
Lochluichart Wind Farm Extension II (increased tip height)

Planning Statement



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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 (hereafter referred to as 'the Applicant') and supports a current application for planning permission to the Highland Council for a 5-turbine extension of the Lochluichart Wind Farm to include an increased wind turbine 'tip height' (the 'Proposed Development').
- 1.2 The Applicant received planning permission for the Lochluichart Wind Farm Extension II, a 5-turbine scheme, together with associated infrastructure in July 2020 from the Highland Council (THC) (hereafter referred to as the 'Consented Development' (THC Ref: 19/01284/FUL)).
- 1.3 The Applicant submitted the application for the Consented Development in April 2019, supported by an EIA Report (Infinergy, 2019), for a 9-turbine scheme. Following feedback from statutory consultees, the Applicant subsequently submitted Supplementary Information (hereafter known as 'SI' (Infinergy, 2019) in November 2019 to amend the scheme. The changes included reducing the number of turbines from 9 to 5 (by removing turbines T2, T3, T9 & T10), along with associated access tracks and infrastructure and micro-siting turbine T4 to avoid deep peat.
- 1.4 The location of the turbines for the Proposed Development, and related infrastructure including access tracks, borrow pits, sub-station etc, will remain in the same locations as for the Consented Development of 5 turbines. The main changes when comparing the two schemes are as follows:
 - an increase in turbine tip height of 16.9m, resulting in a maximum tip height of 149.9 metres for the Proposed Development; and,
 - an increase in crane hardstanding areas to a total of c.1850m².
- 1.5 In addition, the Applicant has requested a planning permission allowing an operational lifetime of 40 years, compared to the 25 years which was granted for the Consented Development.
- 1.6 Environmental impacts arising from the 5 turbine scheme are described in the EIA Report which accompanies this submission. This Planning Statement confirms any relevant and consequent changes to the planning considerations for the proposal with reference to the EIA Report.

- 1.7 However, it is highly significant that the principle of a wind farm has been recently established on this Site and that permission remains extant, with the Delegated Report of Handling confirming compliance with the development plan and all other material considerations. In response this Planning Statement provides a focussed assessment of the Proposed Development against relevant local planning policy and associated Supplementary Guidance (SG), focussing principally on the additional residual impacts identified in the Environmental Impact Assessment Report (EIA Report) arising from the increase in tip height.

Structure of this statement

- 1.8 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 Proposed Development;
 - Section 3 assesses the Proposed Development against the relevant policies of the Development Plan;
 - Section 4 briefly considers the Proposed Development in relation to other material considerations such as relevant Scottish Government planning guidance/advice and, energy policy matters;
 - Section 5 weighs up the planning case for the Proposed Development providing concluding remarks on the overall acceptability of the Revised Development.

2 The Site and Proposed Development

Site description

- 2.1 The application site (hereafter referred to as '*the Site*') comprises an area of approximately 5.9 km² 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 Proposed 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 Proposed Development has been designed as an integrated extension to these Operational Wind Farms.
- 2.3 In general, the Operational Schemes and Corriemoillie 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-west.
- 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 Canon Valley and Loch Glascarnoch in the Black Water Valley. Loch Fannich lies approximately 6.75 km to the west, set in the massif of the Fannich Hills.
- 2.6 Ben Wyvis, a locally prominent Munro, is located approximately 12.3km to the east, whilst Beinn Dearg is situated about 13.6 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, approximately 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 In terms of landscape sensitivities in the surrounding area there are no NSAs within a 15km radius, but three SLAs: the Fannichs, Beinn Dearg and Glen Calvie SLA to the north and west at a minimum distance of c.5.3km; Ben Wyvis SLA to the east at a minimum distance of c.9.1km; and the Strathconon, Monar and Mullardoch SLA at a minimum distance of c.10.3km to the south.

- 2.10 While no part of the application site is located within a Wild Land Area (WLA), there are five WLA's within the LVIA Study Area, two of which are in proximity to the Proposed Development. The closest WLA is the Fisherfield, Letterewe, Fannichs WLA which lies less than c.1km to the west. This WLA covers the mountainous landscapes extending from the interior to the west coast. The Rhiddoroch, Beinn Dearg and Ben Wyvis WLA wraps round the Proposed Development to the north, north-east and east, with the northern boundary being the closest at approximately c.3.6km from the nearest proposed turbine. This WLA covers the mountainous landscapes extending from close to the east coast to the west coast. The Central Highlands WLA lies to the south, associated with the landscapes of the Strathconon, Monar and Mullardoch SLA at the greater range of approximately c.12.6km to the south of the Proposed Development. The Flowerdale, Shieldaig and Torridon WLA, and Coulin and Ledgowan Forest WLA lie to the west of the Study Area at distances beyond 24km and 30km respectively.
- 2.11 There are also 13 Gardens and Designed Landscapes in the LVIA Study Area.
- 2.12 The site lies just within a Tactical Training Area (LFA14T) used by military aircraft for low level flight training.
- 2.13 The site is situated c.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.
- 2.14 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 c.5.5 km to the south of the application site, and Corriemoillie Farmhouse lies c.5km to the south east of the site. The Aultguish Inn lies on the A835 (T), at the south eastern end of Loch Glascarnoch, c.2 km to the north east of the most proximate wind turbine.
- 2.15 In terms of cultural heritage and archaeology, interest is limited to the Category B-listed Loch Glascarnoch Dam within c.2km to the north of the Site, four undesignated assets recorded in the HER within c.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 c.15km to the north-east; the nearest Conservation Area is at Strathpeffer c.17km to the south east and the nearest Garden and Designed Landscape is located at Castle Leod c.16.5km to the south east.
- 2.16 It is relevant that the Consented Development was found acceptable in terms of all these potential constraints in the context of the development plan and all other material considerations, and that as an extant planning permission it establishes a clear 'fall-back' position that must be taken into consideration. Thus only the additional predicted impacts arising from the modest increase in tip height should be taken into consideration when making a planning determination. In effect a more limited policy assessment can be carried out because impacts on the constraints set out above can be scoped out with reference to

the conclusions of the Highland Council Report of Handling for the Consented Development and the EIA Report for the Proposed Development. This assessment is provided in Section 3 of this statement.

The Proposal

2.17 Chapter 3 of the EIA Report provides a detailed description of the Proposed Development and details are also shown in Figure 3.1 of the EIA Report. In summary the Proposed Development will comprise:

- 5 wind turbines up to a maximum tip height of 149.9 metres together with associated infrastructure (foundations, external transformers and crane hardstandings), all subject to a micro-siting agreement.
- approximately 3km of new permanent access tracks nominally 5 m wide but with some additional localised bend widening to a maximum of approximately 13m including new water crossings.
- a fenced substation compound, with hardstanding, approximately 66 metres x 30 metres containing:
 - a single storey control building approximately 26.33 metres x 6 metres.
 - a high voltage equipment/transformer compound.
 - a battery storage facility comprising three containerised structures within a fenced area approximately 17m x 14.09m;
- a temporary construction compound, approximately 100 m x 50 m, for site office, welfare facilities and material laydown area;
- two on-site borrow pits.

2.18 The turbine dimensions will vary depending on the turbine selected, within the parameters of the maximum blade tip height of 149.9 metres. The candidate turbine for the purposes of the EIA is the Nordex N133 (with a generation capacity of 4.8MW). Blades will rotate at approximately 6.5 – 12.1 revolutions per minute (rpm), generating power at wind speeds between 3-28 m/s¹. 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.

2.19 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. The crane hardstandings will be slightly larger than those set out in the Consented Development, increasing from 1,100 sq.m. to 1,850 sq.m.

- 2.20 The turbines will be connected through suitable switchgear to be installed in a control building and compound on-site. The substation compound will comprise a hard standing with maximum dimensions of approximately 66m x 30m and would contain a car parking area, single storey control building (c. 6m x 26.33m), external transformer and related HV equipment, and an energy storage facility within three containers.
- 2.21 The operational life of the proposal is for a period of 40 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.
- 2.22 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.
- 2.23 Based upon a total installed capacity of 24MW, the total annual predicted output and carbon emissions savings for the Proposed Development are set out in Table 2.1 below. This is around 54,000 MWh per annum, which is equivalent to around a CO₂ saving of between 24,500-24,800 tonnes per annum, with these figures representing a significant environmental benefit both annually and on the basis of the anticipated 40 years of operation.

Table 2.1: Annual Carbon Emissions Savings and Predicted Output for Consented and Proposed Development

Total installed capacity	Tonnes of CO ₂ emissions per annum saved*		Annual predicted output (MWh)		
	Scottish Government Renewable Energy Output Calculator ²	EIA Report Chapter 5 Calculation	Scottish Government Renewable Energy Output Calculator	EIA Report Chapter 5 Calculation	
18MW	18,356	14,615-15,501	39,879	53,611 (capacity factor 34%)	
24MW	24,475	24,778-24,797	53,172	55,083 (capacity factor 26.2%)	

² Scottish Government Renewable Electricity Output Calculator (March 2020), accessed 21 April 2021 see <https://www.gov.scot/publications/renewable-and-conversion-calculators/>

Percentage increase	33%		33%	
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*Based on All Fossil Fuels being displaced

- 2.24 The above represents a 33% annual increase in renewable energy output and CO₂ savings compared to the 18MW Consented Development (using the Scottish Government Renewable Energy output calculator figures for ease of comparison). In addition, as approval is now sought for 40 years operation whilst the Consented Development has a condition restricting the operational life to 25 years, this will result in a significant overall increase to some 979,000 tonnes of CO₂ savings and some 2,126,880 MWh of output over the 40 year period (based on Scottish Government Renewable Electricity Output Calculator, March 2020 all fossil fuels scenario).

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), 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). It is felt that the application can be assessed under the HwLDP by reference only to Policy 67 and the SG.
- 3.3 A further key material consideration in this case is the fall-back position established by the very recent grant of permission for the Consented Development on this site (and so an extant consent) for the same number of wind turbines, at the same locations, but with a tip height just 16.9 metres lower. In this regard it is clearly relevant that the Delegated Report of Handling for the Consented Development confirmed that it was in accordance with the development plan and all other material considerations and thus the principle of a wind farm on the Site has therefore been clearly established.
- 3.4 Any planning assessment of the Proposed Development must therefore focus on any additional harm or benefits that may arise from the modest tip height increase of 16.9 metres. A clear benefit in this regard will be the additional c.33% increase in annual renewable electricity generation and carbon savings that would arise from the larger and more efficient candidate turbines permitted by the increase in tip height as set out at para 2.24 above.

Development Plan policies

- 3.5 As highlighted above the key LDP policy is **policy 67 – renewable energy developments**. 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.

- 3.6 It is relevant that the Consented Development was found to be in full compliance with development plan policy and all other material considerations. Given that the key change for the Proposed Development relates to only an increase in tip height, the assessment of development plan compliance is necessarily focussed on this element of change. Reference is also made to the Report of Handling for the Consented Development where relevant.

Policy 67 – Renewable Energy Developments

- 3.7 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.
- 3.8 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.

- 3.9 The Consented Development was found acceptable in terms of siting and design. As there is no change to siting or design as a result of the Proposed Development it is therefore considered acceptable.

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

- 3.10 As summarised in the subsequent sections of this statement, there are a number of international and national energy policies, 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 (Emissions Reduction Targets) (Scotland) Act 2019 sets a target for net zero Scottish GHG emissions for the year 2045 (compared to the 1990 baseline level); and various

other documents declare a Climate Emergency and set out actions to end Scotland's contribution to global climate change through measures such as a largely decarbonised electricity generation sector. 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.

- 3.11 The Proposed Development, based on the candidate turbine, would deliver up to 24MW of renewable energy generation which will constitute an important contribution to meeting the targets set by the UK and Scottish Governments. It is therefore considered that this policy criterion is satisfied.
- 3.12 It is relevant that the Consented Development was found acceptable in terms of this policy requirement with a maximum output of 18MW, and that this would be exceeded by a further 6MW as a result of the Proposed Development through the modest proposed increase in tip height of just 16.9 metres. This 33% increase in generation is considered a key positive factor in support of the Proposed Development.

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

- 3.13 The Consented Development was found acceptable in terms of impacts on the local and national economy.
- 3.14 Chapter 6 of the accompanying EIA Report confirms that the construction of the Proposed Development will bring short-term, beneficial, direct and indirect effects to the area, through the increase in employment. Para 6.29-6.30 of the EIA Report confirms that some 42% of the operational expenditure of £1.4 million per annum would be spent in the regional economy, which is a positive negligible impact at the local/regional scale.
- 3.15 Para 6.42 and 6.43 of the EIA Report concludes that only a negligible impact on tourism and recreation receptors would arise as a result the Proposed Development, which is not significant.
- 3.16 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 Proposed Development on the basis of £5,000 per MW installed per annum. As a result of both the increased tip height and extended period of operation (40 years rather than 25 years) the total community benefit contribution over the lifetime of the wind farm will increase considerably compared to the Consented Development from £2.25 million to £4.8 million as confirmed at EIA report para 6.33.

- 3.17 Overall, the EIA Report considers that the Proposed Development would result in positive (negligible and minor) impacts on the local economy both through the construction and operational periods of the development, and would contribute to the national economy. In addition it is relevant that the Proposed Development results in increased benefits, particularly in terms of community benefit contributions, compared to the Consented Development. 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.

- 3.18 The Consented Development was found acceptable in terms of natural, built, cultural heritage and peat interests. As the Proposed Development does not result in any relevant changes it is therefore also considered to comply. Where there are any further considerations, these are set out in the paragraphs below.

Ecology and Ornithology

- 3.19 The Consented Development was found acceptable in terms of impacts on ecology and ornithology and, based on the currently available information as set out in the EIA Report, the Proposed Development is not anticipated to result in any different or significant adverse effects on sensitive ecological or ornithological features.
- 3.20 However, in recognition of responses received through the Scoping Opinion from THC and NatureScot, additional surveys will be undertaken in 2021 in accordance with NatureScot guidance (SNH, 2017) and comprise:
- VP Flight Activity Surveys between February and August 2021;
 - Raptor and Owl Searches between March and June 2021;
 - Moorland Breeding Bird Surveys between April and July 2021;
 - Black grouse searches between March and April 2021; and,
 - Red-throated diver searches between March and June 2021 (Liaison with Enerco's post construction monitoring team to avoid disturbance with breeding schedule 1 birds).
- 3.21 On completion of these surveys an updated ornithological assessment of effects will be provided, however no unacceptable impacts are anticipated. No further ecological reporting will be required.

Built and Cultural Heritage Features

- 3.22 The Consented Development was found acceptable in terms of potential impacts on the limited nearby built and cultural heritage features as summarised in section 2. The updated assessment set out in the EIA Report has found no change to the previously predicted impacts as a result of the Proposed Development, which is therefore considered acceptable.

Peat

- 3.23 The Consented Development was found acceptable in terms of potential impacts on the peat resource at the Site.

- 3.24 It is relevant that the only difference between the Consented Development and the Proposed Development is an increase in the area of crane hardstanding from c.1,100 sq.m. to c.1,850 sq.m. The EIA Report confirms at Chapter 13 that this small increase in hardstanding does not change the previous conclusions which had already taken a sufficiently conservative approach to allow for this increase. The response of SEPA and SNH (now Nature Scot) to the Consented Development was one of no objection, particularly as that scheme had been amended to address previous concerns.
- 3.25 In light of the above it is considered that the Proposed Development complies with this policy criterion and is acceptable.

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.*

- *Criterion 1- Relationship between key settlements/key locations and wider landscape respected.*
- *Criterion 2 - Key Gateway locations and routes are respected.*
- *Criterion 3 - Valued natural and cultural landmarks are respected.*
- *Criterion 4 -The amenity of key recreational routes and ways is respected.*
- *Criterion 5 - The amenity of transport routes is respected.*
- *Criterion 6 - The existing pattern of Wind Energy Development is respected.*
- *Criterion 7 - The need for separation between developments and/ or clusters is respected.*
- *Criterion 8 - The perception of landscape scale and distance is respected.*
- *Criterion 9 - Landscape setting of nearby wind energy developments is respected.*
- *Criterion 10 - Distinctiveness of Landscape character is respected.*

- 3.26 Chapter 9 – Landscape and Visual of the EIA Report 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 Proposed Development in-conjunction and in-combination with other wind farm developments over the full operational lifetime.
- 3.27 When considering landscape and visual impacts it is first necessary to consider the context of the Consented Development, noting that this provides a clear ‘fall back’ position established by the recent and extant permission for the Consented Development.
- 3.28 The Consented Development has a tip height of 133 metres which is just 16.9 metres lower than the Proposed Development, with the turbines located at the same grid coordinates. The THC assessment of the Consented Development was set out in the Report of Handling which included the following key statements :
- Para 9.2 regarding landscape capacity: *‘It is considered that there is capacity in the general area for further wind energy development’.*
 - Para 9.3 regarding the impact on users of the A835 tourist route near the viewpoint close to the Aultguish Inn: *‘The development has however been found not to detrimentally affect this key view with all significant landscape and visual effects being contained to close in views when travelling a relatively short stretch westbound on the A835, and in the vicinity of this route. While extending the impacts of wind energy development beyond that currently experienced, it has not been found to be detrimental for road user’s experience of this route as a whole, or for that matter, detrimental to visitors and residents experience of the Aultguish Inn’.*
 - Para 9.4 regarding visibility to recreational users of the outdoors: *‘It is considered that whilst the wind farm would be widely visible from the surrounding area by recreational users of the outdoors, the development would not result in any significant adverse effects on any nearby designations or other visual receptors. The design of the five additional turbines have also been found to integrate well with the existing cluster of wind farm development in this area by virtue of their location, comparable scale and design. The development has been subject to an extensive EIAR with SI which has helped inform the finalised design for the proposal and has ensured that all significant adverse environmental effects are limited to landscape and visual matters.’*
 - Para 9.7 regarding overall compliance with policy 67, policy 28 and the OWESG: *‘It is important to consider the benefits of the proposal and the potential drawbacks and when assessing it against the policies of the Development Plan. The Council has determined its response to this application against the policies set out in the Development Plan, principally HwLDP Policy 67 with its eleven tests which are expanded upon with the OWESG. This policy also reflects policy tests of other policies in the plan, for example HwLDP Policy 28. This policy also draws in the range of subject specific policies as also contained within the HwLDP as listed in*

Section 6 above. Given the above analysis, the application has been found to accord with the Development Plan'.

- 3.29 In addition the Report of Handling included two appendices. Appendix 1 sets out a 'viewpoint assessment appraisal (visual impact)' whilst Appendix 2 sets out an 'assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance'. Key extracts of the latter are set out below.
- 3.30 The SNH (now NatureScot) response of 12 December 2019 to the Consented Development confirmed no objection and acknowledged the benefits of a five turbine scheme at this location compared to the original nine turbine scheme (see para 1.3 above for context).
- 3.31 Given that the principle of a five turbine wind farm has been accepted on the Site, the following sections therefore focus on any additional landscape and visual impacts arising from the proposed increase in tip height, referring back to the above where relevant.
- 3.32 Section 8.11 of the EIA Report, entitled '*Comparative Assessment between the Consented Development and Operational Development*' confirms that the LVIA for the Proposed Development presents the same findings as the assessment for the Consented Development, with just one minor exception. This is in respect of Viewpoint 1: Aultguish Inn (c.2km from the Proposed Development), where the assessment of the Consented Development found no significant effects during the operational stage, whilst the assessment of the Proposed Development found that there will be a significant effect on residents and visitors at Aultguish Inn during the operational stage. However, the effect on A835 road-users on the section of road represented by Viewpoint 1 was found to be not significant in respect of both the Consented and Proposed Developments; i.e. there is no change.
- 3.33 EIA Report para 8.8.19 expands on the above explaining that during the operational stage the magnitude of change will be medium-low for road-users on the A835 and medium for residents at Aultguish Inn. It explains that there is already a baseline influence from the Operational Wind Farms, which means the Proposed Development will not be introducing a new feature, but instead will be extending an existing feature. It's location in the same landscape defined by its lower-lying landform and location below the foothills further west, will help to contain the source of this influence. The effect is, however, increased by the closer proximity of the turbines to visual receptors associated with the A835 and Aultguish Inn, whereby the proposed turbines will be notably more prominent than the operational turbines. For road-users, these views will be transitory and relatively short in duration, while for residents and visitors to Aultguish Inn, these views will be static and longer in duration, and with this building orientated towards the Proposed Development the magnitude of change will be greater than that experienced by road-users.
- 3.34 EIA Report para 8.12.9 more closely reviews the impact and states that '*Significant effects will arise in respect of the views of visitors and residents at Aultguish Inn during the long-term operational stage. This finding relates to the orientation of the inn broadly towards the Proposed Development and the additional influence the closer range turbines will have on this property despite the existing influence from the Operational Wind Farms in the same sector of the view*'. The assessment also identifies that a significant in-conjunction cumulative

effect will arise in respect of the views of visitors and residents at Aultguish Inn. Despite the presence of the Operational Wind Farms in the same sector of the view, the addition of the closer range proposed turbines will give rise to a significant cumulative effect.

- 3.35 In response to the EIA Scoping Request, the following table responds to the ten landscape and visual criteria set out in the OWESG. Where relevant, extracts from the Highland Council conclusions for the Consented Development (as confirmed in Appendix 2 to the Report of Handling) are also provided for context.

OWESG Criterion	Consented Development – key extracts from THC analysis (source: Appendix 2 to the Report of Handling)	Proposed Development – further commentary from the applicant
Criterion 1: Relationship between Settlements/Key locations and wider landscape respected.	Due to the site location and topography, the proposed turbines are screened from settlements/key locations and access routes and approaches into settlements/key locations within the Study Area. The proposed development would not be seen in the majority of views within or from settlements/key locations or from the majority of settlement approach routes. The proposed development meets the threshold of Criterion 1.	No change, therefore continues to meet the threshold of Criterion 1.
Criterion 2 - Key Gateway locations and routes are respected.	Given the established baseline with wind farm development already being apparent for a short distance westbound, and the modifications made to the scheme to avoid detracting from distinctive key views eastbound, the proposed development's impact on this gateway location and route is acceptable and meets the threshold of Criterion 2 for the overall route but there are localised sections where there are some concerns.	No change. As set out at para 3.35 above, the predicted impact upon A835 road-users at Viewpoint 1 continues to be not significant in respect of both the Consented and Proposed Developments with the impact continuing to be transitory and relatively short in duration. Therefore continues to meet the threshold of Criterion 2.
Criterion 3 - Valued natural and cultural landmarks are respected	There will be no significant operational effects on the surrounding landscape designations and WLAs as a result of the development which reflects the existing pattern of wind farm development by extending a part of the northern edge of the existing consolidated group. No significant effects would occur at any of the surrounding Munro viewpoints. The site is also of negligible archaeological potential. The development proposal has been assessed as having negligible impacts on the cultural heritage significant of all surrounding heritage assets. Based on the above, the proposed development would not significantly affect the fabric and setting of valued natural	No change, therefore continues to meet the threshold of Criterion 3.

	landmarks and meets the threshold of Criterion 3.	
Criterion 4 - The amenity of key recreational routes and ways is respected.	As there would not be any significant impacts on any key recreational routes, the proposed development meets the threshold of Criterion 4.	No change, therefore continues to meet the threshold of Criterion 4.
Criterion 5 - The amenity of transport routes is respected.	The proposed development would not affect the amenity or visual appeal of transport routes as a whole, but for a short section of the A835 would significantly detract from the visual appeal of the A835 when travelling westbound. With the exception of this short section of the route, it is agreed that the proposed development meets the threshold of Criterion 5.	No change, therefore continues to meet the threshold of Criterion 5.
Criterion 6 - The existing pattern of Wind Energy Development is respected.	Any further wind farm extension northwards would clearly undermine the mitigation secured through the determination of this application and in previous proposals in this location. On balance, the proposed development does not fully respect the mitigation secured previously, nor does it unpick this to an unacceptable degree. As such, when assessed against all the criterion measures as a whole, the development conforms with the existing pattern of development and objectives for development in the area and meets the threshold set by Criterion 6.	Proposal maintains the key mitigation of avoiding placing turbines further north. It therefore continues to meet the threshold of Criterion 6.
Criterion 7 - The need for separation between developments and/ or clusters is respected. Criterion 9 - Landscape setting of nearby wind energy developments is respected.	The development is on the cusp of 'overspilling' the contained bowl of wind farm development, but it has been demonstrated that this has not occurred to an unacceptable degree; evidenced by the limited extend (sic) of the development's visibility in mid range views when travelling eastbound on the A835 and lack of visibility in closer in views when travelling eastbound along this route. The development would clearly read as an extension to the existing wind farm, rather than a separate development and fits with the existing cluster both in landscape and visual terms. The proposed development meets the thresholds of Criterion (sic) 7 and Criterion 9.	No change, therefore continues to meet the threshold of Criterion 7 and 9.
Criterion 8 - The perception of landscape scale and distance is respected.	Where the turbines appear with other wind energy developments, they are either as a minor horizontal extension to the existing pattern or are viewed to the front or rear of the existing developments. When the turbines are viewed from the Wyvis massif and the routes toward the	No change, therefore continues to meet the threshold of Criterion 8.

	<p>summits on the massif, the turbines do not reduce the perceived distance between the receptor, the proposed turbines and the existing turbines as a result of the scale and location of the turbines being broadly a similar distance away. In views looking south where the turbines appear in front of the existing scheme, their scale would be noticeably larger but again not to an unacceptable degree. In views looking north the difference in scale and positioning is not apparent with the turbines blending in well with the existing cluster of turbine development. The proposed development has been found to relate well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines. The proposal therefore meets the threshold of Criterion 8.</p>	
<p>Criterion 10 - Distinctiveness of Landscape character is respected.</p>	<p>The proposed development is at a confluence of different landscape character types and is relatively low lying in contrast to the large scale Rugged Mountain Massif LCT to the immediate west and Rounded Hills LCT to the immediate east. The development has avoided being apparent within the framed view as experienced when travelling from the rocky moorland in the west to the more settled straths of the east. The transitional nature of this area has therefore been respected through the design reiterations undertaken to the scheme. The development is also contained within the Lochluichart LCU forming part of the rounded hills LCT that lies between the A835 to the north and the A832 to the south. The development has been found not to cause any significant adverse effects on this LCU, or both neighbouring LCUs beyond the construction phase where short term significant (sic) would be apparent within 5km. Similarly, no significant effects are predicted across any LCUs or LCTs during the operation of the wind farm. It is considered the proposed development maintains the integrity and variety LCTs when moving through the landscape and that the proposal meets the threshold of Criterion 10.</p>	<p>No change, therefore continues to meet the threshold of Criterion 10.</p>

- 3.36 In addition, with the Proposed Development now seeking permission for a 40 year period of operation a 'lifetime assessment' of the impacts arising with the nearby and adjoining Lochluichart, Lochluichart Extension and Corriemoillie wind farms is necessary on the basis that each has a different lifetime period. Section 8.10 and table 8.11 of the submitted EIA Report provides the required assessment for two future baseline scenarios: Future Baseline

One 2039 (without Lochluichart and Extension), and Future Baseline two 2042 (without Corriemoillie). It concludes that although the Proposed Development would appear as a small and compact wind farm in its own right (once the other wind farms are removed) some significant landscape impacts will arise for the Lochluichart LCU of the Rounded Hills LCT, with significant visual impacts also arising for Viewpoint 1: A835 Aultguish Inn, Viewpoint 2: A835 Black Water Bridge and Viewpoint 4: Old Drover's Road. However, in planning terms it is clear that these impacts would only arise for a limited time period in any event, and it is also possible that the operational period for the nearby wind farms could be extended.

Overall conclusion

- 3.37 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.
- 3.38 Thus the limited degree of additional impact of the Proposed Development compared to the Consented Development evident at Viewpoint 1: Aultguish Inn for residents and visitors must be considered 'in the round' alongside the other positive impacts arising. In this case the key positive impact arising is a c.33% increase in generation capacity from 18MW to 24MW. This represents a c.33% annual increase in renewable energy output and CO₂ savings compared to the 18MW Consented Development (using the Scottish Government Renewable Energy output calculator figures for ease of comparison). In addition, as approval is now sought for 40 years operation whilst the Consented Development has a condition restricting the operational life to 25 years, this will result in a significant overall increase to some 979,000 tonnes of CO₂ savings and some 2,126,880 MWh of output over the 40 year period (based on Scottish Government Renewable Electricity Output Calculator, March 2020 all fossil fuels scenario) as set out in para 2.24.
- 3.39 An overall development plan compliance assessment is completed at para 3.64- 3.6868 at the end of this Section, with the full planning balance assessment completed within the concluding Section 5 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 additional visual impact at the Aultguish Inn viewpoint.

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)'

- 3.40 The Consented Development was found acceptable in terms of amenity.

- 3.41 EIA Report Chapter 8 confirms that an assessment of operational noise effects associated with the Proposed Development has been carried out, taking account of the alternative candidate turbine type which accords with the increase in tip height. The assessment of operational noise has been undertaken against the noise limits specified in the extant Planning Conditions for the Consented Development, and in line with current best practice. The assessment concludes that the Proposed Development remains compliant with the extant noise limits, and is therefore acceptable in terms of noise.
- 3.42 The Proposed 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 concludes that there are no significant impacts. Thus the proposal is considered acceptable.
- 3.43 As set out above, the LVIA undertaken as part of the EIA Report 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, albeit this is in the context of the visible existing operational turbines of the Lochluichart Wind Farm Cluster.
- 3.44 In light of the above confirmation of a limited impact, 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*

- 3.45 With reference to EIA Report chapter 8 the Consented Development was found acceptable in terms of noise impact. As set out at para 3.38 above, the noise assessment completed as part of the updated EIA Report concludes that the Proposed Development remains compliant with the extant noise limits of the Consented Development (as specified in the planning conditions), and is therefore acceptable in terms of noise. The Proposed Development is therefore acceptable in terms of this criterion.
- 3.46 The Consented Development was found acceptable in terms of residential amenity. Similarly, the updated EIA Report confirms at Table 8.1 that the magnitude of change on Aultguish Inn for the Proposed Development will not be high owing to the separation distance between the proposed turbines and the property, the baseline influence from the other turbines and the concentration of turbines within one sector of the view with other aspects remaining unaffected. The Proposed Development is therefore acceptable in terms of this criterion.
- 3.47 The Consented Development was found acceptable in terms of shadow flicker as there are no properties within the relevant distance of the proposed wind turbines. As there is no change as a result of the Proposed Development it is also therefore acceptable.
- 3.48 The Consented Development was found acceptable in terms of ice throw as there are no properties or roads within the relevant distance and the wind turbines would be fitted with vibration sensors to detect any imbalance. As there is no change as a result of the Proposed Development it is also therefore acceptable.
- 3.49 The Consented Development was found acceptable in terms of nearby utilities infrastructure. As there is no change as a result of the Proposed Development it is also therefore acceptable.

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**’.

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.*

- 3.50 With reference to EIA Report Chapter 13 relating to hydrology, hydrogeology, geology and peat and the specified mitigation, the Consented Development was found acceptable in terms of impacts on the water environment. As there is no change as a result of the Proposed Development it is also therefore acceptable.

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.*

- 3.51 The Consented Development was found acceptable in terms of aviation interests and telecommunications infrastructure. As there is no change as a result of the Proposed Development it is also therefore acceptable.

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.*

- 3.52 The Consented Development was found acceptable in terms of impacts on public access interests. As there is no change as a result of the Proposed Development it is also therefore acceptable.

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.*

- 3.53 With reference to EIA Report Chapter 7, the Consented Development was found acceptable in terms of impacts on traffic and transport interests. As there is no change as a result of the Proposed Development it is also therefore acceptable.

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

- 3.54 The Consented Development was found acceptable in terms of SPP compliance, being 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*' and with reference to the more detailed information on the potential impacts on the peat resource and appropriate mitigation as confirmed at EIA Report Chapter 13. As there is no change as a result of the Proposed Development it is therefore acceptable.
- 3.55 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 include the following:
- Trees and woodland - para 4.36;
 - Borrow Pits- para 4.54; and,
 - Mitigation para 4.57 and CEMP para 4.60.
- 3.56 The Consented Development was found acceptable in terms of these requirements. As there is no change as a result of the Proposed Development it is also therefore acceptable.

Policy 28: Sustainable Design

- 3.57 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.
- 3.58 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.
- 3.59 The Delegated Report of Handling for the Consented Development confirmed compliance with policy 28.
- 3.60 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 Proposed Development is also in accordance with this policy.

Other Policy

- 3.61 The Delegated Report of Handling for the Consented Development did not identify any other relevant policy considerations as being determinative to the application. Thus no further policy analysis is considered necessary for the Proposed Development.

Other Local Development Plans

- 3.62 The Delegated Report of Handling for the Consented Development did not identify any other development plans as relevant, other than where they confirm the location/boundaries of landscape designations within the LVIA study area. Thus no further policy analysis is considered necessary for the Proposed Development.

Supplementary Guidance

- 3.63 The Delegated Report of Handling for the Consented Development did not identify any other supplementary guidance as being determinative to the application beyond the Onshore Wind Energy Supplementary Guidance (OWESG) addressed above. Thus no further policy analysis is considered necessary for the Proposed Development.

Development Plan and supplementary guidance - conclusions

- 3.64 The Consented Development was recently found by THC to be in accordance with the Development Plan, the OWESG and all other material considerations, as confirmed by the Delegated Report of Handling. This confirms the principle of wind development on the Site and forms an extant full back position.
- 3.65 The only material variation between the Consented Development and the Proposed Development is the proposed 16.9 metre increase in blade tip height. With the principle of development already established, any planning determination must focus on the additional benefits and/or harm arising from this modest tip height increase, with reference to the development plan and other material considerations.
- 3.66 The only harm identified in the updated EIA report is a limited degree of additional visual impact of the Proposed Development compared to the Consented Development, evident at Viewpoint 1: Aultguish Inn for residents and visitors. In addition some limited significant impacts would arise from years 2039 and 2042 onwards under the two future baseline scenarios of the lifetime assessment. This must be considered 'in the round' alongside the other benefits arising. As set out at para 2.24 a key benefit is an increase in generation capacity from 18MW to 24MW which translates to a 33% annual increase in renewable energy output and CO₂ savings compared to the 18MW Consented Development (using the Scottish Government Renewable Energy output calculator figures for ease of comparison). In addition, as approval is now sought for 40 years operation whilst the Consented Development has a condition restricting the operational life to 25 years, this will result in a significant overall increase to some 979,000 tonnes of CO₂ savings and some 2,126,880 MWh of output over the 40 year period (based on Scottish Government Renewable Electricity Output Calculator, March 2020 all fossil fuels scenario).
- 3.67 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 additional visual impact would occur at a single viewpoint due to the increased tip height, when this is considered against the clear environmental benefit of the additional renewable energy generation delivered by larger wind turbines, it is considered that the proposal would not be significantly detrimental overall. It is therefore concluded that the proposal complies with all relevant LDP policies, including policy 67 and the OWESG.

- 3.68 Before performing the final planning balance for the Proposed Development, it is also 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 Section 4 of this Planning Statement.

4 Other material planning considerations

Introduction

- 4.1 This section of the Planning Statement briefly considers planning and other related documents that are material to the determination of this application including both Scottish Planning Policy/Advice and UK and Scottish Government Energy Policy. A brief assessment is provided on the basis that the principle of a wind farm on the Site has already been established through the recently approved Consented Development.
- 4.2 It is also particularly relevant that the following policy changes/consultations have been confirmed in the period since the Consented Development was approved, with these both generally and specifically recognising a 'climate emergency' and in response setting new and more ambitious net-zero targets and confirming the key importance of sustainable development and renewable energy generation:
- UK Government: UK Energy White Paper, December 2020;
 - Climate Change Committee 6th Carbon Budget, December 2020
 - Scottish Government Update to SPP, December 2020;
 - Scottish Government NPF4 Position Statement Consultation, November 2020; and,
 - Scottish Government Update to the Climate Change Plan, December 2020.
- 4.3 In combination it is considered that the new targets, guidance, policy and consultation documents increase the 'need' argument for renewable energy generation, which in turn further enhances this previously identified material consideration in support of the Proposed Development. It must be recognised that the fact that SPP will be extant until superseded by NPF4 does not mean that the documents recorded in paragraph 4.2, and events such as the Declaration of a Climate Emergency and the legal commitment of the Scottish Government to Net Zero by 2045 are not material considerations to be accorded such weight as appropriate. The weight to be accorded to these post SPP documents and events is considered to be very great, and the immediate 2030 Net Zero target is of compelling importance in decision making given the time remaining until 2030.

Scottish Planning Policy and Advice

- 4.4 National planning policy and advice of relevance to the determination of the Proposed Development currently comprises, primarily, the National Planning Framework for Scotland 3 (2014), Scottish Planning Policy (2014, as updated December 2020) and Scottish Government Website Policy Subject Guidance – Onshore Wind Turbines (last updated 28th May 2014). All of these are material considerations in the determination of the application.

The National Planning Framework for Scotland 3 (NPF3)

- 4.5 The National Planning Framework 3 for Scotland (NPF3), published in June 2014, represents a spatial expression of the Scottish Government's aspirations for sustainable economic growth in Scotland over the next 20-30 years. It sets out at the national level, the Scottish Government's strategy for the country's development, in terms of how we are to develop our environment and includes development proposals identified as schemes of national importance. Whilst it is not prescriptive, NPF3 will form a material consideration when determining applications and, as such, will be a consideration in determining the application for the Proposed Development.
- 4.6 High level support for renewables is provided through the 'vision' which includes '*a low carbon place*'. This is expanded upon in Chapter 3 which has an introduction setting out the Scottish Government's ambition '*to achieve at least an 80% reduction of greenhouse gas emissions by 2020*'. Paragraph 3.8 clarifies further that the Government's aim is to meet at least 30% of overall energy demand from renewables by 2020 – this includes generating the equivalent of at least 100% of gross consumption from renewables. Paragraph 3.23 states that '*onshore wind will continue to make a significant contribution to diversification of energy supplies*'.
- 4.7 However, as set out below many of these targets have now been eclipsed by subsequently announced energy policy targets such that an updated an update to NPF 3 is urgently required. In response the fourth National Planning Framework (NPF4) is currently in production and will ultimately replace NPF3. This will set out national planning policies, and guide where future development should take place up to 2050. It will also incorporate current Scottish Planning Policy (SPP), such that spatial and thematic policies for planning across Scotland will be in a single document. On 26 November 2020 Scottish Government published the 'NPF4 position statement' confirming a forward timeline for a consultation and setting a '*direction of travel*' on policy. Key points in the Position Statement relevant to onshore wind include:
- a likely recognition that '*climate change is a guiding principle for all plans and decisions*';
 - a need to '*prioritise emissions reduction*' and for '*an urgent and radical shift in our spatial plan and policies*';
 - an expectation that onshore wind will play a significant role in the plan for net-zero emissions; and,

- a recognition that the climate emergency should be a material consideration in considering applications for renewable energy developments.

Scottish Planning Policy (SPP)

- 4.8 The latest Scottish Planning Policy (SPP) was published in June 2014 and updated in December 2020 and is a statement of Scottish Government policy on land use planning. Whilst it is a material consideration of significant weight, it is for the decision maker to determine the appropriate weight to be afforded to it in each case.
- 4.9 The Climate Change (Scotland) Act 2009 is referenced at para 3.3.5 in terms of the target to reduce greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. As explained below, the Government has now set updated emission reduction targets which effectively eclipse these previous figures, and which are expected to be confirmed through revisions to SPP/NPF in the near future.
- 4.10 A key 'Policy Principle' set out in the SPP is the presumption in favour of sustainable development that was updated in December 2020 as confirmed at paragraphs 28-33 which include the following:
- Para 28: *'the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost'*.
 - Para 29: *'planning policies and decisions should support sustainable development. For the purposes of this policy, to assess whether a policy or proposal supports sustainable development, the following principles should be taken into account'*.
- 4.11 Of the principles listed at para 29 the most relevant in this case are: (1) Giving due weight to net economic benefit; (2) Respond to economic issues, challenges and opportunities, outlined in local economic strategies; (4) Supporting delivery of infrastructure, for example transport, education, energy, digital and water; (5) Supporting climate change mitigation and adaptation including taking account of flood risk; (7) Having regard to the principles for sustainable land use set out in the Land Use Strategy.
- 4.12 It is clear that the Proposed Development would comply with the above by: (1) delivering net positive socio-economic effects; (2) responding to the Highland wide Local Development Plan drive to encourage renewable energy development; (4) delivery of energy infrastructure; (5) delivery of renewable energy generation to reduce greenhouse gases emissions and provide climate change mitigation; and, (7) delivering the renewable energy infrastructure required by the Land Use Strategy as confirmed by the Climate Change (Scotland) Act 2009.
- 4.13 The Proposed Development would also assist in delivering the SPP Outcomes for planning set out at para 14 of SPP, particularly outcome 1 – 'a successful sustainable place' and outcome 2 – 'a low carbon place'. Also, by helping to mitigate climate change it would assist in achieving outcome 3 – 'a natural resilient place'.

- 4.14 Overall the Proposed Development is sustainable development that should benefit from the presumption.
- 4.15 Other relevant parts of SPP include the subject policies for a low carbon place on page 36 including key paragraphs 152-154 that set targets for meeting energy demand from renewable sources by 2020. As set out below those targets date from 2014 and have since been eclipsed by more recent energy policy announcements.
- 4.16 Para 169 of the SPP sets out the requirement for wind farms to take into account the Spatial Frameworks for wind energy development and also sets out various considerations that will vary relative to the scale of a proposal and area characteristics.
- 4.17 As set out in the sections above, the Consented Development has been shown to comply with the relevant spatial framework, namely the Highland Council Onshore Wind Energy Supplementary Guidance with para 8.8 of the Highland Council Report of Handling for the Consented Development stating that the site *'would therefore in effect comprise a Group 3 area with potential for wind energy'*. The Report of Handling also confirmed compliance with other aspects of SPP, which would have included the other aspects identified in para 169. With no change to site location and only a very limited additional visual impact, as set out in the submitted EIA Report, is it clear that the Proposed Development will continue to comply with SPP.

Scottish Government Web Based Renewables Planning Advice

- 4.18 In February 2011, PAN 45 Renewable Energy Technologies was superseded by Scottish Government online renewables planning advice. Of particular relevance is the 'Onshore Wind Turbines' advice document. However, given that the principle of a wind farm on the Site has been established through the grant of permission for the Consented Development the relevant matters have already been considered.

Conclusions on National Policy and Guidance

- 4.19 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. This exercise is undertaken in section 5 of this planning statement.
- 4.20 In addition, as stated in the NPF4 Position Statement reviewed above and as is apparent from the review of energy policy in the following section of this planning statement, the need case with regard to renewable generation and emissions reduction targets as set out in NPF3 and SPP is both out of date and out of step with current targets with this now more clearly expressed in the Greenhouse Gas (GHC) emissions reductions which are both more ambitious and require urgent action.

Climate Change and Energy Policy Framework

- 4.21 EU legislation and policy which is filtered down into UK policy is, in turn, driven by international co-operation to cut the emission of greenhouse gas emissions, through the United Nations Framework Convention on Climate Change (UNFCCC). This includes the 'Kyoto Protocol', which became a legally binding treaty on 16 February 2005, and the 'Paris Agreement', established through the 21st session of the Conference of Parties ('COP 21'). Ratified in the UK on 17 November 2016, the Paris Agreement sets out the ambition of holding the increase of global average temperature to 'well below 2°C' and pursuing efforts to limit temperature increase to 1.5°C.
- 4.22 In December 2008, the package of measures comprising the European Climate and Energy Policy was agreed by the member states. As part of this, a binding target to generate 20% of the energy consumed in the EU from renewables by 2020 was agreed. This has been given legal effect by Directive 2009/28/EC on the promotion of the use of energy from renewable sources. This target includes all energy consumption and is not restricted to electricity. In December 2018, a new revised Renewables Energy Directive came in to force (2018/2001)– establishing a new binding renewable energy target for the EU for 2030 of at least 32%, with a clause for a possible upwards revision by 2023.
- 4.23 Following the UK's notification of its intention to leave the EU under Article 50 of the Treaty of the EU on 29 March 2017, the European Union (Withdrawal) Act 2018 converts all EU laws, rules and targets into domestic UK governance. The existing EU renewable energy targets for the UK such as the Renewable Energy Directive are therefore considered to remain applicable unless and until changed by domestic legislation.
- 4.24 For the UK, the key obligation is for 15% of all energy consumed in the UK to come from renewable sources by 2020. At the end of 2019 renewable energy accounted for only c.13.9% of energy consumption in the UK.

UK Climate Change and Energy Policy

- 4.25 The UK ratified the UN Paris Agreement in November 2016 and therefore contributes to the framework to ensure that global warming is kept well below 2°C, pursuing efforts to limit the temperature increase to 1.5°C.

Climate Change Act 2008

- 4.26 In November 2008, three statutes received Royal Assent that, together, provide a framework for UK climate and energy policy: the Climate Change Act 2008; the Planning Act 2008; and the Energy Act 2008.
- 4.27 The Climate Change Act became law on 26th November 2008 and introduced a legally binding target for the UK to reduce CO₂ emissions by at least 80% by 2050, relative to 1990 levels. Efforts to reduce emissions in Scotland would contribute to achievement of UK wide targets, as well as meeting Scotland specific targets as discussed below.

The UK Net Zero Target

- 4.28 On the 28th June 2019, section 1(1) of the Climate Change Act 2008 was amended changing the requirement for the net UK carbon account for the year 2050 from at least 80% lower than the 1990 baseline to at least 100% lower than the 1990 baseline. In effect the 2050 carbon dioxide emissions target has reduced from 155.6 million tonnes to net-zero tonnes.

Committee on Climate Change – various progress report updates to Government

- 4.29 The UK government is required to set five-year carbon budgets, which place binding limits on greenhouse gas emissions and define the trajectory towards the 2050 target. These are set out in law and legally commit the UK to meeting the budgets.
- 4.30 The UK is currently not on track to meet its previous, less ambitious, target of 80% emissions reductions by 2050. The Climate Change Committee (CCC) stated in May 2019 that getting to net zero (i.e. meeting the 100% target) is ‘technically feasible but highly challenging’³.
- 4.31 The CCC published its latest Annual Report to the UK Parliament (required under the Climate Change Act 2008) on 25 June 2020. The report recommends that Ministers ‘*seize the opportunity to turn the COVID-19 crisis into a defining moment in the fight against climate change*’, stating that only limited steps have been taken over the past year to support the transition to a net-zero economy and improve the UK’s resilience to the impacts of climate change, adding that ‘*much remains to be done*’. In terms of renewables, the report welcomes plans to bring onshore wind back into the system of power auctions and states a clear timetable for future auctions would support delivery and development of supply chains. The report also indicates that reaching net zero emissions in the UK will require all energy to be delivered to consumers in zero-carbon form, i.e., renewables and nuclear, bioenergy and fossil fuels combined with carbon capture and storage.

UK Government Response to CCC Progress Report (October 2020)

- 4.32 The Government response to the latest CCC Progress Report to Parliament was published in October 2020. The Executive Summary (page 7) sets out that attaining net zero will involve fundamental changes across the UK economy and: ‘*under any feasible scenario, meeting net zero will require reductions in emissions across the economy on a scale not previously seen; ambitious and early deployment of existing technologies and approaches; and innovation in new technologies... will enable us to offset emissions from sectors which cannot fully decarbonise*’. In response a key objective identified is the delivery of more renewable energy.

³Committee on Climate Change, Net Zero: The UK’s contribution to stopping global warming, 2 May 2019, retrieved 21 April 2021, www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming

UK Energy White Paper (December 2020)

- 4.33 The Energy White Paper 'Powering our Net Zero Future' was published on 14 December 2020. It sets out a long term strategic vision for the energy system consistent with net zero emissions by 2050, seeking to support a green recovery from COVID-19 and to respond to the fact that electricity demand could double by 2050. Notably the White Paper sets out that *'onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios'* (page 45).

Sixth Carbon Budget (December 2020)

- 4.34 This CCC publication, entitled 'The UK's Path to Net Zero', contains recommendations to the budget period of 2033-2037. It requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. In terms of next steps, the Government needs to set the Sixth Carbon Budget in law by the end of June 2021 and this is to be followed *'as soon as is practicable by a set of policies and proposals that demonstrably would meet the budget'* (page 31). Of particular note is that the related 'Methodology Report' and modelling assuming an 'almost doubling' of onshore wind capacity to 20-30GW in all scenarios by 2050.
- 4.35 In response the sixth Carbon Budget (for the period 2033-2037) was announced by the UK Government on 21 April 2021 and commits the UK in law to the fastest fall in greenhouse gas emissions of any major economy between 1990 and 2035, making it one of the most ambitious climate targets in the world. The accompanying UK Government Net Zero Strategy is due to be published before the UN Climate Change Conference (COP26) in November 2021.

Scottish Climate Change and Energy Policy, including renewable energy targets

- 4.36 The Scottish Government has published a number of climate change and energy policy documents and its own targets. The new policy context continues to provide strong support for onshore wind. The relevant Scottish legislation and policy includes the following:
- The Scottish Energy Strategy (December 2017);
 - The Onshore Wind Policy Statement (December 2017).
 - The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019;
 - The Scottish Government's Programme for Scotland 2019-2020 and 2020-2021; and,
 - The Update to the Climate Change Plan (December 2020).
- 4.37 These are introduced and discussed below.

Scottish Energy Strategy (2017)

- 4.38 In December 2017, the Scottish Energy Strategy (SES) was published by the Scottish Government alongside the then Draft CCP and the Onshore Wind Policy Statement.
- 4.39 A key goal within the strategy is that Scotland will become a world leader in renewable and low carbon technologies and services. The Strategy sets out that this ambition will be guided by three core principles:
- A whole system view;
 - An inclusive energy transition; and
 - A smarter local energy model.
- 4.40 The Strategy sets out a target for Scotland to achieve almost complete decarbonisation of energy, and sets a 2030 'all energy' target for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources. This vision is also included in the final Climate Change Plan (February 2018), although this has since been amended as set out below.
- 4.41 The SES sets out on page 35 that *'Scottish Government analysis underpinning this target shows that renewable electricity – which has already outperformed our interim 2015 target of 50% – could rise to over 140% of Scottish electricity consumption, ensuring its contribution to the wider renewable energy target for 2030'*, and that *'This assumes a considerably higher market penetration of renewable electricity than today – requiring in the region of 17GW of installed capacity in 2030 (compared to 9.5 GW in June 2017) – with greater interconnection with parts of continental Europe providing an expanded market for our electricity'*.
- 4.42 The SES also includes a second target, which is to achieve an increase by 30% in the productivity of energy use across the Scottish economy, which relates to greater efficiency whilst decoupling energy use from productivity, so that productivity can increase without necessarily requiring greater energy demands.
- 4.43 In general terms, onshore wind is also recognised as a key opportunity. The SES sets out that *'Onshore wind is now amongst the lowest cost forms of power generation of any kind, and is a vital component of the huge industrial opportunity that renewables create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, and generated more than £3 billion in turnover in 2015.'*
- 4.44 Many of these targets are now eclipsed or replaced by those announced in 2020 as set out below.

Onshore Wind Policy Statement

- 4.45 The Onshore Wind Policy Statement along with the Scottish Energy Strategy was published in December 2017, providing specific national policy with regards to onshore wind. The Ministerial Foreword sets out that *'There is no question that onshore wind is a vital component of the huge industrial opportunity that renewables more generally create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, or 58% of the total for onshore wind across the UK, and generated more than £3 billion in turnover in 2015. Developers are increasingly managing international onshore wind projects from their bases in Scotland'* (page 2).
- 4.46 It further adds 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, and meeting local and national demand. This important role means we must support development in the right places, and – increasingly – the extension and replacement of existing sites, where acceptable, with new and larger turbines, based on an appropriate, case by case assessment of their effects and impacts'* (page 3).
- 4.47 The section of the report 'Route to Market' sets out that *'In order for onshore wind to play its vital role in meeting Scotland's energy needs, and a material role in growing our economy, its contribution must continue to grow. Onshore wind generation will remain crucial in terms of our goals for a decarbonised energy system, helping to meet the greater demand from our heat and transport sectors, as well as making further progress towards the ambitious renewable targets which the Scottish Government has set' and 'This means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes where it can be accommodated'* (page 6).
- 4.48 This section continues, setting out that *'the industrial opportunity, and the extent to which we can continue to capture these benefits, remains a top priority for Scottish Ministers'* (page 7).

The declared Climate Emergency in Scotland

- 4.49 Scottish First Minister Nicola Sturgeon declared a 'Climate Emergency' in her speech to the SNP Conference in April 2019, stating: *'As First Minister of Scotland, I am declaring that there is a climate emergency. And Scotland will live up to our responsibility to tackle it.'*
- 4.50 Climate Change Secretary Roseanna Cunningham then made a further statement on 14 May 2019 to the Scottish Parliament on the *'Global Climate Emergency'*. Again, with reference to the recent CCC Report: *'There is a global climate emergency. The evidence is irrefutable. The science is clear. And people have been clear: they expect action The Intergovernmental Panel on Climate Change issued a stark warning last year the world must act now. By 2030 it will be too late to limit warming to 1.5 degrees. We acted immediately with amendments to our Climate Change Bill to set a 2045 target for net zero emissions - as we said we'd do. If agreed by Parliament, these will be the most stringent legislative targets anywhere in the world and Scotland's contribution to climate change will end, definitively, within a generation. The CCC was clear that this will be enormously challenging....'*

- 4.51 The Minister also highlighted the important role of the planning system stating: *‘And subject to the passage of the Planning Bill at Stage 3, the next National Planning Framework and review of Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals’.*

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

- 4.52 The Climate Change (Emissions Reduction Targets) Bill received Royal Assent on 31st October 2019. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (The 2019 Act) introduces even more ambitious targets than those previously contained in the Climate Change (Scotland) Act 2009, and in doing so, Scotland will become one of the first countries to legislate support for the aims of the Paris Agreement.
- 4.53 The 2019 Act seeks to amend only those parts of the Climate Change (Scotland) Act 2009 that relate to emission reduction targets and associated reporting duties. The detailed proposals and policies for delivering against targets are to be set out in the current and future Climate Change Plans.
- 4.54 The 2019 Act sets a target date of 2045 for reaching net-zero emissions. The 2019 Act states that the Scottish Ministers must ensure that the net Scottish emissions account for the year:
- 2020 is at least 56% lower than the baseline;
 - 2030 is at least 75% lower than the baseline; and,
 - 2040 is at least 90% lower than the baseline.

The Programme for Government (2019, 2020)

- 4.55 In response to the declaration of a ‘Climate Emergency’ in Scotland, and the UK as a whole, the ‘Programme for Government’ was first published on 3rd September 2019 setting out actions including those *‘that will be taken to end Scotland’s contribution to global climate change’.*
- 4.56 The 2019 Programme responds to 12 specific requests from the *‘Climate Emergency Response Group’.* One such request is for the completion of plans for how renewable electricity is generated in order to reach net zero emissions by 2045. Page 37 confirms that the Scottish Government’s next Energy Statement will set out the extent to which renewable and low carbon energy generation will need to be combined in order to meet net zero and that this will subsequently be monitored on an annual basis and that this will ultimately form part of a wider review of targets and policies to inform the updated Climate Change Plan. Page 39 further states that the global climate emergency necessitates consideration of more radical planning policy options.

- 4.57 The latest Programme for 2020-2021 was published in September 2020 with an emphasis on a Green Recovery to the COVID-19 pandemic in addition to achieving net zero. Page 36 sets out that *'the Government's response will ensure that a green recovery is at the heart of the economic recovery'* and it states that *'an updated Climate Change Plan will be published before the end of 2020'*.

The Update to the Climate Change Plan (2018-2032) (December 2020)

- 4.58 This Scottish Government update responds to the new net zero targets aimed at ending Scotland's contribution to climate change by 2045. It covers the period 2018-2032 within which the Government has committed to reduce greenhouse gas emissions by 75% by 2030 (compared with 1990 levels) as set out at para 4.51 above.
- 4.59 In terms of renewable electricity generation, the CCP update refers to *'further policies to continue the rapid growth in renewable generation over the past 20 years, moving from a low to a zero-carbon electricity system'*. Reference is also made to an Energy Strategy update in 2021 and an updated Electricity Generation Policy Statement by 2022.
- 4.60 Most notable is the reference at page 18 within the 'pathway to 2032' which includes reference to *'a substantial increase in renewable generation, particularly through new offshore and on shore wind capacity'*. Annex A to the CCP also includes at 'outcome 1' that *'the electricity system will be powered by a high penetration of renewables, aided by a range of flexible and responsive technologies'*. In addition, the target is maintained of *'a new renewable all energy consumption target of 50% by 2030, covering electricity, heat and transport'*.

Conclusions on Energy Policy and Guidance

- 4.61 The various energy policy documents set out above highlight the UK and Scottish Government's ambitious targets for GHG emission reductions and renewable energy generation beyond 2020 and up to 2050, including to be net-zero, which clearly exceed those set out in the current SPP and NPF3. Thus the contribution the Proposed Development can make to these renewable energy targets, alongside any tangible economic benefits, comprise significant and material benefits of the proposal that must be accorded considerable weight in the planning balance.

5 The planning balance and conclusions

- 5.1 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 Proposed 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.
- 5.2 As set out in section 3, the principle of a wind farm on the Site has been established through the grant of permission for the Consented Development which is also confirmed as being within a Group 3 area. The only material variation between the Consented Development and the Proposed Development is the proposed 16.9 metre increase in blade tip height. With the principle of development already established, any planning determination must focus on the additional benefits and/or harm arising from this modest tip height increase, with reference to the development plan and other material considerations.
- 5.3 The only harm identified in the updated EIA report is a limited degree of additional visual impact of the Proposed Development compared to the Consented Development, evident at Viewpoint 1: Aultguish Inn for residents and visitors. In addition some limited significant impacts would arise from years 2039 and 2042 onwards under the two future baseline scenarios of the lifetime assessment. This must be considered 'in the round' alongside the other benefits arising. In this case the key benefit is an increase in generation capacity from 18MW to 24MW. As confirmed at para 2.42 this translates to a 33% annual increase in renewable energy output and CO₂ savings compared to the 18MW Consented Development (using the Scottish Government Renewable Energy output calculator figures for ease of comparison). In addition, as approval is now sought for 40 years operation whilst the Consented Development has a condition restricting the operational life to 25 years, this will result in a significant overall increase to some 979,000 tonnes of CO₂ savings and some 2,126,880 MWh of output over the 40 year period (based on Scottish Government Renewable Electricity Output Calculator, March 2020 all fossil fuels scenario).
- 5.4 The Proposed Development is therefore 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 Proposed 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.

- 5.5 In support of the Proposed Development, it has been established through both the EIA process and the approval for the Consented Development that there are no significant impacts that cannot be overcome by mitigation upon other receptors including ornithology, protected species, cultural heritage receptors, transport and highways interests, air quality, shadow flicker, aviation and telecommunications interests.
- 5.6 The Proposed 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.
- 5.7 The Proposed Development is also supported by the various energy policy documents discussed in Section 4 of this Planning Statement such as the SES, OWPS and the Climate Change Plan, including those new policy documents and updates issued in the period since approval was granted to the Consented Development. These documents highlight the UK and Scottish Government's ambitious targets for GHG emission reductions (including net zero) and renewable energy generation beyond 2020 and up to 2050. It must be recognised that the fact that SPP will be extant until superseded by NPF4 does not mean that the documents recorded in paragraph 4.2, and events such as the Declaration of a Climate Emergency and the legal commitment of the Scottish Government to Net Zero by 2045 are not material considerations to be accorded such weight as appropriate. The weight to be accorded to these post SPP documents and events is considered to be very great, and the immediate 2030 Net Zero target is of compelling importance in decision making given the time remaining until 2030.
- 5.8 The Proposed Development can also draw strong support from SPP and NPF3, and the direction of travel set out in the NPF4 consultation. 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. Both the EIA Report and approval for the Consented Development 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. Whilst a further significant impact upon localised landscape and visual receptors is acknowledged as a result of the increase in tip height this is not considered to be significant overall.
- 5.9 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.
- 5.10 Very few forms of development are impact free and a balance needs to be made between the identified impacts of the Proposed Development on the one hand and the significant environmental benefits on the other.

- 5.11 When all material factors are considered, the balance in this instance very clearly favours the granting of planning permission. The Proposed Development is at an appropriate location for a wind farm development as confirmed by the approval for the Consented Development. The limited additional residual visual impact from the modest proposed tip height increase of 16.9 metres is considered to be acceptable and clearly outweighed by the considerable benefit of the additional renewable energy generation and reduction in GHG emissions realised by both the increased tip height, and increased period of operation, particularly given the immediate 2030 Net Zero target which is of compelling importance in decision making given the time remaining until 2030.

