BHLARAIDH WIND FARM EXTENSION

PLANNING STATEMENT

ON BEHALF OF SSE GENERATION LTD

05 AUGUST 2021

CONTENTS

1.0 INTRODUCTION

1.1 SSE Generation Limited ("the Applicant"), is proposing to construct a new onshore wind farm to generate renewable electricity from wind power. The Proposed Development is located adjacent to the operational 32 turbine Bhlaraidh Wind Farm. Once operational the 18 turbines will make a significant contribution to meeting renewable energy and climate change targets in Scotland, with a total installed capacity anticipated to be in excess of 100MW.

THE PROPOSED DEVELOPMENT

1.2 The proposals for which consent under Section 36 of the Electricity Act 1989 ("the 1989 Act") will be sought by the Applicant are referred to in this report as 'the Proposed Development'. The application for Section 36 consent has been prepared by SSE Renewables Development (UK) Limited (SSE Renewables), "the Developer", on behalf of the Applicant. Deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended, will also be sought.

1.3 An Environmental Impact Assessment (EIA) Scoping Opinion was sought from the Scottish Ministers on the environmental information to be provided in the EIA Report which accompanies this application. A Scoping Report was issued to the Energy Consents Unit (ECU) in July 2019 (see EIA Appendix 3.1), and a Scoping Opinion was subsequently provided by ECU in September 2019 (see EIA Report Appendix 3.2). This information has been used to inform the design of the Proposed Development and the scope of the EIA.

1.4 The application is accompanied by an EIA Report which has been undertaken in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the EIA Regulations"). This presents information on the identification and assessment of the likely significant positive and negative environmental effects of the Proposed Development.

1.5 The applicant has also engaged with the Scottish Government ECU during the pre-application period, and undertaken 'gatecheck' procedures and engagement to shape the approach and content of the submission (EIA Report Appendices 3.3 – 3.5). Such matters have been taken into account in the design of the Proposed Development and are referenced as appropriate in this Planning Statement.

1.6 The Applicant held a formal pre-application meeting with The Highland Council (THC) in May 2019. The output from this was a Pre-Application Advice Pack (EIA Report Appendix 3.6) which covered policy and other matters. Whilst not formally required as part of the section 36 application process the Proposed Development was subject to a Proposal of Application Notice (PAN) submitted in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The PAN was submitted by the Applicant to THC in March 2021 (reference 21/01826/PAN), detailing what public consultation had been undertaken.

1.7 Details of the community consultation and key stakeholder engagement is contained within the accompanying Pre-application Consultation (PAC) report.

1.8 The Proposed Development would make a very substantial contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments and, in turn, contribute to the achievement of UK and Scottish Government targets for renewable energy and electricity generation. Furthermore, the proposals will seek to address the Climate Emergency which was declared by the Scottish Government in May 2019.

THE APPLICANT

1.9 The Applicant is part of SSE Renewables, a leading developer, owner and operator of onshore and offshore wind farms in the UK and Ireland, with a vision to make renewable energy the foundation of a zero-carbon world. Part of the FTSE-listed SSE plc, the Applicant's strategy is to drive the transition to a low-carbon future through the world class development, construction and operation of their fleet of onshore and offshore wind energy generation sites, and flexible hydro.

1.10 The Applicant operates one of the largest onshore wind energy fleets in the UK and Ireland, with almost 2GW of installed green energy capacity and another 1GW in development. The Applicant has around 600MW of operational offshore wind capacity including a share of Scotland's current largest, Beatrice (588MW). They aim to be the largest and most efficient developer and operator of onshore and offshore wind in the UK and Ireland, with a development pipeline of over 7GW they have made the commitment to treble their renewable energy output by 2030. SSE Renewables continues to take forward development options for new onshore wind farms and extensions to existing wind farms and is well placed to take advantage of any future opportunities as they emerge.

1.11 The Applicant is committed to supporting local supply chains. Their Responsible Procurement Charter and Procurement Policy both highlight the importance of sustainable supply chains. Key to this is sharing economic opportunities with the people and businesses close to their operations. As well as working with communities directly, the Applicant has a structured approach to engaging with its strategic suppliers and looks to them to form constructive local relationships so that communities gain from the Applicant's significant capital investments. The Applicant recognises that it must be an active contributor to the communities it is part of and has an on-going commitment to share value where it has been created.

1.12 SSE Renewables' Community Investment Funds support a diverse range of community projects near their renewable developments. In 2019/20, SSE Renewables provided its largest ever award, with £600,000 granted to build the Fort Augustus Medical Centre in the Great Glen, Scotland. In 2019/20 the Applicant invested over £8m supporting over 1,000 projects in communities across the UK and Ireland, this brings the Applicant's total investment in communities over the past six years to around £40m.

PURPOSE OF THE PLANNING STATEMENT

1.13 This Planning Statement (PS) has been prepared by Montagu Evans LLP on behalf of the Applicant. The PS provides an assessment of the Proposed Development's compliance with the decision making framework. The accompanying EIA Report Chapter 4 (Planning Policy) identifies the relevant policy framework for the Proposed Development, and the purpose of this document is to assess the extent to which the Proposed Development satisfies this framework.

1.14 The structure of the PS is as follows:

- Section 2 briefly describes the site and provides a description of the Proposed Development, to establish the wider context;
- Section 3 considers renewable energy policy and the current mechanism for the fulfilment of Government policy;
- Section 4 then considers the Development Plan against which the Proposed Development should be assessed;
- Section 5 considers the national planning policy context, an important material consideration;
- Section 6 considers the Proposed Development in the context of the Cairngorms National Park;
- Section 7 considers the benefits of the Proposed Development; and
- Conclusions are found in Section 8.

THE STATUTORY FRAMEWORK

1.15 The statutory context for the Proposed Development is that an application will be made to Scottish Ministers for consent under section 36 of the Electricity Act 1989, and in conjunction seeking deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended.

1.16 A decision on the Application under the 1989 Act is the principal decision to be made in determining the acceptance or otherwise of the Proposed Development.

1.17 The EIA for the Proposed Development demonstrates that due regard has been paid to Schedule 9 of the 1989 Act and appropriate mitigation has been considered in detail.

1.18 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a material consideration which requires to be taken into account in the round with all other relevant material considerations. It is important to note however, that Section 25 of the 1997 Act is not engaged as there is no 'primacy' of the Development Plan in an application made under the 1989 Act. This approach and interpretation is settled following various appeal decisions and court cases in recent years.

2.0 THE SITE

2.1 This section of the PS provides an overview of the key characteristics of the site and the surrounding area, along with an overview of the Proposed Development. This is provided as a summary of the key components of the Proposed Development in order to establish the wider planning context only.

THE SITE AND SURROUNDING AREA

2.2 The Proposed Development is located adjacent to the operational 32 turbine Bhlaraidh Wind Farm (the 'Operational Development') (THC planning reference: 12/02556/S36) and will extend the Operational Development onto the adjoining land to the east.

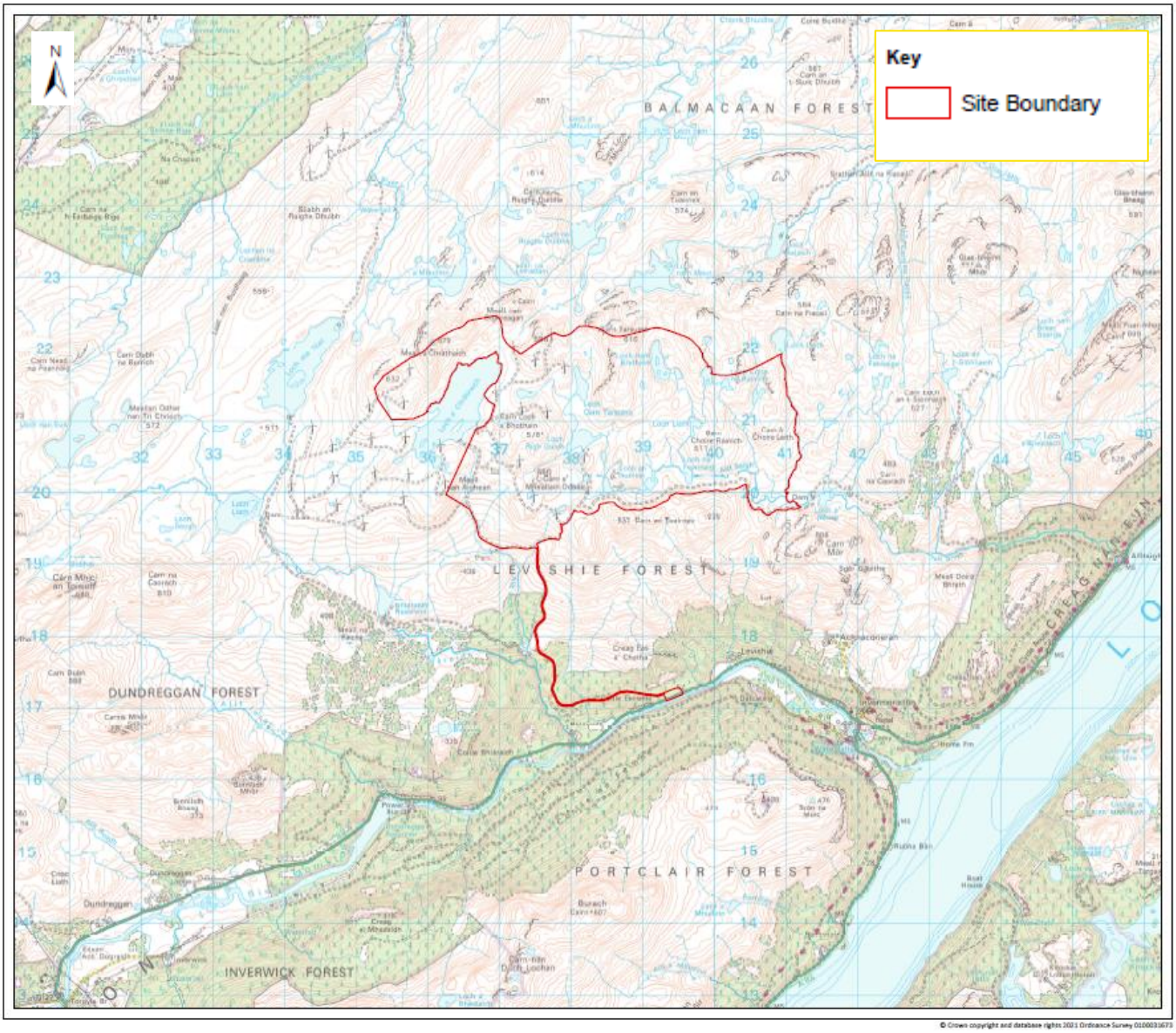

Figure 1 - Site Location Plan

2.3 The site is located west of Loch Ness and the Great Glen, on an area of high rocky plateau. This open, undulating moorland features several rocky outcrops, small hills, many lochs, lochans, watercourses, areas of bog, tracks, hydroelectric infrastructure and turbines of the Operational Development.

2.4 Outwith the Proposed Development site boundary there are several distinctive summits, including Meall Fuar-mhonaidh which slopes steeply down to the Great Glen. To the west, this plateau transitions to a rugged, exposed landscape of large mountains, while to the east and south, there are the wooded glens of Glen Urquhart and Glen Moriston, and to the north, the farmed broad Strathglass valley.

2.5 The low lying areas of the glens and river valleys contain the majority of settlement and transport infrastructure. There is very little settlement in higher level areas and land use tends to be limited to grazing (sheep and deer) and country pursuits (e.g. shooting and fishing). Man-made features in the area include hydroelectric infrastructure, transmission towers (particularly those of the Beauly-Denny overhead line) and wind turbines.

2.6 The closest private dwelling is approximately 2.4km from the nearest proposed turbine.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.7 The Proposed Development comprises a generating station, consisting of a wind farm with up to 18 wind turbine generators of up to a maximum 180m height from ground to blade tip when vertical, supported by ancillary development. The total installed capacity of the Proposed Development, whilst dependent on the rated power of the turbine model procured, is anticipated to be in excess of 100MW.

2.8 The Proposed Development will be supported by a number of proposed ancillary elements, including the following:

- crane hardstandings;
- access tracks;
- drainage;
- watercourse crossings;
- on-site substation;
- underground cabling;
- a LiDAR.
- two construction compounds;
- a batching plant; and
- borrow pits (eight search areas).

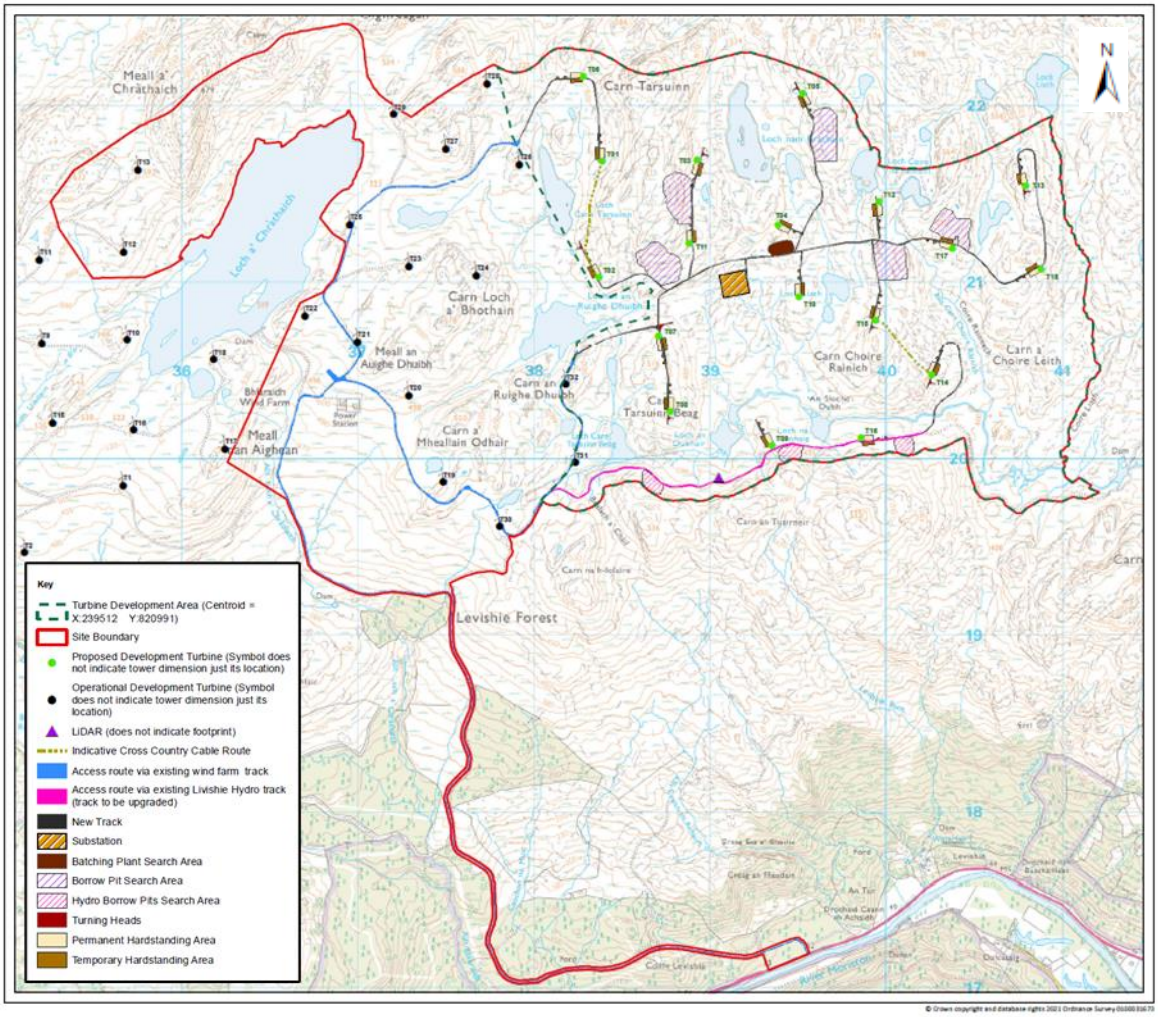

Figure 2 - Site Layout

2.9 The Proposed Development will benefit significantly from the presence of the extensive network of existing access roads and utilisation of existing infrastructure associated with the Operational Development and the Livishie hydroelectric power scheme.

ACCESS

2.10 It is proposed that all abnormal turbine loads and crane trips will originate from either Kyleakin/Kyle of Lochalsh or Inverness and would access the Site via the A82/A87/A887 and the Operational Development access junction off the A887. Further details are provided in EIA Report Chapter 12 (Traffic and Transport).

2.11 Access to the Site would be taken directly from the Operational Development access track and an existing access track on the south of the Site which services the Livishie hydroelectric power scheme. The existing hydroelectric access track would, where necessary, be upgraded to enable heavy good vehicles (HGV) and turbine load access. New access tracks will connect the proposed turbine locations to the existing track network.

SUMMARY

2.12 The site, sitting adjacent to the Operational Development, is well known to the Applicant following the successful construction and on-going operation of this existing renewable asset. The experience gained from the construction of this project has informed the Proposed Development. It is a site that has an excellent and proven wind resource with extensive existing access tracks and other infrastructure that would be utilised during the

construction and operational phases, thereby considerably reducing requirements for new tracks and other infrastructure.

3.0 RENEWABLE ENERGY POLICY

3.1 This chapter will consider the Proposed Development in terms of the renewable energy policy framework outlined in Chapter 4 of the EIA Report in order to set the wider policy context for the Proposed Development. The Scottish Government energy policy is an important factor and a key material consideration in the determination of applications for renewable energy developments.

CLIMATE CHANGE (SCOTLAND) ACT 2009

3.2 The Climate Change (Scotland) Act 2009 ("the 2009 Act") creates a statutory framework for greenhouse gas emissions reductions in Scotland. It places climate change duties on Scottish public bodies and includes provisions on climate change including adaption, forestry, energy efficiency and waste reduction.

3.3 The 2009 Act set the target that the Scottish Ministers must ensure that the net Scottish emissions account for the year 2050 is at least 80% lower than the baseline.

CLIMATE CHANGE (EMISSIONS REDUCTION TARGETS) (SCOTLAND) ACT 2019

3.4 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 ("the 2019 Act") amends the 2009 Act and commits Scotland to a target of net-zero emissions of all greenhouse gases by 2045 alongside a series of ambitious and challenging interim targets leading towards this net-zero target. The development of renewable energy, including onshore wind, is a key component in the Government's vision to achieving this target. The interim targets substitute the figures in the 2009 Act with the following:

a. 2020 is at least 56% lower than the baseline;
b. 2030 is at least 75% lower than the baseline; and
c. 2040 is at least 90% lower than the baseline.

3.5 It is clear from the new Act that the Scottish Government maintains its aspiration to set ambitious and challenging targets, and the role of energy generated from renewable sources is central to this.

SCOTTISH ENERGY STRATEGY

3.6 The Scottish Energy Strategy ("the Strategy") was published in December 2017 and sets out the Scottish Government's vision for the future energy system in Scotland.

3.7 The Strategy sets two new targets for the Scottish energy system by 2030:

- The equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; and
- An increase by 30% in the productivity of energy use across the Scottish economy.

3.8 Scotland's energy priorities to 2050 are built around six priorities which include renewable and low carbon solutions. The Strategy notes that 54% of Scotland's electricity needs were met from renewables in 2016.

3.9 Page 81 of the Strategy notes that: *"onshore wind is another key component of the big industrial opportunity that renewables create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, generating more than £3 billion in turnover in 2015."*

3.10 Onshore wind is identified as being required to play a vital role in the future of Scotland, helping to decarbonise electricity whilst continuing to meet demand.

ONSHORE WIND POLICY STATEMENT

3.11 The Scottish Energy Strategy was accompanied by the Scottish Government's Onshore Wind Energy Policy Statement. This document further emphasises the role of the onshore wind sector in contributing to the Scottish Economy, and to the Government targets for the generation of energy from low carbon technologies.

3.12 The statement recognises the need for more onshore wind development and capacity, and also acknowledges the challenges facing the industry in a subsidy free world. The Statement notes that the Scottish Government acknowledge the ongoing developments in technology and supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse effects. This is advocated to maximise the benefits of projects and to increase the efficiency of turbines, and to maximise contributions to targets.

3.13 The contribution of the Proposed Development towards the renewable energy targets is considered to be an important material consideration.

UPDATE TO THE CLIMATE CHANGE PLAN 2018 – 2032

3.14 The update to the Climate Change Plan 2018 – 2032 was published in December 2020 and updates the Scottish Government's 2018 Climate Change Plan under the provisions of the 2019 Act. The plan sets out the Scottish Government's approach to delivering a green recovery from the Covid-19 pandemic and sets out a pathway to deliver the climate change targets set out in the 2019 Act.

3.15 Chapter 1 of the update relates to electricity. Paragraph 3.1.4 notes the importance of a decarbonised electricity sector in delivering net-zero targets:

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

3.16 Paragraph 3.1.8 makes clear the Scottish Government's intention to actively facilitate decarbonised electricity generation through the planning process:

"Planning has been, and will remain, a critical enabler of rapid renewables deployment in Scotland. The position statement on our fourth National Planning Framework (NPF4), published in November, makes clear the Scottish Government's intention to actively facilitate decarbonised electricity generation and distribution."

3.17 The Position Statement on NPF4 is discussed in detail in Section 5. A draft NPF4 is due to be laid in the Scottish Parliament in Autumn 2021, with a final version of NPF4 published for approval and adoption in Spring 2022. Once adopted NPF4 will incorporate Scottish Planning Policy (SPP) and will have the status of the development plan for planning purposes.

3.18 The Update to the Climate Change Plan 2018 – 2023 highlights the changing public policy at all levels of Government in emphasising the urgent need for more renewable energy development. This more recent policy document should be given sufficient weight compared to outdated policy documents, which do not reflect the current policy position with regards to the transition to net zero.

THE CLIMATE EMERGENCY

The Scottish Government

3.19 At the Scottish National Party (SNP) Conference in April 2019, Scotland's First Minister Nicola Sturgeon declared a Climate Emergency:

"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."

3.20 In May 2019 the Scottish Government formally declared a Climate Emergency. In a speech to the Scottish Parliament, then Climate Change Secretary Roseanna Cunningham stated:

"There is a global Climate Emergency. The evidence is irrefutable. The science is clear. And people have been clear: they expect action."

3.21 The declaration of a Climate Emergency resulted in amendments to the Climate Change (Emissions Reduction Targets) (Scotland) Bill, now the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, committing Scotland to a legally binding 2045 target for net-zero emissions.

3.22 The Minister also highlighted the important role of the planning system in achieving climate change objectives:

"…the next National Planning Framework and review of the Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals."

3.23 It is reasonable to conclude therefore that NPF4 will require radical policy actions in order to achieve the ambitious targets set out in the Climate Change Act. Current national planning policy is considered to be out of date in this regard, and recent declarations on the Climate Emergency should carry significant weight in the policy balance.

The Highland Council (THC)

3.24 On 9 May 2019, THC declared a Climate Emergency, following the lead of the Scottish Government. The declaration stated:

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

3.25 The declaration committed THC to achieving the target of being carbon-neutral by 2025.

Relevance of the Climate Emergency

3.26 The declaration of a Climate Emergency by the Scottish Government and THC highlights the changing public policy at all levels of Government in emphasising the urgent need for more renewable energy development. These more recent policy declarations should be given sufficient weight compared to outdated policy documents, which do not reflect the current policy position with regards to the Climate Emergency. It is anticipated that when national planning policy is updated through NPF4, the updated document will be in line with the updated policy position on the Climate Emergency. An emergency requires action and the consideration of proposals such as this must attribute sufficient weight to the need for and benefits of the Proposed Development in this regard.

CARBON EMISSIONS

3.27 EIA Report Chapter 14 (Climate Change) provides an assessment to calculate the carbon emissions which would be generated during the construction, operation and decommissioning (i.e. assumed to be after 50 years for the purpose of the calculator) of the Proposed Development as well as the carbon payback period resulting from the operation of the Proposed Development.

3.28 The calculations of total CO_2 emission savings and payback time for the Proposed Development indicates the overall payback period of a windfarm with 18 turbines with an average (expected) installed capacity of 5.6MW per turbine would be approximately 2.5 years, when compared to the fossil fuel mix (the existing energy mix within the UK) of electricity generation.

3.29 The Proposed Development is expected to take around 30 months (2.5 years) to repay the carbon exchange to the atmosphere (the CO_2 debt) through construction of the wind farm. However, this is a small percentage (5.0%) of the 50-year lifespan of the Proposed Development.

3.30 Compared to fossil fuel electricity generation projects, which also produce embodied emissions during the construction phase and significant emissions during operation due to combustion of fossil fuels, the Proposed Development has a very low carbon footprint and after 2.5 years, the electricity generated is estimated to be carbon neutral and will displace grid electricity generated from fossil fuel sources. The Site would in effect be in a net gain situation following this time period and will then be contributing to national objectives of reducing greenhouse gas emissions and meeting the 'net zero' carbon targets by 2045.

RENEWABLE ENERGY POLICY – CONCLUSIONS

3.31 Significant weight should be attributed to the strong support of the Scottish Government for renewable energy development including onshore wind. The Proposed Development will make a meaningful and valuable contribution towards achieving national targets and helping the Scottish Government achieve its climate change goals and support the transition to net zero. Achieving national energy targets is considered to be an important material consideration. Furthermore, the proposal is in accordance with and can draw significant support from alignment with the Climate Change Emergency declarations made by Scottish Government and THC.

4.0 STATUTORY DEVELOPMENT PLAN

4.1 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a consideration which should be taken into account in the round with all other relevant considerations. This section provides an assessment of the Proposed Development's compliance with the statutory Development Plan.

4.2 The Proposed Development lies wholly within THC area. The statutory Development Plan covering the Proposed Development comprises the following:

- The Highland-Wide Local Development Plan (HwLDP);
- The Inner Moray Firth Local Development Plan (IMFLDP); and
- Relevant Supplementary Guidance.

THE HIGHLAND-WIDE LOCAL DEVELOPMENT PLAN

4.3 The HwLDP was adopted on 5 April 2012.

4.4 The guiding vision of the HwLDP is:

"By 2030, Highland will be one of Europe's leading regions. We will have created sustainable communities, balancing population growth, economic development and the safeguarding of the environment across the area, and have built a fairer and healthier Highlands."

4.5 The vision provides an extensive list of how planning will help achieve this, including:

- Ensuring that development of renewable energy resources are managed effectively with clear guidance on where renewable energy developments should and should not be located;
- Taking a lead in reducing the amount of greenhouse gases released into the air, adapted to the effects of climate change and limited the amount of non-renewable resources development uses;
- Providing opportunities which encourage economic development and create new employment across the area focusing on the key sectors of renewable energy, whilst at the same time improving the strategic infrastructure necessary to allow the economy to grow over the long term; and
- Promoting opportunities that allow for investment in services and infrastructure, and opportunities for investment and diversification in the economy, in our deprived areas and areas at risk of long-term unemployment as a result of changes in the wider economy.

4.6 THC initially progressed a review of the HwLDP by publishing a Main Issues Report (MIR) for consultation in 2016. THC subsequently postponed the review of the HwLDP in light of the publication of the Planning Bill (now Planning (Scotland) Act 2019). There is no published timescale for the next review of HwLDP.

THE INNER MORAY FIRTH LOCAL DEVELOPMENT PLAN

4.7 The IMFLDP is relevant in so far as the site is located within this area. The IMFLDP is largely focused on development within settlements and there are no provisions or policies which are contrary to those contained within the HwLDP. The IMFLDP has no specific policies relating to wind farms or the locality of the Proposed Development. Accordingly, the HwLDP still remains as the key Development Plan document and IMFLDP is not discussed further within this PS.

HWLDP POLICY 67 – RENEWABLE ENERGY DEVELOPMENTS

4.8 Policy 67 is the key HwLDP policy in relation to the Proposed Development. The Policy contains a number of criteria which generally address the environmental topics that are referred to in other policies within the Plan. This section will assess the Proposed Development in relation to the criteria outlined in Policy 67.

4.9 Policy 67 states that when considering renewable energy proposals, THC will consider the following criteria:

POLICY 67 CRITERIA	ASSESSMENT
Renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation.	The Proposed Development is located at a location with an excellent and proven wind resource which has supported the successful construction of the Operational Development.
The contribution of the proposed development towards meeting renewable energy generation targets.	The total installed capacity of the Proposed Development is anticipated to be in excess of 100MW (dependent on turbine model), which is considered to be a valuable contribution to achieving national targets set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. This is discussed in detail in the Benefits of the Proposed Development section below. The Proposed Development will also deliver a meaningful contribution in the context of Scottish Government and THC Climate Emergency declarations.
Any positive or negative effects the development is likely to have on the local and national economy.	EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) provides an assessment of the effects of the Proposed Development on the local and national economy. The chapter estimates that: • during the development and construction phase, the Proposed Development would cost approximately £99 million and could generate up to: - £14.4 million Gross Value Added (GVA) and 196 years of employment in Highland; and - £36.6 million GVA and 494 years of employment in Scotland. • during each year of the operational phase, expenditure on operations and maintenance would be £2.7 million and could generate up to: - £0.8 million GVA and 11 jobs in Highland; and • - £1.6 million GVA and 26 jobs in Scotland. It is expected that there would be a community benefit fund associated with the Proposed Development, which will build on the existing Bhlaraidh Community Fund. There would also be benefits to the public sector from the annual payment of around £1.3 million in non-domestic rates. This revenue will contribute to the delivery of local public services.
Compliance with other policies of the development plan, the Highland Renewable Energy Strategy* and Planning Guidelines and have regard to any other material considerations. *In August 2016 THC Planning, Development and Infrastructure Committee agreed that the Highland	This PS assesses the Proposed Development in terms of compliance with Policy 67, other relevant policies of the Development Plan, and material considerations. It concludes that the Proposed Development accords with Policy 67 and other policies of the Development Plan in so far as they are relevant.

POLICY 67 CRITERIA	ASSESSMENT
Renewable Energy Strategy would no longer be used as a material consideration. It is therefore not of relevance to this application.	
Benefits including by making effective use of existing and proposed infrastructure or facilities.	The Proposed Development will result in a wide range of benefits, particularly in relation to meeting climate change targets as set out in EIA Report Chapter 14 (Climate Change) and the economic benefits as set out in EIA Report Chapter 13 (Socio-economics, Tourism and Recreation). The Proposed Development makes effective use of existing infrastructure and facilities, including utilising the extensive network of existing access roads associated with the Operational Development and the Livishie hydroelectric power scheme, former hydroelectric scheme borrow pits, and construction compounds of the Operational Development.

4.10 Policy 67 states that THC will support proposals where it is satisfied they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments. It further requires the Proposed Development to be assessed in relation to any significant effects. The table below provides such an assessment.

POLICY 67 CRITERIA	ASSESSMENT
Natural, built and cultural heritage features	The Proposed Development is assessed with regard to natural, built and cultural features in the assessment against Policy 57 below.
Species and habitats	EIA Report Chapter 5 (Ecology and Nature Conservation) considers the potential impacts and their resulting effects on ecological features, such as designated nature conservation sites, habitats and protected species. The Chapter concludes that following the application of mitigation, such as the implementation of a deer management plan, habitat management plan, fish monitoring and remediation, and standard working methods, such as a Construction Environmental Management Plan (CEMP) (EIA Appendix 2.1) and pollution prevention measures, no significant residual effects are predicted. EIA Report Chapter 6 (Ornithology) considers the potential effects on ornithology associated with the construction, operation and decommissioning of the Proposed Development. For all Important Ornithological Features, predicted effects were considered to be negligible or minor adverse and therefore not significant, when mitigation measures are applied. This includes any predicted effects on scoped-in nationally designated sites with Slavonian grebe as a qualifying interest, specifically Knockie Lochs SSSI, Dubh Lochs SSSI, Balnagrantach SSSI, Glendoe Lochans SSSI, and Loch Ruthven SSSI and Ramsar site.
Visual impact and impact on the landscape character of the surrounding area	A landscape and visual impact assessment (LVIA) (EIA Report Chapter 8 (Landscape and Visual)) has been

POLICY 67 CRITERIA	ASSESSMENT
	undertaken for the Proposed Development, which considers the potential landscape and visual effects of the Proposed Development. Chapter 8 concludes that overall the Proposed Development would result in no significant landscape effects and a very limited extent of significant visual effects, affecting a small number of receptors in localised areas to the east of Loch Ness, along the B862 road, between 9-11km from the Proposed Development. Outwith this area, landscape and visual effects would not be significant.
Amenity at sensitive locations, including residential properties, work places and recognised visitor sites	The nearest residential property is located 2.4km from the closest turbine. An assessment of the potential impacts of the proposed development on residential amenity are included within EIA Report Chapter 8 (with respect to visual amenity) & EIA Report Chapter 11 (with respect to noise). EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) concludes that the effects of the Proposed Development on local visitor attractions, recreational routes and accommodation providers would be negligible.
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	There are no regularly occupied buildings within the immediate vicinity of the Proposed Development, with the nearest residential property around 2.4km from a proposed turbine. <u>Visual Intrusion</u> EIA Report Chapter 8 (Landscape and Visual) provides an assessment of the potential visual effects of the Proposed Development in residential areas within 25km of the Proposed Development. It concludes that there would be no significant visual effects for the majority of residential receptors apart from a small number of properties in the vicinity of the B862 minor public road in the area near Whitebridge. <u>Noise Generation</u> EIA Report Chapter 11 (Noise) provides a noise assessment to determine the likely significant noise effects from the operational phase of the development. Construction noise would not be significant and has been scoped-out of the assessment. Nevertheless, a range of standard best practice mitigation measures are proposed to ensure no significant adverse effects during construction. In terms of operational noise, Chapter 11 concludes that the operational noise impact is not significant. EIA Appendix 11.1 provides a set of suggested noise conditions to demonstrate compliance with the operational noise limits set out in the Chapter. <u>Ice Throw</u> Ice Throw has been scoped out of the EIA given the very low risk and the mitigation measures that will be taken. <u>Shadow Flicker / Throw</u> As set out in EIA Report Chapter 3 (Approach to EIA), the nearest residential property is 2.4km from the

POLICY 67 CRITERIA	ASSESSMENT
	closest turbine, therefore there are no residential properties within 1.58km (1.63km) study area and shadow flicker is scoped out of the EIA.
Ground water, surface water (including water supply), aquatic ecosystems and fisheries	EIA Report Chapter 5 (Ecology and Nature Conservation) considers the potential impacts and their resulting effects on ecological features, including aquatic ecosystems and fisheries. Brown trout (*Salmo trutta*) and three-spined stickleback (*Gasterosteus aculeatus*) are identified as likely to be the only native fish species present within the site, with common minnow (*Phoxinus phoxinus*) likely introduced by anglers. Full details of the fish habitat and population survey results are provided in EIA Report Appendix 5.4. Chapter 5 concludes that following the application of mitigation, including a habitat management plan, fish monitoring and remediation, and standard working methods, such as a Construction Environmental Management Plan (CEMP) (EIA Appendix 2.1) and pollution prevention measures, no significant residual effects are predicted. EIA Report Chapter 9 (Hydrology and Hydrogeology) considers that that potential Ground Water Dependent Terrestrial Ecosystems (GWDTEs) at the Proposed Development are not dependent on groundwater and instead are fed by surface water run-off and incident rainfall. It further considers that all Private Water Supply (PWS) groundwater sources are sufficiently distanced from the Proposed Development and given the geological site setting there is no risk to these supplies.
The safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas	EIA Report Chapter 15 (Aviation and Radar) addresses the potential effects of the Proposed Development on aeronautical radar and radio navigation aids, meteorological radars and low flying aircraft. The assessment found that the Proposed Development will not be within line of sight of any radars and that it will not have a significant effect on the obstacle hazard to low flying aircraft. An aviation obstruction lighting scheme, consisting of infra-red lights to mark the perimeter of the Development, has been submitted to and approved by the Civil Aviation Authority (CAA).
Other communications installations or the quality of radio or TV reception	Operators of telecommunication networks have been consulted with final proposed turbine locations (see EIA Appendix 3.5) and have confirmed that no impacts on telecommunication pathways are anticipated and no fixed links have been identified within proximity of the site.
The amenity of users of any Core Path or other established public access for walking, cycling or horse riding	EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) considers the recreational routes within 15km of the Proposed Development and whether its presence would impact on visitors' decision to use them. There are no core paths that pass through the site of the Proposed Development. The impact of the Proposed Development on other recreational routes is

POLICY 67 CRITERIA	ASSESSMENT
	considered to be minor or negligible for all routes assessed. The application is also accompanied by an Outdoor Access Plan which outlines how the Applicant will seek to minimise any negative impact on public access during construction and maximise the benefits post construction by providing suitable signs, gates and other access furniture to accommodate public access during the operational phase.
Tourism and recreation interests	EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) includes a review of published research on the relationship between onshore wind development and the tourism economy. Available evidence suggests that there is no relationship between tourism and onshore wind developments. However, the analysis considered the scope for any change in visitor behaviour with respect to tourism and recreational assets located in the proximity of the Proposed Development. Effects on local visitor attractions, recreational routes and accommodation providers were all assessed as negligible.
Land and water-based traffic and transport interests	EIA Report Chapter 12 (Traffic and Transport) examines the transport and access issues associated with the Proposed Development. The chapter considers that no significant adverse effects would arise resulting from construction traffic movements related to the Proposed Development and no additional mitigation measures are necessary. Chapter 12 further considers the cumulative impact of the Proposed Development with other nearby wind development which are the subject of valid planning applications or are approved and which could impact on the study area due to the potential for proposed construction activities to coincide with the construction period of the Proposed Development. Whilst it is highly unlikely that the construction programmes for the Proposed Development and cumulative wind farm developments would coincide, it is concluded that when considering the theoretical worst case overlap of the peak periods associated with the construction programmes of other developments within the cumulative assessment, the effects are not considered to be significant. In the unlikely event of peak construction activities overlapping, further mitigation measures would be introduced through the Construction Traffic Management Plan to minimise conflicts between construction traffic and road use in Fort Augustus.

4.11 The Proposed Development is therefore considered to be in accordance with Policy 67. The Proposed Development is well located in an established wind resource, will make a valuable contribution towards meeting renewable energy targets, and will have a positive effect on both the local and national economy. This PS will further consider the Proposed Development against the other policies of the Development Plan and other material considerations, as required by Policy 67.

4.12 Further guidance in relation to Policy 67 is provided by The Onshore Wind Supplementary Guidance, assessed below.

OTHER HWLDP POLICIES

4.13 This section will consider the other HwLDP policies which are relevant to the Proposed Development.

Policy 28 – Sustainable Design

4.14 Policy 28 sets out the requirement for all development to be designed in the context of sustainable development and climate change, and sets out criteria which Proposed Development are to be assessed against. The Proposed Development is assessed against the relevant criteria in the table below.

POLICY 28 CRITERIA	ASSESSMENT
Maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy and heat	The Proposed Development has been designed in order to maximise renewable energy generation. EIA Report Chapter 2 (Design Iteration and Proposed Development) and the accompanying Design and Access Statement (DAS) detail the extensive design exercise which was undertaken to reach the proposed layout. The wind farm has been designed to maximise renewable energy generation, balanced against other design considerations.
Address any physical constraints described in Physical Constraints on Development: Supplementary Guidance	The accompanying EIA Report identifies physical constraints to the Proposed Development. The Policy is only of limited relevance in terms of undertaking a comprehensive policy appraisal against the terms of the Development Plan. It adds nothing further to the existing detailed provisions of Policy 67 which deals specifically with renewable energy developments. Therefore, the Proposed Development is considered to be in accordance with this criterion of Policy 28 insofar as it is relevant.
Demonstrate that they have sought to minimise the generation of waste during the construction and operational phases	The Outline CEMP (EIA Report Appendix 2.1) addresses waste management in detail, and sets out that a Site Waste Management Plan (SWMP) will be required to appropriately document and control waste. The SWMP provides details on how waste reduction shall be implemented at the site and how this shall be monitored throughout the construction phase.
Minimise impact on individual and community residential amenity	There are no regularly occupied buildings within the immediate vicinity of the Proposed Development, with the nearest residential property around 2.4km from a proposed turbine. The Proposed Development will therefore have no impact on residential amenity.
Minimise impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality agricultural land, or approved routes for road and rail links	Mineral Deposits EIA Report Chapter 10 (Geology and Soils) confirms that the site is not located within a Coal Authority Reporting Area and that there are no known quarries located within the site. Prime Quality Agricultural Land The Proposed Development would not affect any areas of agricultural land. Approved Routes for Road and Rail Links The site benefits from excellent existing infrastructure, due to the extensive existing access tracks and other

POLICY 28 CRITERIA	ASSESSMENT
	infrastructure relating to the Operation Development. These connect into the local road network and will be utilised during the construction and operational phases, thereby considerably reducing requirements for new tracks and other infrastructure. In summary, the Proposed Development will have a minimal impact on mineral deposits, agricultural land, and approved routes for transport links.
Minimise impact on the following resources, including pollution and discharges, particularly within designated areas such as habitats, freshwater systems, species, marine systems, landscape, cultural heritage, scenery, air quality	This PS and accompanying EIA Report detail how the Proposed Development has minimised potential impact on the resources identified in Policy 28. The development has been sensitively sited and the design has been well considered and is appropriate for the proposed site and surroundings.
Demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials	EIA Report Chapter 2 (Design Iteration and Proposed Development) and the accompanying DAS provide a description of the site selection process and design iterations that were undertaken prior to arriving at the final design of the Proposed Development. The final layout has been informed by a robust environmental assessment and design iteration process, taking into account physical constraints and potential environmental, landscape and visual impacts and their effects. The Proposed Development layout is considered to represent the most appropriate design, taking into account potential environmental impacts and physical constraints, while maximising the renewable energy generating capability of the site.
Contribute to the economic and social development of the community	EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) provides an assessment of the effects of the Proposed Development on the local and national economy. This is discussed above in relation to Policy 67 and in the Benefits of the Development section below.

4.15 The Proposed Development constitutes sustainable development which has been designed in the context of climate change. It is concluded that the Proposed Development complies with Policy 28 in so far as it is relevant.

Policy 30 – Physical Constraints

4.16 Policy 30 sets out how various physical and technical factors need to be assessed when considering development proposals, and requires developers to consider whether their proposals would be located within areas of constraints as set out in the Physical Constraints Supplementary Guidance. The main principles of the guidance are:

- to provide developers with up to date information regarding physical constraints to development in Highland; and
- to ensure proposed developments do not adversely affect human health and safety or pose risk to safeguarded sites.

4.17 The final layout for the Proposed Development has been informed by a robust EIA and design iteration process, taking into account physical constraints, potential environmental, landscape and visual impacts and their effects.

The information used to inform the design iteration process included consultation responses received, baseline data and the impact assessment undertaken.

4.18 The Proposed Development layout is considered to represent the most appropriate design, taking into account potential environmental impacts and physical constraints, while maximising the renewable energy generating capability of the site.

4.19 The Proposed Development is considered to be in accordance with Policy 30, as all the relevant physical constraints are considered throughout the EIA Report. The Proposed Development would not adversely affect human health and safety or pose risk to safeguarded sites.

Policy 36 – Development in the Wider Countryside

4.20 Policy 36 relates to development in the wider countryside. In relation to renewable energy developments it states that such proposals will be assessed against the Renewable Energy Policies, the non-statutory Highland Renewable Energy Strategy and, where appropriate, Onshore Wind Energy: Supplementary Guidance.

4.21 This PS provides an assessment of the development proposals against the HwLDP Policy 67 – Renewable Energy Developments and the Onshore Wind Energy: Supplementary Guidance in line with the guidance of Policy 36.

4.22 In August 2016 THC Planning, Development and Infrastructure Committee agreed that the Highland Renewable Energy Strategy would no longer be used as a material consideration. It is therefore not of relevance to this application and has not been assessed.

4.23 Policy 36 adds little to the detailed provisions specifically relating to renewable energy developments set out in Policy 67 and in the Renewable Energy Supplementary Guidance, and is therefore of limited relevance to the Proposed Development. It is concluded that the Proposed Development accords with Policy 36 of the Development Plan in so far as it is relevant.

Policy 51 – Trees and Development

4.24 Policy 51 outlines significant protection to existing hedges, trees and woodlands on and around development sites. EIA Report Chapter 5 (Ecology and Nature Conservation) confirms that no trees are present in areas of the site where development will take place and therefore no compensatory tree planting is required. The application is supported by an Outline Habitat Management Plan (OHMP) (EIA Report Appendix 5.7), which identifies enhancement proposals including montane scrub and riparian planting.

4.25 Chapter 5 identifies that without the application of mitigation, significant effects are predicated on Levishie Wood SSSI as a result of the temporary displacement of deer. EIA Report Appendix 5.6 details the measures that will be undertaken during construction to ensure deer numbers are kept at a low level to avoid damage to Levishie Wood SSSI from deer displacement during construction. Measures include the continuation and monitoring of the current annual deer cull plan, removal of deer fencing around established native woodland areas (where possible) to provide access to additional areas for deer in conjunction with the proposed restriction of speed limits within the construction site boundary and vegetation monitoring within Levishie Wood SSSI to guide the requirement for additional measures, such as an increase in cull numbers. Implementation of the Deer Management Plan would avoid likely significant adverse effects from red deer displacement into Levishie Wood SSSI, with no residual effects predicted.The Proposed Development is therefore considered to promote significant protection to existing trees and woodlands on and around the development site, and is considered to be in accordance with Policy 51.

Policy 55 – Peat and Soils

4.26 Policy 55 sets out that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils.

4.27 EIA Report Chapter 5 (Ecology and Nature Conservation) provides a detailed peatland condition assessment at Appendix 5.5, which has informed the site layout of the Proposed Development. Chapter 5 outlines how the majority of turbines have been positioned in areas of poorer quality, inactive peatland. Where it has not been possible to entirely avoid blanket bog or wet heath habitats, turbines have been positioned as close to the edge of areas of those habitat types and on the shallowest peat, to reduce impacts on the natural functions of those habitats. Furthermore, where the Proposed Development occurs in areas of blanket bog, as far as possible, the locations have been selected to avoid those areas of higher quality, active and deep peat.

4.28 EIA Report Chapter 10 (Geology and Soils) provides an assessment of the potential impacts of the construction and operation of the Proposed Development associated with geology and soils, including peat. Peat deposits are present across the majority of the site and an assessment was undertaken to establish the baseline conditions through desk-based assessment, consultation and field study, including peat depth probing surveys.

4.29 Chapter 10 sets out how the Proposed Development has been designed to minimise the disruption of peat by avoiding areas of thick peat deposits as far as practicable. Chapter 10 provides an assessment of the potential construction and operational effects of the Proposed Development to peat, concluding that with the implementation of appropriate mitigation measures all residual effects would be negligible. Furthermore, a Stage 1 Peat Management Plan has been provided at EIA Appendix 10.3.

4.30 The Proposed Development is considered to be in accordance with Policy 55 as it has been demonstrated through the accompanying EIA Report that the proposals have avoided unnecessary disturbance, degradation or erosion of peat and soils. A draft Peat Management Plan has also been submitted which demonstrates how any impacts will be minimised and mitigated.

Policy 56 - Travel

4.31 Policy 56 states that development proposals that involve travel generation must include sufficient information with the application to enable THC to consider any likely on-site and off-site transport implications of the development.

4.32 EIA Report Chapter 12 (Traffic and Transport) examines the transport and access issues associated with the Proposed Development and is supported by a Transport Assessment (TA) (EIA Report Appendix 12.1). These reports assess the likely on-site and off-site transport implications of the Proposed Development during the construction, operational and decommissioning phases.

4.33 Chapter 12 considers that no significant adverse effects would arise resulting from construction traffic movements related to the Proposed Development and no additional mitigation measures are necessary. Chapter 12 further considers the cumulative impact of the Proposed Development with other nearby wind development which are the subject of valid planning applications or are approved and which could impact on the study area due to the potential for proposed construction activities to coincide with the construction period of the Proposed Development. Whilst it is highly unlikely that the construction programmes for the Proposed Development and cumulative wind farm developments would coincide, it is concluded that when considering the theoretical worst case overlap of the peak periods associated with the construction programmes of other developments within the cumulative assessment, the effects are not considered to be significant. In the unlikely event of peak construction activities overlapping, further mitigation measures would be introduced through the

Construction Traffic Management Plan (CTMP) to minimise conflicts between construction traffic and road use in Fort Augustus.

4.34 The Proposed Development is therefore considered to be in accordance with Policy 56 as in so far as it is relevant to onshore wind development.

Policy 57 – Natural, Built and Cultural Heritage

4.35 Policy 57 seeks to protect natural, built and cultural heritage of varying types and importance.

4.36 EIA Report Chapter 7 (Archaeology and Cultural Heritage) assesses the potential for settings effects on heritage assets resulting from the operation of the Proposed Development. Assessment for the potential for direct effects upon archaeological remains during the construction phase was scoped out of the EIA assessment with the agreement of THC Historic Environment Team.

4.37 Chapter 7 considers potential operational effects on the settings of designated heritage assets within 5km and 10km Study Areas, as well as the setting of Urquhart Castle approximately 13.9km from the site at the request of Historic Environment Scotland (HES). No significant effects have been predicted upon the setting of such assets. Chapter 7 also considers the possibility of cumulative effects, concluding that no significant cumulative effects are expected.

4.38 EIA Report Chapter 8 (Landscape and Visual) provides an assessment of potential landscape effects of the Proposed Development on Landscape Character Types (LCTs) identified by NatureScot and designated and protected landscapes, including, in particular, National Scenic Areas (NSAs), Wild Land Areas (WLAs) and Special Landscape Areas (SLAs). Chapter 8 concludes that there would be no significant landscape effects to any of these areas as a result of the Proposed Development.

4.39 The Proposed Development is therefore considered to be in accordance with Policy 57.

Policy 61 - Landscape

4.40 Policy 61 states that new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed – including consideration of the appropriate scale, form, pattern and construction materials, as well as the potential cumulative effect of developments where this may be an issue.

4.41 The design of the Proposed Development seeks to minimise landscape and visual impact – as evidenced in EIA Report Chapter 2 (Design Iteration and Proposed Development), EIA Report Chapter 8 (Landscape and Visual), and the accompanying DAS.

4.42 Landscape and visual impact is discussed in detail within EIA Report Chapter 8 (Landscape and Visual). Chapter 8 concludes that the Proposed Development would result in no significant landscape effects and a very limited extent of significant visual effects, affecting receptors in localised areas to the east of Loch Ness, along the B862 road, between 9-11km from the Proposed Development. Outwith this area, landscape and visual effects would not be significant. This is discussed in more detail below in relation to the Onshore Wind Energy Supplementary Guidance.

4.43 The Proposed Development is therefore considered to be in accordance with Policy 61.

Policy 62 - Geodiversity

4.44 Policy 62 states development proposals that include measures to protect and enhance geodiversity interests of international, national and regional / local importance in the wider countryside will be supported. EIA Report Chapter 10 (Geology and Soils) details the geology of the site and the potential impacts of the construction and operation of the Proposed Development on geology.

4.45 Chapter 10 provides an assessment of the potential construction and operational effects to peat, soil and underlying geology. With the implementation of appropriate mitigation, all residual effects are considered to be negligible and are therefore not considered significant in the context of the EIA Regulations. Furthermore, a micro siting allowance of 50m for infrastructure will allow for potential effects on geodiversity interests to be further considered during the detailed design phase.

Policy 63 – Water Environment

4.46 Policy 63 states that the Council will support proposals for development that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment.

4.47 The Water Framework Directive (WFD) has been considered in EIA Report Chapter 9 (Hydrology and Hydrogeology) which concludes that the proposals will not compromise the objectives of the WFD.

Policy 64 – Flood Risk

4.48 Policy 64 seeks to direct development proposals to avoid areas susceptible to flooding, and promote sustainable flood management. A Flood Risk Assessment (FRA) has been prepared as Technical Appendix 9.2 to EIA Report Chapter 9 (Hydrology and Hydrogeology). This report addresses potential flood risk to the Proposed Development from all potential sources.

4.49 The FRA demonstrates that the Site is at low fluvial flood risk from any nearby watercourse and low risk of flooding due to infrastructure failure and overland flows. All other potential sources of flood risk have been evaluated (i.e. groundwater, sewer flooding etc) which confirms the development site is not at material flood risk from any other source.

4.50 As such it is considered that the Proposed Development is suitable in flood risk planning terms and is in accordance with Policy 64.

Policy 66 – Surface Water Drainage

4.51 EIA Report Chapter 9 (Hydrology and Hydrogeology) considers the effects of the Proposed Development on hydrology and hydrogeology. The Proposed Development is considered to be at no risk of surface water flooding. Review of SEPAs Surface Water Flood Map shows highly localised areas of surface water flooding within the Site, however this flooding is generally located within lochans and watercourses. The turbine infrastructure is all located on areas of ground which are raised above or are suitably distanced from these areas.

4.52 Given the upland nature of the Site, overland flow routes from higher to lower ground will be common. However, given the extent of watercourses in the area, overland routes will for the most part, have relatively short drainage paths. Track extents, turbine platforms and other infrastructure will be designed with appropriately sized cut-off drains on their upgradient extents and route these collected flows downstream at regular intervals. This

approach will mimic the existing drainage conditions of the area and minimise any risk of overland flows impacting built infrastructure.

4.53 The CEMP will be further developed at detailed design stage and will include site-specific requirements drainage management and agreed with SEPA and THC.

4.54 The Proposed Development is therefore considered to be in accordance with Policy 66 as it incorporates best practice in drainage design for the construction and operational phases of the development.

Policy 69 – Electricity Transmission Infrastructure

4.55 Policy 69 sets out how THC will consider proposals for electricity transmission infrastructure. The Proposed Development would connect to the electricity transmission network using a new on-site substation, developed specifically for the Proposed Development. The grid connection from the on-site substation to the National Grid would be subject to a separate consent application by the Network Operator (Scottish Hydro Electric Transmission). The electricity transmission infrastructure does not therefore form part of this application, and Policy 69 is therefore not relevant.

Policy 77 – Public Access

4.56 EIA Report Chapter 13 (Socio-economics, Tourism and Recreation) considers the recreational routes within 15km of the Proposed Development and whether its presence would impact on visitors' decision to use them. There are no core paths that pass through the site of the Proposed Development. The impact of the Proposed Development on these recreational routes is considered to be minor or negligible for all routes assessed.

4.57 The application is also accompanied by an Outdoor Access Plan which seeks to identify all public access routes and establish any potential conflicts, safety concerns or access restrictions to the routes that may be encountered during construction and identify mitigation and management measures. It outlines how the Applicant will seek to minimise any negative impact on public access during construction and maximise the benefits post construction by providing suitable signs, gates and other access furniture to accommodate public access during the operational phase.

4.58 The Proposed Development is therefore considered to be in accordance with Policy 77.

Summary

4.59 The Proposed Development is considered to be in accordance with the other policies of the Development Plan in so far as they are relevant. The Proposed Development constitutes sustainable development which will make a valuable contribution to renewable energy targets in the context of the Climate Emergency.

4.60 Furthermore, national policy such as The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and declaration of the Climate Emergency has superseded many of the relevant policies of the Development Plan. The decision by THC to postpone the review of HwLDP predates their declaration of the Climate Emergency, and it is clear that a key focus of NPF4 (and thus the next HwLDP) will be supporting climate change targets. The positive aspects of the project should be considered in the context of the Climate Emergency as well as the Development Plan, with suitable weight attributed in the policy balance.

ONSHORE WIND ENERGY SUPPLEMENTARY GUIDANCE

4.61 The Onshore Wind Supplementary Guidance (SG) was adopted in November 2016, and updated in December 2017, and sets out how THC will manage onshore wind energy development proposals in line with Section 22

of the Town and Country Planning (Scotland) Act 1997 as amended. The documents which comprise the adopted Onshore Wind SG are identified in EIA Report Chapter 4 (Planning Policy).

4.62 The Onshore Wind SG provides THC's most recent policy for onshore wind development, building upon the positive stance towards renewable energy set out in the HwLDP. Section 1 provides an introduction to the SG and builds upon the positive stance towards renewable energy set out in the HwLDP. It acknowledges the positive effects of renewable energy development in terms of addressing climate change issues and social and economic benefits to communities. Paragraph 1.5 states:

"The Highland Council is supportive of renewable energy development and their potential for schemes to deliver effective climate change mitigation, subject to careful balancing with the aspects discussed in this Guidance."

4.63 Since the publication of the Onshore Wind SG, THC have declared a Climate Emergency – reinforcing their commitment to renewable energy development in the context of climate change and indicating a more supportive stance may be required for larger scale onshore wind development. The Proposed Development will deliver effective climate change mitigation, the benefits of which should be afforded significant weight when balancing with other aspects of the Guidance.

Section 2 – Highland Spatial Framework

4.64 This section of the Onshore Wind SG sets out a Spatial Framework which accords with the provisions of SPP. The Spatial Framework identifies areas likely to be the most appropriate for wind farm development.

4.65 Within the Onshore Wind SG, the Proposed Development lies partially in Group 2: Areas of Significant Protection (where wind farms may be appropriate in some circumstances) (coloured yellow), and partially in Group 3: Areas with potential for wind farm development (where wind farms are likely to be acceptable, subject to detailed consideration) (coloured blue) as shown in the figure below.

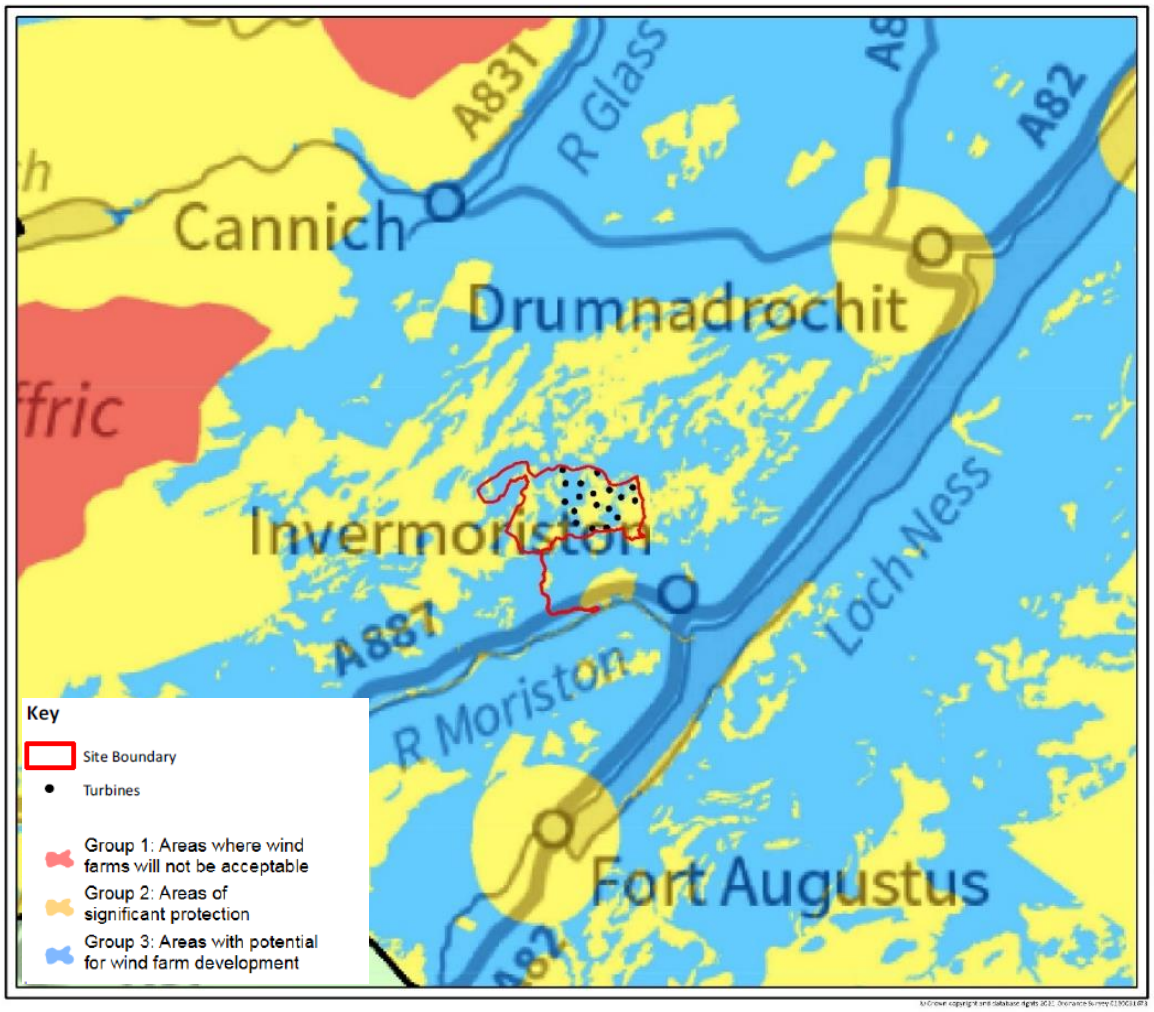

Figure 3 - Onshore Wind Spatial Framework

4.66 Whilst Group 2 areas are afforded significant protection through SPP, HwLDP Policy 67 and the Onshore Wind SG, it is also acknowledged that further consideration will be required to demonstrate that any significant effects associated with a development can be overcome by siting, design and other mitigation.

4.67 The Proposed Development lies partially within a Group 2 area primarily due to the presence of priority Class 1 and Class 2 peatland habitat soils. The subject of peat is discussed above under HwLDP Policy 55 and is detailed in EIA Report Chapter 10 (Geology and Soils). These demonstrate that the Proposed Development has been designed in order to avoid unnecessary disturbance, degradation or erosion of peat and soils. The Proposed Development is considered to be in accordance with Policy 55 as it has been demonstrated through the accompanying EIA Report that the proposals have avoided unnecessary disturbance, degradation or erosion of peat and soils. A draft Peat Management Plan has also been submitted which demonstrates how any impacts will be minimised and mitigated. It is therefore considered that the Proposed Development would be appropriate at the site.

4.68 Section 3 of the Onshore Wind SG relates to community and small-scale development and is not relevant to the Proposed Development.

Section 4 – Key Development Plan Considerations

4.69 This section of the Onshore Wind SG sets out the key Development Plan considerations, broadly in line with HwLDP Policy 67. Section 4 provides guidance on safety and amenity at sensitive locations; safety of airport, defence and emergency service operations; operational efficiency of other communications; operational efficiency of other wind energy developments; the natural and historic environment; the water environment; peat; trees and woodland; tourism and recreation; public access; traffic and transport interests; electricity and gas infrastructure; noise assessment; borrow pits; mitigation; construction environmental management plans; restoration bonds; and repowering. These matters are assessed throughout this PS and EIA Report, and that assessment is not repeated here.

4.70 Of particular relevance to the Proposed Development, Section 4 provides additional guidance in terms of the siting and design of wind turbines and wind farms, and landscape and visual effects. The Proposed Development is assessed with regard to this additional guidance below.

Siting and Design of Wind Turbines and Wind Farms

4.71 The Onshore Wind SG highlights the importance of sensitive siting and design of wind farms. The accompanying EIA Report and DAS evidence the environmental and technical factors considered by the Applicant as part of the design evolution of the Proposed Development in line with the Onshore Wind SG.

Landscape and Visual Effects

4.72 The Onshore Wind SG sets out ten key landscape and visual criteria which THC use as a framework to assess proposals and ensure developers are aware of potential restraints to development. A detailed assessment of the Proposed Development in terms of the criteria is provided at EIA Report Appendix 8.9 and summarised at Table 8.21 of EIA Report Chapter 8 (Landscape and Visual).

4.73 Chapter 8 concludes that, in terms of the key landscape and visual criteria set out within the Onshore Wind SG, although some significant effects would occur to localised parts of the landscape and visual resource, the location, design and layout of the Proposed Development is not anticipated to result in the threshold for any of the ten THC criteria being exceeded.

4.74 The Proposed Development is therefore considered to be in broad conformity with THC's criteria for the consideration of onshore wind farm proposals.

4.75 The Proposed Development is considered to be broadly in line with the recommendations for layout and design within the Onshore Wind SG, and the positive aspects of the project should be considered in the context of the Climate Emergency. Whilst it is acknowledged there will be some landscape and visual impacts associated with the Proposed Development, these will be localised and should be balanced against the valuable contribution the Proposed Development will make as a cost effective and established form of renewable energy development which constitutes sustainable development and makes a valuable contribution to climate change targets.

Section 5 – Highland Strategic Capacity

4.76 EIA Report Chapter 8 (Landscape and Visual) has assessed the Proposed Development in terms of impact on landscape character. Of specific relevance to the Proposed Development, the Loch Ness Sensitivity Study within the Onshore Wind SG sets out the potential for wind energy development in LN10: Separation of Glen Urquhart and Glen Moriston, Rocky Moorland Plateau.

4.77 The analysis of the THC criteria for the consideration of onshore wind farm proposals, as detailed in EIA Report Appendix 8.9, has taken account of the anticipated landscape and visual effects of the Proposed Development, and in particular, the effects on the Key Views, Key Routes and Gateways identified in the Onshore Wind SG. This has concluded that the Proposed Development respects the pattern of existing development with the Rolling Moorland Plateau – Inverness LCT (Onshore Wind Energy SG Landscape Character Area LN10) and the objectives laid out for this area, as well as previously instituted mitigation measures for the Operational Development.

Summary

4.78 The Onshore Wind SG provides THC's most recent guidance for onshore wind development, building upon the positive stance towards renewable energy set out in the HwLDP. The Onshore Wind SG is supplementary to Policy 67 of HwLDP and provides further detailed guidance to help assess the Proposed Development, but introduces no additional or separate assessment criteria.

4.79 The Proposed Development has been assessed in terms of Policy 67 above, and is considered to be in accordance with it. The Proposed Development has also been assessed against the Onshore Wind SG, and is considered to be broadly in accordance with the more detailed guidance set out within the Onshore Wind SG. Whilst it is acknowledged that in terms of landscape and visual effects some significant effects would occur in localised areas, the design of the Proposed Development has been developed to minimise these as far as practicable. The Proposed Development is well located in an established wind resource, will make a valuable contribution towards meeting renewable energy targets, will have a positive effect on both the local and national economy, and is broadly in accordance with THC's advice for the siting and design of wind farm developments.

OTHER SUPPLEMENTARY GUIDANCE

4.80 EIA Report Chapter 4 (Planning Policy) identifies the following SG which is also relevant to the Proposed Development:

Flood Risk and Drainage Supplementary Guidance

4.81 THC's Flood Risk and Drainage SG (adopted January 2013) provides technical guidance to ensure that appropriate development takes place in appropriate locations free from unacceptable flood risk and is not liable to exacerbate flood risk elsewhere.

4.82 As discussed in relation to HwLDP Policy 64, a Flood Risk Assessment (FRA) has been prepared as Technical Appendix 9.2 to EIA Report Chapter 9 (Hydrology and Hydrogeology). This report addresses potential flood risk to the Proposed Development from all potential sources.

4.83 The FRA demonstrates that the Site is at low fluvial flood risk from any nearby watercourse and low risk of flooding due to infrastructure failure and overland flows. All other potential sources of flood risk have been evaluated (i.e. groundwater, sewer flooding etc) which confirms the development site is not at material flood risk from any other source.

4.84 As such it is considered that the Proposed Development is suitable in flood risk planning terms and is in accordance with the Flood Risk and Drainage SG.

Physical Constraints Supplementary Guidance

4.85 The Physical Constraints SG (adopted March 2013) provides additional guidance in relation to HwLDP Policy 30. As set out in the assessment relating to Policy 30, the final layout for the Proposed Development has been informed by a robust EIA and design iteration process, taking into account physical constraints, potential

environmental, landscape and visual impacts and their effects. The Proposed Development is considered to be in accordance with Policy 30 and the Physical Constraints SG.

Protected Species Supplementary Guidance

4.86 THC's Protected Species SG (adopted March 2013) provides guidance on developer's responsibilities and sets out key species to be aware of and the varying levels of protection afforded to them, and how they should be dealt with in a development proposal to avoid breaking the law and to further the conservation of biodiversity.

4.87 These issues are primarily address in EIA Report Chapter 5 (Ecology and Nature Conservation) and EIA Report Chapter 6 (Ornithology). A detailed assessment is provided above in relation to HwLDP Policy 67.

Sustainable Design Supplementary Guidance

4.88 THC's Sustainable Design SG (adopted January 2013) accompanies and supports the approach to sustainability and design within the HwLDP, particularly in relation to Policies 28 & 29.

4.89 The Proposed Development is assessed in relation to Policy 28 above, concluding that the Proposed Development constitutes sustainable development which has been designed in the context of climate change and that that the Proposed Development complies with Policy 28 in so far as it is relevant.

4.90 Policy 29 relates to design quality and placemaking, which is discussed in relation to SPP below.

4.91 The Proposed Development is therefore considered to be in accordance with the Sustainable Design SG.

Special Landscape Areas Citations Supplementary Guidance.

4.92 THC's Special Landscape Areas Citations SG (published June 2011) is useful in understanding the Proposed Development's potential impact on Special Landscape Areas (SLAs). The purpose of this document is to assist in the determination of planning applications by providing background on the SLAs and support HwLDP Policy 57.

4.93 EIA Report Chapter 8 (Landscape and Visual) provides an assessment of potential landscape effects on SLAs, concluding that there would be no significant landscape effects to any of these areas as a result of the Proposed Development.

OVERALL CONCLUSIONS

4.94 The Proposed Development is considered to be in accordance with HwLDP Policy 67, the primary Development Plan policy in relation to onshore wind developments – including the further guidance detailed in the Onshore Wind SG. The Proposed Development has been further assessed against the other policies of the HwLDP, and is considered to comply with the relevant policies of the Development Plan. It is concluded that overall the Proposed Development is in accordance with the Development Plan.

4.95 It is noted that the HwLDP is now out of date – having been adopted in 2012. This was before the current National Planning Policy Framework and Scottish Planning Policy were published in 2014. These two documents are themselves 'behind the curve' in respect of the drive towards renewable energy development. It is considered that the HwLDP needs to be viewed in the context of the renewable energy policy, particularly the Climate Emergency, as set out in this Planning Statement. The weight to be attached to the HwLDP is considered to be reduced owing to its age.

5.0 NATIONAL PLANNING POLICY

5.1 This chapter of the Planning Statement addresses relevant national planning policy and advice, referencing National Planning Framework, Scottish Planning Policy and Scottish Government advice on renewable developments. These are considered to be material to the determination of the application.

NATIONAL PLANNING FRAMEWORK 3

5.2 The National Planning Framework 3 (NPF3) was laid in the Scottish Parliament on 23 June 2014 and is currently under review. This framework sets out a long-term vision for the development of Scotland, with a focus on supporting sustainable economic growth and the transition to a low carbon economy. NPF3 is the spatial framework that informs development and investment decisions of the Scottish Government and guides Scotland's spatial development over the next 20 to 30 years.

5.3 The central vision of NPF3 is set out over four key aspects:

- A successful, sustainable place;
- A low carbon place;
- A natural, resilient place; and
- A connected place.

5.4 The vision of NPF3 provides a high level of support for renewables and thus the Proposed Development. The Proposed Development will contribute to a growth of the low carbon economy and Scotland's ambition to be a world leader in onshore low carbon energy generation, increasing resilience to Climate Change. The Proposed Development achieves this whilst respecting the natural environmental assets of the area, and provides economic opportunity to rural areas.

5.5 Chapter 3 of NPF3, 'A low carbon place', provides further support for renewable energy developments. The introduction states the Scottish Government's ambition to achieve at least an 80% reduction in greenhouse gas emissions by 2050 (now amended). Planning is noted as playing a key role in delivering national low carbon commitments, and the spatial strategy of NPF3 sets out:

"…a clear direction of travel which is consistent with our world-leading climate change legislation."

5.6 As previously noted, since the publication of NPF3 the direction of travel in terms of climate change legislation has dramatically increased. The Proposed Development will significantly contribute to the renewable energy targets as set out in NPF3, and the increased targets as included in updated legislation.

5.7 Paragraph 3.23 of NPF3 states the Scottish Government's position that *"onshore wind will continue to make a significant contribution to diversification of energy supplies"*, but notes the role of Scottish Planning Policy (SPP) in setting out the approach to preparing spatial frameworks which will guide wind farm development to appropriate locations.

5.8 NPF3 is currently under review, which is discussed further below.

5.9 In conclusion, NPF3 provides clear support for onshore wind development as a key technology in the energy mix which will contribute to Scotland becoming a low carbon place which is successful, sustainable and resilient. The Proposed Development will significantly contribute to the renewable energy targets as set out in NPF3 and updated in more recent legislation.

SCOTLAND'S FOURTH NATIONAL PLANNING FRAMEWORK POSITION STATEMENT

5.10 Scotland's Fourth National Planning Framework Position Statement ("the Position Statement") was published in November 2020 and provides an update on the Scottish Government's preparation of National Planning Framework 4 (NPF4). The Position Statement is not a formal part of the NPF process; nor is it a draft NPF4 and it does not have any formal status in the planning process.

5.11 The Position Statement signals a significant shift away from the NPF3 focus on 'low carbon' towards a more ambitious 'net zero' agenda for NPF4.

5.12 The Position Statement sets out a number of Key Opportunities to achieve net-zero emissions by 2045. Key Opportunity 8 states:

"Supporting renewable energy developments, including the re-powering and extension of existing wind farms, new and replacement grid infrastructure, carbon capture and storage and hydrogen networks."

5.13 Under the heading 'A plan for net-zero emissions', the Position Statement notes:

"Climate change will be the overarching priority for our spatial strategy. To achieve a net-zero Scotland by 2045 and meet the interim emissions reduction targets of 75% by 2030 and 90% by 2040, an urgent and radical shift in our spatial plan and policies is required. Scotland's updated Climate Change Plan will be published later this year, setting a course for achieving the targets in the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019. NPF4 will take forward proposals and policies to support it."

5.14 In relation to the Climate Emergency, the Position Statement confirms:

"We expect that NPF4 will confirm our view that the Global Climate Emergency should be a material consideration in considering applications for appropriately located renewable energy developments."

5.15 A draft NPF4 is due to be laid in the Scottish Parliament in Autumn 2021, with a final version of NPF4 published for approval and adoption in Spring 2022. Once adopted, NPF4 will incorporate SPP and will have the status of the development plan for planning purposes.

5.16 Whilst it is acknowledged that the Position Statement does not have any formal status in the planning process, it is expected that the Proposed Development will draw significant support from NPF4 when published.

SCOTTISH PLANNING POLICY (SPP)

5.17 SPP was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land.

5.18 Formal changes to Paragraphs 28, 29, 30, 32, 33 and 125 were published in December 2020. The changes to SPP were quashed by the Court of Session on 21 July 2021 (Graham's The Family Diary [2021] CSOH 74). The June 2014 version of SPP therefore remains the policy against which the Proposed Development should be assessed.

5.19 This document sets out four planning outcomes which explain how planning should support the vision of the Scottish Government:

- Outcome 1: A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places;
- Outcome 2: A low carbon place – reducing our carbon emissions and adapting to climate change;

- Outcome 3: A natural, resilient place – helping to protect and enhance our natural and cultural assets and facilitating their sustainable use; and
- Outcome 4: A more connected place – supporting better transport and digital connectivity.

5.20 Outcome 2 is the most relevant with regards to the Proposed Development and emphasises the role of NPF3 in facilitating the transition to a low carbon economy – particularly by supporting diversification in the energy sector. Paragraph 18 references The Climate Change (Scotland) Act 2009 and the targets set by the Act (now amended), and Section 44 of the 2009 Act which places a duty on every public body to act:

- In the way best calculated to contribute to the delivery of emissions targets in the Act;
- In the way best calculated to help deliver the Scottish Government's climate change adaptation programme; and
- In a way that it considers is most sustainable.

5.21 Given both the Scottish Government and THC have subsequently declared a Climate Emergency, the duties detailed in Section 44 of the Act should be given additional weight in the policy balance. SPP is clear in its support for facilitating the transition to a low carbon economy by supporting diversification in the energy sector, and the Proposed Development has a clear benefit in contributing to the delivery of emissions targets and the Scottish Government's climate change adaption programme.

5.22 Paragraph 19 states that SPP sets out how these targets should be delivered on the ground, which is the subject of the remainder of this section. It emphasises how planning can support the transformational change required to meet emission reduction targets and address climate change.

5.23 There are two principle policies of SPP – Sustainability and Placemaking.

Sustainability

5.24 The SPP's central purpose is to focus Government and public services on creating a more successful country through increasing sustainable economic growth. This can be achieved through the planning system by supporting economically, environmentally and socially sustainable places and responding to economic issues, challenges and opportunities.

5.25 The Proposed Development supports the key principles of SPP by:

- Providing a net economic benefit to both the Highlands and Scotland as a whole;
- Promoting good design and making efficient use of existing infrastructure;
- Supporting the delivery of energy infrastructure; and
- Supporting climate change mitigation and adaptation.

5.26 A key aspect of the sustainability policy is the presumption in favour of development that contributes to sustainable development. Paragraph 28 advises that:

"The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of 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."

5.27 The benefits of the Proposed Development are clearly stated in Section 7, and the PS as a whole has demonstrated the Proposed Development as a cost effective and established form of renewable energy development which will make a valuable contribution to climate change targets.

5.28 Paragraph 29 sets out a range of principles which should guide that. The following are particularly pertinent in this case:

- Giving due weight to net economic benefit;
- Making efficient use of existing capacities of land and infrastructure;
- Supporting the delivery of energy infrastructure; and
- Supporting climate change mitigation.

5.29 These principles should be regarded as an important material consideration in the policy balance. The Proposed Development satisfies the principles set out at Paragraph 29 of SPP and it would assist in delivering Outcomes 1, 2 and 3 – indicating that overall the Proposed Development is consistent with sustainable development.

5.30 Paragraph 33 of SPP advises that where relevant policies in a development plan are out-of-date (i.e. they are more than five years old) or the plan does not contain policies relevant to the proposal, then the presumption in favour of sustainable development is a significant material consideration. As discussed above, the relevant Development Plan in terms of the Proposed Development is the HwLDP. An assessment of the Proposed Development in terms of the HwLDP and the associated Onshore Wind SG has been provided in this Planning Statement.

5.31 The HwLDP is over five years old. As such, it is considered that the presumption in favour of sustainable development is engaged in this instance, and is an important consideration which should attract significant weight in the policy balance. The Proposed Development is considered to be consistent with the principles of sustainable development.

5.32 This view is supported by recent appeal cases. Paragraph 89 of the Dell Wind Farm appeal (PPA-270-2183) decision notice, dated 22 August 2019, notes that THC's Onshore Wind Energy Guidance is supplementary to the key Development Plan policies that are more than five years old, and therefore the sustainable development presumption is a significant material consideration.

5.33 At Paragraph 94, the reporter concluded:

"The appellant considers the planning balance to be tilted in favour of the proposed development and the presumption in favour of granting permission should prevail. I agree that paragraph 33 of Scottish Planning Policy is engaged and is a significant material consideration given that the local development plan is more than five years old. Based on my conclusions reached above, the proposal can also draw support from the planning outcomes within Scottish Planning Policy and the policy principles set out in paragraph 29, and would represent a development that contributes to sustainable development. Overall, I consider there to be a presumption in favour of the development. Drawing all the relevant considerations together, I am satisfied that any adverse impacts of the proposal would not significantly and demonstrably outweigh its benefits."

5.34 The implications of this should attract significant weight in the consideration of the application.

5.35 The reporter further noted at Paragraph 92 that that a proposal for wind energy development does not necessarily render it wholly sustainable. Before the presumption can be applied, it is necessary to determine whether the Proposed Development would contribute to sustainable development. This Planning Statement and accompanying EIA Report have evidenced that the Proposed Development can be considered to be development that contributes to sustainable development and will make a valuable contribution to climate change targets. It is considered that the planning balance should therefore be titled in favour of the Proposed Development and the presumption in favour of granting permission should prevail.

Placemaking

5.36 SPP outlines placemaking as a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. Planning should take every opportunity to create high quality places by taking a design-led approach through the joint consideration of the relationships between higher quality places.

5.37 The accompanying EIA Report outlines the creative and collaborative process which has resulted in the Proposed Development. The Proposed Development is therefore in accordance with SPP placemaking policies in so far as they are relevant.

SPP Onshore Wind Policy

5.38 SPP specifically discusses onshore wind in Paragraphs 161 to 166, and advises that planning authorities should set out in their Development Plans a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. THC set these out in HwLDP Policy 67 and accompanying Onshore Wind Supplementary Guidance, and this Planning Statement assesses the Proposed Development in terms of these policies above.

5.39 Table 1 of SPP sets out three groups to guide wind farm development towards the most appropriate areas. The Proposed Development lies partially in Group 2 (where wind farms may be appropriate in some circumstances), and partially in Group 3 (where wind farms are likely to be acceptable, subject to detailed consideration).

5.40 Whilst Group 2 areas are afforded significant protection through SPP, it is acknowledged that further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be overcome by siting, design or other mitigation. This Planning Statement and associated EIA Report has demonstrated that any significant effects on the qualities of these areas have been substantially overcome through siting, design and other mitigation.

5.41 SPP further states at Paragraph 169 that proposals for energy infrastructure, including onshore wind, should always take account of the spatial frameworks for wind farms. The criteria listed in SPP are addressed in the context of HwLDP Policy 67 and accompanying Onshore Wind SG, and the responses are not repeated here.

SPP – Other Relevant Policies

5.42 This section will consider other SPP policies which are relevant to the Proposed Development. These policies are identified in EIA Report Chapter 4 (Planning Policy).

SUBJECT	ASSESSMENT
Promoting Rural Development. Paragraphs 74 – 91.	The Proposed Development is in accordance with the aims of Paragraphs 74 – 91 as it will create a pattern of development which is appropriate to the character of the area as an established area of renewable energy generation. It will also support sustainable communities, through economic benefits and the proposed community fund, and will also protect the environmental quality of the area.
Valuing the Historic Environment. Paragraphs 135 – 151.	As discussed at HwLDP Policy 57 and detailed within EIA Report Chapter 7 (Archaeology and Cultural Heritage), the Proposed Development does not impact

SUBJECT	ASSESSMENT
	any key historic environment assets and would have a neutral effect with regards to this policy subject.
Valuing the Natural Environment. Paragraphs 193 – 218.	The Proposed Development is considered to be in accordance with the aims of Paragraphs 193 – 218 as the accompanying EIA Report demonstrates how the Proposed Development has been carefully designed to conserve and enhance international, national and locally designated sites and protected species.
Flood Risk and Drainage. Paragraphs 254 – 268.	The FRA which accompanies this application at EIA Appendix 9.2 demonstrates that the site is at low fluvial flood risk from any nearby watercourse and low risk of flooding due to infrastructure failure and overland flows. All other potential sources of flood risk have been evaluated (i.e. groundwater, sewer flooding etc) which confirms the development site is not at material flood risk from any other source.
Promoting Sustainable Transport and Active Travel. Paragraphs 269 – 291.	The Proposed Development supports sustainable transport by optimising the use of existing infrastructure and building upon the experience gained from the construction of the Operational Development. The application is also accompanied by an Outdoor Access Plan which seeks to identify all public access routes and establish any potential conflicts, safety concerns or access restrictions to the routes that may be encountered during construction and identify mitigation and management measures. It outlines how the Applicant will seek to minimise any negative impact on public access during construction and maximising the benefits post construction by providing suitable signs, gates and other access furniture to accommodate public access during the operational phase.

Summary – SPP

5.43 It is considered that the Proposed Development is in line with the principles of SPP – particularly Outcome 2: A low carbon place. The Proposed Development is therefore considered to be sustainable development as defined by SPP, and the presumption in favour of sustainable development is engaged and provides significant support to the positive determination of the application. This is particularly due to the valuable contribution the Proposed Development will make towards meeting climate change targets in the context of the Climate Emergency.

CONCLUSIONS OF NATIONAL PLANNING POLICY AND GUIDANCE

5.44 NPF3 and SPP set out a strong position of Government support for renewable energy development including onshore wind energy. It is anticipated that the Proposed Development will draw significant support from the ambitious 'net zero' agenda for NPF4, when published. This has been further built upon in more recent policy announcements including the declaration of the Climate Emergency.

5.45 This section of the PS has highlighted that the Proposed Development is supported by the material considerations contained within national planning policy, in addition to being broadly in accordance with the Development Plan.

6.0 THE CAIRNGORMS NATIONAL PARK

6.1 The Cairngorms National Park Authority is the neighbouring planning authority and a consultee to the application insofar as any indirect effects need to be considered against the policy framework for the National Park.

6.2 Whilst it is acknowledged that the proposals are not located in the National Park, and the National Park is (at its closest point) 25.7km away, there is the need to consider aspects of the policy and guidance applicable to the National Park and specifically in considering its setting and special qualities.

CAIRNGORMS NATIONAL PARK PARTNERSHIP PLAN

6.3 The Cairngorms National Park Partnership Plan (CNPPP) is the overarching management plan for the National Park. The plan was published and came in to effect in 2017, and sets the context for the next level of policy and guidance through the HwLDP. The CNPPP documents the primary aims of the park, and aligns this with those contained in the National Parks (Scotland) Act 2000:

- To conserve and enhance the natural and cultural heritage of the area;
- To promote sustainable use of the natural resources of the area;
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- To promote sustainable economic and social development of the area's communities.

6.4 EIA Report Appendix 8.2 identified all designated and protects landscapes within the wider study area. It notes that the Cairngorms National Park (CNP) is approximately 25.7km away from the Proposed Development (nearest turbine), and therefore whilst there are small areas of theoretical visibility, significant effects are unlikely due to distance and context. The CNP was therefore excluded from detailed assessment within the LVIA.

6.5 In the context of the CNPPP, it is therefore concluded that the Proposed Development would be unlikely to have significant effects on the special qualities or setting of the National Park, and the Proposed Development would not undermine any of the primary aims of the Park.

CAIRNGORMS NATIONAL PARK LOCAL DEVELOPMENT PLAN 2021

6.6 The Cairngorms Local Development Plan 2021 was adopted in March 2021. The Proposed Development is not within the LDP Area, and as such it is not a relevant consideration and is not assessed further in this PS.

SUMMARY

6.7 This section of the PS has considered the Proposed Development in relation to any indirect effects on the CNP. The National Park is (at its closest point) 25.7km away, and it is concluded that the Proposed Development would not have any significant effects on the special qualities or setting of the National Park due to distance and context. The Proposed Development would not undermine any of the primary aims of the Park.

7.0 THE BENEFITS OF THE PROPOSED DEVELOPMENT

7.1 The Proposed Development would result in a number of significant benefits. The EIA Report discusses various mitigation measures that would be put in place to avoid any adverse impacts and, indeed, some of these measures would result in positive impacts, such as net habitat enhancement benefits through delivering positive habitat management.

7.2 It is considered that the Proposed Development would result in significant and valuable benefits locally, regionally and nationally and such benefits are detailed in EIA Report Chapter 13 (Socio-economics, Tourism and Recreation).

ECONOMIC AND COMMUNITY BENEFITS

7.3 EIA Report Chapter 13 provides an analysis of the economic benefits of the Proposed Development. It was estimated that:

- during the development and construction phase, the Proposed Development would cost approximately £99 million and could generate up to:
  - £14.4 million Gross Value Added (GVA) and 196 years of employment in Highland; and
  - £36.6 million GVA and 494 years of employment in Scotland.
- during each year of the operational phase, expenditure on operations and maintenance would be £2.7 million and could generate up to:
  - £0.8 million GVA and 11 jobs in Highland; and
  - £1.6 million GVA and 26 jobs in Scotland.

7.4 It is expected that there would be a community benefit fund associated with the Proposed Development, which will build on the existing Bhlaraidh Community Fund. The existing Bhlaraidh Wind Farm Community Fund provides around £270,000 annually to communities and charitable projects via local community companies in the community council areas of Fort Augustus and Glenmoriston and Glen Urquhart. Whilst it is acknowledged this is not a material planning consideration, this approach to community benefit is consistent with the Scottish Government's policy approach.

7.5 There would also be benefits to the public sector from the annual payment of around £1.3 million in non-domestic rates. These non-domestic rates, by providing an additional revenue stream, would support the delivery of local government services. Over an illustrative 25 years, non-domestic rates contributions are expected to be £31.3 million.

SHARED OWNERSHIP

7.6 The Applicant is committed to supporting the Scottish Government’s ambitions for shared ownership and to offering opportunities for communities to share in the value of its wind farm developments where possible. It is currently considering potential options and will engage with relevant local communities at the appropriate time.

CARBON BALANCE & CONTRIBUTION TO RENEWABLE ENERGY TARGETS

7.7 EIA Report Chapter 14 (Climate Change) provides an assessment to calculate the carbon emissions which would be generated during the construction, operation and decommissioning (i.e. assumed to be after 50 years for the purpose of the calculator) of the Proposed Development as well as the carbon payback period resulting from the operation of the Proposed Development.

7.8 The calculations of total CO_2 emission savings and payback time for the Proposed Development indicates the overall payback period of a windfarm with 18 turbines with an average (expected) installed capacity of 5.6MW per turbine would be approximately 2.5 years, when compared to the fossil fuel mix (the existing energy mix within the UK) of electricity generation.

7.9 The Proposed Development is expected to take around 30 months (2.5 years) to repay the carbon exchange to the atmosphere (the CO_2 debt) through construction of the wind farm. However, this is a small percentage (5.0%) of the 50-year lifespan of the Proposed Development.

7.10 Compared to fossil fuel electricity generation projects, which also produce embodied emissions during the construction phase and significant emissions during operation due to combustion of fossil fuels, the Proposed Development has a very low carbon footprint and after 2.5 years, the electricity generated is estimated to be carbon neutral and will displace grid electricity generated from fossil fuel sources. The Site would in effect be in a net gain situation following this time period and will then be contributing to national objectives of reducing greenhouse gas emissions and meeting the 'net zero' carbon targets by 2045.

SUMMARY

7.11 It is estimated that the Proposed Development will have a beneficial economic impact in both the Highlands and Scotland across the construction, operation and decommissioning phases of development.

7.12 The Proposed Development has a very low carbon footprint and after 2.5 years, the electricity generated is estimated to be carbon neutral and will displace grid electricity generated from fossil fuel sources. The Site would in effect be in a net gain situation following this time period and will then be contributing to national objectives of reducing greenhouse gas emissions and meeting the 'net zero' carbon targets by 2045.

7.13 Significant weight should be attributed to the strong support of the Scottish Government for renewable energy development including onshore wind. The Proposed Development will make a meaningful and valuable contribution towards achieving national targets and helping the Scottish Government achieve its climate change goals and support the transition to net zero.

8.0 CONCLUSIONS

8.1 This Planning Statement and accompanying EIA Report have shown that the Proposed Development would contribute to Scottish Government renewable energy targets, is broadly in accordance with the Development Plan, and is supported by a range of material considerations including national planning policy and guidance in respect of renewable energy development and onshore wind.

THE ELECTRICITY ACT 1989

8.2 Reference has been made to the statutory context for the application. The Proposed Development requires to be considered under the terms of the 1989 Act, in particular the Schedule 9 duties.

8.3 Paragraph 3(2) of Schedule 9 to the 1989 Act provides a specific statutory requirement on the Scottish Ministers to have regard to various matters when considering development proposals. It is considered that the detailed work undertaken for the EIA confirms that the Proposed Development is environmentally acceptable. On this basis the Applicant has provided the detailed information which demonstrates how the duties under Schedule 9 of the Electricity Act have been fulfilled.

KEY BENEFITS OF THE PROPOSAL

8.4 This PS and associated EIA Report has highlighted the key benefits of the development:

- The indicative installed capacity anticipated to be in excess of 100MW would make a valuable contribution to Scottish Government targets for renewable energy as set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019;
- The site is located at an excellent and proven wind resource, with extensive existing infrastructure; and
- The Proposed Development has been designed to maximise local and national economic benefit.

8.5 The wide range of benefits associated with the Proposed Development should be afforded significant weight in the policy balance.

THE DEVELOPMENT PLAN

8.6 The Proposed Development is considered to be in accordance with HwLDP Policy 67, the primary policy in relation to onshore wind developments, and other relevant policies of the Development Plan.

MATERIAL CONSIDERATIONS

8.7 NPF3 and SPP set out a strong position of Government support for renewable energy development including onshore wind energy. It is also anticipated that the Proposed Development will draw significant support from the ambitious ‘net zero’ agenda for NPF4, when published.

8.8 It is concluded that, in addition to being in accordance with the Development Plan, the Proposed Development is strongly supported by the material considerations outlined in this PS and accompanying EIA Report. The Proposed Development is considered to be sustainable development as defined by SPP, and the presumption in favour of sustainable development is engaged and provides significant support to the positive determination of the application. This is particularly due to the valuable contribution the Proposed Development will make towards meeting climate change targets in the context of the Climate Emergency.

OVERALL CONCLUSIONS

8.9 The application for Section 36 consent (Electricity Act 1989) has been prepared by SSE Renewables Development (UK) Limited (SSE Renewables), “the Developer”, on behalf of the Applicant. Deemed planning permission under Section 57(2) of the Town and Country Planning Act 1997, as amended, will also be sought.

8.10 The proposals comprises up to 18 turbines with a maximum tip height of 180m. The proposal has been assessed against the Development Plan and it is concluded that it is in accordance with the main themes, objectives and policies of the Development Plan.

8.11 The EIA Report concludes, that there are no significant impacts in relation to natural, built and cultural heritage features, species and habitats, noise, shadow flicker, hydrology, aviation, communications or transport. Whilst it is acknowledged there will be some landscape and visual impacts associated with the Proposed Development, these will be localised and should be balanced against the valuable contribution the Proposed Development will make as a cost effective and established form of renewable energy development which constitutes sustainable development and makes a valuable contribution to climate change targets.

8.12 This Planning Statement considers the relevant material considerations to the Proposed Development with particular attention to SPP and The Scottish Government's Energy Strategy. The proposal accords with the broad spectrum of national planning policy and advice. It is submitted that there are no material considerations that would justify a refusal of the proposal – indeed the material considerations generally support the proposal.

8.13 Furthermore, the Proposed Development will make a significant contribution to meeting renewable energy targets in Scotland. Compared to fossil fuel electricity generation projects, the Proposed Development has a very low carbon footprint and after 2.5 years, the electricity generated is estimated to be carbon neutral and will displace grid electricity generated from fossil fuel sources. The Site would in effect be in a net gain situation following this time period and will then be contributing to national objectives of reducing greenhouse gas emissions and meeting the 'net zero' carbon targets by 2045.

8.14 It is respectfully submitted that Section 36 consent should be granted for the proposed Bhlaraidh Wind Farm Extension.

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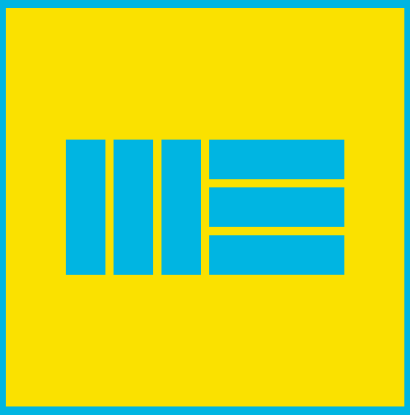

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