 tonnes of $CO_2$ emissions per annum, when compared to conventional forms of electricity generation (grid mix). Over the proposed 25-year operational life of the proposal, this could amount to potential $CO_2$ savings of between 365,375 and 387,525 tonnes, a significant environmental benefit of the proposal.

[2] Scottish Government Renewable Energy Output Calculator see:http://www.gov.scot/Topics/Statistics/Browse/Business/Energy/onlinetools/ElecCalc accessed April 2018

# 3 Development Plan Assessment

## Introduction

3.1 The primacy of the Development Plan in determining planning applications is established by Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) ('the 1997 Act'). These Sections of the 1997 Act require decision makers to determine applications in accordance with the Development Plan unless material considerations indicate otherwise.

3.2 The statutory Development Plan, as it relates to this planning application, comprises the Highland-wide Local Development Plan 2012 (HwLDP) and the Ross and Cromarty East Local Plan (as continuing in force, July 2015), together with Supplementary Guidance including the Onshore Wind Energy Supplementary Guidance 2016 ('The OWESG' or 'SG'). The key HwLDP policy relating to renewable energy is policy 67 with the related daughter document, the OWESG, providing '*a fuller interpretation of the HwLDP policies as they relate to onshore wind development' (SG, para 1.8).*

3.3 In some instances, there is significant overlap between the aims and objectives of the various LDP policies and the OWESG. Therefore, in order to avoid unnecessary duplication of planning policy assessments, it is not proposed to undertake full assessment of the Revised Development against all relevant LDP policies, whenever such an assessment has already been carried out as part of a review of an earlier policy with similar aims and objectives. Where these circumstances do arise, policy assessments shall be kept brief and cross reference made to the earlier and fuller policy assessment where this is considered to be directly applicable to the particular policy under consideration.

3.4 The current overarching Scottish Planning Policy (June 2014) confirms the importance of having an up to date development plan and also states that a review of development plans must be undertaken every 5 years. In this context it is relevant that the HwLDP was adopted in 2012, and therefore before the SPP. Section 4, paras 4.14-4.16 of this statement therefore considers the SPP and the '*presumption in favour of sustainable development'* that therefore arises in this case, and also the 'test' set out in SPP paras 33 and 29.

### Development Plan policies

3.5 As highlighted above the key LDP policy is **policy 67 – renewable energy developments** and this planning appraisal starts with consideration of this policy. On the basis of the close link between the OWESG and policy 67, which is described as providing '*a fuller interpretation of the HwLDP policies as they relate to onshore wind development'* an assessment of OWESG criteria is also undertaken in this section for ease of reference where there is commonality in the issues to be addressed. Other relevant LDP policies are then considered to draw conclusions about the extent of Development Plan compliance overall.

Policy 67 – Renewable Energy Developments

3.6 The principal HwLDP policy on which the application needs to be determined is Policy 67 – Renewable Energy Developments. This policy requires decision makers to consider the renewable energy and economic benefits of a proposed development alongside any identified environmental impacts.

3.7 The policy states that the Council will support proposals where it is satisfied that they will not be '**significantly detrimental overall'** either individually or cumulatively, having regard to identified environmental and technical criteria. Each of these criteria are considered in turn below with reference to relevant parts of the EIA Report as appropriate. As stated above, and in the interests of efficiency, where the OWESG sets relevant criteria related to policy 67 these are also reviewed, thereby enabling this planning statement to demonstrate compliance with similar criteria at a single location.

***Policy 67: 'Renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation'.***

***OWESG: Siting and Design of Wind Turbines and Wind Farms*** *– para 4.3 'Sensitive siting and design plays an important part in making wind energy developments an accepted feature of the environment. The optimum position for a turbine will depend on individual circumstances and will be influenced by the size and type of turbine and its surrounding environment'.*

***OWESG: Operational Efficiency of Wind Energy Developments*** *– para 4.28 - The Council expect that wind farms should be efficient. Therefore, existing and consented wind farms' operational efficiency should not be compromised by adjacent development proposals.*

3.8 The average wind speed at the site is above 7 m per second (m/s) at a height of 45 m and therefore comprises a location with a significant wind resource where renewable energy development proposals are appropriate, subject to satisfying other environmental criteria. The significance of this resource is demonstrated through the operational wind turbines in the vicinity of the Site including the consented Lochluichart and Lochluichart Extension wind farm schemes (the 'Operational Schemes'). The evolution of the scheme layout has included optimisation based on modelling wind characteristics obtained from historical wind data collected at the site. Sufficient separation distances have been maintained such that the operational efficiency of the adjacent development proposals will not be compromised. It is therefore considered that this policy criterion is satisfied.

***Policy 67: 'The Council will also consider…. the contribution of the proposed development towards meeting renewable energy generation targets'***

3.9 As set in the subsequent sections of this statement, specifically section 4: Other material considerations and Section 5: Energy policy considerations, there are a number of international and national energy polices, targets and planning guidance material to this application which seek to reduce the fossil fuel greenhouse gas (GHG) emissions that contribute to climate change by setting renewable energy generation targets. In particular the Climate Change (Scotland) Act 2009 sets a target for net Scottish GHG emissions for the year 2050 to be at least 80% lower than the 1990 baseline level; and various other documents highlight the need to move towards a largely decarbonised electricity generation sector by 2030, in order to meet the 2050 GHG emission reductions targets. In response the various Scottish Government publications conclude that onshore wind will continue to play a vital role in achieving the identified targets and that wind energy can also contribute significantly to greater security of energy supplies because of its decentralised nature.

3.10 The Revised Development, based on the candidate turbine, would deliver up to 18MW of renewable energy generation which will constitute an important contribution to meeting the targets set by the Scottish Government. It is therefore considered that this policy criterion is satisfied.

***Policy 67: 'The Council will also consider….any positive or negative effects it is likely to have on the local and national economy'***

***OWESG Tourism and recreation –*** *para 4.38 (our summary) Tourism and recreation are important elements in the Highland economy and the potential for socio-economic impacts should be taken into consideration, including evidence of community benefit discussions*

3.11 The *'Energy in Scotland 2018'* report published in February 2018 by the Scottish Government indicates that the low carbon and renewable energy sector supported 24,000 direct jobs and 25,000 indirect jobs in Scotland with an annual turnover of £11bn. Thus, renewable energy developments such as that proposed are demonstrably contributing to the national economy.

3.12 Chapter 6 of the accompanying EIA Report and Section 6 of the Supplementary Information (SI) provide an assessment of socio-economic effects resulting directly from the Revised Development. These confirm that the construction of the Revised Development will bring short-term, beneficial, direct and indirect effects to the area, through the increase in employment. Whilst this will not result in any fundamental or long-term change to population, local services, employment or overall structure of the community, the effects will still be of a medium magnitude at the local level (of low sensitivity). Section 6 of the Supplementary Information confirms that based on an operational expenditure of £1,060,000 per annum, nearly quarter of a million pounds per annum would be spent in the regional economy, which is a significant positive impact at the local/regional scale.

3.13 Para 6.104 of the EIA Report considers effects on tourism and recreation in terms of both direct physical effects (for example, construction activities interfering with rights of access); and indirect effects (such as the changes in amenity on tourists and recreational land users). The assessment concludes at para 6.115 that no significant effects on tourism and recreation receptors would arise as a result of the Revised Development. The Supplementary Information confirms that whilst the impact on surrounding recreational receptors would be reduced compared to the original scheme, the overall conclusions remain valid.

3.14 Whilst not considered to meet with the tests of Circular 1/2010, the applicant is committed to contributing to the existing Lochluichart Community Trust for the Revised Development on the basis of £5,000 per MW installed, which would result in an additional £90,000 per annum (£2,250,000 over the lifetime of the application) being available for local community schemes.

3.15 Overall, it is considered that the Revised Development would result in a positive impact on the local economy both through the construction and operational periods of the development and would contribute to the national economy. It is therefore considered that this policy criterion is satisfied.

***Policy 67:*** *'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, having regard to any significant effects on the following:…**natural, built and cultural heritage features**'*

***Policy 67:*** *'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, having regard to any significant effects on the following:…* ***Species and habitats'***

***OWESG - The Natural and Historic Environment –*** *para 4.31 (Our summary): a. Proposals likely to have a significant effect on a European site should provide sufficient information. b. Both direct and indirect effects on a Natura site should be considered. c.*

*Applicants may refer to SNH guidance d. Potential for significant adverse effects on nationally important features must be clearly outweighed by social or economic benefit of national importance. e. All proposals must have regard to the Highland Special Landscape Areas f. All proposals should seek to avoid significant adverse effects on the siting, context or setting of historic environment assets. g. Applicants may refer to relevant Historic Environment Scotland publications. h. Proposals likely to have significant effects on the qualities of a mapped area of wild land must be supported by a wild land assessment. i. Impact upon species and habitats by way of disturbance or collision risk should be considered j. Impacts on wider natural heritage beyond the confines of designated sites are relevant. k. Impacts on Species listed in the Wildlife and Countryside Act 1981 (as amended) should be considered. l. Impacts of power lines or transmission stations should also be addressed where relevant.*

***OWESG - Peat –*** *para 4.34 (Our summary) - The HwLDP sets out clear expectations about how development should safeguard the peat resource. It is a key asset that requires safeguarding because it plays a central role in climate change mitigation and adaptation through carbon sequestration as well as other greenhouse gases. A Peat Management Plan, within a 'Construction Environmental Management Plans' is required and should include the results of site investigations, demonstrate how impacts on peat can be avoided and how it has informed the siting and design of wind turbines, have regard to SNH mapping of peat in the context of Group 2 Constraints in the Spatial Framework, include mitigation measures and by use if a 'carbon calculator' to provide information about the whole life impact of the proposal.*

***Natural Features, Species and Habitats***

3.16 Potential effects on species and habitats are considered in EIA Report Chapters 11 Ecology and 12 Ornithology and the corresponding updated Supplementary Information chapters. In terms of ornithology specifically, the EIA Report considers the impact of habitat loss, construction disturbance and displacement, operational displacement and collision mortality on red-throated diver, greylag goose, red kite, hen harrier, golden eagle, osprey, merlin, black grouse, golden plover and greenshank. The characterisation of the unmitigated impact upon these features was identified as highly unlikely or unlikely in the majority of cases and therefore not significant. Where a likely or certain impact was specified, appropriate mitigation was identified such that the residual significance and confidence level (following mitigation) was not significant. A summary of those limited instances, together with the relevant mitigation is as follows:

- red kite – whilst a certain, irreversible impact would arise from habitat loss, this would be negligible, not significant and does not require mitigation.
- golden eagle – whilst a temporary, low magnitude impact would arise from construction disturbance and displacement, this would be negligible / minor adverse, not significant and does not require mitigation.
- black grouse – whilst a certain, irreversible impact would arise from habitat loss; together with a likely impact of disturbance and displacement during construction

(temporary) and operation, this would be negligible and not significant.. Having identified the potential for cumulative impacts arising with the Kirkan Windfarm, the Supplementary Information now confirms that the CEMP could include appropriate restrictions on early morning operations during the main lekking period in April and May as a precaution.

- golden plover - whilst a temporary, low magnitude impact would arise from construction disturbance and displacement, this would be negligible / minor adverse, not significant and does not require mitigation

3.17 Overall, the assessment concludes that with standard mitigation measures at the construction stage, there would be no significant effects upon ornithological features as a result of the construction, operation, or decommissioning of the proposed wind turbines, or cumulatively with the existing operational wind turbines.

3.18 Similarly, the ecology chapter of the EIA Report and SI concludes no potentially significant impacts upon ecological features at the operational stage, and no significant impacts at the construction phase providing mitigation measures for habitats and water voles are in place, together with those for other protected species, with such measures necessary to ensure legislative compliance.

3.19 The relevant mitigation measures to be secured through a planning condition comprise a Construction Method Statement (CMS) incorporating a Construction Environment Management Plan (CEMP); Pollution Prevention Plan (PPP), Drainage Management Plan (DMP), Traffic Management Plan (TMP), Site Waste Management Plan (SWMP), Stakeholder Management Plan (SMP), Habitat Management Plan (HMP), including provision for an Environmental Clerk of Works (ECoW) responsible for undertaking and/or co-ordinating checks for protected species before construction activities commence. The ECoW would then advise on any specifics for inclusion in a Water Vole Species Protection Plan (SPP) (dealing with the watercrossings in particular), plus an amphibian and reptile SPP and a Breeding Bird Protection Plan (BBPP) as necessary. The SI confirms that full details of habitat restoration/reinstatement will also be provided within the CEMP as mitigation and enhancement.

3.20 In light of the above it is considered that the proposal complies with this policy criterion.

***Built and Cultural Heritage Features***

3.21 In terms of built and cultural heritage features, EIA Report Chapter 10 and the corresponding SI confirms that the closest assets are a survey post associated with the construction of the Loch Glascarnoch Dam, undesignated but listed in the Historic Environment Record, and the Dam itself, which is Grade B listed. The assessment concludes that these assets do not derive their significance and importance from wider or scenic views, which are thus of limited relevance to understanding or appreciating the cultural significance of these assets. Given that the cultural significance of these assets is derived primarily from their historical value as a key part of the Conon Valley scheme, and architectural value 'as an example of post-war industrial design', the chapter concludes that there would be no operational impacts upon these features.

3.22 Other cultural heritage features considered include the routes of two former roads and a possible standing stone, and the Aultguish Bridge which is associated with the two former roads (all of these are undesignated assets). Whilst the proposed wind turbines will be visible in views from these roads, the assessment finds that their cultural significance is not derived from their scenic quality or value, but rather necessity as drove and fish merchant's roads which represented the easiest route through the landscape for traders. Consequently, it is concluded that, during the operational period of the wind farm, it will remain possible to understand and appreciate the cultural significance of these former roads and their association with the bridge. No significant adverse impacts are predicted.

3.23 Other more distant cultural heritage assets include a possible standing stone and the Aultguish Inn, which are undesignated but noted on the Historic Environment Record. The assessment finds that impacts upon these features and their associated settings would be negligible given the separation distances and topography of the surroundings.

3.24 In light of the above it is considered that the proposal complies with this policy criterion.

***Peat***

3.25 The status of the Site in relation to the 2016 Scottish Natural Heritage peat mapping data and spatial framework for wind energy developments is set out at para 3.73 below. In short this identified that the large majority of the site does sit within either a class 1 or class 2 carbon rich soil or priority peatland habitat area. However, this status needs to be considered in light of the site-specific peat surveys undertaken as part of the EIA.

3.26 The original EIA Report chapter 13 provides an assessment of hydrology, hydrogeology, geology and peat, reporting on the extensive peat probing survey work, and including a Construction Environmental Management Plan (CEMP) and Peat Slide Risk Assessment. EIA Report para 13.79 states that the phase 2 peat probing results confirm that peat recorded to the east of the existing windfarm track was generally thicker than the western area, with a maximum depth of 3.75 m recorded approximately 100m east of the proposed T5. Across this area, peat was generally greater than 1.0 m although, within the vicinity of T1 and T2, peat did not exceed 1.0 m. Proposed tracks sections between T3 and T4 were situated in peat up to 3.5m but more generally in the region of 2.0 m to 2.5 m thick. Peat Depth

Interpolation mapping across the proposed infrastructure is illustrated on EIA Report Figure 13.3. In terms of peat slide risk, para 13.140 confirms that peat depths are typically shallow, generally less than 1.0 m across the wider site area, and localised potential peat stability issues are generally on slopes with shallow peat or non-peat soils. However, within the Revised Development footprint, with the exception of very localised pockets in some track areas, two key areas were highlighted as having a low hazard rank in terms of slide risk. These were located at proposed turbine no. T14 and T16, a result of deep peat located within areas of non-flat areas, just greater than 2 degrees.

3.27 The EIA Report confirms that the use of embedded mitigation measures will avoid significant impact on the peat resource at the Site. This includes the use of the network of existing access tracks which serve the existing Operational Schemes and Corriemoillie wind farms, wherever possible, limiting the requirement to disturb peaty soils to access the Development. In addition, where new access tracks are required, they have been designed to avoid crossing watercourses, where possible, and both access tracks and turbine bases are located so as to avoid the deeper areas of peat. With the further embedded design measures described in the CEMP provided at Technical Appendix 13.A to the EIA Report, and a Pollution Prevention Plan in place, the EIA Report confirms that all identified potential effects would have a negligible significance. The embedded design measures proposed are established measures that are widely used in construction projects and which Infinergy and its contractors are well used to undertaking.

3.28 Chapter 13 of the Supplementary Information considers the revised development proposals in the context of hydrology, hydrogeology and peat. It confirms that with the reduction in the number of turbines from nine to five (i.e. deletion of turbines 2, 3, 9 and 10), the amount of new access track and associated hard standings is also reduced, as is the requirement for one of the originally proposed watercourse crossings. As a result less peat and peaty-soil will be disturbed then originally assessed and the potential for effects on the hydrological environment will be further reduced.

3.29 In light of the above it is considered that the proposal complies with this policy criterion.

***Policy 67:*** *'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, having regard to any significant effects on the following:* ***……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)'.***

***OWESG Landscape and Visual Effects*** *-para 4.16/4.17: 'The following criteria set out key landscape and visual aspects that the Council will use as a framework and focus for assessing proposals. The criteria do not set absolute requirements but seek to ensure that developers are aware of key constraints to development. It is the Council's expectation that applicants will site and design schemes to avoid significant adverse impacts in order that they reflect the criteria below.*

- *Relationship between key settlements/key locations and wider landscape respected.*
- *Key Gateway locations and routes are respected.*
- *Valued natural and cultural landmarks are respected.*
- *The amenity of key recreational routes and ways is respected.*
- *The amenity of transport routes is respected.*
- *The existing pattern of Wind Energy Development is respected.*
- *The need for separation between developments and/ or clusters is respected.*
- *The perception of landscape scale and distance is respected.*
- *Landscape setting of nearby wind energy developments is respected.*
- *Distinctiveness of Landscape character is respected.*

3.30 Chapter 9 – Landscape and Visual of the EIA Report and the corresponding chapter of the SI considers the effects on landscape and visual receptors during the short-term construction and long-term operational stages, as well as the cumulative effect of the Revised Development in-conjunction and in-combination with other wind farm developments. These submissions also set out the benefits arising from the turbine deletions made in direct response to the concerns SNH set out in their application response of 10 May 2019.

Landscape character and wild land

3.31 In terms of context, the Revised Development has been revised to comprise 5 wind turbines, each up to 133m in height to blade tip, which form a direct extension to an existing wind farm cluster. They are located to the north of the 17 operational Lochluichart Wind Farm turbines, 6 operational Lochluichart Wind Farm Extension turbines (thereafter known as the 'the Operational Schemes'), and 19 operational Corriemoillie Wind Farm turbines (thereafter known as 'Corriemoillie'), all of which are 125m in height to blade tip. The Operational Schemes and Corriemoillie (42 turbines in total, hereafter known as the 'Operational Wind Farms') have an existing influence on landscape character and visual amenity within the study area.

3.32 The Revised Development and the Operational Wind Farms occupy a part of the area of land that lies between Loch Glascarnoch to the north and Loch Luichart to the south, defined by the A835 and A832 roads respectively. It is relatively low-lying in contrast to the large-scale Rugged Mountain Massif Landscape Character Type (LCT) to the immediate west and Rounded Hills LCT to the immediate east. Although also classified as part of the Rounded Hills LCT, the Revised Development and Operational Wind Farms are located along the base of the low foothills which rise to the west, and into the undulating moorland and forest blocks to the east. This area is relatively low-lying amidst the context of larger hills and mountains.

3.33 EIA Report Chapter 9 and the SI have found significant effects on landscape character receptors will only arise during the short-term construction stage, but these would only be localised and short term. They would arise across parts of four landscape character receptors. These effects will be contained within a 5km radius of the Revised Development and occur only in relation to the construction stage.

3.34 The Revised Development is not within an area covered by any national or regional landscape designations, which would otherwise denote special scenic value. The regional designation of Special Landscape Areas (SLAs) covers the more scenic landscapes surrounding the Site. There will be no significant effects on landscape designations as a result of the Revised Development. This finding relates to the separation distance between the Revised Development and the regional designated landscapes, as well as the relatively small number of additional turbines and the existing influence of the adjacent Operational Wind Farms.

3.35 The Revised Development is not within an area covered by a Wild Land Area (WLA), which would otherwise denote physical attributes and perceptual responses relating to wildness qualities. While WLAs cover landscapes around the Site, there will be no significant effects on these as a result of the Revised Development. This finding relates to the location of the Revised Development outwith the WLA and the limited additional influence it will have on perceptual responses experienced in the WLA owing to the existing influence of the Operational Wind Farms in this area.

***Visual Effects***

3.36 The assessment has found significant effects on visual receptors will arise from the Revised Development during the short-term construction stage from Aultguish Inn and the adjacent 4.3km section of the A835 to the north and north-east of the Revised Development (Viewpoints 1 and 2),as well as from the Old Drover's Road (Viewpoint 4). These findings relate to the prominence of the tall cranes and emerging turbines owing to their closer position, on the north-side of the existing group, to the A835 and Aultguish Inn and in close proximity to the Old Drover's Road.

3.37 In terms of impacts during the operational stage, Chapter 9 – Landscape and Visual of the SI confirms that the Revised Development will no longer result in any significant visual effects. Of particular note is that the reduction from nine to five turbines has reduced the visual impact on Viewpoints 1 and 2 (which represent views from the closest receptors on the A835) from significant to not significant. Whilst some improvement also arises for Viewpoint 5 (which represents views from the nearby Ben Wyvis mountain summit) where the magnitude of change reduces to low, the significance of the effect remains not significant.

*Cumulative Effects*

3.38 In terms of cumulative effects, the SI now includes consideration of the Kirkan Wind Farm together with the Revised Development. Its relevance relates to its close proximity, situated to the immediate south east of the Revised Development.

3.39 In summary, the assessment of in-conjunction cumulative effects has found a significant effect in respect of residents at Aultguish Inn during the construction and operational stages but, as a result of the turbine deletions, a reduced not significant impact for road-users. No other significant effects will arise in respect of all other visual receptors during both the construction and operational stages.

3.40 The limited occurrence of significant effects during both the construction and operational stages relate to a combination of the following factors. Firstly, the location of the Revised Development close to the Operational Wind Farms developments, will ensure it will appear as an integrated extension. Secondly, the effect of the Revised Development is reduced by the comparatively small number of turbines being added. Thirdly, the Revised Development will be contained within the same landscape character type as the Operational Wind Farms. Fourthly, the landscape in which the Revised Development and Operational Wind Farms are located is relatively low-lying amidst a wider upland landscape. This reduces the extent to which the Revised Development will be visible, and where visibility does occur, moderates the influence the Revised Development will have on landscape and visual receptors. Fifthly, the similarities in the appearance of the proposed and operational turbines will assist their integration. The height and proportioning of the proposed turbines is broadly similar to that of the operational turbines, albeit with an 8m increase in height and a slightly lower hub height but longer blade length. While these differences may be apparent from close range receptors, there is enough continuity in appearances that they will appear as a single group.

*In-combination cumulative effects*

3.41 To assist the decision maker, the LVIA also provides an overview of the likely combined cumulative effects of the Revised Development in-combination with the relevant Operational Wind Farms. The SI updates the assessment to include the Kirkan wind farm. The purpose of this is to consider whether the resulting pattern of development (including the Revised Development) will result in the redefinition of landscape character or visual receptors.

3.42 The assessment has found that significant in-combination cumulative effects will arise across parts of the Lochluichart LCU, Inchbae LCU and Ben Wyvis LCU, all of the Rounded Hills LCT and the Aultguish LCU of the Undulating Moorland LCT. Significant effects on landscape character during the construction stage will occur within a 12km radius of the Revised Development. Significant in-combination cumulative effects will arise in respect of the designated Ben Wyvis SLA and the Rhiddoroch – Beinn Dearg – Ben Wyvis WLA, across those parts which coincide with where the Ben Wyvis and Inchbae LCUs will undergo significant in-combination cumulative effects. Visual receptors associated with Aultguish Inn and the A835, the Old Drover's Road and the Ben Wyvis mountain range, will also undergo significant in-combination cumulative effects.

3.43 Significant in-combination cumulative effects will arise across an approximate 10km radius of the Revised Development. The in-combination cumulative effects will extend further than the solus effects or in-conjunction cumulative effects as the Revised Development is being assessed in combination with the 42 turbines of the Operational Wind Farms rather than in addition to it. The extent of the combined effects is, however, also limited, despite the larger size of the combined developments, owing largely to the consolidated nature of the proposed and operational turbines, their location within a relatively low-lying area amidst rising hills and mountains and the notable reduction in visibility that occurs beyond the enclosing upland landscapes.

3.44 The Revised Development will reflect the existing pattern of wind farm development by extending a part of the northern edge of the existing consolidated group and containing this type of development within the same LCU. While there will be significant in-combination cumulative effects, as described above, the Revised Development in combination with the Operational Wind Farms will not have a sufficient magnitude of change to redefine the character from a landscape with wind farms to a wind farm landscape. The SI confirms that with the addition of the Kirkan wind farm the overall effect would remain the same despite the reduction in the number of turbines in the revised development.

*Overall conclusion*

3.45 In terms of a summary of the overall landscape and visual impacts, the Revised Development will give rise to a small number of significant landscape and visual effects, albeit all contained within a relatively close-range area and mostly relating to the short-term effects of the construction stage.

3.46 It should be noted that policy 67 provides support for renewable energy proposals where it is satisfied that they will not be 'significantly detrimental overall' either individually or cumulatively, having regard to identified environmental and technical criteria. Thus the small number of significant landscape and visual impacts must be considered 'in the round' alongside the other positive impacts arising. An overall development plan compliance assessment is completed at para 3.107 - 3.110 at the end of this Section, with the full planning balance assessment completed within the concluding Section 6 to this Statement. In summary these sections confirm that the proposal is in accordance with policy 67 and all other relevant development plan policy, despite the small number of significant landscape and visual impacts that have been identified.

> ***Policy 67:*** *'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, having regard to any significant effects on the following:……****Amenity at sensitive locations, including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary)'***

3.47 EIA Report Chapter 8 and the corresponding SI confirms that the worst-case noise levels due to Lochluichart Cluster would be below identified noise limits, and would not significantly affect the amenity of residential properties, visitor sites, or work places in compliance with the requirements of ETSU-R-97: The Assessment and Rating of Noise from Wind Farms.

3.48 The Revised Development does not contain any paths or recreational facilities which are of importance at a national level, and access to the neighbouring hills will be unaffected once the scheme is operational. With regard to visitor sites and recreation, Chapter 6 of the EIA Report and the corresponding SI concludes that *'There are a limited number of recreational opportunities within the immediate area, with more opportunities within the wider area. There will be no significant direct or indirect effects on tourism or recreation as a result of the Development both in isolation or cumulatively.'*

3.49 As set out above, the visual impact assessment found that the main significant effects likely to occur as a result of the operation of the proposed wind farm would be on the visual amenity of visitors and residents of the Aultguish Inn.

3.50 In light of the above it is considered that the proposal complies with this policy criterion.

> ***Policy 67:*** *'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, having regard to any significant effects on the following:….****…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;***
>
> ***OWESG Safety and Amenity at Sensitive Locations -****para 4.21 (our summary): The following issues will be taken into consideration when assessing proposals: a. Safety. b. Landscape and visual impacts c. Noise. d. Shadow flicker, and blade glint, glare and light effects e. Mitigation by conditions: for example to address: noise levels; traffic management; commissioning and decommissioning arrangements. Reference should also be made to Scottish Government's planning advice.*
>
> ***OWESG Electricity and Gas Infrastructure–*** *para 4.49 (our summary) An appropriate separation distance is required in the vicinity of electricity transmission underground cables, overhead lines and underground gas transmission pipelines.*
>
> ***OWESG Noise Assessment-*** *para 4.50 (our summary) Noise assessments submitted in support of applications for large wind turbines should be undertaken in accordance with ETSU and the GPG as these documents contain the guiding principles upon which the Council will base their assessment*

3.51 Chapter 8 of the EIA Report and SI confirms that a noise assessment has been undertaken in accordance with the recommendations of ETSU R-97, the method of assessing wind turbine noise recommended by Government guidance, and following the current best practice methods described in the Good Practice Guidance, as endorsed by the Scottish Government. It confirms that noise due to the Revised Development would comply with the requirements of both ETSU R-97 and The Highland Council at the closest, and therefore all receptor locations. Compliance with the identified limits also demonstrates that the combined Lochluichart Wind Farm Cluster is capable of operating in compliance with ETSU R 97 when considered cumulatively with the nearby Corriemoillie Wind Farm.

3.52 The landscape and visual impact assessment, Chapter 9 of the EIA Report and SI, has assessed the potential impacts of the Revised Development on nearby occupied properties. There are few rural properties with potential to be affected by the Revised Development, the nearest being Aultguish Inn, 2km to the north of the nearest proposed turbine. The four small settlements that occur within a 10km radius of the Revised Development, include Lochluichart, Grudie, Gorstan and Garve. The assessment found that the only significant effects likely to occur as a result of the operation of the proposed wind farm would be on the visual amenity of the visitors and residents of Aultguish Inn, noting that some of the existing operational turbines are already visible.

3.53 EIA Report Chapter 17 and the SI assesses the potential shadow flicker and safety effects of the Revised Development. This notes that guidance on shadow flicker included in the Scottish Governments Onshore wind turbines: planning advice, states that within 10 rotor diameters 'shadow flicker should not be a problem'. Thus, only properties within 1,140m of a given wind turbine would potentially be affected. Shadow flicker effects are also predicated on the direction of the property in relation to the wind turbines. In the UK only properties within 130 degrees either side of north, relative to the wind turbine, can be affected as the sun is always to the south in the UK. Given that there are no properties within 1,140m of a turbine, even accounting for a micro-siting allowance of 50m, no potential adverse effects from shadow flicker are predicted.

3.54 In terms of ice throw, Chapter 17 of the EIA Report concludes that the maximum potential disturbance for ice falling from turbines is approximately 1.5 times rotor diameter plus hub height[3]. This equates to 245m for the proposed scheme. There are no properties or roads within this distance of a turbine. Nevertheless, the wind turbines would be fitted with vibration sensors to detect any imbalance which might be caused by icing of the blades. This enables the operation of machines with iced blades to be inhibited.

3.55 In terms of electricity infrastructure, EIA Report Chapter 15 and the SI confirms that the scheme design has been amended to mitigate the potential effects of existing SSE infrastructure, and thus there are no predicted adverse effects. Located at its nearest point, from Turbine T4, a separation distance of approximately 170m has been maintained from this 11kV powerline. The Chapter confirms further consultation has been completed confirming there is no gas or water infrastructure located within or in close proximity to the site that requires alteration of the Revised Development layout.

3.56 In light of the above it is considered that the proposal complies with this policy criterion.

> ***Policy 67:*** *'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, having regard to any significant effects on the following:****...Ground water, surface water (including water supply), aquatic ecosystems and fisheries'.***

[3] BOREAS (2003) Seifert, Westerhellvig and Kroning: Risk Analysis of Ice Throw from Wind Turbines

***OWESG The Water Environment –*** *para 4.32 (summary) Developments should be designed to avoid impacts upon the water environment wherever possible. There should remain a minimum buffer of 50 m between any works and the water environment.*

3.57 EIA Report chapter 13 and the corresponding SI chapter provides an assessment of hydrology, hydrogeology, geology and peat. In terms of ground water and surface water, the scheme design incorporates a number of inherent mitigation measures to ensure that there are no significant adverse effects of the development. These are explained in the CEMP provided at Technical Appendix 13.1 to the EIA Report and, in summary, include:

- delineation of a 50m buffer zone around minor watercourses within the site where no turbine base, ancillary structures or other infrastructure development will take place;
- use of existing wind farm tracks where possible to limit the requirement to disturb peaty soils to access the Development; and,
- where new access tracks are required they have been designed to avoid crossing watercourses where possible.

3.58 The site is not located within an area at risk of flooding, as shown on SEPA maps. The development design has evolved to incorporate suitable drainage measures as an inherent component of the scheme as explained in Technical Appendix 13.1 of the EIA Report.

3.59 The overall conclusion with regards to the potential effects of the development on hydrological features was that these would be of negligible significance. None of the wind turbines are located within 15m of a water body, with a buffer of at least 50m maintained between the Revised Development and watercourses. Whilst there are two statutory designated sites relating to water within the wider 10 km Study Area assessed during the EIA process, these hydrological designations are considered to be hydrologically disconnected from the Core Study Area (in terms of surface and sub-surface water effects), as development is proposed in areas that are hydrologically disconnected from Loch Glascarnoch or the designations hydrologically up gradient. In its response to the EIA scoping request Scottish Water has confirmed that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the Development.

3.60 In addition, consultation with the Cromarty Firth Fisheries Board and Trust did not identify the presence of migratory fish (Atlantic salmon) in the watercourses on the Site. The fish habitat survey conducted by Galloway Fisheries Trust in 2006 identified substrates suitable to support Salmonid fish, particularly brown trout, in watercourses on the site and Atlantic salmon are known to be present downstream. Embedded mitigation including the adoption of bottomless culverts for watercourse crossings together with good practice construction measures and pollution prevention controls are considered adequate to avoid any potentially significant adverse effects upon local fish populations.

3.61 In light of the above it is considered that this criterion is satisfied.

***Policy 67:*** *'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, having regard to any significant effects on the following:……**Other communications installations or the quality of radio or TV reception'***

***OWESG Safety of Airport, Defence and Emergency Service Operations*** *-para 4.23: All proposals should seek to avoid significant adverse effects, individually and cumulatively, on airport, defence or emergency service operations. This includes flight activity; navigation and surveillance systems; and associated infrastructure.*

***OWESG Operational Efficiency of Other Communications*** *– para 4.27: The siting of wind turbines must have regard to radio, TV, telecoms and other communication systems. Developments shall be assessed by consultation with relevant operators. Planning conditions or legal agreements may require developers to correct any electromagnetic interference at their own expense. The Joint Radio Company should be contacted for joint screening for telemetry or microwave links in use by either electricity or gas utilities.*

3.62 EIA Report Chapter 2 and the SI confirm the consultee responses received through the EIA Scoping process. With regards to aviation interest, a no objection was received from both the Ministry of Defence and NATS safeguarding.

3.63 Chapter 15: Infrastructure of the EIA Report and the SI considers the potential effects of the Revised Development on communications infrastructure and radio or TV reception. This confirms that the key communications and infrastructure consultee JRC has formally confirmed clearance with respect to radio link infrastructure operated by utility companies. Further extensive desk-based consultations confirmed no other microwave links which could be potentially affected by the Revised Development.

3.64 It is therefore considered that this criterion is satisfied.

***Policy 67:*** *'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, having regard to any significant effects on the following**:……The amenity of users of any Core Path or other established public access for walking, cycling or horse riding; and recreation interests'***

***OWESG Public Access – para 4.39*** *(our summary) All proposals should seek to avoid significant adverse effects on the quality and quantity of public access. This will include any effect on a route included in a Core Paths Plan (57), an access point to water, wider access rights or Rights of Way as provided by the Scottish Rights of Way Society.*

3.65 There are no Core Paths or other designated walking routes within the 5 km Study Area for the Development, with the National Catalogue of Rights of Way (CROW) only showing that right of way HR46 crosses a part of the Site. Whilst during the construction period some temporary restrictions may be imposed in limited situations to ensure adherence to Health and Safety requirements, there would be no impact upon the wider access to the site and surroundings once the wind farm becomes operational.

3.66 As noted previously, Chapter 6 of the EIA Report concludes that *'There are a limited number of recreational opportunities within the immediate area, with more opportunities within the wider area. There will be no significant direct or indirect effects on tourism or recreation as a result of the Development both in isolation or cumulatively.'*

3.67 In light of the above it is considered that this criterion is satisfied.

> ***Policy 67:*** *'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, having regard to any significant effects on the following:……**Land and water based traffic and transport interests'.***
>
> ***OWESG Traffic and Transport Interests*** *– para 4.43 (our summary) All proposals should seek to avoid significant adverse effects on the public road network individually and cumulatively with other built and permitted proposals as well as valid planning applications not yet determined (the weight apportioned to each will reflect their position in the planning process). Ideally locations should be chosen where the road network has suitable alignment, width and strength to carry abnormal loads and the construction traffic associated with the scale of the development proposed.*

3.68 The main impacts of the Revised Development in terms of transport would occur during the construction and decommissioning phases, with decommissioning impacts considered to be similar in scale and impact as construction stage impacts. Once operational there would be relatively few vehicle movements and as such there are no predicted significant adverse effects during this phase.

3.69 Standard HGVs would be used to transport general construction materials (concrete, aggregates, cement, cabling, etc.) which will create a general increase in HGV traffic on the road network during the construction phase. Larger wind turbine components would be transported on abnormal load vehicles which may require police or other escort and can restrict traffic on the road network for a short period of time. A traffic management plan will be produced detailing the measures to be put in place to minimise the effects of abnormal load vehicles in particular. This approach proved effective in respect of previous phases of the wind farm development.

3.70 Chapter 7 of the EIA Report and SI did not identify the potential for any significant effects as a result of the Revised Development traffic. Therefore, the effect on traffic and transport resources are considered at maximum low and not significant in terms of the EIA Regulations.

3.71 Given that the potential impacts on traffic and transport are limited to the construction phase only, it is considered that this would not constitute a significant adverse effect for the purposes of this criterion.

3.72 In light of the above it is considered that this criterion is satisfied.

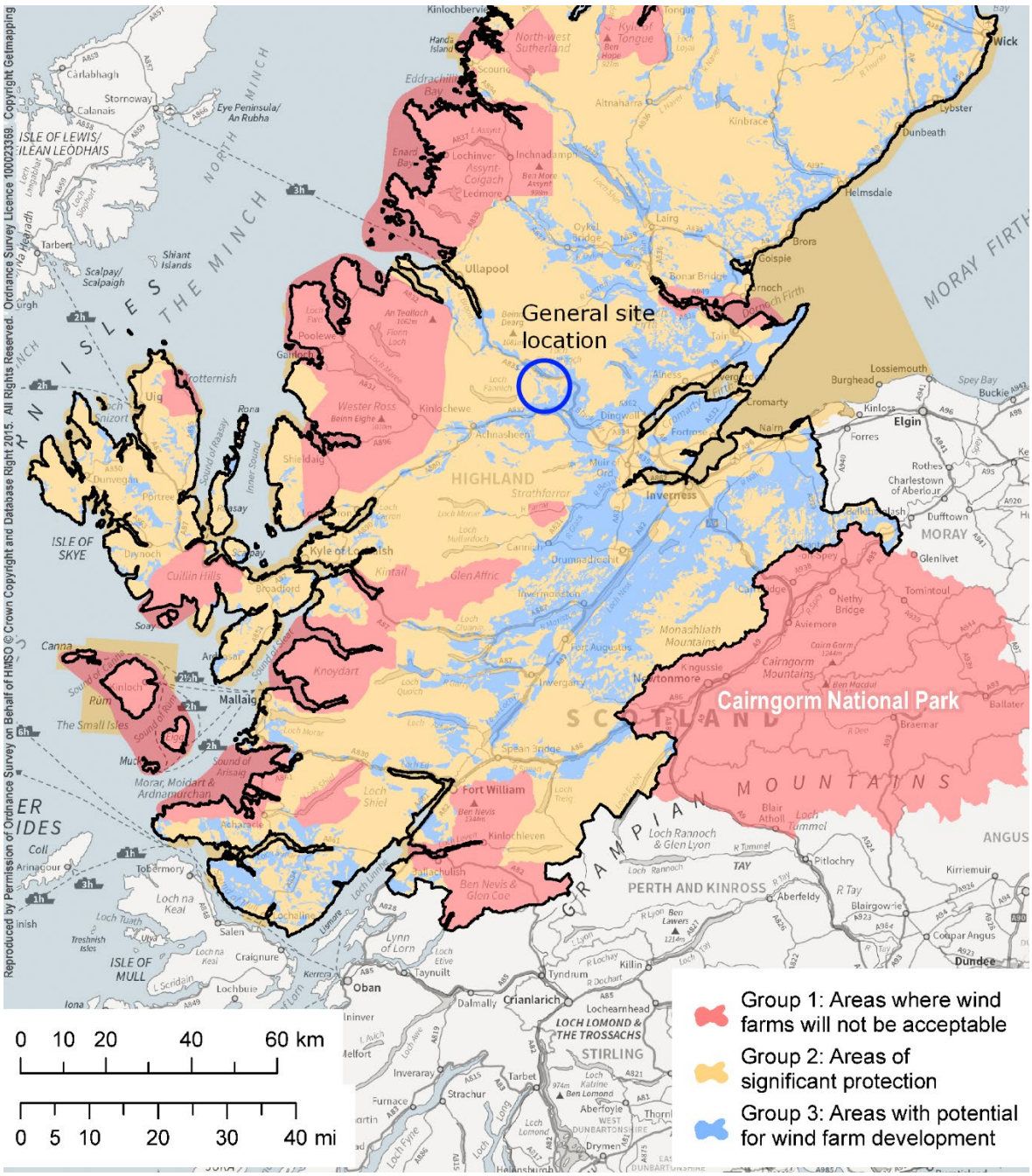
Other elements of the Onshore Wind Energy Supplementary Guidance, November 2016 (with addendum, December 2017)

3.73 In accordance with SPP (see the following section of this Planning Statement), the SG provides a spatial framework for wind energy developments at SG Section 2 comprising three defined types of area. These are:

- Group 1: Areas where wind farms will not be acceptable;
- Group 2: Areas of significant protection;
- Group 3: Areas with potential for wind farm development.

3.74 As illustrated in Figure 3.2 of this Planning Statement, the Revised Development is located within an area comprising a combination of Group 2 and Group 3 land. The Revised Development does not lie within or close to any Group 1 area. The Revised Development does not lie within or near any of the national or international designations listed within the Group 2 part of the table, although it is noted that the Revised Development is approximately 600m from an area of wild land.

**Figure 3.2: Spatial Framework for Onshore Wind Energy, August 2016, map extract with site location highlighted**




3.75 According to the 2016 Scottish Natural Heritage peat mapping data, the large majority of the site does sit within either a class 1 or class 2 carbon rich soil or priority peatland habitat area.

3.76 In terms of the community separation column of the Group 2 part of the table, there are no settlements identified within the Local Development Plan within 2km of any of the proposed wind turbines.

3.77 The site can therefore be categorised as lying within a Group 2 area as per the SG spatial framework and Table 1 of SPP, where '*wind farms may be appropriate in some circumstances'*. The test as to the acceptability of wind farms in Group 2 areas relates to the extent to which '*any significant qualities of these areas can be substantially overcome by siting, design or other mitigation'*.

3.78 The more sensitive Group 2 land is identified as such primarily due to the potential peat resource in this location. EIA Report chapter 13 and the corresponding SI provides an assessment of hydrology, hydrogeology, geology and peat, reporting on the extensive site-specific peat probing survey work completed, and including a Construction Environmental Management Plan (CEMP) and Peat Slide Risk Assessment and with Peat Depth Interpolation mapping relating to the proposed wind farm illustrated at ER Figure 13.3. Peat recorded to the east of the existing windfarm track was generally thicker than the western area, with a maximum depth of 3.75 m recorded approximately 100m east of the proposed T5. Across this area, peat was generally greater than 1.0 m although, within the vicinity of T1 and T2, peat did not exceed 1.0 m. Proposed tracks sections between T3 and T4 were situated in peat up to 3.5m but more generally in the region of 2.0 m to 2.5 m thick.

3.79 The EIA Report confirms that the use of embedded mitigation measures will avoid significant impact on the peat resource at the Site. This includes the use of the network of existing access tracks which serve the existing Operational Schemes and Corriemoillie wind farms, wherever possible, limiting the requirement to disturb peaty soils to access the Development. In addition, where new access tracks are required they have been designed to avoid crossing watercourses, where possible. With the further embedded design measures described in the CEMP provided at Technical Appendix 13.A to the EIA Report, and a Pollution Prevention Plan in place, the ES confirms that all identified potential effects would have a negligible significance. The embedded design measures proposed are established measures that are widely used in construction projects and which Infinergy and its contractors are well used to undertaking. With the reduction in the number of turbines from nine to five (i.e. deletion of turbines 2, 3, 9 and 10), the SI confirms that the amount of new access track and associated hard standings is also reduced, as is the requirement for one of the originally proposed watercourse crossings. As a result less peat and peaty-soil will be disturbed then originally assessed and the potential for effects on the hydrological environment will be further reduced.

3.80 In light of the above it is considered that through the design evolution process the only Group 2 interest can be 'significantly overcome' and the Site is therefore in effect a Group 3 location.

3.81 Some parts of Section 4 of the OWESG have not been addressed in the paragraphs above because they either go beyond the requirements of Policy 67 or do not closely fit one of the Policy 67 criterion. These elements are therefore assessed in the paragraphs below.

> ***OWESG Trees and woodland - para 4.36*** *(our summary) the HwLDP sets out how trees and woodland (including commercial forestry plantations) should be managed and safeguarded in relation to development. The key issues include: (a) Where tree felling is a key component of a proposal, the loss of commercial woodland resources should be considered. (b) Reference should be made to The Scottish Government policy on the*

*'Control of Woodland Removal' (c) Details of the fate and use of all felled material and detailed proposals for compensatory planting should be provided.*

3.82 Chapter 16 of the EIA Report and SI considers the impact of the Revised Development on commercial forestry resources and describes the forestry management practices that would be adopted, including crop clearance. The Chapter concludes that the species composition of the forest would change as a result of the Revised Development forestry proposals and, in particular, there would be a net loss of woodland area of 4.09 ha of Scots pine woodland, equivalent to 1.4% of the stocked area within the Forestry Study Area. In order to comply with the Scottish Government's Control of Woodland Removal Policy, off-site compensation planting would be required by the legal agreement attached to any consent. The applicant is committed to providing appropriate compensation planting.

***OWESG Borrow Pits- para 4.54*** *(our summary) Aggregate and other mineral resources required for a proposal should be sourced from local quarries. The Council will only support the use of on-site borrow pits where it can be clearly demonstrated that there are significant environmental or economic benefits compared to obtaining material from local quarries. For schemes where borrow pits are supported, information should be provided about what potential environmental impacts may arise if material sourced from borrow pits is found not to be suitable for all required construction activities.*

3.83 Chapter 3 of the EIA Report and SI provides details of the selection of the two potential borrow pit locations. These are also identified in Environmental Report figure 3.1 and estimates of the rock available are set out in table 3.5. At Chapter 7, para 7.55 of the EIA Report it is confirmed that all stone required for construction of the access tracks and hardstandings is expected to be sourced from these on-site borrow pits and processed on Site. Therefore, there are not anticipated to be any vehicle movements associated with the importation of stone for access track construction. It is also possible that aggregate for the concrete for each of the turbine foundations will be won from the on-site borrow pits, however this is subject to the quality and quantity of rock available. Therefore, there is a clear environmental benefit to utilising on-site borrow pits, in that a significant reduction in vehicle movements would result. In terms of ensuring a robust assessment, and in order to account for the worst case scenario, Chapter 7 has in any event assumed that all aggregate for turbine foundations will be imported to the site. It is therefore considered that this criterion is satisfied.

***OWESG Mitigation*** *para 4.57 and OWESG CEMP para 4.60 (our summary) Where mitigation is to be provided by the developer in response to likely impacts of the development, developers should ensure that it is available throughout the lifetime of the development and the Council will require arrangements to be in place to secure this. Major developments and developments subject to 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 for construction environmental management plans.*

3.84 Chapter 3, table 3.8 of the EIA Report provides a summary of mitigation and enhancement measures to either provide mitigation for predicted effects or are proposed by the developer as enhancement measures. The developer proposes that these will form an integral part of the scheme that is applied for. It is therefore considered that this criterion is satisfied.

3.85 Whilst part 2b of the SG includes more detailed landscape capacity information in respect of certain landscape areas, the Revised Development site is not located within one of the areas covered in the December 2017 addendum, and thus the contents of that part of the SG are not relevant.

Policy 28: Sustainable Design

3.86 This policy identifies criteria against which all developments should be assessed. It states that proposed developments will be assessed on a range of criteria including impact on individual and community residential amenity; landscape; scenery; and the demonstration of sensitive siting and high-quality design in keeping with local character and natural environment.

3.87 Where environmental 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.

3.88 As the issue of landscape and visual impact and residential amenity has already been addressed in detail in the paragraphs above, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

Policy 55 – Peat and Soils

3.89 This policy includes the requirement that '*Development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils*.'

3.90 As the issue of peat and soils has already been addressed in detail in the paragraphs above, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

Policy 57 – Natural, Built and Cultural Heritage

3.91 This policy requires development proposals to be assessed taking into account the level of importance and type of heritage features, form and scale of the proposed development and any impact on the feature and its setting, in the context of local/regional importance, national importance and international importance. Where effects are likely, suitable mitigation measures and/or overriding public interest for the proposed development will be required. The Policy further confirms equal application of the policy, notwithstanding the levels of importance.

3.92 As these issues have already been addressed in detail in the paragraphs above, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

Policy 58 – Protected Species, Policy 59 – Other Important Species and Policy 60 – Other Important Habitats and Article 10 Features

3.93 In summary these policies require appropriate ecological surveys and where necessary a mitigation plan to avoid or minimise any impacts on the species, before a planning application can be determined. Where adverse effects are identified the policy sets out a number of criteria that must be satisfied, commensurate with the relative importance of the protected species and habitats in terms of European and UK law.

3.94 As these issues have already been addressed in detail in the paragraphs above, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

Policy 61 – Landscape

3.95 This policy requires new developments to be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment. Appropriate scale, form, pattern and materials as well as cumulative effects will be considered. Proposals will also be assessed against Landscape Capacity Studies and supplementary guidance, including guidance on Siting and Design and Sustainable Design. The provisions of Policy 61 should fit with the provisions of Policy 67 which provides more specific context for wind energy developments.

3.96 As the issue of landscape and visual impact has already been addressed in detail in the paragraphs above relating to policy 67, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

Other potentially relevant policies.

3.97 Other potentially relevant policies include:

- Policy 63 – Water Environment;
- Policy 66 – Surface Water Drainage;
- Policy 69 – Electricity Transmission Infrastructure;
- Policy 72 – Pollution;
- Policy 77 – Public Access;
- Policy 78 – Long Distance Routes.

3.98 In terms of policy 63 and policy 66, as hydrology and surface water has already been addressed in detail in the paragraphs above, no further assessment is considered necessary, and it can be concluded that the proposal is in accordance with this policy.

3.99 In terms of policy 69 Electricity Transmission Infrastructure, the Revised Development includes electrical transmission infrastructure required to connect the wind turbines to the existing network and allow the export of electricity. EIA Report Chapter 3 provides further details including at Figure 3.12. The cabling proposed within the Site would be located underground adjacent to, and typically parallel with, the access tracks in order to mitigate against the potential adverse visual effects of overhead lines.

3.100 In terms of policy 72 – Pollution, and as already noted in the paragraphs above, an assessment of the potential noise effects has been undertaken and is reported in Chapter 8 of the accompanying EIA Report. The assessment takes account of relevant guidance and confirms that the wind turbines could operate in accordance with the requirements of ETSU-R-97 and The Highland Council, and would not significantly affect the amenity of residential properties, visitor sites, or work places. In addition, appropriate contents for a CEMP are outlined within Appendix 13.1 to the EIA Report and at EIA Table 3.8, summary of mitigation and enhancement measures.

3.101 In terms of policy 77 – Public Access, there are no Core Paths or other designated walking routes within the 5 km Study Area for the Development, with the National Catalogue of Rights of Way (CROW) only showing that right of way HR46 crosses a part of the Site. Whilst during the construction period some temporary restrictions may be imposed in limited situations to ensure adherence to Health and Safety requirements, there would be no impact upon the wider access to the site and surroundings once the wind farm becomes operational.

3.102 In terms of Policy 78 – Long Distance Routes, the site is located approximately 20km from the closest Long Distance Route as shown on Figure 11 of the LDP. Given that the landscape and visual impact assessment concludes that significant effects would only arise within 5km of the site, mostly related to the construction period, there would be no significant adverse effect on Long Distance Routes as a result of the Revised Development.

### Ross and Cromarty East Local Plan, 2007

3.103 Several sections of the plan and policies remain in force until replaced by a new Local Development Plan. Primarily these relate to settlement areas and their immediate surroundings. There are no extant relevant policies in relation to the Revised Development site or renewable energy generation in general. Consequently, it is considered that the Revised Development would not conflict with the remaining policies of this Local Plan.

### Supplementary Guidance

3.104 THC has produced and adopted various Supplementary Guidance documents which expand upon policies contained within the HwLDP. As highlighted above the most relevant is the Onshore Wind Energy Supplementary Guidance which has been considered above alongside the requirements of the HwLDP policy 67.

Historic Environment Strategy Supplementary Guidance, January 2013

3.105 This guidance sets out the Council's strategy with regard to the historic environment. Overall, the guidance aims to ensure that:

- *'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;*
- *It sets a proactive, consistent approach to the protection of the historic environment.'*

3.106 To achieve this, the guidance sets out various 'strategic aims' relating to the various historic assets. As already set out in the paragraphs above, Chapter 11 of the EIA Report considers the potential effects of the Revised Development on cultural heritage assets. This concludes that there would be no significant effects upon known cultural heritage assets, and allows for the recording of previously unknown archaeological remains if encountered during construction of the wind turbines and associated infrastructure. It is therefore considered that the requirements of this SG are satisfied.

### Development Plan and supplementary guidance - conclusions

3.107 The assessment of the proposal against the detailed policy criteria of the HwLDP and SG reveals a high degree of compliance with regard to the environmental considerations assessed in detail within the accompanying EIA Report (as updated by the SI).

3.108 The principal HwLDP policy on which the application needs to be determined is Policy 67 – Renewable Energy Developments. This policy states that the Council will support proposals where it is satisfied that they will not be 'significantly detrimental overall' either individually or cumulatively, having regard to identified environmental and technical criteria. Whilst it is clear that some limited landscape and visual impacts would occur, when these impacts are considered against the economic and social benefits of the Revised Development, it is considered that the Revised Development would not be significantly detrimental overall. In summary the EIA Report did not identify any significant effects relating to noise, peat, shadow flicker, traffic or access matters, and no significant effects upon landscape designations, natural heritage designations or cultural heritage assets. There are considered to be positive socio-economic impacts for the local and national economy especially during the construction period and there are no significant effects upon tourism or recreation resources. It is therefore concluded that the proposal complies with all relevant LDP policies, including policy 67 and the OWESG.

3.109 In terms of the SG spatial framework, which is based on SPP Table 1, the Revised Development is located within a Group 2 area where '*wind farms may be appropriate in some circumstances'*. The test as to the acceptability of wind farms in Group 2 areas relates to the extent to which *'any significant qualities of these areas can be substantially overcome by siting, design or other mitigation'*. The Group 2 area designation arises due to a national data set indicating a peat resource at this location. As confirmed in EIA Report chapter 13, which reports on the results of peat depth surveys and other related mitigation measures such as the use of existing access tracks and the location of turbine bases and new access tracks so as to avoid the deepest areas of peat, the Revised Development has evolved to the extent where the significant effects of peat have been '*substantially overcome'* and the tests for Group 2 areas set out in the SPP are therefore satisfied.

3.110 Before performing the final planning balance for the Revised Development, it is first necessary to consider what other considerations are material to an assessment of the proposal and what weight can be given to each before an overall conclusion can be drawn about the wider acceptability of the proposal in land use terms. These other material planning considerations are set out in Sections 4 and 5 of this Planning Statement.

# 4 Other material planning considerations

### Introduction

4.1 This section of the Planning Statement considers planning and other related documents that are material to the determination of this application.

### National Planning Framework 3 (2014)

4.2 National Planning Framework 3 (NPF3) sets out the long-term vision for development and investment across Scotland for the next 20 to 30 years. The Scottish Government's overall vision for Scotland as set out in paragraph 1.2 of NPF3 contains 4 key elements, identified and summarised in the following paragraphs. Of particular relevance to the Revised Development is the statement in paragraph 1.2 which states that 'we seize opportunities arising from our ambition to be a world leader in low carbon energy generation, both onshore and offshore'. This statement links with the stated ambition on page 30 to 'achieve at least an 80% reduction in greenhouse gas emissions by 2050'.

A successful, sustainable place

4.3 Central to the achievement of this element of the vision is a growing low carbon economy which provides opportunities that are distributed more fairly between and within all of Scotland's communities.

4.4 Paragraph 2.2 of NPF3 identifies energy as one of the key sectors of the Scottish economy while paragraph 2.7 seeks to ensure that development facilitates adaptation to climate change, reduces resource consumption and lowers greenhouse gas emissions. Paragraph 2.8 of NPF3 acknowledges the benefits of focusing on energy resources. As noted in the preceding section of the Planning Statement, these benefits are reflected in the Highland-wide LDP.

A low carbon place

4.5 Paragraph 3.2 of NPF3 acknowledges that at present the energy sector accounts for a significant share of national greenhouse gas emissions. Paragraph 3.1 states that the planning system has a key role to play in delivering on the commitments set out in *Low Carbon Scotland*[4], which includes full decarbonisation of electricity supply by 2030.

[4] *Low Carbon Scotland – Meeting the Emissions Reduction Targets 2010-2022*, Scottish Government, 2011

4.6 The Revised Development can make a significant contribution to the achievement of these objectives without giving rise to unacceptable environmental impacts, with an estimated overall reduction of between 14,615 and 15,501 tonnes of $CO_2$ emissions per year (between 365,375 and 387,525 tonnes $CO_2$ over its 25 year operational life) compared to grid mix electricity generation; and between 23,936 and 25,386 tonnes of $CO_2$ emissions per year (between 598,400 and 645,900 tonnes $CO_2$ over its 25 year operational life) compared to fossil fuel mix electricity generation.

4.7 Paragraph 3.9 confirms that the Scottish Government wants to continue to capitalise on Scotland's wind resource, a sentiment that reflects comments in the Local Development Plan. It is also an issue that echoes the November 2015 statement by the Scottish Government's Chief Planner regarding the Scottish Government's continued support for all forms of renewable energy, discussed further below.

4.8 Paragraph 3.25 of NPF3 sets out the economic benefits of a growing renewable energy sector, noting that there will be job opportunities for manufacturing and servicing to support the sector, as well as providing job opportunities in rural areas. The economic benefit of onshore wind energy developments must be accorded due weight in the overall planning balance as advocated by paragraph 29 of SPP. The economic benefits associated with the current proposal have been quantified in the EIA Report, both for the Highland area and wider Scottish economy.

A natural, resilient place

4.9 The continued support for the deployment of renewables, including onshore wind, across Scotland is not without qualification. NPF3 recognises the important role that Scotland's landscapes play in contributing to overall quality of life, national identity and the visitor economy. These are all issues that need to be considered in assessing the overall benefits of any proposal and have been addressed in detail in the EIA Report.

4.10 The third component of the NPF3 vision envisages a Scotland where natural and cultural assets are respected and improving in condition, so that they might play an effective role as a sustainable economic, environmental and social resource for the nation. NPF3 acknowledges the important role that Scotland's landscapes play in contributing to overall quality of life, national identity and the visitor economy (paragraph 4.4).

4.11 Paragraph 4.7 states that the pressing issue of climate change means that action on the environment must continue to evolve, strengthening longer-term resilience.

4.12 Overall, it is considered that the proposal is supported by NPF3 as it would contribute to the Scottish Government's renewable energy targets, lead to tangible economic benefits and contribute to the creation of a 'low carbon place'. It is acknowledged that environmental effects will arise but on balance these are not considered to be of a scale or of overall significance that would detract from the positive benefits of the proposal in contributing to wider efforts to tackle climate change and contribute to greater security over energy supplies.

### Scottish Planning Policy (2014)

4.13 Scottish Planning Policy (SPP) complements NPF3 and sets out national planning policies for the development and use of land. SPP provides policy commentary under two key themes, Principal Policies and Subject Policies. There are two Principal Policies in SPP (Sustainability and Placemaking) which are underpinned by several policy principles, as discussed in the following paragraphs.

4.14 The first policy principle states that '*This SPP introduces a presumption in favour of development that contributes to sustainable development'*. Given that the Highland Wide LDP was adopted in 2012 and has not been subject to a review, the SPP presumption in favour of sustainable development is fully engaged and the 'test' set out in paragraph 33 of SPP applies: namely, '*Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old'*. It should be noted that the SPP test is not a simple planning balance – any planning harm has to 'significantly and demonstrably' outweigh scheme benefits.

4.15 SPP does not offer advice on what constitutes development that contributes to sustainable development and it is therefore up to decision makers to consider this on a proposal by proposal basis, drawing conclusions about the weight to be accorded to the presumption in favour accordingly. In seeking to apply the presumption in favour, SPP confirms in paragraph 29 that planning policies and decisions should be guided by several key principles, the most pertinent being.

- Giving due weight to the net economic benefit of proposals;
- Supporting good design and the six qualities of successful places;
- Supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- Supporting climate change mitigation and adaptation including taking account of flooding; and
- Protecting, enhancing and promoting access to cultural heritage, including the historic environment.

4.16 It is considered that the Revised Development can be positively considered against this requirement and is supported by it, for the following reasons:

- The Revised Development could generate up to 18MW of renewable electricity, saving between 14,615 and 15,501 tonnes of $CO_2$ emissions per year (between 365,375 and 387,525 tonnes $CO_2$ over its 25 year operational life) compared to grid mix electricity generation; and between 23,936 and 25,386 tonnes of $CO_2$ emissions

per year (between 598,400 and 645,900 tonnes $CO_2$ over its 25 year operational life) compared to fossil fuel mix electricity;

- Significant environmental impacts are largely restricted, albeit not solely, to landscape and visual matters;
- There are no significant effects upon protected species, cultural heritage, residential properties, biodiversity, the water environment etc. that cannot be mitigated to non-significant levels; and
- Direct and indirect economic benefits will arise during the construction, operational and decommissioning phases of the Revised Development including the offer of a share ownership stake.

4.17 The second policy principle of SPP states '*planning should take every opportunity to create high quality places by taking a design-led approach'.*

4.18 The design and layout of the proposal has evolved since the site was initially considered by the Applicant as potentially suitable for an extension to the operational wind farm. Chapter 2 of the EIA Report (Table 2.3) outlines the design evolution process and how the Applicant has arrived at its final layout for the Revised Development, through the consideration of alternative layouts and design iterations.

4.19 The key driver has been to seek to avoid and then minimise environmental impacts where possible and then to consider technical constraints, including optimising energy generation, using the following key principles:

- Identify those visual receptors that are key to the assessment and understand the extent of the area over which potential effects may occur, so that when testing iterations, the full extent of the area is being tested.
- Consider the cumulative effects with the adjacent Operational Wind Farms, with the aim to achieve consistency in appearance through the use of similar sized and proportioned turbines, arranged following a similar layout and contained in the same landscape.
- Ensure the Revised Development fits as an extension to the existing group, avoiding incidents of overlap and cluttering between the existing and proposed turbines, reducing the occurrence of outliers and ensuring an even appearance in terms of the horizontal spacing and vertical elevation of the turbines.
- Ensure the Revised Development follows the pattern set by the Operational Wind Farms and remains contained in the Lochluichart LCU of the Rounded Hills LCT that lies between the A832 to the south and the A835 to the north.
- Consider the effects on the sensitive landscapes surrounding the Site. Special consideration has been given to reduce the potential effects on the landscape and visual receptors representing the Ben Wyvis SLA and Fannichs, Beinn Dearg and

Glen Calvie SLA, as well as the Rhiddoroch-Beinn Dearg-Ben Wyvis WLA and Fisherfield-Letterewe-Fannichs WLA. The location of the turbines to the north, rather than the west of the Operational Wind Farms has prevented visibility extending further across the sensitive Sgurr Mor range to the west.

- Reduce the potential effects of associated infrastructure in particular, locating access tracks in the more discreet parts of the landscape, avoiding more visible exposed slopes and using the screening effect of the surrounding landform and enclosing forestry where possible. The northern borrow pit, substation and control building will also be contained in the scrubby forestry while the southern borrow pit will benefit from the enclosure of the valley landform and screen of scrubby forestry to the immediate north.

4.20 As set out in Section 3 above, the design approach has been successful, restricting visibility of the Revised Development and limiting significant impacts. Notwithstanding the initial design approach, and following receipt of consultation responses from bodies such as SNH, the Applicant has subsequently amended the scheme at the post submission stage. In summary, four turbines have been removed from the scheme (turbines T2, T3, T9 & T10, the turbines closest to the A835) along with the associated access tracks and infrastructure. This has resulted in a discernible reduction in the prominence of the Revised Layout from locations on the A835 to the north of the Revised Development and Ben Wyvis to the east, and these improvements are beneficial in visual terms.

4.21 The third policy principle of SPP states *'planning should direct the right development to the right place.'*

4.22 For reasons already discussed in this Planning Statement, it is considered that the Revised Development complies with this policy principle, noting the ability to 'significantly overcome' the sole Group 2 interest on the Site, namely the peat resource and the absence of significant environmental affects upon other receptors including landscape and visual receptors, cultural heritage designations, birds, other protected species, habitats, settlements and individual residential properties.

A Low Carbon Place

4.23 Under this heading in the SPP, paragraph 153 highlights the vital role that an 'efficient supply' of low carbon electricity from renewable energy sources can play in reducing GHG emissions. The extent of GHG emissions that would be saved by the Revised Development have been quantified in the EIA Report as updated by the SI as between 14,615 and 15,501 tonnes of $CO_2$ emissions per year (between 365,375 and 387,525 tonnes $CO_2$ over its 25 year operational life) compared to grid mix electricity generation; and between 23,936 and 25,386 tonnes of $CO_2$ emissions per year (between 598,400 and 645,900 tonnes $CO_2$ over its 25 year operational life) compared to fossil fuel mix electricity generation. Once the carbon losses arising from wind farm construction are taken into account, the 'carbon payback time' of the proposed wind farm is 2.2 years compared to grid mix electricity generation and is considered to be a significant and material benefit of the proposal that must be accorded considerable weight in the planning balance.

4.24 The Revised Development can assist in wider efforts to de-carbonise the electricity generation sector by 2030, and make a wider contribution to the recent Scottish Government aspirations for a future 'renewables-dominant power system' (Climate Change Plan, Scottish Government, 2018), providing greater security over energy supplies and contributing to the expected increase in demand for electricity likely to arise in the future as a result of the electrification of heat and transport.

4.25 In terms of renewable energy projects being able to deliver an *'efficient supply of low carbon and low cost heat and electricity,'* they must be financially viable. If onshore wind is to operate in a subsidy free regime in the future, taller turbines will become more common place across Scotland in the future as the onshore wind energy sector seeks to maximise energy generation at the lowest cost. Therefore, in order to be able to remain financially viable and thus capable of delivering an 'efficient supply of low carbon and low cost electricity', taller wind turbines such as those proposed here may increasingly become a financial necessity and they will be a vital component of continuing efforts to reduce GHG emissions from electricity generation, as advocated through SPP paragraph 153.

4.26 The proposal to install 133m to tip wind turbines has in part been driven by the ending of subsidies. While these turbines are incrementally taller in height than those currently operational on adjacent land, taller turbines are likely to be more common across Scotland in the future as the onshore wind energy sector seeks to operate in a changing subsidy regime. This point is acknowledged in the OWPS in paragraphs 23 and 24 which discusses the move towards taller and more powerful turbines within the industry as a means of addressing the withdrawal of subsidies. The OWPS states that fewer but larger turbines not only present opportunities for greater energy generation potential but opportunities for landscape improvement. The relationship of the proposal to turbines already operational in the area is discussed in EIA Report Chapter 9 as updated by the SI.

Table 1 – Spatial Frameworks

4.27 Table 1 of SPP sets out the specific criteria by which spatial frameworks for onshore wind energy proposals should be formed. The spatial framework is primarily a tool for the development planning function and paragraph 163 of SPP states that the spatial framework is to be *'complemented by a more detailed and exacting development management process where the individual merits of an individual proposal will be carefully considered against the full range of environmental, community and cumulative impacts'.*

4.28 The SPP Spatial Framework categorises constraints and opportunities into three groups where differing levels of protection are afforded and is reflected in THCs Onshore Wind Energy SG, discussed above (see figure 3.2):

- Group 1: Areas where wind farms will not be acceptable - 'National Parks and National Scenic Areas'.
- Group 2: Areas of significant protection - 'Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other

mitigation.'

- Group 3: Areas with potential for wind farm development - 'Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.'

4.29 As noted previously, the only Group 2 interest of relevance is the presence of deep peat on parts of the Site. Through the design evolution process, it has been possible to 'significantly overcome' this sole Group 2 interest and the Site is therefore in effect in a Group 3 location.

4.30 Finally, SPP sets out in paragraph 169 a checklist for assessing renewable energy planning applications. The planning considerations for energy projects as identified in SPP are set out below alongside an analysis for the Revised Development:

- **Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities** – as set out in Chapter 6 of the EIA Report as updated by the SI, it is considered that the proposal could contribute £23.76 million during construction (12% would be spent in the Highlands) and £1.06 million/annum during the operational period, 42% of which will be spent in the local area. Additionally, a further £90,000/annum would be contributed to the Lochluichart Community Trust.

- **The scale of contribution to renewable energy generation targets** – as set out in Section 3, the proposal could generate up to 53,611 MWh/annum of renewable electrical energy. According to the Scottish Government renewable electricity output calculator an 18MW wind farm would generate enough to power the equivalent to the average annual demand of approximately 9,959 Scottish homes.

- **Effect on greenhouse gas emissions** – as set out in Section 3, the proposal could prevent the emission of approximately between 365,375 and 387,525 tonnes $CO_2$ over its 25 year operational life compared to grid mix electricity generation.

- **Cumulative impacts** – as set out in Section 3, significant adverse cumulative environmental effects are limited. While there will be significant in-combination landscape and visual cumulative effects, the Revised Development in combination with the Operational Wind Farms will not have a sufficient magnitude of change to redefine the character from a landscape with wind farms to a wind farm landscape.

- **Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker** – as set out in Section 3, no significant noise or shadow flicker effects are predicted. Significant effects on the visual amenity of the visitors and users of Aultguish Inn are predicted but the identified effects are not considered to be overbearing.

- **Landscape and visual impacts, including effects on wild land** – as set out in Section 3 in earlier commentary on Policy 67, the site is not located within an area of wild land and, in terms of landscape impacts, there would be no significant effects on any landscape character receptors, designated areas or Wild Land during the

operational stage and only localised and short term effects on parts of four landscape character receptors during the construction stage. In terms of significant visual impacts, these would be limited to residents and visitors to Aultguish Inn during the construction and operational stages; whilst walkers on the Old Drover's Road and users of the A835 Black Bridge Road will undergo significant effects during the construction stage but not the operational stage. In terms of cumulative impacts, and with the addition of the Kirkan wind farm proposals, there would again be a significant in-conjunction cumulative impact on residents of the Aultguish Inn. Whilst in-combination cumulative impacts would be significant for four landscape character receptors, one designated landscape and one Wild Land Area as well as four viewpoints; the Revised Development in combination with the Operational Wind Farms and Kirkan proposals will not have a sufficient magnitude of change to redefine the character from a landscape with wind farms to a wind farm landscape. In summary, the Proposed Development will give rise to a small number of significant landscape and visual effects, albeit all contained within a relatively close-range area and mostly relating to the short-term effects of the construction stage.

- **Effects on the natural heritage, including birds** – as set out in Section 3, no significant adverse environmental effects on any such receptors are identified.

- **Impacts on carbon rich soils, using the carbon calculator** –a Carbon Balance Assessment (Appendix 5.A of the accompanying SI EIA Report as updated by Tables 5.1 and 5.2 of the SI) confirms that the Revised Development would save between 14,615 and 15,501 tonnes of $CO_2$ emissions per year compared to grid mix electricity generation. The total losses of carbon for the revised development would be 33,731 tonnes $CO_2$ equivalent (including losses due to: turbine manufacture, construction and decommissioning; back up; reduced carbon fixing potential; soil organic matter; organic carbon leaching and forestry felling). Taking this into consideration, the Revised Development would "payback" these losses within 2.2 years of the date it becomes operational, compared to grid-mix electricity.

- **Public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF3** – as set out in Section 3, there will be no significant direct or indirect effects on tourism or recreation as a result of the Development.

- **Impacts on the historic environment, including scheduled monuments, listed buildings and their settings** - as set out in Section 3, no significant adverse environmental effects on any such receptors are identified.

- **Impacts on tourism and recreation** – as set out in Section 3, no significant adverse socio-economic or tourism effects are identified in the EIA Report.

- **Impacts on aviation and defence interests** - as set out in Section 3, no significant adverse effects are identified and there has been no objection from the MOD or NATS.

- **Impacts on telecommunications and broadcasting installations, particularly**

**ensuring that transmission links are not compromised** – as set out in Section 3, no significant effects on any such receptors are identified;

- **Impacts on road traffic** - as set out in Section 3, no significant adverse effects on road traffic have been identified.
- **Impacts on adjacent trunk roads** - as set out in Section 3, no significant adverse effects on the trunk road network have been identified.
- **Effects on hydrology, the water environment and flood risk** – as set out in Section 3, no significant adverse environmental effects on any such receptors are identified.
- **The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration** – these matters can be covered by planning conditions as deemed necessary and would be discussed post-submission with officers from Highland Council.
- **Opportunities for energy storage** – battery storage is included in the Revised Development. The options for utilisation of the battery storage include storing excess electricity generated by the wind turbines when it's not possible to export to the grid; regulating the output of the wind farm so that peaks and troughs in export are minimised; and/or responding quickly to sudden increases or decreases in demand on the electricity network.
- **The need for a robust planning obligation to ensure that operators achieve site restoration** – as with the existing wind farm on the site, it is proposed that restoration would be enforced by a condition attached to the planning permission.

SPP Conclusions

4.31 The clear in-principle support for renewable energy in SPP, including onshore wind, is balanced against the need for planning to ensure that the right development is directed to the right location. This means that any adverse environmental impacts need to be balanced against the broad locational acceptability of a site in terms of the Spatial Framework and to balance these considerations against the wider environmental benefits of a proposal. In addition, because in this case the Development Plan is out of date, the presumption in favour of sustainable development is engaged, and any planning harm has to 'significantly and demonstrably' outweigh scheme benefits.

4.32 As identified at paragraphs 3.29-3.47 above, the proposal will undoubtedly give rise to some limited adverse effects notably on localised landscape and visual receptors within c.5km. However, it is well established that commercial scale wind farms will inevitably lead to some significant environmental effects – the test is whether such effects are unacceptable in the wider planning balance.

4.33 However, these impacts are not considered to be of a magnitude overall that compromises the wider *in principle* support for the continued development of renewable energy schemes affirmed in SPP, nor do they '*significantly and demonstrably outweigh scheme benefits'*. SPP therefore reinforces the supportive Development Plan policy position identified earlier in this Planning Statement and is considered a significant material consideration in support of the approval of this application.

### The Carbon and Peatland Map 2016

4.34 The Carbon and Peatland Map 2016, produced by SNH, provides the most up to date information available on the location of carbon rich soils, deep peat and priority peatland habitats in Scotland. The Map shows that the Site is located in a Class 2 area, defined *as 'an area where nationally important carbon-rich soils, deep peat and priority peatland habitats are likely to be present'*. Class 2 areas are also of potentially high conservation value and restoration potential. SNH states that the Map should be used in conjunction with the Spatial Planning for Onshore Wind Turbines Guidance 2015. SNH guidance on spatial planning emphasises:

> *'The location of a proposal in the mapped area does not, in itself, mean that the proposal is unacceptable, or that carbon rich soils, deep peat and priority peatland habitat will be adversely affected. The quality of peatland tends to be highly variable across an application site and a detailed assessment is required to identify the actual effects of the proposal' (Pg.18).*

4.35 As stated in Section 3 above, Chapter 13 of the EIA Report as updated by the SI sets out a detailed assessment of the impact of the Revised Development on the peat resource within the Site. Through the design evolution process, including taking account of embedded mitigation measures and the provision for additional mitigation as set out in the CEMP, it is concluded that the scale of residual effects resulting from the disturbance of peat is not significant.

# 5 Energy Policy Considerations

5.1 There are a number of international and national energy polices, targets and statements of relevance to the Revised Development the most relevant and recent of which are discussed in this Section of the Planning Statement.

5.2 Some of the key points to draw from the various policy documents and legislation are considered to be as follows:

- There is a general acknowledgement that generating energy from fossil fuels releases harmful greenhouse gases that contribute to climate change.
- Global efforts should be focused on limiting further global warming to no more than 2°C to limit the effects of global warming.
- A much greater proportion of our energy demands must come from renewable sources to limit greenhouse gas emissions. The 2009 Renewable Energy Directive sets a target for the UK to achieve 15% of its total energy consumption, including transport, from renewable sources by 2020.
- The Climate Change (Scotland) Act 2009 sets a target for net Scottish greenhouse gas emissions for the year 2050 to be at least 80% lower than the 1990 baseline level.
- Various documents highlight the need to move towards a largely decarbonised electricity generation sector by 2030, in order to meet the 2050 GHG emission reductions targets.
- There is an acknowledgement in the various Scottish Government publications that onshore wind will continue to play a vital role in achieving the identified targets. Wind energy can also contribute significantly to greater security of energy supplies because of its decentralised nature.
- The Electricity Generation Policy Statement (EGPS) 2013 identifies demand reduction and a rapid expansion of renewable electricity across Scotland as essential measures to achieve targets.

### The Climate Change (Scotland) Act 2009

5.3 The Climate Change (Scotland) Act 2009 creates the statutory framework for GHG emission reductions in Scotland by setting a target for net Scottish emissions for the year 2050 to be at least 80% lower than the 1990 baseline level. An interim target of a 42% reduction by 2020 is also set out.

5.4 The Scottish Government has set a target for the equivalent of 100% of Scotland's electricity demand to be supplied from renewable sources by 2020, with an interim target of 50% by 2015 having already been met. More recently, the Scottish Government has set new 2030 and 2050 energy targets (discussed below) and the Revised Development could make a valuable contribution to the fulfilment of the Scottish Government's longer-term post 2020 targets.

5.5 The Act also established the *Public Bodies Climate Change Duties* which came into force on 1 January 2011. It requires that public bodies exercise their functions -

- in a way best calculated to contribute to deliver the Act's emissions reduction targets;
- in a way best calculated to deliver any statutory adaptation programme; and
- in a way that it considers most sustainable.

5.6 The Revised Development can help achieve these statutory targets by facilitating the production of renewable energy and displacing GHG emissions associated with fossil fuel electricity generation.

### The Scottish Government, Electricity Generation Policy Statement, 2013

5.7 The Electricity Generation Policy Statement (EGPS) 2013 examines the way in which Scotland generates electricity, and considers the changes which will be necessary to meet the targets which the Scottish Government has established.

5.8 Paragraph 4 of the Executive Summary states that the Scottish Government's policy on electricity generation in Scotland is that the generation mix should deliver:

- *'A secure source of electricity supply;*
- *At an affordable cost to consumers;*
- *Which can be largely decarbonised by 2030; and*
- *Which achieves the greatest possible economic benefit and competitive advantage for Scotland including opportunities for community ownership and community benefits'.*

5.9 Paragraph 13 sets the context for the rest of the EGPS by stating:

*'The Scottish Government's policy is clear – alongside actions to reduce demand for energy, we want to see both a rapid expansion of renewable electricity across Scotland and new or upgraded and efficient thermal capacity, with commitment to recover waste heat and progressively fitted with Carbon Capture and Storage'.*

5.10 Paragraph 37 considers that wind power can contribute significantly to greater security of energy supplies because of its decentralised nature. While much of the commentary in the EGPS relates to achievement of the 2020 targets, many of the steps required to achieve these targets are just as applicable to delivery of the more recent 2030 and 2050 targets set by the Scottish Government and will continue to rely upon the continued investment in and development of renewable energy projects, including new onshore wind projects.

5.11 In paragraph 138 of the Conclusions and Summary Section, the EGPS states that the Scottish Government considers that a '*rapid expansion of renewable generation capacity.....will ensure that all of Scotland's long term electricity needs can be met without the need for new nuclear power stations'.*

### Climate Change Plan: The Third Report on Proposals and Policies 2018 – 2032

5.12 The Climate Change Plan was laid in Parliament on 28 February 2018 and sets out how Scotland can deliver its target of a 66% emissions reduction, relative to the 1990 baseline for the period 2018-2032. The Climate Change Plan comprises three parts: Part One sets out the context for the Scottish Government's climate change proposals and policies. The Scottish Government's statutory duties are covered in Part Two and Part Three of the Plan provides detailed information on the emissions envelopes and emissions reduction trajectories for each sector. Part Three identifies the progress, ambition and policies for the electricity, building, transport, industry, water, land use and forestry and agricultural sectors.

5.13 Paragraph 2.3.1 notes that climate change is already affecting Scotland. In Scotland the average temperature in the 2000s was 0.90°C warmer than the 1961-1990 average and warmer than any other decade since records began in 1910, and annual rainfall has increased by around 11% over the past century.

5.14 Paragraph 2.2.4 notes that electricity will be increasingly important as a power source for heat and transport, as such the total volume of electricity supplies within Scotland will increase to 2032. Importantly, the Plan notes that by 2030 Scotland's electricity system will be wholly decarbonised and supply a growing share of Scotland's energy needs (Paragraph 7.2.1).

5.15 The Plan sets out two policy outcomes for the electricity sector.

5.16 Policy Outcome 1 of the Plan notes that Scotland's electricity grid intensity will be below 50g $CO_2$ per kilowatt powered by a high penetration of renewables, including onshore wind. In order to achieve this outcome, the Plan identifies two policies, four policy development milestones and one proposal. Of particular relevance to this application is Policy 1 which states support for the future development of a wide range of renewable technologies through addressing current and future challenges, including market and wider policy barriers.

5.17 Policy Outcome 2 seeks to ensure that Scotland's energy supply is secure and flexible, with a system robust against fluctuations and interruptions to supply. In order to achieve this outcome, the Plan identifies one policy, six policy development milestones and five proposals from the Scottish Energy Strategy (discussed below).

*5.18* Part 3 of the Climate Change Plan deals with sectoral pathways with Chapter 1 'Electricity' of particular relevance to the Revised Development. In this Chapter the Climate Change Plan summarises progress made towards achievement of renewable energy targets noting a 48% fall in electricity generation emissions between 1990 and 2015. Looking to the future, the Climate Change Plan states that in 2032 Scotland's electricity system will be powered by a '*high penetration of renewables' and that 'electricity will meet a growing share of Scotland's energy needs'.*

5.19 The Climate Change Plan notes that the electrification of heat and transport will place additional demands on the electricity sector and, as a result, the total volume of electricity supplied within Scotland is expected to increase, compared to 2015 levels. To meet this increased demand for electricity the Climate Change Plan envisages a '*renewables-dominant power system'* supported by cleaner, more efficient and flexible gas generation. To support achievement of the 2032 targets the Climate Change Plan identifies a number of policies that will help achieve the required reduction in GHG emissions including supporting the development of a wide range of renewable technologies by addressing market and policy barriers, supporting the development of a range of technologies that aid system security, flexibility and resilience. This is an important statement in support of the planning application which incorporates battery storage as a means of further maximising the electricity generated from the proposed wind turbines.

5.20 The Revised Development can help with achievement of the 2032 targets in a location considered to be suitable for wind energy, as discussed earlier in relation to LDP Policies, notably Policy LDP DM1. The Applicant's EIA Report as updated by the SI demonstrates that significant environmental impacts are localised and affect a small number of receptors only in a relatively contained geographical area. It is considered therefore that the Revised Development can draw support from the Climate Change Plan.

### The Scottish Energy Strategy – The Future of Energy in Scotland (The Scottish Government, December 2017)

5.21 The Scottish Energy Strategy (SES) was published in December 2017 and sets out the Scottish Government's strategy through to 2050, marking a *'major transition'* over the next three decades in terms of energy management, demand reduction and generation.

5.22 The Strategy sets a new 2030 'all energy' target for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources. The Strategy also targets an increase by 30% in the productivity of energy use across the Scottish economy.

5.23 Paragraph 92 confirms that the Scottish Government is committed to supporting the continued growth of the renewable energy sector in Scotland, as a key driver of economic growth and an essential feature of the future energy system.

5.24 Paragraph 96 confirms that Scottish renewable electricity is estimated to have displaced over 13 million tonnes of $CO_2$ across the GB energy system in 2015, showing the importance of renewable energy proposals such as the Revised Development in helping to deliver the Scottish Government's GHG emission reduction targets.

5.25 Paragraph 99 confirms that achievement of Scotland's climate change targets will require the complete decarbonisation of the electricity sector, with a significant contribution from renewables. The same paragraph further confirms that the Scottish Government's new ambition to deliver 50% of all energy needs from renewable sources is designed to provide unambiguous support for the further growth of the Scottish renewables industry (emphasis added).

5.26 Paragraph 107 notes that renewable energy technologies have the potential to become more cost-effective generation sources than conventional gas fire power stations into the 2020s. However, to unlock cost reductions, it is imperative that deployment of projects continues, utilising the rich pipeline of renewable projects in Scotland.

5.27 Paragraph 109 notes that in the immediate future the renewable energy sector faces investment challenges arising from uncertainties over subsidy support but paragraph 110 considers that with the right regulatory framework, new onshore wind projects can be economically viable without subsidy.

5.28 Section 5, page 63 of the SES notes that the Scottish Government has already exceeded its 2020 target of 500MW of community and locally-owned renewable energy which has been independently estimated to be worth up to £2.2billion over the operational lifetime of these projects. This is without question a significant economic benefit of the renewables industry across Scotland.

5.29 It is quite clear that the SES clearly sees the onshore wind sector as playing an important role in helping to deliver Scotland's longer-term climate change targets while also helping to reduce the costs of electricity generation. The Revised Development can help deliver these objectives by developing a renewable energy facility using a proven technology and one of the lowest cost forms of power generation, including non-renewables.

5.30 The Revised Development can also help deliver greater security over energy supplies by reducing reliance upon imported fossil fuels, an objective set out in the EGPS and reinforced in the Climate Change Plan and SES which notes that energy system security and flexibility are one of the six key priorities around which the 2050 Vision is built.

### Onshore Wind Policy Statement (The Scottish Government, December 2017)

5.31 The Onshore Wind Policy Statement (OWPS) was published in December 2017 and is divided into seven sections dealing with a number of issues under headings such as Route to Market, Repowering, Barriers to Deployment, Protection for Residents and the Environment, Community Benefits and Shared Ownership. Under these headings the OWPS discusses a range of issues relevant to the onshore wind sector including the challenges of developing in a subsidy free market, the move towards taller turbines, the important role that the sector plays in the Scottish economy, the consenting regime, technical barriers to development of onshore wind and wider matters relating to residential amenity, community benefits and shared ownership.

5.32 The Revised Development would be taken forward without the benefit of subsidies which previously supported such developments. Consequently, as recognised by the Scottish Government, taller turbines than those currently in the locality are required. These larger turbines allow for a greater amount of electricity to be generated as a result of the larger blade swept path area, which captures more wind, and the higher height, where wind speeds are higher.

5.33 The Ministerial Foreword notes the '*dominant and hugely valuable role'* that the onshore wind sector plays in helping achieve Scotland's renewable energy targets. The Foreword also notes the positive contribution the onshore wind sector makes to Scotland's economy stating that it supports an estimated 7,500 jobs and generated more than £3 billion in turnover in 2015. These figures have since increased demonstrably as discussed further below in the commentary on the *'Energy in Scotland 2018'* report.

5.34 Looking to the future, the Ministerial Foreword notes that:

> *'our energy and climate change goals mean that onshore wind will continue to play a vital role in Scotland's future – helping to substantively decarbonise our electricity supplies, heat and transport systems, thereby boosting our economy'.*

5.35 The Statement continues that:

> *'onshore wind is a vital component of huge industrial opportunity that renewables more generally create for Scotland' (p.2).*

5.36 The Statement goes on to state that:

> *'This means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes where it can be accommodated' (p. 7).*

5.37 The strategic importance of onshore wind to the Scottish Government's decarbonisation ambitions is referenced on page 2, noting that installed capacity of Scottish onshore wind in 2016 was 5.5GW (by comparison, it is estimated that electricity capacity of between 11 and 17GW is now modelled in the Climate Change Plan to meet the decarbonisation target in 2032). In Section 2 (page 3), the Strategy notes that the economic benefits to Scotland from onshore wind are 'considerable'. On page 6 the Strategy confirms that the Scottish Government is supportive of the need to design new wind farms to maximise efficiency and return and hence to increase viability. Paragraph 23 notes that this may include larger turbines where these are appropriate. The points in the Strategy acknowledge that increased viability will be an increasingly important issue for future renewable energy schemes, such as the Revised Development which includes turbine tip heights of up to 133 metres.

5.38 While the OWPS makes clear the Scottish Government's continued support for the further development of onshore wind, this is not at any cost and a balance needs to be struck between the continued development of wind farms and the need to consider and where appropriate protect landscapes, natural heritage and residential amenity interests. These matters, and other relevant considerations, have been considered in detail through the EIA process and it has been concluded that for the most part significant environmental effects have been avoided. Only a small number of significant landscape and visual effects are predicted, all contained within a relatively close-range area and mostly relating to the short-term effects of the construction phase. Taking the findings of the ES and the earlier planning policy commentary into account it is considered that the OWPS supports the case for the Revised Development, and complements the earlier positive Development Plan appraisal. The OWPS clearly considers that onshore wind has a vital role to play in achieving the post 2020 renewable energy targets and signals a renewed and recent emphasis on the requirement for new onshore wind farms across Scotland if these ambitious 2030 and 2050 targets are to be met.

5.39 At a national level, the Scottish Government's Onshore Wind Policy Statement (OWPS) and Scottish Energy Strategy (SES) (both December 2017) contain supportive statements regarding the future of the renewable energy industry, including onshore wind and commentary on the in-principle support for taller wind turbines, in landscapes judged capable of accommodating them.

### Intergovernmental Panel on Climate Change (IPCC) Report (2018) and Committee on Climate Change report (CCC) Report (2019)

5.40 These two recent publications enhance the need case for further renewable energy developments.

5.41 The IPCC report looks at a number of climate change impacts that could be avoided by limiting global warming to 1.5°C compared to 2°C or more. The report identifies various actions required to limit global warming to a 1.5°C rise only, which are noted as requiring 'rapid, far-reaching and unprecedented changes in all aspects of society'. In terms of energy generation, the report notes that in order to achieve the 'rapid and profound near-term decarbonisation of energy supply' a 'strong upscaling of renewables' is required in order to

help achieve a 'rapid decline in the carbon intensity of electricity'.

5.42 The CCC was commissioned by the Governments of the UK, Scotland and Wales to provide updated advice on these emissions targets, including the possibility of setting a new 'net zero' target compared to the existing 80% reduction target by 2050. The CCC concludes in its report that the current policy framework is insufficient to meet the existing 2050 targets and 'a major ramp up in policy effort is now required'. As far as renewable energy is concerned, the report considers that its contribution will need to quadruple by 2050. In Chapter 3 of the report, the CCC notes that 'a large scale shift in investment towards low-carbon technologies is needed and emissions need to stop rising and to start reducing rapidly'. It also notes that 'renewable power is now as cheap as or cheaper than fossil fuels in most parts of the world'.

5.43 These documents strengthen what is already a very strong need case, expressed through the Scottish Government's documents such as the SES, OWPS and Climate Change Plan. It is also noted with interest that in the opening section of her recent statement to the Scottish Parliament on 14 May 2019, the Climate Change Secretary, Roseanna Cunningham, stated:-

*'There is a global climate emergency. The evidence is irrefutable. This science is clear'.*

5.44 The Scottish Government's response to the 'emergency' notes the need for a 'transformative change' in all aspects of society if we are to limit global warming to 1.5 degrees by 2030. Our view is that such pronouncements should result in a material shift in the weight given to the need side of the planning balance argument.

# 6 The Planning Balance and Conclusions

6.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This Planning Statement has considered the Revised Development against the relevant provisions of the Development Plan, including Supplementary Guidance, and then considered the relevance of and weight to be attached to other material considerations.

6.2 The Revised Development would form a direct extension to the existing wind farm cluster at Lochluichart and would be located to the north of the 17 operational Lochluichart Wind Farm turbines, 6 operational Lochluichart Wind Farm Extension. Also, nearby are the 19 operational Corriemoillie Wind Farm turbines. These Operational Schemes are 125m in height to blade tip and have an existing influence on landscape character and visual amenity. The Revised Development has been designed as an integrated extension to these Operational Schemes.

6.3 The Revised Development is considered to accord with key LDP policies including policy 67 and the related Onshore Wind Energy Supplementary Guidance which deal specifically with renewables as well as other related development. Of particular relevance to the argument in support of the Revised Development is that policy 67 states the Council will support proposals where it is satisfied that they will not be 'significantly detrimental overall' either individually or cumulatively, having regard to identified environmental and technical criteria.

6.4 Like all commercial scale wind farms, the Revised Development will give rise to some limited significant adverse environmental impacts that cannot be mitigated. This does not mean that planning permission should be refused; rather that the nature and scope of such impacts need to be considered in the wider planning balance when the positive impacts of a proposal are also considered. In this instance, significant impacts are recognised notably those on localised landscape and visual receptors primarily during the construction phase.

6.5 In support of the Revised Development, it has been established through the EIA process that there are no international or national ecological or ornithological designations that would be significantly affected by the Revised Development. There are no significant impacts that cannot be overcome by mitigation upon other receptors including protected species, cultural heritage receptors, transport and highways interests, air quality, shadow flicker, aviation and telecommunications interests.

6.6 The Revised Development would also give rise to positive economic benefits in the form of direct and indirect expenditure in the local area, and additional funds being made available via the Lochluichart Community Trust.

6.7 The Revised Development is supported by the various energy policy documents discussed in Section 5 of this Planning Statement such as the SES, OWPS and the Climate Change Plan. These documents highlight the Scottish Government's ambitious targets for GHG emission reductions and renewable energy generation beyond 2020 and up to 2050. The Revised Development can help deliver these objectives by generating up to 18MW of clean renewable energy and, in doing so, will save the emission of between 365,375 and 387,525 tonnes $CO_2$ over its 25 year operational life compared to grid mix electricity generation (equivalent to 598,400 and 645,900 tonnes $CO_2$ over its 25 year operational life compared to fossil fuel mix electricity generation) This is enough electricity to meet the average annual energy usage of up to 9,959 typical homes[5].

6.8 At the time of this planning application submission the HwLDP will be over five years old and thus technically out of date as clarified by paragraph 33 of SPP. In such circumstances the SPP is a material consideration of significant weight, and in particular the presumption in favour of development that contributes to sustainable development applies. The Revised Development can thus draw strong support from SPP and NPF3. The clear policy support for the continued development of renewables in SPP is balanced against a requirement to consider environmental impacts associated with development and to ensure the right development is directed to the right place. The EIA Report demonstrates that impacts upon the only Group 2 interest can be 'significantly overcome', and the Site is therefore in effect in a Group 3 location. Some significant impacts upon localised landscape and visual receptors are acknowledged but these are not considered to be significant overall.

6.9 The planning system has a key role to play in bringing forward renewable energy developments and various Scottish Government publications look to the planning system to create a supportive environment to help the continued deployment of onshore wind energy projects, while at the same time seeking to balance often competing interests.

6.10 Very few forms of development are impact free and a balance needs to be made between the identified impacts of the Revised Development on the one hand and the significant environmental benefits on the other. The Applicant has successfully minimised the environmental impacts associated with the Revised Development through a careful and iterative approach to design evolution, including post submission changes in response to consultee comments such that identified impacts are limited in geographical scope and numbers. This has been achieved while still allowing the generation of a meaningful level of renewable energy, while incorporating a battery storage facility to assist with the efficiency of renewable energy generation.

[5] Calculated using the Scottish Government Renewable electricity output calculator and based on 18 MW wind farm capacity, accesses October 2019

6.11 When all material factors are considered, the balance in this instance favours the granting of planning permission. The Revised Development is in an appropriate location for a wind farm development and those residual impacts which cannot be further mitigated are considered to be acceptable and outweighed by the considerable benefits of the Revised Development, in particular the generation of a meaningful amount of renewable energy and a significant reduction in GHG emissions.

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