CLOICHE WIND FARM

PLANNING STATEMENT

ON BEHALF OF SSE GENERATION LTD

CONTENTS

1. INTRODUCTION

SSE Generation Ltd (SSEG), "the Applicant", is proposing to construct a new onshore wind farm to generate renewable electricity from wind power. The Proposed Development is located on both Glendoe and Garrogie Estates, adjacent to the operational 66 turbine Stronelairg Wind Farm and the 100 Megawatt (MW) Glendoe Hydroelectric Scheme. Once operational the 36 turbines will make a significant contribution to meeting renewable energy and climate change targets in Scotland, generating over 150MW of renewable energy.

THE PROPOSED DEVELOPMENT

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.

An 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) on 27 August 2018, and a Scoping Opinion was subsequently provided by ECU on 18 December 2018 (see EIA Report Appendix 5.1).

The application is accompanied by an Environmental Impact Assessment (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.

The Applicant held a formal pre-application meeting with The Highland Council ("THC") and other consultees on 27th November 2019. The output from this was a Pre-Application Advice Pack which covered policy and other matters. This formal response was received by the applicant on 20th December 2019. The applicant has also engaged with the Scottish Government Energy Consents Unit during the pre-application period, and undertaken 'gatecheck' procedures and engagement to shape the approach and content of the submission. Such matters have been taken into account in the design of the Proposed Development and are referenced as appropriate in this Planning Statement.

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

SSE Renewables is a leading developer and operator of renewable energy across the UK and Ireland, with a portfolio of around 4GW of onshore wind, offshore wind and hydro. Part of the FTSE-listed SSE plc, its strategy is to drive the transition to a zero-carbon future through the world class development, construction and operation of renewable energy assets.

SSE Renewables owns nearly 2GW of onshore wind capacity with over 1GW under development. Its offshore wind portfolio consists of 580MW across three offshore sites, two of which it operates on behalf of its joint venture partners. SSE Renewables has the largest offshore wind development pipeline in the UK and Ireland at over 7GW.

PURPOSE OF THE PLANNING STATEMENT

This Planning Statement has been prepared by Montagu Evans LLP on behalf of the Applicant. The Planning Statement provides an assessment of the Proposed Development's compliance with the decision making framework. The accompanying EIA Report

Chapter 6: 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.

The structure of the Planning Statement 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;
- Conclusions are found in Section 8.

THE STATUTORY FRAMEWORK

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.

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.

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.

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 s.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. THE SITE

This section of the Planning Statement 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. A detailed description of the development is contained in EIA Report Chapter 3: Description of Development.

THE SITE

The Proposed Development is located on both Glendoe and Garrogie Estates within the Monadhliath Mountains, approximately 11km south-east of Fort Augustus and 14km west of Newtonmore, within the Highland region of Scotland.

The Proposed Development sits adjacent to the operational Stronelairg Wind Farm and Glendoe Hydroelectric Scheme. The Proposed Development comprises two clusters; an eastern cluster and a western cluster. It is intended that the Proposed Development would be permitted, constructed and operated as a single project.

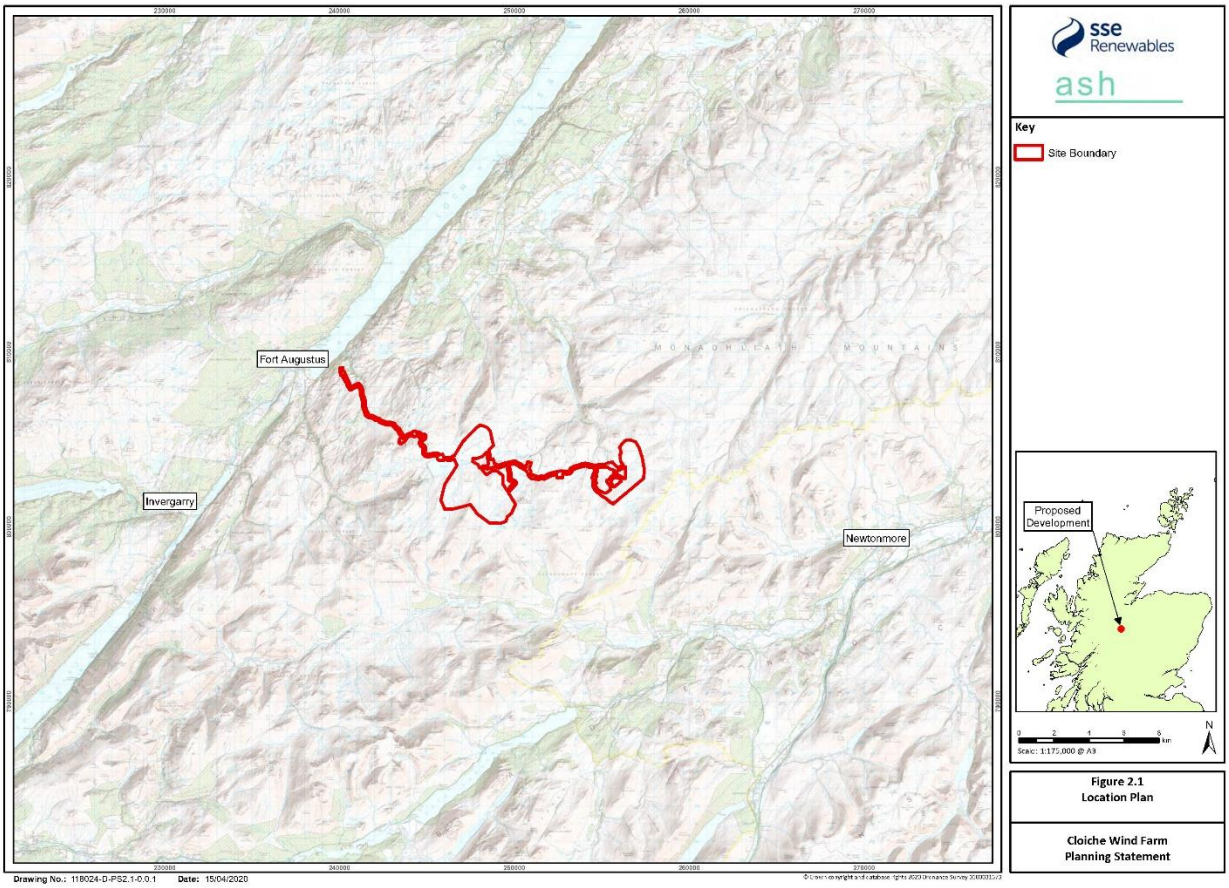

Figure 2.1 - Location Plan

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Development comprises an estimated maximum permanent development footprint of approximately 32.77ha. During the construction period it is estimated that a further 28.35ha or thereby would be temporarily required, which would be reinstated

following completion of the construction works. The total installed capacity of the Proposed Development is anticipated to be over 150 MW, comprising 36 turbines with a maximum tip height of 149.9 metres.

The Proposed Development would include the following key components:

- Thirty six wind turbines of up to 149.9m tip height with internal transformers;
- Crane hardstanding and associated laydown area at each wind turbine location;
- On site access tracks (of which approximately 26km are new access tracks and approximately 29km are existing tracks);
- A new on-site substation;
- A network of underground cabling to connect each wind turbine to the on-site substation;
- Up to two LiDAR units to collect meteorological and wind speed data, and associated hard stand; and
- Any associated ancillary works required.

In addition to the permanent components, the construction phase would comprise the following temporary facilities:

- Reuse of former main site compound area (utilised for Stronelairg Wind Farm and Glendoe Hydroelectric Scheme) adjacent to the B862, including welfare facilities, site cabins, and parking;
- Reuse of further site compound areas, as well as storage areas;
- Batching plant facilities for up to two temporary concrete batching plants;
- Temporary telecommunications infrastructure; and
- Borrow pits, comprising a combination of reuse of existing borrow pits created for Stronelairg Wind Farm, and new borrow pits.

The key components of the development are described in further detail in EIA Report Chapter 3: Description of Development.

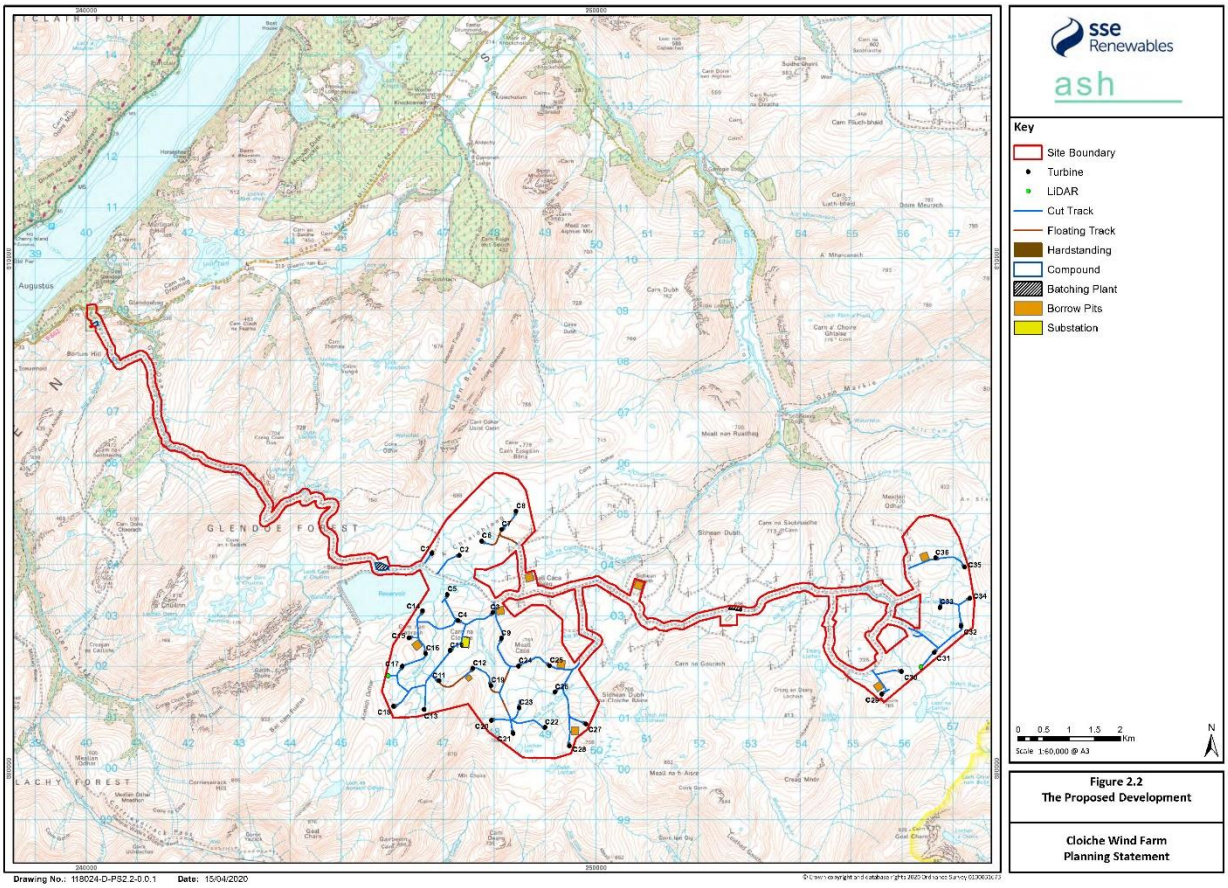

Figure 2.2 - The Proposed Development

THE SURROUNDING AREA

The Proposed Development is located on both Glendoe and Garrogie Estates within the Monadhliath Mountains, approximately 11km south-east of Fort Augustus and 14km west of Newtonmore, within the Highland region of Scotland.

The Proposed Development is not situated in any areas designated for nature conservation, although there are a number of European and National designations in close proximity, namely Loch Knockie and nearby Lochs Special Protection Area (SPA), and the Monadhliath Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The Proposed Development is not located within any areas covered by statutory landscape designations, although there are landscape designations and protected landscapes within the wider area. The Cairngorms National Park and the Monadhliath Wild Land Area (WLA) are located approximately 1km to the east of the Proposed Development at its closest point. Other WLAs are located within the wider area. Furthermore, there are a number of landscapes within the wider area identified as of regional importance, referred to as Special Landscape Areas (SLAs).

ACCESS

Access for the construction and operation of the Proposed Development would be from the B862. Access to the site would be achieved by utilising the existing track infrastructure in place, initially built as part of the Glendoe Hydroelectric Scheme, upgraded and modified more recently during the construction of Stronelairg Wind Farm. The tracks are typically built to a high standard capable of accommodating construction vehicles and large wind turbine deliveries. One of the key benefits of constructing and operating a wind farm in this location would be the capacity to make use of existing infrastructure and access tracks created for Glendoe Hydroelectric Scheme and Stronelairg Wind Farm, as well as the experience gained from construction of both of these projects.

The preferred access strategy for the delivery of turbine components would be the same as that used during the construction of Stronelairg Wind Farm. It is anticipated that wind turbine blades would be delivered by sea to Kyle of Lochalsh and then transported by road via the A87 to Invergarry, the A82 to Fort Augustus and the B862 to the site entrance. The nacelle, hub, drive train, blade sections and tower sections are classified as Abnormal Indivisible Loads (AILs) due to their weight and/or length. The nacelle and hub sections would be delivered by sea to Corpach, and then transported by road via the A830 and the A82 to Fort Augustus, and the B862 to the site entrance.

SUMMARY

The site, sitting adjacent to the operational Stronelairg Wind Farm and Glendoe Hydroelectric Scheme, is well known to the Applicant following the successful construction and on-going operation of these existing renewable assets. The experience gained from the construction of both these projects 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. RENEWABLE ENERGY POLICY

This chapter will consider the Proposed Development in terms of the renewable energy policy framework outlined in Chapter 6 of the EIA Report in order to set the wider policy context for the Proposed Development.

The international, UK and Scottish Renewable 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

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.

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

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 received Royal Assent on 31 October 2019. It 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.

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

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

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.

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.

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."*

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

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.

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.

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

THE CLIMATE EMERGENCY

The Scottish Government

At the 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."

In May 2019 the Scottish Government formally declared a Climate Emergency. In a speech to the Scottish Parliament, the 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."

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

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."

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

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."

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

Relevance of the Climate Emergency

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 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.

RENEWABLE ENERGY POLICY – CONCLUSIONS

The total installed capacity of the Proposed Development is anticipated to be over 150MW (dependent on turbine model). This means that the Proposed Development would produce approximately 678,000MWh of electricity annually which is enough to power approximately 233,000 homes.

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. 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. STATUTORY DEVELOPMENT PLAN

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 chapter provides an assessment of the Proposed Development's compliance with the statutory Development Plan.

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);
- The West Highlands and Islands Local Development Plan (WestPlan); and
- Relevant Supplementary Guidance.

THE HIGHLAND-WIDE LOCAL DEVELOPMENT PLAN (HWLDP)

The adopted Development Plan comprises the Highland-Wide Local Development Plan (HwLDP) (adopted 5 April 2012).

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."

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.

The proposals sit adjacent to the operational Stronelairg Wind Farm and Glendoe Hydroelectric Scheme and will make use of existing infrastructure and access tracks created for these developments. It is considered that the proposals are located in an area where renewable energy developments can be accommodated and is an excellent and proven wind resource. The proposals have been the subject of extensive design development and a rigorous examination by way of the EIA process in order to take full account of the impact on the environment. The Proposed Development is for a sustainable development project which will assist Scotland in increasing its supply of renewable energy, and is considered to make use of efficient resources – particularly renewable energy. During the construction of the development a number of jobs will be created which will have a temporary impact upon the local economy. The applicant will endeavour to resource locally where practicable, which will provide an economic and social benefit to the surrounding area.

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 Act), until the implications of the Planning Bill (now Act) were more clearly understood. There is no anticipated date that the HwLDP2 is to be adopted. The HwLDP is therefore considered to be the relevant Local Development Plan. It should be noted however that, as the HwLDP is more than five years old, the Proposed Development should be viewed from the perspective of the presumption in favour of development that contributes to sustainable development as detailed in Paragraph 33 of SPP. This is discussed in detail below.

THE INNER MORAY FIRTH LOCAL DEVELOPMENT PLAN (IMFLDP)

Part of the Proposed Development lies within the boundary of the Inner Moray Firth Local Development Plan (IMFLDP) (adopted 31 July 2015). IMFLDP is relevant in so far as part of the site is located within the IMFLDP 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. Accordingly, the HwLDP still remains as the key Development Plan Document.

THE WEST HIGHLANDS AND ISLANDS LOCAL DEVELOPMENT PLAN (WESTPLAN)

Part of the Proposed Development lies within the area covered by the West Highland and Islands Local Development Plan (WestPlan) (adopted 30 September 2019). WestPlan's focus is predominantly on settlements within the Plan area and there are no provisions or policies which are directly relevant to the Proposed Development, or which counter those contained within the HwLDP. Accordingly, the HwLDP still remains as the key Development Plan document.

HWLDP POLICY 67 – RENEWABLE ENERGY DEVELOPMENTS

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.

Key criteria:

Policy 67 - Key Criteria

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 and on-going operation of wind energy renewable assets.
Contribution of the Proposed Development towards meeting renewable energy generation targets.	The total installed capacity of the Proposed Development is anticipated to be over 150MW (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 Renewable Energy Policy chapter above. The Proposed Development will also deliver a meaningful contribution in the context of Scottish Government and THC Climate Emergency declarations.

CRITERIA	ASSESSMENT
Positive or negative effects of the Proposed Development on the local and national economy.	The Proposed Development will make a valuable contribution to both the Highland and Scotland economies. EIA Report Chapter 14: Socio-economic and Tourism estimates that during the construction phase the Proposed Development could generate up to: • £28.1 million GVA and 412 job years in Highland; and • £64.4 million GVA and 983 job years in Scotland. During the operation and maintenance phase, the Proposed Development would generate: • £1.4 million GVA and 16 jobs in Highland; and • £2.5 million GVA and 29 jobs in Scotland. These figures are elaborated on in detail in Chapter 14 of the EIA Report. The Proposed Development is therefore considered to have a positive contribution to both the local and national economy.
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 Renewable Energy Strategy would no longer be used as a material consideration. It is therefore not of relevance to this application.	This Planning Statement 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.
Benefits of the Proposed Development, including 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 the climate change targets discussed above and the economic benefits set out in Chapter 14: Socio-economic and Tourism of the EIA Report. The Proposed Development makes effective use of existing infrastructure and facilities associated with Stronelairg Wind Farm and Glendoe Hydroelectric Scheme. This is described in EIA Report Chapter 2: Site Selection and Design Evolution.

The assessment of the proposal against Policy 67 demonstrates that it will contribute towards meeting renewable energy targets, will have a positive effect on the local economy, and will make use of existing infrastructure. The Proposed Development is therefore considered to be in accordance with the key criteria of HwLDP Policy 67.

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 on 11 factors. The table below provides such an assessment.

Policy 67 – Assessment of Effects

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. Chapter 12 of the EIA Report identifies the archaeological and cultural value of the site. Paragraph 12.1.2 advises that the proposed development has been designed to avoid direct impacts on known heritage assets. Four study areas were identified which included the core study area, a 1km study area, a 5km study area and a 10km study area. This included consultation with The Highland Council and Historic Environment Scotland. The assessment notes that all known heritage assets within 50m of the Proposed Development will be fenced off with a visible buffer under archaeological suspension prior to the start of construction. Paragraph 12.11.16 concludes that the potential operational effects on the settings of 21 designated heritage assets have been considered in detail as part of the assessment. No significant operational effects on the settings of these assets have been identified. Furthermore, the possibility of cumulative effects are considered and no significant cumulative effects were identified.
Species and habitats	EIA Report Chapter 8: Ecology and Chapter 9: Ornithology provide an assessment of the Proposed Development in terms of species and habitats. The ecological survey included the area within the site boundary and a buffer distance of 250m beyond the site boundary. During the assessment process, SEPA, SNH and the RSPB were consulted. A number of protected species were scoped out of survey and detailed assessment, including bat species, red squirrel and badger, on the basis that the area does not contain habitats to support them. A summary of Important Ecological Features is contained within Table 8.7 of Chapter 8 of the EIA Report. The dominant habitats identified were wet modified bog, blanket bog and wet heath. Section 8.7 considers potential effects during construction and operation of the proposals. Potential species surveys identified the presence of water vole, otter, mountain hare, brown trout, European eel, common frog, an unidentified newt, common lizard and red deer. Paragraph 8.11.3 concludes that: *"Without application of mitigation, significant effects in terms of the EIA regulations are predicted on the Monadhliath SAC and SSSI. Adverse effects not significant in EIA terms are also considered to occur on habitats, water vole and otter from pollution events. Following the application of mitigation, such as a deer management plan and CEMP, and standard working methods and good practice measures, such as pollution prevention measures, no significant residual effects are predicted."* Chapter 9 considered the various potential adverse effects arising from the construction, operation and decommissioning of the proposed wind farm and evaluated the significance of these effects on key bird species. Following consideration of a range of best practice and mitigation measures for the construction, operational and decommissioning phases of the Proposed Development (in isolation), and the residual (i.e. mitigated) effects for all receptors would be not greater than minor in the long-term and would not be significant in terms of the EIA Regulations.

CRITERIA	ASSESSMENT
Visual impact and impact on the landscape character of the surrounding area	The location of Proposed Development reflects the scale and character of the landscape, and reflects the existing pattern of windfarm development in the locale. The design of the Proposed Development seeks to minimise landscape and visual impact – as evidenced in EIA Report Chapter 2: Site Selection and Design Evolution, accompanying Technical Appendix 2.1: Design Statement, and Chapter 7: Landscape and Visual Amenity. Landscape and visual impact is discussed in detail within the assessment of The Proposed Development against the Onshore Wind Supplementary Guidance. The opening paragraph of Chapter 7 notes that the assessment has considered the potential effects of the Proposed Development on landscape character, designated and protected landscapes, and also the potential effects of the Proposed Development on the visual amenity of those present within the landscape, including established views from residential areas, routes and recreational areas within a 40km study area. As part of the assessment 20 agreed viewpoints have been used to assess the effects on visual amenity. It is considered that the Proposed Development forms a well located wind farm site which enables the generation of renewable energy whilst minimising significant landscape and visual effects. The design of the Proposed Development turbine layout reflects the density of turbines in other developments, and the positioning of the Proposed Development within the same landform 'bowl' as Stronelairg would form a cohesive group with the existing wind farm. When seen from almost all locations the Proposed Development would generally not lead to any significant increase in landscape and visual effect. Paragraphs 7.14.16 – 7.14.18 conclude: *"The vast majority of landscape, visual and cumulative effects of the Proposed Development would be not significant. Significant effects would be limited to an area within close proximity of the Proposed Development, affecting relatively discrete parts of the landscape within 8km and only occasional views obtained by recreational users of the landscape, on the hills around the western cluster of the Proposed Development and Strath Mashie. Landscape effects within 8km may lead to very localised significant effects to wild land characteristics within the Monadhliath WLA (WLA 20), but there would be no significant effect to the Braeroy – Glen Shira – Creag Meagaidh WLA (WLA 19)".* There would be no significant effects to any designated landscapes and the integrity of these areas would not be affected. Although there may be localised significant landscape and visual effects close to the western boundary of the Cairngorms National Park, there would be no significant effects to any of its Special Landscape Qualities and the effect on the National Park as a whole is considered to be not significant. There would be no significant visual effect to any residential areas and no significant effect to any visual receptors or landscapes within the Great Glen.

CRITERIA	ASSESSMENT
Amenity at sensitive locations, including residential properties, work places and recognised visitor sites	Chapter 7: Landscape and Visual assesses the anticipated visual amenity effects associated with the Proposed Development. It demonstrates that there would be very few potential views of the Proposed Development from residential areas, including no views from the main populated areas. There would be no significant visual effect to any residential areas and no significant effect to any visual receptors or landscapes within the Great Glen. Chapter 14: Socio-economic and Tourism concludes that the Proposed Development will have a likely negligible effect on recreation and tourism visitor sites in the study areas. Chapter 15: Land Use and Recreation further assesses the potential effects of the Proposed Development on amenity in the area. It concludes that the Proposed Development would result in no significant effects on land use within the study area; although, temporary effects to some recreational activities are anticipated during the construction phase, which can be addressed through appropriate mitigation. The Proposed Development will therefore have no significant effect on amenity at the sensitive locations identified in Policy 67.
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 5km from a proposed turbine. <u>Visual Intrusion</u> Chapter 7: Landscape and Visual Amenity confirms that there is no significant visual effect on all identified residential locations. <u>Noise Generation</u> Chapter 17 of the EIA Report is in respect of noise. The assessment undertaken has determined the likely effects from the operational phase of the development. The consultant has used guidance contained within ETSU-R-97 and the IOA GPC to assess the likely operational noise of the proposals. A set of proposed noise conditions are included within Annex 5 of the Operational Noise Report. <u>Ice Throw</u> Chapter 5: Scoping and Consultation notes that given the remote location of the Proposed Development, the potential for ice throw to affect members of the public is likely to be extremely low. The low risk of ice throw is reduced further as turbines are fitted with vibration sensors which detect any imbalance that might be caused by icing, leading to the affected turbines being shut down automatically. In addition, public notices would be placed at access points alerting members of the public and staff accessing the site of the possible risk of ice throw under certain weather conditions. <u>Shadow Flicker / Throw</u> Chapter 5: Scoping and Consultation confirms that there is no potential for the effects of shadow flicker to occur, as the nearest occupied property is located approximately 5km from the nearest turbine. In summary, the Proposed Development will have no significant effects in terms of the safety and amenity of regularly occupied buildings and the grounds that they occupy – not least because the nearest residential property is situated around 5km from the site.

CRITERIA	ASSESSMENT
Ground water, surface water (including water supply), aquatic ecosystems and fisheries	Chapter 10 of the EIA Report considers the potential effects on the hydrological and hydrogeological environment associated with the construction, operation and decommissioning of the Proposed Development. Table 10.6 provides a summary of important hydrological features. There are no predicted significant effects on surface water, beyond some localised alteration in surface drainage, due to the installation of appropriate Sustainable Drainage Design (SuDS). Chapter 8: Ecology notes that the site is inaccessible to most fish species and as a result the effects on fish numbers is considered to be not significant. Paragraph 10.11.2 concludes that: *"Following the application of mitigation measures, it is assessed that the residual effects on hydrology and hydrogeology would range from negligible to minor significance. These are not considered to be significant in the context of the EIA Regulations."* It is concluded that the Proposed Development will have an acceptable impact on ground water, surface water, aquatic ecosystems and fisheries.
The safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas	Chapter 16: Aviation considers the potential for effects of the Proposed Development on aviation interests. This includes UK CAA, MOD, NATS, regional airports, local aerodromes and other aviation stakeholders. Section 16.11 of the EIA Report concludes that: *"Following the implementation of a suitable Ministry of Defence (MOD) lighting scheme there would be no effects on aviation as a physical obstruction. Radar modelling confirms that no part of the Proposed Development is likely to be detected by any civil or military radar. No significant effects have been identified in the assessment of aviation issues."*
Other communications installations or the quality of radio or TV reception	A previous assessment was undertaken in relation to Stronelairg Wind Farm to determine its potential effect on telecommunications, TV and radio interference. The assessment identified transmitter masts, microwave links and TV signal strength in communities within the wider area. The assessment concluded that the Stronelairg Wind Farm was not anticipated to result in any potentially significant effects on television, radio and microwave links. Given the previous assessment findings, and considering the proximity of the Proposed Development to Stronelairg Wind Farm, a detailed assessment of TV, radio and microwave interference was scoped out of the EIA. It is concluded that the Proposed Development will have no impact on other communications installations or the quality of radio or TV reception.
The amenity of users of any Core Path or other established public access for walking, cycling or horse riding	EIA Report Chapter 15: Land Use and Recreation confirms that there are no core paths within the site itself and no long term significant effects on land use and recreation are predicted. The impacts of the Proposed Development on public access for walking, cycling and horse riding are discussed below under the heading Policy 77 – Public Access. It is concluded that the impact of the Proposed Development on the amenity of users of core paths and established public access is acceptable.

CRITERIA	ASSESSMENT
Tourism and recreation interests	An assessment of the potential impacts of the Proposed Development on tourism interests has been undertaken in EIA Report Chapter 14: Socio-economic and Tourism. It concludes that during the construction and operation of the Proposed Development there will likely be negligible effects on recreation and tourism assets in the study areas. EIA Report Chapter 15: Land Use and Recreation confirms that no long term significant effects on land use and recreation are predicted. Temporary effects to the sections of three recreational routes (Scottish Hill Track 235, the Monadhliath Trail and the route to access the Corbett Carn a' Chuilinn) during the construction phase will be suitably mitigated (see Technical Appendix 15.1: Draft Outdoor Access Management Plan) and will reduced to non-significant levels during the operational phase of the Proposed Development. The effect of the Proposed Development's construction and operation will not have a significantly detrimental impact on recreation and tourism assets in the study areas.
Land and water-based traffic and transport interests	EIA Report Chapter 13: Traffic & Transport provides an assessment of the traffic and transport effects on the public road network associated with the Proposed Development. The effects of the Proposed Development on land and water-based traffic and transport interests are discussed below under the heading Policy 56 – Travel, it is concluded that the impacts of the Proposed Development on and off-site transport interests are acceptable.

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 Planning Statement will further consider the Proposed Development against the other policies of the Development Plan and other material considerations, as required by Policy 67.

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

OTHER HWLDP POLICIES

This section will consider the other HwLDP policies which are relevant to the Proposed Development. These policies are identified in EIA Report Chapter 6: Planning Policy.

Policy 28 – Sustainable Design

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.

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: Site Selection and Design Evolution and accompanying Technical Appendix 2.1: Design Statement 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.

CRITERIA	ASSESSMENT
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 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 Draft CEMP (EIA Report Appendix 3.1) addresses waste management in detail. This details that wherever possible, excavated stone or soils would be reused on site, primarily for reinstatement of disturbed ground. Any materials to be removed from site (packaging etc.) would be segregated on site and removed to suitable recycling facilities or disposed of to a suitably licensed waste management facility, in accordance with waste management regulations and best practice.
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 5km 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	<u>Prime Quality Agricultural Land</u> The Proposed Development would not affect any areas of agricultural land in the study area defined by Chapter 15: Land Use and Recreation. <u>Approved Routes for Road and Rail Links</u> The site benefits from excellent existing infrastructure, due to the extensive existing access tracks and other infrastructure relating to the operational Stronelairg Wind Farm and Glendoe Hydroelectric Scheme. 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 Planning Statement 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 – as evidenced in EIA Report Chapter 2: Site Selection and Design Evolution and Technical Appendix 2.1: Design Statement,
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: Site Selection and Design Evolution and accompanying Technical Appendix 2.1: Design Statement evidence the design and technical factors considered by the Applicant as part of the design evolution of the Proposed Development.

CRITERIA	ASSESSMENT
Contribute to the economic and social development of the community	The Proposed Development will make a valuable contribution to both the Highland and Scotland economies. EIA Report Chapter 14: Socio-economic and Tourism estimates that during the construction phase the Proposed Development could generate up to: • £28.1 million GVA and 412 job years in Highland; and • £64.4 million GVA and 983 job years in Scotland. During the operation and maintenance phase, the Proposed Development would generate: • £1.4 million GVA and 16 jobs in Highland; and • £2.5 million GVA and 29 jobs in Scotland. These figures are elaborated in detail in Chapter 14. The Proposed Development is therefore considered to have a positive contribution to the economic and social development of the community.

Policy 28 adds little to the detailed provisions specifically related to renewable energy development as set out in Policy 67 and the Policy is therefore of limited relevance in terms of the overall development. This Planning Statement and accompanying EIA Report have shown how 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

Policy 30 sets out how various physical and technical factors need to be assessed when considering development proposals. The Proposed Development has been the subject of rigorous examination by way of the EIA process in order to take full account of the impact on the environment. 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

Policy 36 states that renewable energy development proposals will be assessed against the Renewable Energy Policies, the non-statutory Highland Renewable Energy Strategy and, where appropriate, Onshore Wind Energy: Supplementary Guidance.

This Planning Statement 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.

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.

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

Policy 51 outlines significant protection to existing hedges, trees and woodlands on and around development sites. EIA Chapter 8: Ecology states that there are no trees in the area where development will take place. Policy 51 is therefore not relevant to the assessment of the Proposed Development.

Policy 55 – Peat and Soils

Policy 55 sets out that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Peat is considered in EIA Report Chapter 11: Geology and Carbon Balance. Peat deposits are present across the majority of the site. Baseline conditions were identified through desk-based assessment, consultation and field survey, including peat depth surveys. The assessment undertaken has identified the presence of sensitive receptors within the Site, namely areas of nationally important carbon rich soils with priority peatland habitat (Class 1 or 2). As part of the conceptual design, the disruption of peat has been minimised by avoiding areas of thick peat deposits as far as practicable, and the re-use of excavated

peat would be maximised in accordance with best practice management. An assessment of peat landslide risks and details of mitigation measures have also been included in Chapter 11. The results of the peat slide risk assessment further informed the layout design.

The Proposed Development has avoided unnecessary disturbance, degradation or erosion of peat and soils by:

1. Designing the Proposed Development to minimise disturbance of peat, as detailed in Chapter 2: Site Selection and Design Evolution;
2. Incorporating a micrositing allowance of 50m for infrastructure will allow for potential effects on peat to be further considered during the detailed design phase; and
3. Implementing a Peat Management Plan, a draft of which has been included within EIA Report Appendix 11.3 and describes the proposed construction methodologies and mitigation measures to minimise impacts on peat.

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 clearly demonstrates how any impacts will be minimised and mitigated.

Policy 56 – Travel

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. EIA Report Chapter 13: Traffic and Transport provides a detailed analysis of the on and off-site transport implications of the Proposed Development. The assessment considers the impacts during the construction phase of the Proposed Development, when volumes of traffic generation are anticipated to be at their greatest due to the delivery of equipment and construction materials. The operational phase of the Proposed Development is not anticipated to have any significant impacts on the public road network as a result of the low levels of traffic that are forecast.

The preferred abnormal load access strategy is the same delivery route utilised for the operational Stronelairg Wind Farm. All turbine blade loads would originate from Kyle of Lochalsh and access the site via the A87 to Invergarry then the A82 to Fort Augustus before following the same route as HGV traffic on the B862 road, entering the site entrance from the west. All other turbine components would be delivered to Corpach and would also access the site via the A82 from the south.

Traffic volumes as a result of construction activities are likely to increase on the public roads approaching the site. Traffic volumes are not anticipated to increase by more than 10% on any roads except for the B862. The anticipated total traffic volumes are projected to be well within the capacity of the roads in question and the environmental effect is considered not to be significant providing that suitable mitigation measures such as a comprehensive CTMP (Construction Traffic Management Plan) is implemented.

A Construction Traffic Management Plan (CTMP) will be implemented during the construction phase to minimise the impact of construction traffic. During the construction period, a community liaison group would also be set up to disseminate information and take feedback. The Applicant would maintain a project website that would be regularly updated to provide the latest information relating to traffic movements associated with vehicles accessing the Site.

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 61 – Landscape

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. The Proposed Development is considered to reflect the scale and character of the landscape as an established area of wind farm development. The design of the Proposed Development seeks to minimise landscape and visual impact – as evidenced in EIA Report Chapter 2: Site Selection and Design Evolution, accompanying Technical Appendix 2.1: Design Statement, and Chapter 7: Landscape and Visual Amenity. Landscape and visual impact is discussed in detail within the assessment of The Proposed Development against the Onshore Wind Supplementary Guidance. The Proposed Development is therefore considered to be in accordance with Policy 61.

Policy 62 – Geodiversity

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 11: Geology and Carbon Balance details the geology of the site and the potential impacts of construction and operation of the Proposed Development on geology and carbon balance.

EIA Report Chapter 2: Site Selection and Design Evolution details how the Proposed Development has been designed to minimise disturbance of geological features. 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.

Paragraph 11.12.1 concludes that: *"Intrusive ground investigation is required to be completed within critical areas at the Site, i.e. turbine foundations, crane hardstandings, laydown and borrow pit areas to inform civil design, quantify borrow pit resource and finalise the Peat and Waste Management Plan."*

The Proposed Development construction effects are considered to be minor and are therefore not considered significant in the context of the EIA Regulations.

Policy 63 – Water Environment

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

The Water Framework Directive (WFD) has been considered in Chapter 10 of the EIA Report and concludes that the proposals will not compromise the objectives of the WFD.

Policy 64 – Flood Risk

Policy 64 seeks to direct development proposals to avoid areas susceptible to flooding, and promote sustainable flood management. EIA Report Chapter 10: Hydrology and Hydrogeology states that the Proposed Development is not within any areas identified by SEPA as being at risk of surface water flooding or coastal flooding. Paragraph 10.7.18 concludes that: *"the development is not considered to have a significant potential to increase flood risk to downstream receptors due to the low percentage change of hardstanding surface relative to the site area, the potential for an increase in flood risk due to the Proposed Development is considered to be negligible."*

Policy 66 – Surface Water Drainage

Chapter 10 details that SuDS will be included in the final CEMP, as required, to provide surface water management that would mitigate potential adverse impacts of the development on the surrounding areas during the construction phase of the development. The SuDS measures will ensure that pre-development runoff rates are maintained and that rates of runoff to watercourses are not increased. Drainage for proposed access tracks also forms part of the Proposed Development, utilising existing drainage infrastructure where possible.

Paragraph 10.1.3 concludes that: *"that there are no predicted significant effects on the hydrology or hydrogeology of the site during the operational phase of the development, due to the proposed installation of appropriate Sustainable Drainage Design (SuDS) measures. Some direct loss of habitat shall occur (and therefore some localised alteration in surface drainage)."*

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, including SuDS.

Policy 69 – Electricity Transmission Infrastructure

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 Cloiche Wind Farm. 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

EIA Report Chapter 15: Land Use and Recreation provides and assessment of the potential effects of the Proposed Development on land use and recreation, including public access. It concludes that the Proposed Development would result in no significant effects on land use within the study area; although, temporary effects to some recreational activities are anticipated. However, for the majority of activities the employment of mitigation measures would ensure that significant effects did not occur.

Potential significant effects have been identified during construction for the amenity of walking routes and trails that pass through the Proposed Development site and from disruption of construction traffic using the same routes, these include sections of the Monadhliath Trail, Scottish Hill Track 235 (RoW HI109) and the route used to access the Corbett Carn a Chuilinn. These effects are anticipated to be Moderate and temporary, reducing to non-significant levels during the operation of the Proposed Development.

Mitigation in the form of an Outdoor Access Plan (see Technical Appendix 15.1) would be put in place to minimise effects as far as practicable. All other effects are anticipated to be not significant and no long-term significant effects to land use and recreation are predicted.

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

Summary

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.

As noted above the overall weight to be attached to the HwLDP is decreased as it is over 5 years old, meaning that as per Paragraph 33 of SPP the Proposed Development should be viewed from the perspective of the presumption in favour of development that contributes to sustainable development. 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 from the Climate Secretary's comments 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

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 6: Planning Policy.

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. It acknowledges the positive effects of renewable energy development in terms of addressing climate change issues and social and economic benefits to communities. The SG 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."

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

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.

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), and partially in Group 3: Areas with potential for wind farm development (where wind farms are likely to be acceptable, subject to detailed consideration). This is shown in Figure 2.3 below.

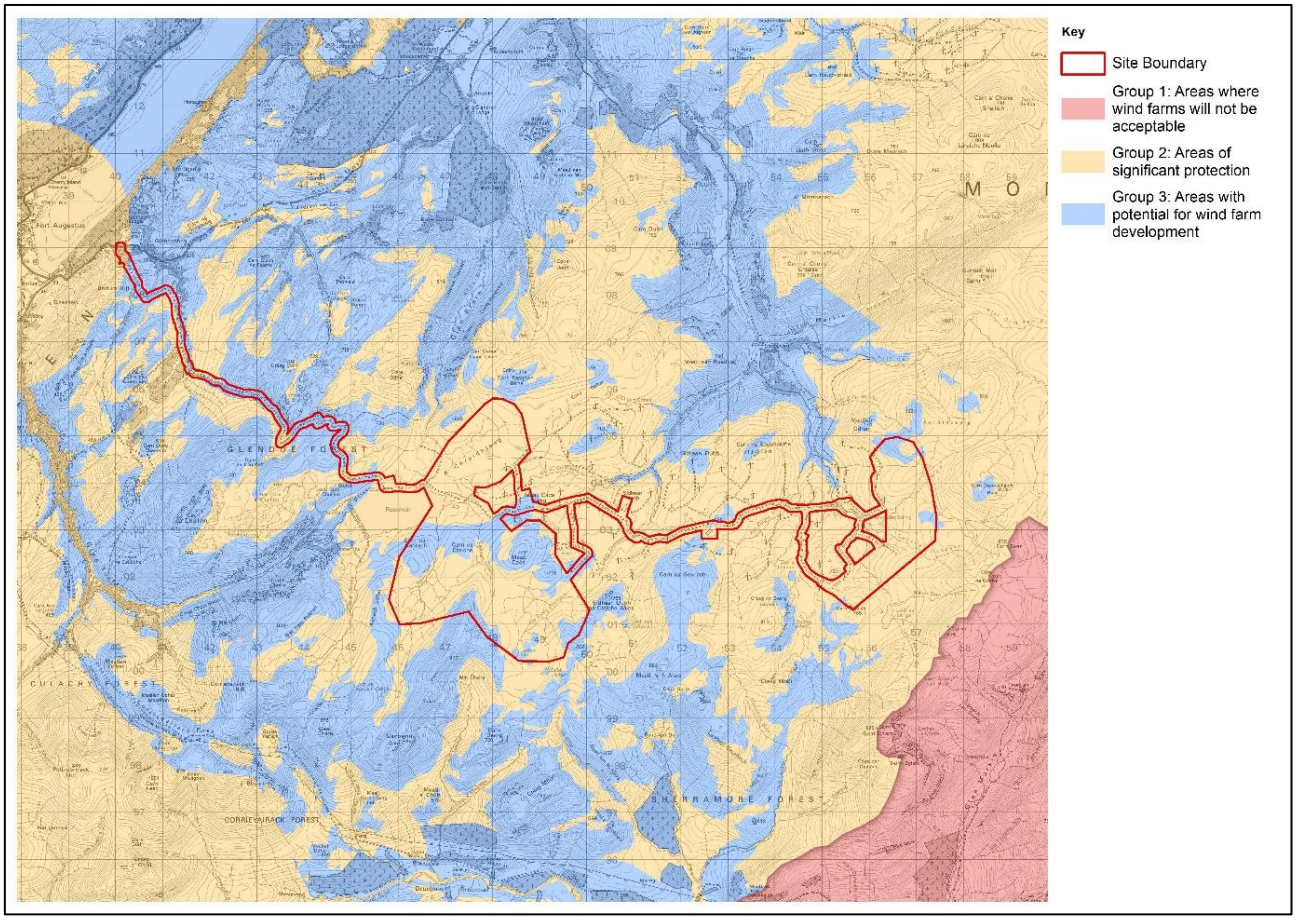

Figure 2.3 - Proposed Development Site Boundary overlaid on the Onshore Wind Energy Supplementary Guidance

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 11: Geology and Carbon Balance. These demonstrate that the Proposed Development has been designed in order to avoid unnecessary disturbance, degradation or erosion of peat and soils. A draft Peat Management Plan has also been submitted which clearly demonstrates how any impacts will be minimised and mitigated. It has been demonstrated through the EIA Report that any significant effects on the area have been substantially overcome through siting, design and mitigation. It is therefore considered that the proposed wind farm development would be appropriate at The Site.

Section 4 – Key Development Plan Considerations

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 Planning Statement and EIA Report, and that assessment is not repeated here.

Of particular relevance 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

The Onshore Wind SG highlights the importance of sensitive siting and design of wind farms. EIA Report Chapter 2: Site Selection and Design Evolution and Technical Appendix 2.1: Design Statement 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

The Onshore Wind SG sets out key landscape and visual criteria which THC use as a framework to assess proposals and ensure developers are aware of potential restraints to development. The Proposed Development is assessed in terms of the criteria in the table below, and expanded upon in EIA Report Chapter 7: Landscape and Visual Impact and Technical Appendix 7.9.

Landscape and Visual Criteria

CRITERIA AND MEASURE	ASSESSMENT
Criterion 1: Relationship between Settlements / Key locations and wider landscape respected. Measure: The extent to which the proposal contributes to perception of settlements or key locations being encircled by wind energy development. Development should seek to achieve a threshold where turbines are not visually prominent in the majority of views within or from settlements / Key Locations or from the majority of its access routes.	The Proposed Development would not be visible from the majority of the main settlements within the study area. Where visible, from residential areas, it is considered unlikely to lead to any significant visual effects. There would be no effect from most key locations. Limited effects may be experienced to views from a few locations including, A87 above Loch Garry and the Great Glen viewed from Meall Fuar-mhonaidh but these would not be significant. The assessment of routes has identified that there would be temporary significant visual effects only on views from two recreational routes which pass through the Proposed Development. No roads or other routes which provide the main access routes to settlements would be significantly affected, and there would be no longer term significant effects on any routes. It is therefore concluded the threshold for this criteria would not be exceeded by the Proposed Development.

CRITERIA AND MEASURE	ASSESSMENT
Criterion 2: Key Gateway locations and routes are respected. Measure: The extent to which the proposal reduces or detracts from the transitional experience of key Gateway Locations and routes. Development should seek to achieve a threshold where wind turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes.	The majority of Key Gateway locations and routes would not be affected by the Proposed Development. There would be some degree of visual effect on a small number of the Key Routes, including the Great Glen Way and a minor road at Bunloit but these effects would not be significant. Only one of the Key Gateways would be potentially affected by the Proposed Development: Invergarry. However, this effect would be not significant. It is therefore concluded that the threshold for this criteria would not be exceeded by the Proposed Development, because not part of it would overwhelm or detract from the key elements of these routes and gateway points.
Criterion 3: Valued natural and cultural landmarks are respected. Measure: The extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks. Development should seek to achieve a threshold where the development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting.	It is considered that the Proposed Development would not diminish the prominence or disrupt the setting to any natural or cultural heritage landmarks. Key landmarks within the Great Glen such as Urquhart Castle, viewed from Loch Ness or land based viewpoints, and Meall Fuar-mhonaidh, viewed from the Great Glen, would not be affected. There would be no significant effects to the setting of any cultural heritage sites – see Chapter 12: Cultural Heritage. It is therefore concluded that the threshold for this criteria would not be exceeded by the Proposed Development.
Criterion 4: The amenity of key recreational routes and ways is respected. Measure: The extent to which the proposal affects the amenity of key recreational routes and ways (e.g. Core Paths, Munros and Corbetts, Long Distance Routes etc.). Development should seek to achieve a threshold where wind turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways.	The Proposed Development would not lead to any significant effects on any of the recreational Key Routes identified in the Onshore Wind SG. The visual assessment has identified that there would be a temporary significant effect to two recreational routes which pass through the Proposed Development site. Route R7: Scottish Hill Track 235: Laggan to Whitebridge and Route R10: Monadhliath Way. However, this effect would be during the construction phase only and the longer term effect is considered to be not significant, due to the existing prominence of the Stronelairg turbines seen from the parts of these routes affected, and the resultant viewing expectations of those using these routes. A temporary significant effect during construction on the view from one Munro summit included as a VP has been identified (VP9: Geal Charn (Monadhliath), but the long term effect on this VP is not considered significant due to the existing prominence of the Stronelairg wind turbines from this location. However, a significant operational effect has been identified to the view from one Corbett included as a VP (VP7: Carn a' Chuilinn) and this is representative of a type of view which may be obtained from other nearby summits, such as the Corbett Gairbeinn, to the south of the western cluster. Whilst there may be a visual effect on recreational users around these summits, there are no established paths in this area and therefore these are not considered to be key routes. This reflects the visual effect on views from a relatively small area which is already affected to some degree by Stronelairg and would not significantly affect the recreational amenity of these hills (see Chapter 15: Land Use and Recreation). It is considered that the threshold for this criterion would not be exceeded, because none of the identified Key Routes would be affected, and it is not considered that the visual appeal of any of the other hills summits or routes would be overwhelmed by turbine development in the longer term.

CRITERIA AND MEASURE	ASSESSMENT
Criterion 5: The amenity of transport routes is respected. Measure: The extent to which the proposal affects the amenity of transport routes (tourist routes as well as rail, ferry routes and local road access). Development should seek to achieve a threshold where wind turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes.	The majority of Key Routes would not be affected by the Proposed Development. There would be some degree of visual effect on a small number of the Key Routes, such as the A87 and a minor road at Bunloit but these effects would not be significant. It is therefore considered that the threshold for this criterion would not be exceeded.
Criterion 6: The existing pattern of Wind Energy Development is respected. Measure: The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: • Turbine height and proportions; • Density and spacing of turbines within developments; • Density and spacing of developments; • Typical relationship of development to the landscape; • Previously instituted mitigation measures; and • Planning Authority stated aims for development of area. Development should seek to achieve a threshold where the proposal contributes positively to existing pattern or objectives for development in the area.	There would be some increased effect on landscape character and views as a result of the Proposed Development comprising, in some areas, a greater number of turbines seen within views, a larger number of blades extending above the skyline and a greater perceived spread of development. However, the location of the Proposed Development adjacent to the existing Stronelairg Wind Farm, is considered to minimise the degree of these effects. The Proposed Development is in general considered to reflect the existing pattern of wind farm development within the Rolling Uplands – Inverness LCT (OWESG LCA 6), particularly as perceived from the Great Glen area and slopes on the western side of Loch Ness. The design of the Proposed Development turbine layout reflects the density of turbines in other developments, and the positioning of the Proposed Development within the same landform 'bowl' as Stronelairg and generally maintains the design objectives of Stronelairg, particularly when considered in addition to the consented development of Dell. When seen from other areas, particularly within the Great Glen, the Proposed Development forms a cohesive group of turbines with Stronelairg which are mostly evenly distributed and maintain the space between Stronelairg and other turbine clusters such as Corriegarth. It is therefore considered that the threshold for this criterion would not be exceeded, as it is considered that the Proposed Development forms a well-located wind farm site which enables the generation of renewable energy with the minimum of significant landscape and visual effects. The Proposed Development respects the pattern of existing development with Rolling Uplands – Inverness LCT (OWESG LCA 6) and the objectives laid out for this area.
Criterion 7: The need for separation between developments and / or clusters is respected. Measure: The extent to which the proposal maintains or affects the spaces between existing developments and/ or clusters. Development should seek to achieve a threshold where the proposal maintains appropriate and effective separation between developments and / or clusters.	The Proposed Development would be located adjacent to the existing Stronelairg Wind Farm and would appear as a cohesive grouping with these existing turbines. It would be situated in the same 'bowl' landform and would maintain a strong landscape buffer between the nearest existing development of Corriegarth. The existing pattern of development clusters and open spaces would therefore be maintained, particularly when seen from the Great Glen area. It is therefore considered that the threshold for this criterion would not be exceeded by the Proposed Development.

CRITERIA AND MEASURE	ASSESSMENT
Criterion 8: The perception of landscape scale and distance is respected. Measure: The extent to which the proposal maintains or affects receptors' existing perception of landscape scale and distance. Development should seek to achieve a threshold where the proposal maintains the apparent landscape scale and/or distance in the receptors' perception.	The Proposed Development would be formed of slightly larger turbines than those of Stronelairg, to which it would be adjacent. This difference in scale may be perceived from a small number of VPs and landscape areas close to the Proposed Development, and from some VPs the larger turbines may appear to bring turbines slightly closer to the viewer. This may slightly reduce a perceived scale of the landscape in some locations which would contribute to landscape and visual effects. However, it would not affect the overriding perception of expansive scale within the landscape and would be only a small contributory factor to any of the limited significant effects which are experienced. This effect would not be experienced from any of the Key Viewpoints, Key Routes or Gateways. It is therefore considered that the threshold for this criterion would not be exceeded by the Proposed Development because the apparent landscape scale and distance perceived by receptors is likely to be maintained.
Criterion 9: Landscape setting of nearby wind energy developments is respected. Measure: The extent to which the landscape setting of nearby wind energy developments is affected by the proposal. Development should seek to achieve a threshold where the proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines.	The Proposed Development would be located close to the existing Stronelairg Wind Farm and within the 'bowl' landform which limits the extent of visibility. It is considered that this would not adversely affect the setting of the Stronelairg Wind Farm or the consented Dell Wind Farm as it would form a cohesive group with these existing and proposed wind farms when seen from almost all locations and would generally not lead to any significant increase in landscape and visual effect, other than a few positions where the new turbines would be closer to the viewer and would lead to a significant effect in their own right, rather than as an addition to Stronelairg or Dell. The Proposed Development would not encroach on any other existing wind energy developments (such as Corriegarth) and would therefore not be detrimental to the setting of these. Overall, it is considered that the threshold for this criterion would not be exceeded because the design and layout of the Proposed Development respects the original design objectives of the Stronelairg development and does not adversely affect the setting of any other site.
Criterion 10: Distinctiveness of Landscape character is respected. Measure: The extent to which a proposal affects the distinction between neighbouring landscape character types, in areas where the variety of character is important of the appreciation of the landscape. Development should seek to achieve a threshold where integrity and variety of Landscape Character Areas are maintained.	The Proposed Development is anticipated to lead to some very localised effects on landscape character close to the Proposed Development within the hills and plateaux of the Monadhliath, largely within 2km of the Proposed Development and not more than 8km away and generally affecting small, discrete parts of the landscape. Significant effects would occur in the form of direct effects from the presence of turbines, substation, hardstanding and access tracks, and LiDAR positions, and indirect effects within a small number of localised areas due to the appearance of turbines within close proximity, where other similar development is not already influential, thereby locally affecting qualities of remoteness and wildness. These localised effects would occur within adjacent and similar upland LCTs / LCAs where existing wind energy development is already a characteristic of parts of the landscape and the wider effect on these LCTs / LCAs is therefore considered to be not significant. Surrounding LCTs / LCAs would not be significantly affected and the complexity and variety of landscape character experienced within the study area would therefore be retained. It is therefore considered that the threshold for this criterion would not be exceeded by the Proposed Development.

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

Chapter 7: Landscape and Visual Amenity has assessed the Proposed Development in terms of impact upon 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 LN6: Monadhliath ridge and tops, Rolling Uplands. This is shown on Figure 2.4 below.

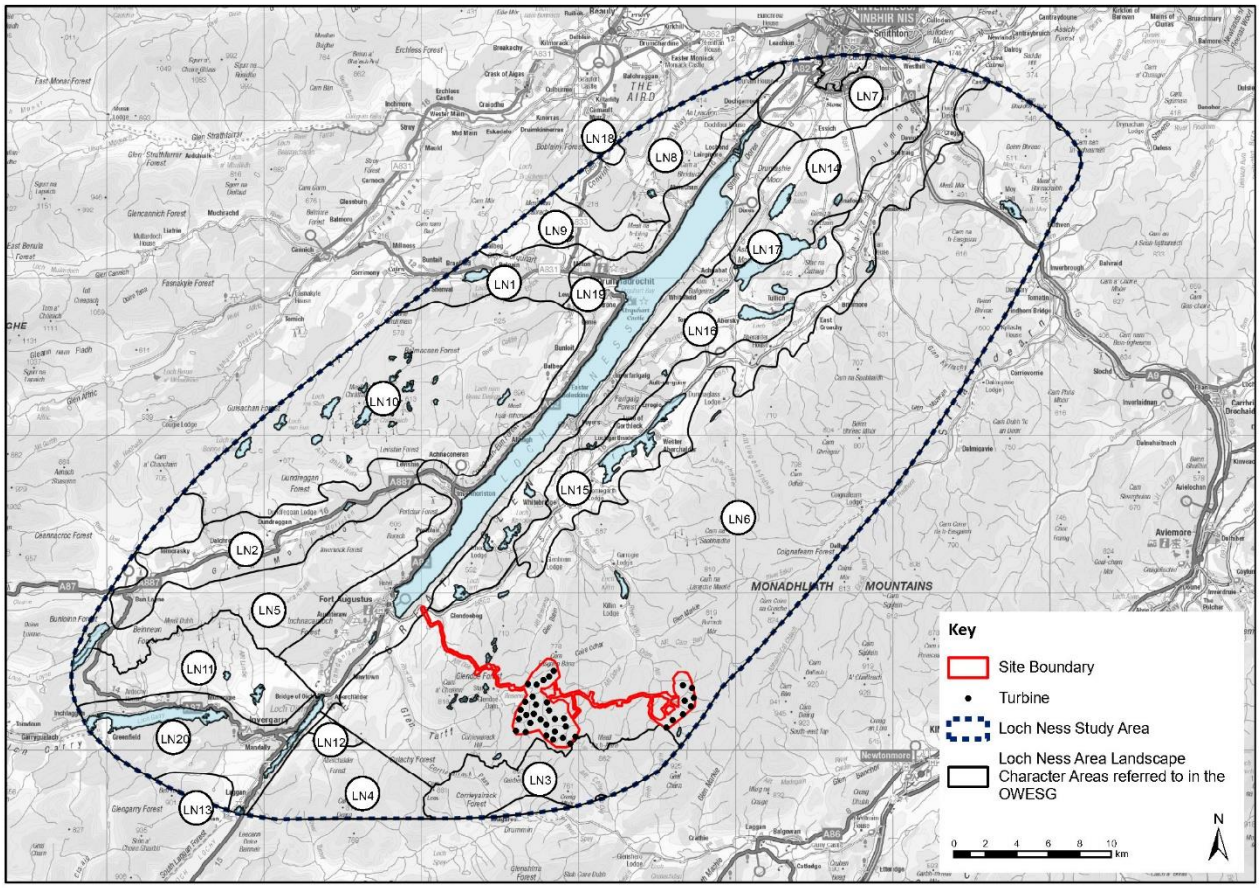

Figure 2.4 - The Proposed Development in relation to Onshore Wind SG Landscape Character Area LN6

The analysis of the THC criteria for the consideration of onshore wind farm proposals, as detailed in Technical Appendix 7.9, has taken account of the anticipated landscape and visual effects of the Proposed Development detailed in Chapter 7, and in particular, the effects on the Key Views, Key Routes and Gateways identified in the Onshore Wind SG, and the recommendations for Onshore Wind SG LCA 6 (LCT 221 – Rolling Uplands - Inverness) included in the Loch Ness Landscape Sensitivity study. This has concluded that:

- There would be no significant effect on any of the Key Views, Key Routes or Gateways;
- The layout and design of the Proposed Development is broadly in line with the LCA 6 recommendations (as set out in the Onshore Wind SG and assessed in Table 1.2.4 of Technical Appendix 7.9); and
- The landscape and visual effects of the Proposed Development, although locally significant would not lead to the threshold for any of the ten THC criteria being exceeded.

The assessment of landscape character has considered National Landscape Character Types (LCTs) identified by Scottish Natural Heritage (SNH) and Cairngorms National Park (CNP) Landscape Character Areas (LCAs). Paragraph 7.1.4 notes that: *"The vast majority of effects on landscape character, landscape designations and other protected landscapes resulting from the Proposed Development would not be significant. Significant effects would be limited to very localised effects within 2km of the Proposed Development and not more than 8km away, generally affecting small, discrete parts of the landscape."*

Given the proximity of the Proposed Development to Stronelairg Wind Farm which has set a precedent in most areas for the types of effects which would be experienced.

On the subject of the Special Landscape Qualities of CNP, Paragraph 7.14.5 concludes that: *"Whilst some of these localised significant effects may affect the landscape character of a small area within the CNP, it is not considered that this would contribute to a significant effect on any CNP Special Landscape Qualities or that the integrity of the CNP would be affected."* Indirect effects on the National Park are further considered in Section 6 of this Planning Statement.

Summary

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. It should be noted that the Onshore Wind SG is supplementary to Policy 67 of HwLDP and provides further guidance to help assess the Proposed Development, but introduces no additional assessment criteria.

The Proposed Development has been assessed in terms of Policy 67 above, and is considered to be in accordance. The Proposed Development is therefore also considered to be in accordance with the Onshore Wind SG. 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.

The Proposed Development is considered to be broadly in line with the recommendations detailed 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.

OTHER SUPPLEMENTARY GUIDANCE

EIA Report Chapter 6: Planning identifies the following SG which is also relevant to the Proposed Development:

- Flood Risk and Drainage Supplementary Guidance;
- Protected Species Supplementary Guidance;
- Sustainable Design Supplementary Guidance; and
- Special Landscape Areas Citations Supplementary Guidance.

These relevant SG documents have been taken account of through the design of the Proposed Development, and issues outlined within each SG have been addressed and assessed throughout this Planning Statement and associated EIA Report.

OVERALL CONCLUSIONS

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.

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 submitted 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. NATIONAL PLANNING POLICY

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

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.

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.

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 a rural areas.

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."

EIA Report Chapter 11: Geology and Carbon Balance and accompanying Technical Appendix 11.4: Carbon Calculation set out an assessment of the carbon impact of the Proposed Development. The assessment states that once the wind farm is operational, it is expected to result in annual savings of 107,478 tonnes of CO_2e versus grid-mix electricity generation.

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.

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.

NPF3 is currently under review, with a draft NPF4 due to be published in Q3 2020. In May 2019, in a speech to the Scottish Parliament, the Climate Change Secretary Roseanna Cunningham 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."

NPF4 is likely to be radical in its proposals to support Climate Change targets. The Proposed Development will therefore support this emerging policy position of future planning policy.

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. Furthermore, the Scottish Government has made it unequivocally clear that it wants to continue to "capitalise on our wind resource". The Proposed Development will significantly contribute to the renewable energy targets as set out in NPF3 and updated in more recent legislation.

SCOTTISH PLANNING POLICY

Scottish Planning Policy (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.

This document sets out four planning outcomes which explains 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.

Outcome 2 is the most relevant with regards to the Proposed Development and emphasis 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.

Given both the Scottish Government and The Highland Council 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.

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. This view has been echoed more recently by the Climate Change Secretary.

Principle Policies of SPP

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

Sustainability

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.

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.

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."*

The benefits of the Proposed Development are clearly stated in Section 7, and the Planning Statement 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.

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.

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. SPP sets out a clear presumption in favour of proposals that contributes to sustainable development.

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.

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.

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. 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."

This recent decision, for a proposal site immediately adjacent to the Proposed Development, is particularly relevant. The implications of this should attract significant weight in the consideration of the application.

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

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.

The accompanying EIA Report outlines the creative and collaborative process which has resulting 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

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.

Table 1 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).

Whilst Group 2 areas are afforded significant protection through SPP, 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. 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. This Planning Statement and associated EIA Report has demonstrated that any significant effects on the area have been substantially overcome through siting, design and mitigation.

SPP further states at Paragraph 169 that proposals for energy infrastructure, including onshore wind, should always take account of the spatial frameworks for windfarms. 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

SUBJECT	ASSESSMENT
Promoting Rural Development. Paragraphs 74 – 91.	The Proposed Development is in accordance with the aims of SPP 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 supports sustainable communities, through economic benefits and the proposed community fund, and will also protect the environmental quality of the area. Paragraphs 84 – 86 concern National Parks. The Cairngorms National Park is located approximately 1km to the east of the Proposed Development at its closest point. Paragraph 85 states that Paragraph 213 also applies to development outwith a National Park that affects the Park. Paragraph 213 states that planning decisions for development within National Parks must be consistent with paragraphs 84-85. Chapter 7 of the EIA Report notes that although there may be localised significant landscape and visual effects close to the western boundary of the Cairngorms National Park, there would be no significant effects to any of its Special Landscape Qualities and the effect on the National Park as a whole is considered to be not significant.
Valuing the Historic Environment. Paragraphs 135 – 151.	The Proposed Development does not impact 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 Cairngorms National Park and the Monadhliath Wild Land Area (WLA) are located approximately 1km to the east of the Proposed Development at its closest point, and the Braeroy – Glenshire – Creag Meagaidh WLA is located approximately 5km to the south-west. The conclusions from Chapter 7 of the EIA Report in respect of the CNNP is summarised in relation SPP Paras 74-91 above. Chapter 7 of the EIA Report also considers WLA's and concludes that there may be very localised significant effects to wild land characteristics within the Monadhliath WLA (WLA 20), but there would be no significant effect to the Braeroy – Glen Shirra – Creag Meagaidh WLA (WLA 19).
Flood Risk and Drainage. Paragraphs 254 – 268.	Following the application of mitigation measures, it is assessed that the residual effects on hydrology and hydrogeology would range from negligible to minor significance. The assessment has identified that there is a potential significant effect for an increase in flooding at watercourse crossings. During detailed design contractors will ensure that watercourse crossings accommodate 1 in 200 (0.5%) annual probability flows.
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 Glendoe Hydroelectric Scheme and Stronelairg Wind Farm. During the operational phase the access tracks associated with the Proposed Development will provide safe and convenient opportunities for walking and cycling for both active travel and recreation.

Summary - SPP

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 ON NATIONAL PLANNING POLICY AND GUIDANCE

NPF3 and SPP set out a strong position of Government support for renewable energy development including onshore wind energy. This has been further built upon in more recent policy announcements including the declaration of the Climate Emergency.

This section of the Planning Statement 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. THE CAIRNGORMS NATIONAL PARK

The Cairngorms National Park Authority is the neighbouring planning authority, and this section considers The Proposed Development in relation to any indirect effects on the National Park.

CAIRNGORMS NATIONAL PARK PARTNERSHIP PLAN

The Cairngorms National Park Partnership Plan (CNPPP) is the overarching management plan for the Cairngorms 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 is a relevant material consideration.

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.

The Plan also reiterates the national priorities which National Parks seek to deliver:

- Climate change mitigation;
- Reversing the loss of biodiversity;
- Natural capital;
- Parks for all;
- Active Scotland;
- Community empowerment; and
- Sustainable economic growth.

CNPPP policies 1.3 and 3.3, assessed below, are of most relevance to the Proposed Development.

CNPPP Policy 1.3

The Conservation policy framework highlights the long-term outcome as being a special place for people and nature with natural and cultural heritage enhanced. Policy 1.3 is of relevance and seeks to:

"Conserve and enhance the special landscape qualities with a particular focus on:
a. conserving and enhancing wildness qualities;
b. maintaining and promoting dark skies;
c. enhancements that also deliver habitat improvements;
d. enhancing opportunities to enjoy and experience the landscapes of the Park;
e. applying a presumption against new constructed tracks in open moorland."

The effect of the Proposed Development in relation to the Special Landscape Qualities of the CNP has been considered above in relation to Policy 67 and the Onshore Wind SG. The Proposed Development is not anticipated to significantly affect any of the CNP Special Landscape Qualities. Chapter 7: Landscape and Visual Amenity and Technical Appendix 7.4 detail the localised significant effects identified for small parts of the Monadhliath: South Monadhliath Landscape Character Area and non-significant effects in some other areas that would lead to localised effects on a number of Special Landscape Qualities. However, when

considered in the wider context of the CNP, this is not considered to lead to a significant effect on these Special Landscape Qualities.

A detailed assessment of the CNP Special Landscape Qualities is included in EIA Report Technical Appendix 7.4: Assessment of Designated and Protected Landscapes and cumulative effects are considered in Technical Appendix 7.6: Cumulative Landscape Assessment Tables. These are also summarised in Chapter 7: Landscape and Visual Amenity, which concludes that overall, considering the combined effects on LCAs and Special Landscape Qualities in the context of the CNP as a whole, the effect of the Proposed Development is considered to be Minor (not significant).

CNPPP Policy 3.3

Under the Rural Development Framework, Policy 3.3 seeks to support the development of a low carbon economy, with a particular focus on:

"a. increasing renewable energy generation, especially biomass and hydro, that is compatible with conserving the special qualities of the National Park and maintaining the integrity of designated sites. Large-scale wind turbines are not compatible with the landscape character or special landscape qualities of the National Park. They are inappropriate within the National Park or where outside the Park they significantly adversely affect its landscape character or special landscape qualities;

b. supporting businesses and communities to use less energy, reduce emissions, improve the energy efficiency of existing buildings, generate low impact renewable energy, reduce, reuse and recycle resources, and plan for a changing climate;

c. maximising the benefits to communities through direct use of locally generated energy or, where sold to the grid, reinvesting income to support community development;

d. promoting high standards of sustainable design and efficient use of energy and materials in construction."

The effect of the Proposed Development in relation to the CNP has been considered above in relation to Policy 67 and the Onshore Wind SG.

Conclusion

In the context of the CNPPP, it is concluded that the Proposed Development would have a limited and highly localised effect on the National Park, and the Proposed Development would not undermine any of the primary aims of the Park.

CAIRNGORMS NATIONAL PARK LOCAL DEVELOPMENT PLAN

The Cairngorms National Park Local Development Plan (CNPLDP) was adopted on 27 March 2015. 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 Planning Statement.

SUMMARY

This section of the Planning Statement has considered the Proposed Development in relation to any indirect effects on the Cairngorms National Park. It is concluded that whilst the Proposed Development could have a limited and highly localised effect on the National Park, the Proposed Development would not undermine any of the primary aims of the Park.

7. THE BENEFITS OF THE DEVELOPMENT

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.

It is considered that the Proposed Development would result in significant and valuable benefits locally, regionally and nationally and such benefits are detailed in Chapter 14 of the EIA Report which was completed by BIGGAR Economics.

ECONOMIC & COMMUNITY BENEFITS

The Proposed Development will make a valuable contribution to both the Highland and Scotland economies. EIA Report Chapter 14: Socio-economic and Tourism estimates that during the construction phase the Proposed Development could generate up to:

- £28.1 million GVA and 412 job years in Highland; and
- £64.4 million GVA and 983 job years in Scotland.

During the operation and maintenance phase, the Proposed Development would generate:

- £1.4 million GVA and 16 jobs in Highland; and
- £2.5 million GVA and 29 jobs in Scotland.

The applicant is committed to maximising the local economic impact from the Proposed Development and will work with Highlands and Islands Enterprise and the Inverness and Lochaber Chamber of Commerce to ensure that local enterprise have an opportunity to bid for contracts. Given the significant experience that the applicant has of developing and building wind farms in Highland then a significant strong local supply chain has been established. It is expected that Highland could secure contracts worth up to £42.7 million.

Chapter 14 also advises that Scotland could secure contracts of £77.5 million. The contract values has the potential to increase turnover in businesses in these areas.

Paragraph 14.7.30 of Chapter 14 notes that: *"Though discussions are ongoing, there is also expected to be community benefit funding. This would build on the existing Stronelairg Wind Farm Community Fund, which makes around £0.6 million available to communities and charitable projects in the community council areas of Stratherrick & Foyers, Laggan, and Spean Bridge, Roy Bridge and Achnacarry. In addition, funding is made available to the community council areas of Fort Augustus and Glenmoriston, and Glengarry, where local community organisations administer the funds."*

SHARED OWNERSHIP

In addition to community benefit funding, the local community could also financially benefit from the Proposed Development through a shared ownership scheme. The Applicant is currently discussing the potential for shared ownership with local communities, and has a commitment to shared ownership as a way to strengthen relations between developers and communities and support the Scottish Government's ambitious targets for locally owned renewables. This approach to shared ownership and benefits is consistent with the Scottish Government's policy approach which seeks to make it clear that links between ownership and benefits can be material considerations which attract positive weight in certain circumstances.

CARBON BALANCE

EIA Report Chapter 11: Geology and Carbon Balance and accompanying Technical Appendix 11.4: Carbon Calculation set out an assessment of the carbon impact of the Proposed Development. These summarise that:

- The Proposed Development is expected to generate 21 million MWh of electricity over its 50-year lifetime, representing a saving of carbon dioxide for each unit of electricity generated by the project which otherwise would have been generated by other sources;
- Once the Proposed Development is operational, it is expected to result in an annual savings of 107,478 tonnes of CO_2e versus grid-mix electricity generation;
- The Proposed Development has a payback time of 3.7 years compared to grid-mix electricity generation.

SUMMARY

Based on the proposed capacity of 154.8MW, it was estimated that during the development and construction phase the Proposed Development could generate up to:

- £28.1 million GVA and 412 job years in Highland; and
- £64.4 million GVA and 983 job years in Scotland.

For each operational year of the windfarm the Proposed Development would generate:

- £1.4 million GVA and 16 jobs in Highland; and
- £2.5 million GVA and 29 jobs in Scotland.

The Proposed Development is expected to generate 21 million MWh of electricity over its 50-year lifetime, representing a saving of carbon dioxide for each unit of electricity generated by the project which otherwise would have been generated by other sources.

8. CONCLUSIONS

This Planning Statement and accompanying EIA Report has 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

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.

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 PROPOSAL

This Planning Statement and associated EIA Report has highlighted the key benefits of the development:

- The indicative installed capacity of 150MW 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;
- The Proposed Development has been designed to maximise local and national economic benefit; and

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

THE DEVELOPMENT PLAN

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. It is also noted that the HwLDP is now dated – having been adopted in 2012. This was before the current National Planning Policy Framework and Scottish Planning Policy were published in 2014 (which are themselves outdated in terms of climate change targets and the contribution of onshore wind to achieving these). 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), then the presumption in favour of sustainable development is a significant material consideration. The weight to be attached to the HwLDP is considered to be reduced owing to its age.

MATERIAL CONSIDERATIONS

NPF3 and SPP set out a strong position of Government support for renewable energy development including onshore wind energy. 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 Planning Statement 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

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.

The proposals comprise of 36 turbines with a maximum tip height of 149.9 metres and are shown in Figure 3.1 of the EIA Report. 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.

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.

In respect of landscape, significant effects would be limited to an area within close proximity of the Proposed Development, affecting relatively discrete parts of the landscape within 8km and only occasional views obtained by recreational users of the landscape, on the hills around the western cluster of the Proposed Development and Strath Mashie. This may lead to very localised significant effects to wild land characteristics within the Monadhliath WLA (WLA 20), but there would be no significant effect to the Braeroy – Glen Shira – Creag Meagaidh WLA (WLA 19). Furthermore, there would be no significant effects to any designated landscapes and the integrity of these areas would not be affected.

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.

Furthermore, the Proposed Development of Cloiche Wind Farm will make a significant contribution to meeting renewable energy targets in Scotland and it is estimated that the windfarm output will meet the annual power needs of approximately 233,000 households. The Proposed Development is expected to generate 21 million MWh of electricity over its 50-year lifetime, representing a saving of carbon dioxide for each unit of electricity generated by the project which otherwise would have been generated by other sources. Once the Proposed Development is operational, it is expected to result in an annual savings of 107,478 tonnes of CO2e versus grid-mix electricity generation.

It is respectively submitted that Section 36 consent should be granted for the proposed Cloiche Wind Farm.

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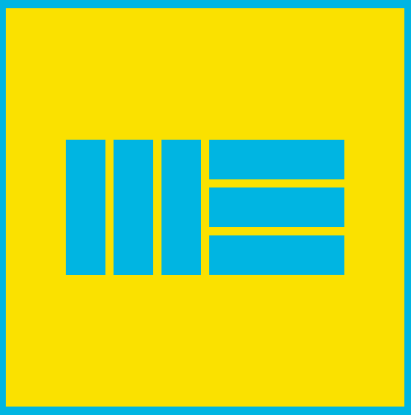

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