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PLANNING
CHARTERED TOWN PLANNERS

Watchman Energy Park
Section 36 Application:

Planning Statement

March 2026

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Contents

1. Introduction

1.1 Background

1.1.1 This Planning Statement has been prepared by David Bell Planning Ltd ('DBP') on behalf of Watchman Energy Park Limited (hereafter referred to as 'the Applicant') in relation to the proposal to construct and operate a wind farm and associated infrastructure with generation capacity of greater than 50 MW (hereafter referred to as the 'Proposed Development'), and known as Watchman Energy Park. The Proposed Development site ('the Site') is located within the administrative boundary of South Lanarkshire Council (SLC), approximately 10 km south of Crawford, 7 km south of Elvanfoot and 12 km to the west of Moffat.

1.1.2 The Planning Statement supports a Section 36 application submitted under the Electricity Act 1989 ('the 1989 Act'), for consent to construct and operate the Proposed Development. In addition, the Applicant is also seeking deemed planning permission under Section 57 of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act'), as amended.

1.1.3 The application is accompanied by an Environmental Impact Assessment (EIA) Report (EIAR) which has been undertaken in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the EIA Regulations'), as amended. The EIAR presents information on the identification and assessment of the likely significant adverse and beneficial environmental effects as a result of the Proposed Development.

1.1.4 This Planning Statement presents an assessment of the Proposed Development against relevant policy with due regard given to the provisions of the statutory Development Plan made up of both National Planning Framework 4[1] ('NPF4') and the Local Development Plan ('LDP') for the SLC, national energy and planning policy, and other relevant considerations.

1.1.5 This Planning Statement is supplementary to, and should be read in conjunction with, the EIAR submitted with the Section 36 application. The Planning Statement considers the potential beneficial and adverse effects which may arise from the Proposed Development and presents findings in relation to the relevant policy and legislative framework and other relevant considerations.

1.2 The Applicant

1.2.1 Watchman Energy Park Limited is a wholly owned subsidiary of Renewco Power Limited. Renewco Power is a Scottish-based renewable energy developer, established in 2021, focussed on developing utility-scale wind, solar and energy storage projects.

1.2.2 The Glasgow based company is actively developing over 4 GW of renewable projects in three markets: the UK, Spain and Italy and employs over 40 people.

1.2.3 The company's objective is that the development of these renewable energy projects in a responsible manner will accelerate the deployment of clean energy assets and enable countries to de-carbonise their power systems, while helping local communities to thrive.

1.2.4 The company was formed by a highly experienced team of entrepreneurs and renewable sector specialists with significant development, technical, project structuring, construction, and financing expertise across all renewable technologies.

1.2.5 For further information about Renewco Power visit: https://www.renewcopower.com/.

1.3 The Statutory Framework

1.3.1 An application under Section 36 of the 1989 Act for consent for the construction and operation of an electricity generating station whose capacity exceeds 50 MW is significantly different from

[1] Scottish Government (2023) National Planning Framework 4 Available at: https://www.gov.scot/publications/national-planning-framework-4/

an application for planning permission for a generating station whose capacity is 50 MW or less.

1.3.2 Section 25 of the 1997 Act does not apply to the determination of applications under Section 36 of the 1989 Act, as confirmed in the case of William Grant & Sons Distillers Ltd v Scottish Ministers [2012] CSOH 98 (paragraphs 17 and 18).

1.3.3 Schedule 8 of the 1989 Act references consents under Section 36 and 37 of the Act and sets out procedural requirements relating to applications for such consents. In addition, there are certain environmental duties in relation to preservation of amenity and fisheries provisions in Schedule 9, paragraph 3 of the 1989 Act that apply to the Scottish Ministers as decision maker.

1.3.4 The Applicant does not hold a generation licence or exemption under the 1989 Act and therefore the statutory duties set out in paragraph 3(1) of Schedule 9 to the 1989 Act do not currently apply to the Applicant when formulating proposals for consent under Section 36 of the 1989 Act. The Applicant has however, through the EIA process, had full regard to and has addressed the matters set out in paragraph 3(1)(a) of Schedule 9 in formulating the Proposed Development.

1.3.5 The EIAR identifies how various factors were taken into account in the formulation of the application. In addition, each EIAR chapter includes assessment of the likely significant effects and also, where appropriate, the identification of appropriate mitigation. This includes both embedded (design) and standard / best practice mitigation which is integral to the design, construction and operation of the Proposed Development and also additional specific measures which have been identified.

1.3.6 In accordance with paragraph 3(2) of Schedule 9 to the 1989 Act, the Scottish Ministers are obliged to have regard to the desirability of the matters mentioned in paragraph 3(1)(a). The Applicant has provided sufficient information to enable the Scottish Ministers to address their duties under sub-paragraph 3(1)(a) of Schedule 9 to the 1989 Act. The duty on the Ministers is to have regard to the matters specified in Schedule 9 which is not a development management test.

1.3.7 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a relevant consideration which should be taken into account in the round with all other relevant considerations. It is important to note, however, that Section 25 of the 1997 Act is not engaged as there is no 'primacy' of the Development Plan in determining an application made under the 1989 Act.

1.4 Site Location and Description

1.4.1 The Site's red line boundary covers an area of 1,089 hectares (ha). A blue line boundary covers an area of 1445 ha - this is wider land within the Applicant's control. The Site is located approximately 10 km south of Crawford, 7 km south of Elvanfoot and 12 km to the west of Moffat and between the valley of the Daer Water to the north, Daer Reservoir and commercial forestry to the east, open moorland of the Southern Uplands to the south, and further open moorland and commercial forestry with the A702 road beyond to the west.

1.4.2 The immediate vicinity of the Site is sparsely populated, with scattered dwellings within the valleys. There are a number of villages within 15 km of the Site. There is one uninhabited residential property located within the Site, with a number of residential properties also located within approximately 2.5 km of the Site including properties along the A702 road, and the minor road leading to the Daer Reservoir.

1.4.3 The Site predominantly comprises upland moorland and is intersected by a section of the Southern Upland Way (SUW), approximately 2 km in length. The landscape is typical of the wider location, undulating and includes a series of rounded hills characteristic of the Southern Uplands including Comb Hill, Watchman's Brae, Rodger Law and Ewe Gair.

1.4.4 The Shiel Dod Site of Special Scientific Interest ('SSSI') is located in the area adjacent to the southern boundary of the Site, and is designated for its assemblage of upland vegetation communities representative of the Southern Uplands, with the most important habitats being

blanket bog; subalpine dry dwarf-shrub heath; and calcareous types of spring-head, rill and flushes. No development will be undertaken within the Shiel Dod SSSI.

1.4.5 There is one Scheduled Monument within the Site: Smithwood, Bastle House, located 900 m southwest of Daerside.

1.4.6 A number of watercourses run through the Site and the Site is located within a Drinking Water Potection Area (DWPA).

1.4.7 There is extensive wind energy development within this part of southern Scotland and there are several windfarms within the surrounding landscape of the Site including Clyde and Clyde Extension (operational) to the northeast, Daer and Rivox Wind Farms (both at application stage) to the east, and Harestanes and Minnygap (operational) to the southeast.

1.5 The Proposed Development: Summary

1.5.1 **Chapter 2: Description of Proposed Development** of **EIAR Volume 2** contains a detailed description of the Proposed Development, which comprises of a wind farm and battery energy storage system ('BESS'), with up to 13 wind turbines, and associated infrastructure arranged as illustrated in **Figure 2.1** of **EIAR Volume 3a** and reproduced below at **Figure 1.1**.

1.5.2 The key component parts of the Proposed Development include the following:

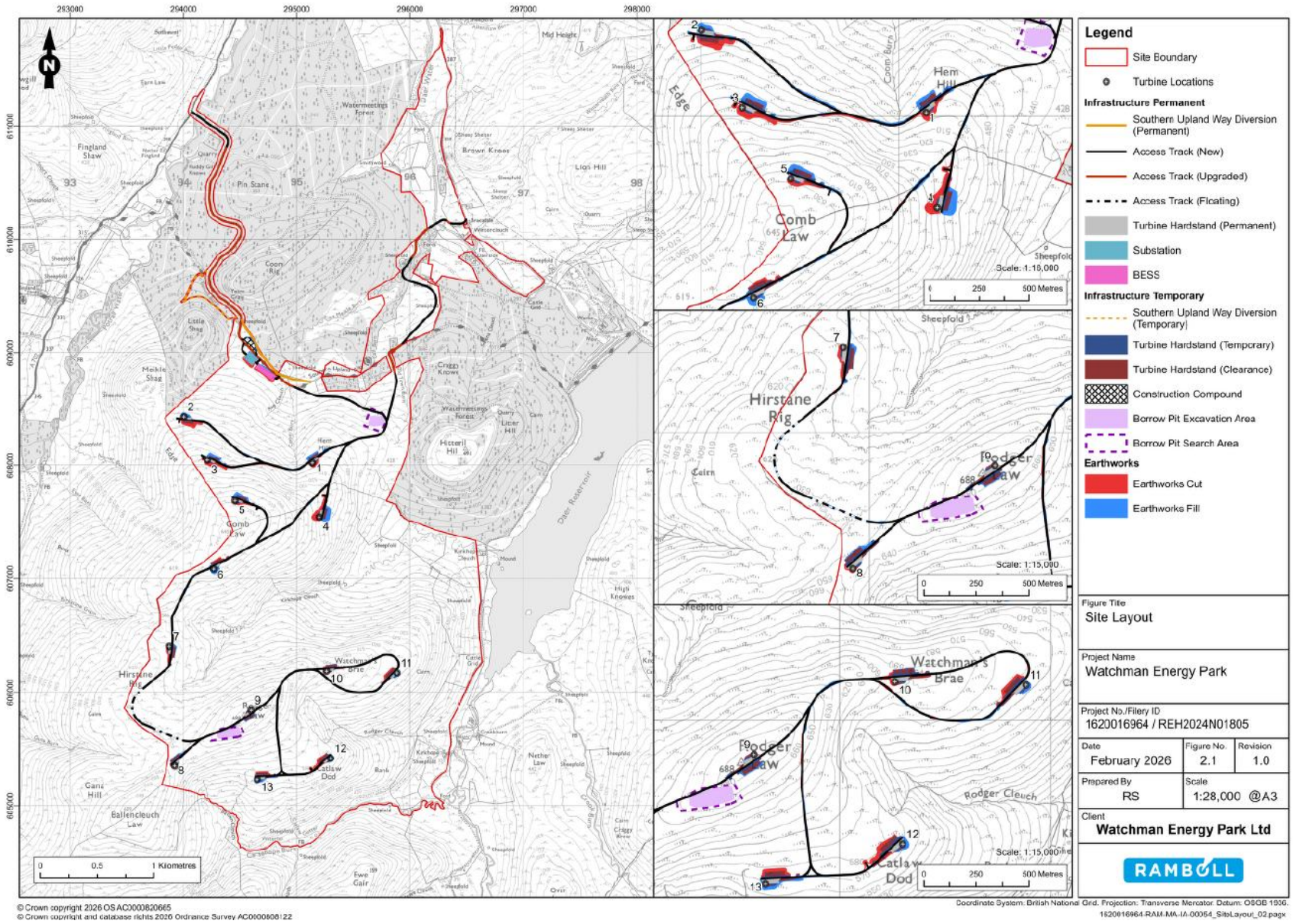
- Up to 13 wind turbines with a maximum tip height of 240 m and with a combined generation capacity greater than 50 MW;
- Permanent foundations supporting each wind turbine, and associated crane hardstanding at each wind turbine base;
- Two site accesses for use during construction and operation; the Western Access from the A702 through Watermeetings Forest and the Eastern Access from the Daer Water road to enter the Site at Wintercleugh, with both access points designed to accommodate abnormal indivisible loads (AIL) required for turbine component delivery;
- A series of upgraded and new on-site access tracks with associated watercourse crossings, passing places and turning heads;
- Underground power cables, generally laid in trenches alongside access tracks connecting the turbines to the onsite substation;
- On-site substation compound inclusive of substation and control building;
- On-site BESS compound to accommodate a BESS of approximately 50 MW capacity[2]; and
- Temporary construction compound and laydown areas.

1.5.3 In addition, the following ancillary works would be required:

- Extraction of rock from two borrow pits;
- Temporary on-site concrete batching plan which would be located within the Temporary Construction Compound area;
- Temporary anemometer masts for three to six months during the construction period for calibration purposes;
- Habitat management and enhancement areas; and
- A permanent diversion to a short section (approximately 880 m) of the Southern Upland Way ('SUW') at the point where the Western Access route enters the main site area.

1.5.4 A temporary diversion during construction would be put in place for the part of the SUW and this would follow an established diversion route used during forestry operations and is formed of an existing track alignment.

Figure 1.1: Site Layout Plan



Wind Turbines

1.5.5 The turbine locations would be subject to micrositing during the construction phase (information below). The exact model of wind turbine to be installed at the Proposed Development would be selected through a competitive procurement process. In each assessment in the EIA a worst-case scenario of the turbine dimensions/characteristics has been used.

1.5.6 Turbines are typically fixed to a reinforced concrete foundation, which is made up of a central excavation approximately 25 m in diameter and 3.5 m deep depending upon ground conditions. Sloping batters would increase the excavated area to approximately 32 m diameter at ground level.

1.5.7 The turbines would be erected using mobile cranes. These require areas of permanent and temporary hardstand adjacent to the turbine locations. Typical permanent hardstand areas per turbine are approximately 2,016 m^2, with the temporary hardstand area at each turbine location approximately 4,414 m^2, dependent on the site ground conditions.

1.5.8 The Proposed Development would require visible aviation lighting under the current Civil Aviation Authority (CAA) policy statement. A reduced lighting scheme has been designed and would be submitted to the CAA for approval. The reduced lighting scheme proposes 2000 candela (cd) nacelle lights on seven of the 13 turbines (T1, T2, T7, T8, T9, T11 and T13) and no mid-tower lighting, with reduced intensity lighting (200 cd) during clearer visibility.

1.5.9 Infrared lighting as required by the Ministry of Defence (MoD) (not visible to the naked eye) is proposed to be installed all turbines

On Site Substation and Compound

1.5.10 The Substation Compound would measure approximately 8,000 m^2 (80 m x 100 m) and would comprise a substation and control building, including basic welfare facilities (e.g., toilets and parking area), and potentially external electrical equipment.

1.5.11 The control building would measure approximately 550 m^2 with a maximum height of up to 8.5 m.

Battery Energy Storage System

1.5.12 A BESS is included in the Proposed Development, located adjacent to the substation compound. The proposed footprint of the BESS Compound would be up to approximately 9,500 m^2 (190 m X 50 m) containing a BESS MV switch and Control room and a series of containers for the batteries and power conversion systems (PCS) units, together with a buried firewater tank and associated parking areas and security fencing.

1.5.13 Based on current technology the BESS compound could accommodate approximately 50 MW capacity.

Access and Site Tracks

1.5.14 There are two access routes into the Site:

- Western Access – from the A702 through Watermeetings Forest; and
- Eastern Access – from the Daer Water road to enter the site at Wintercleugh.

1.5.15 The on-site track length for the Proposed Development is approximately 17.37 km. This would include the construction of new tracks (13.97 km), upgrade of existing tracks (2.73 km) and, tracks that are proposed to be floated (0.67 km) in deeper areas of peat.

Footpath Diversions

1.5.16 A temporary diversion during construction would be put in place for the part of the SUW which would follow an established diversion route used during forestry operations and is formed of an existing track alignment.

1.5.17 A permanent diversion to a short section (approximately 880 m) of the SUW at the point where the Western Access route enters the main development area of the Site is proposed. The permanent diversion would be provided so that users of the SUW can avoid infrastructure associated with the Proposed Development. During the construction phase, the permanent diversion would not be used by construction traffic associated with the Proposed Development, instead it would provide continuing access for existing users away from the active construction areas at the Proposed Development.

Micro-siting

1.5.18 During the construction of the Proposed Development, there may be a requirement to microsite elements of the Proposed Development infrastructure as a result of post-consent ground investigation and detailed design. This is an important measure which allows for further minimisation of environmental effects, under the supervision of the Ecological Clerk of Works ('ECoW')

1.5.19 It is proposed that a 100 m micrositing tolerance of turbines and all other infrastructure would be applied to the Proposed Development.

Biodiversity Enhancement

1.5.20 An outline Biodiversity Enhancement Management Plan (OBEMP) is provided in **Technical Appendix 6.7** of **EIAR Volume 4**. The OBEMP includes measures in relation to the creation of native broadleaved edges and riparian woodland tree corridors, targeted peatland restoration works, restoration or enhancement of moorland habitat and bog condition, and the enhancement and management of grassland habitats for species such as breeding waders and black grouse.

1.5.21 This has been examined further as part of the policy appraisal within Chapter 4 of this Planning Statement.

Grid Connection

1.5.22 The Proposed Development has a grid connection agreement in place for 2036 for a 132 kV transmission grid connection, connecting to Elvanfoot substation, located approximately 8.5 km north of the on-site substation. Under ongoing grid reforms there is potential that the date and location of the connection will differ from that currently contracted. Given the responsibility of Scottish Power Energy Networks (SPEN) to provide the grid connection, including any necessary consents, the grid connection is not within the scope of the EIAR.

Construction

1.5.23 It is anticipated that construction of the Proposed Development would last up to 18 months. The construction working hours for the Proposed Development would be 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays. There would be no working on Sundays or public holidays without prior written approval from SLC.

1.5.24 No works, with the exception of turbine delivery, the completion of turbine erection, concrete pours, or emergency work, will take place outside these hours. Other such out-of-hours works will be subject to prior agreement with SLC. A Traffic Management Plan ('TMP') will be developed and approved, via condition, with SLC in consultation with Transport Scotland prior to the commencement of construction.

1.5.25 Standard/best practice mitigation measures would be implemented during the construction work, including compliance with both project wide and site-specific environmental management procedures, which would be included in the Construction Environmental Management Plan

(CEMP). An outline CEMP is provided in **Technical Appendix 2.1** of **EIAR Volume 4**. A detailed CEMP would be approved by SLC in consultation with relevant statutory consultees prior to construction commencing.

Site Reinstatement and Restoration

1.5.26 Following commissioning of the Proposed Development, reinstatement of the Construction Site would be finalised. Reinstatement would form part of the contractual obligations for the Principal Contractor and would include all temporary works, such as crane pads, borrow pits, temporary compounds and laydown areas.

1.5.27 Following removal of the temporary works, best practice techniques would be used to ensure soils are replaced in the order they were removed with original vegetation reinstated around the permanent hardstanding areas where possible. Where required, reseeding of the temporary works areas would also be undertaken with an appropriate seed mix. Details for site reinstatement would be included in the CEMP.

Operation and Decommissioning

1.5.28 It is anticipated that the Proposed Development would have an operational life of 40 years. At the end of this period, a decision will be made as to whether to refurbish, remove, or replace the turbines. If refurbishment or replacement were to be chosen, relevant consent applications will be made at that time.

1.6 Scope and Structure of Planning Statement

1.6.1 This Planning Statement provides an assessment of the Proposed Development against relevant legislative and policy provisions including relevant energy and planning policies and legislation.

1.6.2 The Planning Statement draws on the findings of and should be read in conjunction with the associated EIAR and the various drawings and plans which are included as part of the Section 36 application package. The EIAR and other relevant accompanying documents are cross referenced throughout where they provide more detailed information that is not essential to repeat for the purposes of this Planning Statement.

1.6.3 This Planning Statement is structured as follows:

> **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emissions reduction legislative framework and includes reference to the Onshore Wind Policy Statement [2] ('OWPS') and the Scottish Government's Draft Energy Strategy and Just Transition Plan[3] and other considerations;

> **Chapter 3** summarises the benefits that would arise from the Proposed Development;

> **Chapter 4** appraises the Proposed Development against the most relevant policy provisions of NPF4;

> **Chapter 5** appraises the Proposed Development against the relevant provisions of the LDP and related guidance; and

> **Chapter 6** examines the planning balance and presents overall conclusions.

[2] Scottish Government (2022) Onshore wind: policy statement 2022 Available at: https://www.gov.scot/publications/onshore-wind-policy-statement-2022/

[3] Scottish Government (2023) Draft Energy Strategy and Just Transition Plan https://www.gov.scot/publications/draft-energy-strategy-transition-plan/

2. The Renewable Energy Policy and Legislative Framework

2.1 Introduction

2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions ('GHG') reduction law is based. This underpins what can be termed the need case for renewable energy from which the Proposed Development can draw a high level of support.

2.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These taken together provide very strong support for the Proposed Development in principle.

2.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

2.1.4 The Proposed Development would make a substantial and valuable contribution to help Scotland meet its renewable energy and electricity production and storage targets, while supporting emissions reduction to combat climate change in the current climate emergency.

2.1.5 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out below. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

2.2 International Commitments and Agreements

The Paris Agreement (2015)

2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference ('COP21'). It entered into force in November 2016. The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit global warming to 1.5°C.

2.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's ('CCC') advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into legislative provisions and targets for both 2045 (Scotland) and 2050 ('UK'). This is referred to below.

2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

United Nations - Intergovernmental Panel on Climate Change

2.2.4 The Intergovernmental Panel on Climate Change ('IPCC') is the United Nations Body for assessing the science related to climate change.

2.2.5 The IPCC prepares comprehensive assessment reports about the state of scientific, technical and socio-economic knowledge on climate change, its impacts and future risks and options for reducing the rate at which climate change is taking place. IPCC reports are commissioned by the world's Governments and are an agreed basis for COP[4] negotiations.

2.2.6 The IPCC's Special Report on Warming of 1.5ºC, published in 2018, was a key piece of evidence for the CCC's recommendation to the UK Government for a 2050 net zero greenhouse gas emission target. The IPCC's reports since 2018 have provided an up-to-date estimate of how close global temperatures are to 1.5ºC of warming above pre-industrial levels and the remaining volume of global cumulative carbon dioxide that could be emitted to be consistent with keeping global warming below any particular threshold (such as the 1.5ºC and 2ºC levels referred to in the Paris Agreement).

2.2.7 The IPCC's 6th Assessment Report was published in March 2023. The Summary for Policymakers Report (page 10) states that it is likely that warming will exceed 1.5ºC during the 21st century and make it harder to limit warming 2ºC. It states (page 12):

"*Continued greenhouse gas emissions will lead to increasing global warming, with the best estimate of reaching 1.5°C in the near term in considered scenarios and modelled pathways. Every increment of global warming will intensify multiple and concurrent hazards (high confidence). Deep, rapid and sustained reductions in greenhouse gas emissions would lead to a discernible slowdown in global warming within around two decades, and also to discernible changes in atmospheric composition within a few years (high confidence)*".

2.2.8 Page 24 of the report states "*There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence)*".

COP 28, Dubai 2023

2.2.9 The United Nations Climate Change Conference ('COP28') closed on 13 December 2023. The UN press release of the same date states that the agreement reached "*Signals the 'beginning of the end' of the fossil fuel era by laying the ground for swift, just and equitable transition, underpinned by deep emissions cuts and scaled up finance*."

2.2.10 The statement adds:

"*The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to 2019 levels, to limit global warming to 1.5°C. But it notes parties are off track when it comes to meeting their Paris Agreement goals.*

The stocktake calls on parties to take actions towards achieving, at a global scale, a tripling of renewable energy capacity and doubling of energy efficiency improvements by 2030. The list also includes accelerating efforts towards the phase down of unabated coal power, phasing out inefficient fossil fuel subsidies, and other measures that drive the transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, with developed countries continuing to take the lead." (underlining added)

COP 29, Baku 2024

2.2.11 The 29th UN Climate Conference hosted in Baku, Azerbaijan concluded on 24 November 2024. New financial goals agreed at COP 29 aimed at building on the significant strides on global action at COP 27, which agreed a historic Loss and Damage Fund, and COP 28, which delivered a global agreement to transition away from fossil fuels in energy systems in a swift and fair manner as well as triple renewable energy and boost climate resilience. The Climate

[4] United Nations Framework Convention on Climate Change, Conference of the Parties (COP).

Change Committee in its summation[5] of the conference and finance agreement reached, noted that the new climate finance goal of at least $300 billion per year from the developed world by 2035 was a compromise outcome, with some developing countries expressing frustration and disappointment. There was recognition of the much greater scale of overall finance needed, marking a shift to formally recognising the wider mobilisation required, which will only be achieved if climate change investment is mainstreamed into wider public and private finance flows.

2.2.12 Unlike COP 27 and 28 however, COP 29 reached an agreement on carbon markets which will help countries deliver their respective climate plans on a quicker and cheaper basis, as well as make faster progress in halving global emissions.

COP 30, Belém 2025

2.2.13 COP30 was the 2025 UN Climate Conference, held in Belém, Brazil from 10th – 21st November 2025. The conference focused on implementing past agreements and key outcomes included a new "global mutirão" decision for collective action and a call to triple adaptation finance by 2035.

2.2.14 Despite support from over 80 countries (including the UK) for a “roadmap” toward phasing out fossil fuels, oil-producing nations voted against this being included from the formal deal and therefore no new "roadmaps" for phasing out fossil fuels were agreed upon. However, Colombia and the Netherlands will co-host the first International Conference on the Just Transition Away from Fossil Fuels in April 2026 in Santa Marta, Colombia. This initiative aims to build on the momentum from COP30 to create a roadmap for phasing out fossil fuels and to move this discussion outside of the formal UN COP negotiations.

UN Emissions Gap Report (2025)

2.2.15 The UN Emissions Gap Report (November 2025) entitled “Off Target” provides the annual independent science-based assessment of the gap between the pledged GHG reductions, and the reductions required to align with the long-term temperature goal of the Paris Agreement.

2.2.16 The Executive Summary Report comments on the background of GHG emission increases and the new Nationally Determined Contributions (‘NDCs’) submitted ahead of COP30 in Brazil as follows (page 4):

“As this sixteenth Emissions Gap Report shows, the new NDCs have limited effect on narrowing the emissions gap by 2030 and 2035, leaving global warming projections well above the Paris Agreement’s temperature goal. New scenarios show that limiting warming to 1.5°C by 2100 remains technically possible. However, due to the continued delay in deep emission cuts, 1.5°C pathways now imply higher and higher temporary exceedance of this temperature target. The magnitude and duration of this overshoot must be limited as much as possible. Each year of delayed action locks in carbon intensive infrastructure results in greater losses for people and ecosystems, higher adaptation costs and a heavier reliance of costly and uncertain carbon dioxide removal. Each year of inaction makes the path to net zero by 2050 and net negative emissions thereafter steeper, more expensive and more disruptive.”

2.2.17 Section 7 of the Executive Summary sets out that “despite the increasing likelihood of higher and longer temperature overshoot, pursuing efforts to limit global warming to 1.5°C remains as critical and relevant as ever”.

2.2.18 The report adds: *“accelerated mitigation action provides benefits and opportunities. In many cases, mitigation aligns with economic growth, job creation, energy security and achievement of other pressing development needs and the sustainable development goals. The required technologies are available, and wind and solar energy development continue to exceed expectations, lowering deployment costs and driving market expansion. Yet deployment*

[5] Climate Change Committee (2024) COP29: Key outcomes and next steps for the UK Available at: https://www.theccc.org.uk/publication/cop29-key-outcomes-and-next-steps-for-the-uk/.

remains insufficient, and accelerated emission reductions require overcoming policy, governance, institutional and technical barriers….."

2.2.19 The latest Gap Report is expressly clear that the international position in relation to combating climate change is worsening. The conclusions also make clear that deployment of renewable energy, including wind energy, remains key to combating the climate emergency.

2.3 UK Climate Change and Energy – Legislation and Policy

The Climate Emergency

2.3.1 A critical part of the response to the challenge of climate change was the climate emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new net zero targets set out in legislation).

The Climate Change Act 2008 and Carbon Budgets

2.3.2 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.

2.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

2.3.4 The CCC has produced seven, four yearly carbon budgets, covering 2008 to 2042. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below. Essentially, they are five yearly caps on greenhouse gas emissions measured in million tonnes of carbon dioxide equivalent (MtCO2e).

2.3.5 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament.

Table 2.1: Carbon Budgets and Progress[6]

Budget	Carbon budget level	Target Reduction below 1990 levels	Progress on Budgetary Period (reduction amount v Target)
1st carbon budget (2008 – 2012)	3,018 $MtCO_2e$	26%	-27%
2nd carbon budget (2013 – 2017)	2,782 $MtCO_2e$	32%	-42%
3rd carbon budget (2018 – 2022)	2,544 $MtCO_2e$	38% by 2020	-50%[7]
4th carbon budget (2023 – 2027)	1,950 $MtCO_2e$	52% by 2025	n/a
5th carbon budget (2028 – 2032)	1,725 $MtCO_2e$	57% by 2030	n/a
6th carbon budget (2033 – 2037)	965 $MtCO_2e$	78% by 2035	n/a
7th carbon budget (2038 – 2042)	535 $MtCO_2e$	87% by 2042	n/a
Net Zero Target	**100%**	**By 2050**	

2.3.6 The Sixth Carbon Budget[8] ('CB6') requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "*decisively on the path to Net Zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement*" (CB6, page 13).

2.3.7 Page 23 of CB6 refers to the devolved nations and sets out that UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland. Key points from CB6 include:

- UK climate targets cannot be met without strong policy action in Scotland.
- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.
- The related 'Methodology Report[9]' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20 to 30 GW in all scenarios by 2050.

2.3.8 Following the CB6, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021[10] (the

[6] Source: Climate Change Committee (CCC).

[7] Confirmed by CCC in 'Final Statement for the Third Carbon Budget' May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions.

[8] Climate Change Committee (2020) The Sixth Carbon Budget The UK's path to Net Zero Available at: https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf

[9] CCC (2020) The Sixth Carbon Budget Methodology Report Available at: https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-Methodology-Report.pdf

[10] UK Government (2021) The Carbon Budget Order 2021 Available at: https://www.legislation.gov.uk/uksi/2021/750/introduction/made

Order)[11]) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brought forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

2.3.9 The Seventh Carbon Budget [12]('CB7') was published by the CCC in February 2025. The CCC's recommended level for CB7, namely a limit on the UK's GHG emissions over the five-year period 2038 to 2042, is 535 MtCO2e including emissions from international aviation and shipping.

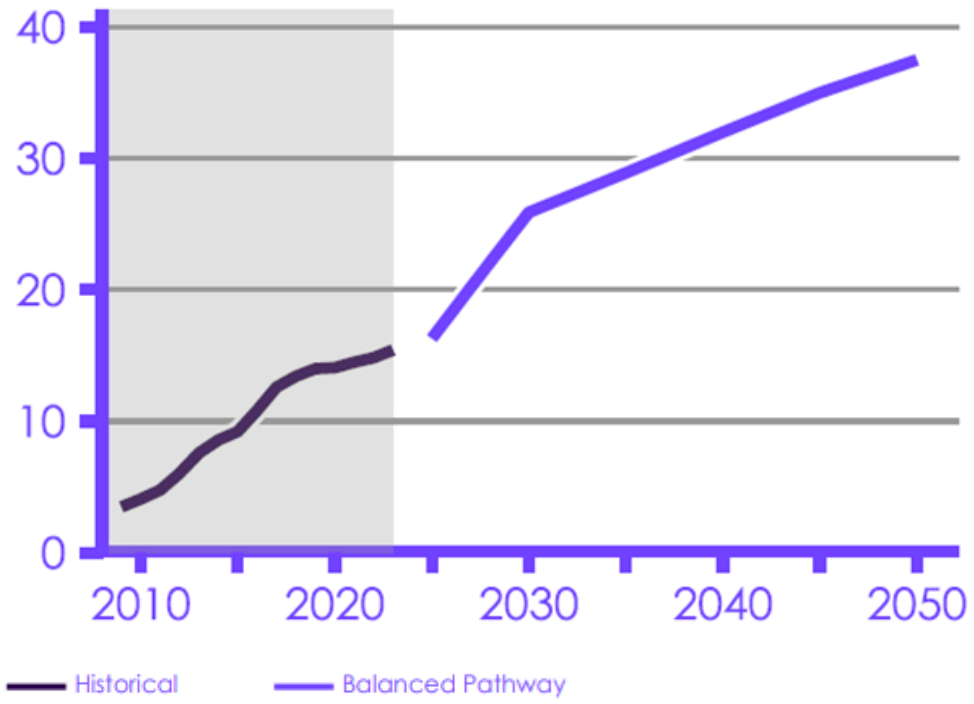
2.3.10 Page 12 of the CB7 states:

"*By the middle of the Seventh Carbon Budget on our pathway, emissions in the UK will be only a quarter of the level they are today, and 80% lower than levels in 1990 (90% lower excluding emissions from international aviation and shipping.) Achieving this will require a significant reduction in emissions across sectors including surface transport, buildings, industry and agriculture*."

2.3.11 It sets out (page 12) that achieving CB7 will mean that UK based renewable energy provides the bulk of generation and this will replace oil and gas across most of the economy. It adds that "*this requires twice as much electricity as today by 2040*".

2.3.12 It further states that low carbon supply by 2040 will see offshore wind grow sixfold from 15 GW of capacity in 2023 to 88 GW by 2040. It adds that "*onshore wind capacity doubles to 32 GW by 2040 and solar capacity increases to 82 GW*" (page 13). The anticipated growth of onshore wind capacity is shown in the Report (page 109) and illustrated in **Figure 2.1** below.

Figure 2.1: Onshore Wind Operational Capacity (GW) in CCC 'Balanced Pathway'



2.3.13 In relation to the increase in onshore wind capacity, CB7 sets out (page 106) that "*this will require recent annual installation rates to treble this decade, requiring installation rates comparable to the annual rollout rates previously sustained during the mid 2010s*".

[11] The Order sets the carbon budget for the 2033 to 2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

[12] CCC (2025) The Seventh Carbon Budget Advice for the UK Government Available at https://www.theccc.org.uk/wp-content/uploads/2025/02/The-Seventh-Carbon-Budget.pdf

2.3.14 The 'Balanced Pathway' requires an average deployment rate of 0.8 GW per year, with deployment peaking at 1.9 GW in 2030, which is comparable to the historical peak of 1.8 GW in 2017.

2.3.15 CB7 states that *"there are a range of barriers that will need to be overcome to enable the levels of deployment required. This will require concerted action on several areas, including planning, grid connections, and supply chain bottlenecks."*

The UK Energy White Paper (December 2020)

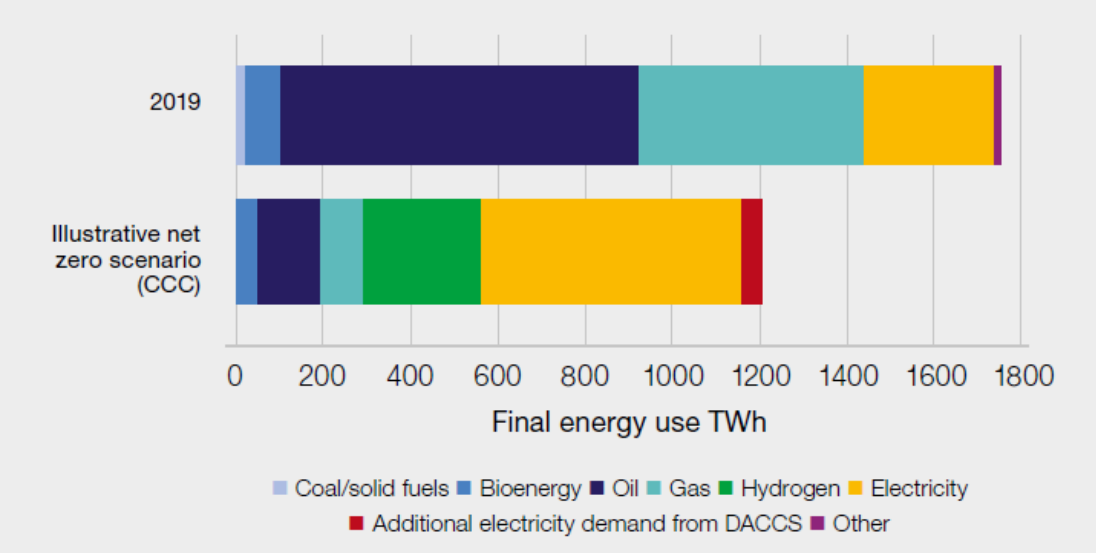
2.3.16 The Energy White Paper 'Powering our Net Zero Future'[13] was published on 14 December 2020, and while more than five years old, represents an important step in UK energy policy highlighting the importance of renewable electricity.

2.3.17 The White Paper set out that "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050".* A key objective was set out to *"accelerate the deployment of clean electricity generation through the 2020s*" (page 38).

2.3.18 Electricity demand was forecast to double out to 2050, which will "*require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our Net Zero target*" (page 42).

2.3.19 This anticipated growth of renewable electricity set out in the White Paper is illustrated in the graph below – **Figure 2.2**.

Figure 2.2: Illustrative UK Final Energy Use in 2050[14]



2.3.20 **Figure 2.2** illustrates that a reduction in energy usage is predicted in the net zero scenario. The majority of the energy used in 2050 will be generated from electricity. The White Paper notes at page 10 that clean electricity will become the predominant form of energy, entailing a potential doubling of electricity demand and consequently a fourfold increase in low-carbon electricity generation, which will be required to reach net zero emissions.

2.3.21 Whilst offshore renewables are expected to grow significantly, the White Paper also sets out that "*onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade*

[13] UK Government (2020) Energy white paper: Powering our net zero future Available at: https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future
[14] Source: Energy White Paper page 9 (2020).

to ensure that we are on a pathway that allows us to meet Net Zero emissions in all demand scenarios" (page 45). (underlining added).

The British Energy Security Strategy (April 2022)

2.3.22 The British Energy Security Strategy[15] ("the Strategy") was published by the UK Government on 7 April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

"*Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables….*

The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets."

2.3.23 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

The UK Battery Strategy (2023)

2.3.24 The UK Government published the UK Battery Strategy[16] on 26 November 2023. The UK Battery Strategy brings together Government activity to achieve a globally competitive battery supply chain by 2030 that supports economic prosperity and the net zero transition in the UK.

2.3.25 In summary, the Government's vision is for the UK to continue to grow a thriving battery innovation system and to become a world leader in sustainable design, manufacture and use.

2.3.26 The UK Battery Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. It is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:

- Design and develop batteries for the future;
- Strengthen the resilience of UK manufacturing supply chains; and
- Enable the development of a sustainable battery industry.

2.3.27 In the Foreword to the document (page 3), the Minister of State for Industry and Economic Security at the Department of Business and Trade states that:

"Batteries will play an essential role in our energy transition and our ability to successfully achieve Net Zero by 2050."

2.3.28 Batteries are seen as key to the net zero transition as they enable more flexible use of energy such as maximising use of intermittent low carbon generation.

Climate Change Committee Report to UK Parliament (2024)

2.3.29 The CCC published the report 'Progress in Reducing Emissions 2024 Report to Parliament' in July 2024[17] (the 'CCC 2024 Report'). The Executive Summary (page 8) states:

[15] UK Government (2022) British Energy Security Strategy Available at: https://commonslibrary.parliament.uk/research-briefings/cdp-2022-0128/

[16] UK Government (2023) The UK Battery Strategy Available at: https://www.gov.uk/government/publications/uk-battery-strategy

[17] CCC (2024) Progress in reducing emissions 2024 Report to Parliament. Available at: https://www.theccc.org.uk/wp-content/uploads/2024/07/Progress-in-reducing-emissions-2024-Report-to-Parliament-Web.pdf

"*The previous Government signalled the slowing of pace and reversed or delayed key policies. The new Government will have to act fast to hit the country's commitments.*

The cost of key low-carbon technologies is falling, creating an opportunity for the UK to boost investment, reclaim global climate leadership and enhance energy security by accelerating take-up. British-based renewable energy is the cheapest and fastest way to reduce vulnerability to volatile global fossil fuel markets. The faster we get off fossil fuels, the more secure we become."

2.3.30 The CCC 2024 Report makes it clear that urgent action is needed to get on track for the UK's 2030 emissions reduction target. In this regard it states:

"*The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well.*

Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm."

2.3.31 The CCC 2024 Report explains that the UK should now be in a phase of rapid investment and delivery, however note that all indicators for low carbon technology roll out are "*off track, with rates needing to significant ramp up*." In this regard in terms of renewable technologies it states onshore wind installations will need to double.

2.3.32 Chapter 2 of the CCC 2024 Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however "*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero*." (Page 33).

2.3.33 Section 2.3 of the CCC 2024 Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:

"*emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero*."

2.3.34 Chapter 3 of the CCC 2024 Report examines indicators of current delivery progress and it sets out (page 50) a number of key points including *inter alia*:

"*Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas…*

Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five."

2.3.35 Reference is made to electricity supply (page 56). With regard to onshore wind it states that only 0.5 GW of new onshore wind was installed in 2023 and "*this is considerably below the peak of 1.8 GW in 2017. Onshore wind installation rates will need to more than double compared to the average pace of deployment over the past three years*."

2.3.36 Chapter 4 of the CCC 2024 Report addresses the risks to the UK in achieving its emissions reduction targets.

2.3.37 With regard to the Fourth Carbon Budget (2023 to 2027) it states that although credible plans cover almost all of the emissions reductions required to meet it "*this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero*…."

2.3.38 With regard to the 2030 NDC and CB6 (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

Climate Change Committee Report to UK Parliament (2025)

2.3.39 The CCC published the report 'Progress in adapting to climate change[18]' Report to Parliament' in April 2025 (the "CCC 2025 Report"). The CCC 2025 Report's focus is on climate adaptation and an assessment of the UK's readiness for climate change. It states that:

"The CCC 2025 Report's focus is on climate adaptation to the extreme weather already being experienced in the UK as a result of climate change. It is a reminder of the urgent ongoing need to increase energy generation from renewable sources to tackle the climate crisis."

Labour Government and Commitment to Renewables (2024)

2.3.40 The UK Government change at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to Net Zero.

2.3.41 Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important material consideration.

2.3.42 The Department for Energy Security and Net Zero ('DESNZ') issued a Statement on 8th July 2024 which included references to double UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.

UK Government: Clean Power 2030 Action Plan (2024)

2.3.43 The Clean Power 2030 Action Plan[19] was published by DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*".

2.3.44 It further adds (page 10):

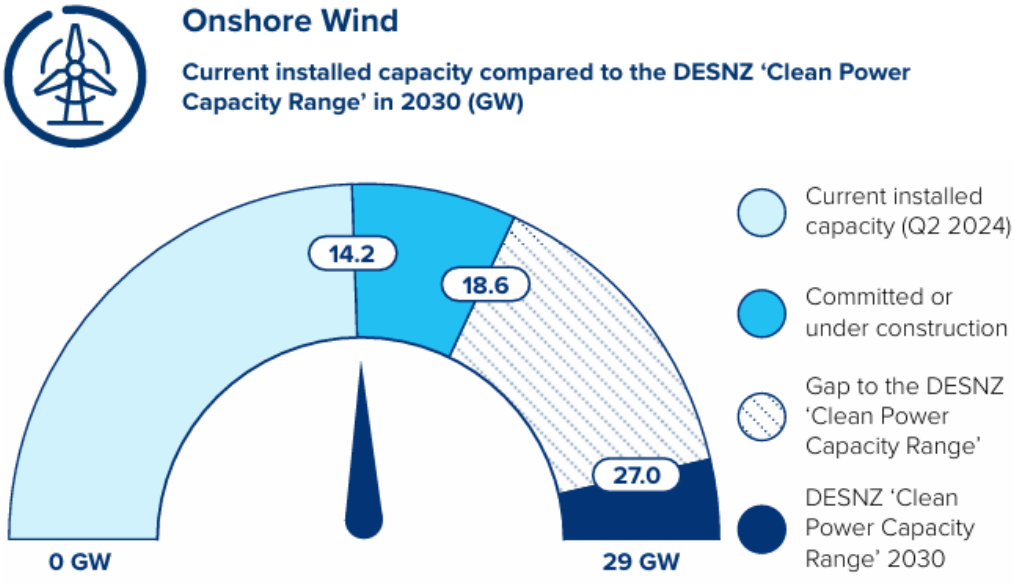
"C*lean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals*".

2.3.45 Within the Action Plan, it sets out that by 2030, this means that there should be 27 to 29 GW of onshore wind operational within the UK. At the time of the publication of Clean Power 2030, there was only 14.2 GW of installed onshore wind capacity in the UK, illustrated below in **Figure 2.3**.

[18] CCC (2025) Progress in adapting to climate change Available at: https://www.theccc.org.uk/wp-content/uploads/2025/04/Progress-in-adapting-to-climate-change-2025-1.pdf

[19] UK Government (2024) Clean Power 2030 Action Plan Available at https://www.gov.uk/government/publications/clean-power-2030-action-plan

Figure 2.3: Onshore Wind and 'Gap' to reach 2030 UK Target



2.3.46 Renewable UK's Onshore Wind Report[20] indicates that as of September 2025 the UK had 15.8 GW of onshore wind capacity in operation.

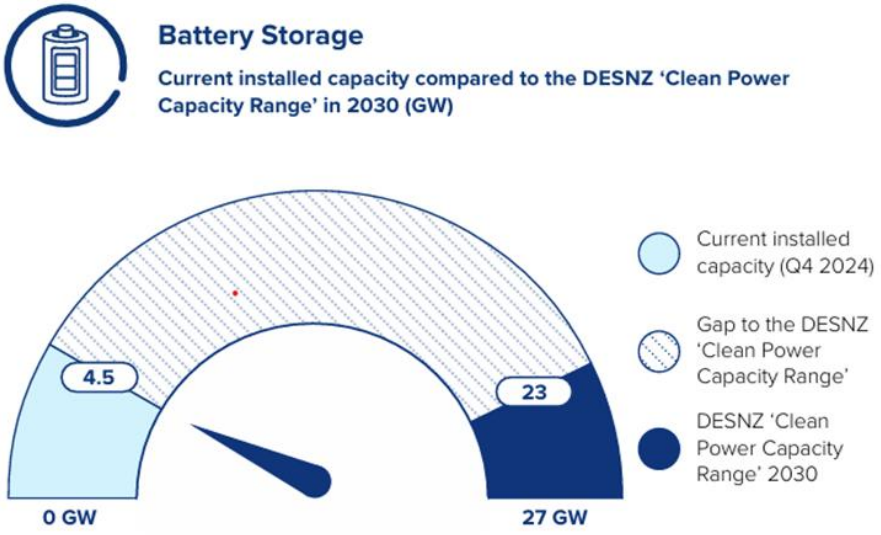
2.3.47 The document adds that "*Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors… The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity*".

2.3.48 There is therefore a significant gap between the target onshore wind capacity for 2030 (29 GW) compared to what is currently installed. The gap is some 13.2 GW of required new capacity and the bulk of that is expected to be delivered in Scotland. As noted above, the CCC has recommended that the UK achieve a higher figure of 32 GW of onshore wind by 2040 in its projections for the CB7.

2.3.49 In terms of battery energy storage, **Figure 2.4** shows the gap between current installed capacity compared to the DESNZ requirement to 2030. 22.5 GW is required to reach the clean power capacity range in 2030.

[20] Renewable UK (2025) Onshore wind pipeline report 2025 Available at: https://www.renewableuk.com/energypulse/reports/uk-onshore-wind-pipeline-report-2025/

Figure 2.4 Battery Storage: Current installed capacity to reach 2030 targets



2.3.50 At the time of the publication of Clean Power 2030, there was 4.5 GW of battery storage in Great Britain, and based on National Energy System Operator ('NESO') and DESNZ BESS growth scenarios for 2030 it is expected that 23 to 27 GW of battery storage will be needed by 2030 to support clean power. Updated figures published by Renewable UK in September 2025[21], state that the UK has more than 6.8 GW of operational battery storage. There is therefore a very significant level of increase required. It is stated that *"Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity".* (page 96)

2.3.51 The document adds that *"Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors… The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity"*.

2.3.52 Page 74 of the Action Plan states that *"Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace".*

The Onshore Wind Taskforce Strategy (July, 2025)

2.3.53 The Department for Energy Security and Net Zero ('DESNZ') published the Onshore Wind Taskforce Strategy[22] ('OWTS') in July 2025, which sets out over 40 actions, primarily Government commitments to resolve key blocks to onshore wind within the UK. The OWTS's overall aims are to boost onshore wind deployment and to deliver economic benefits for local communities, businesses and the consumer.

2.3.54 The Ministerial Forward by the Secretary of State for Energy Security and Net Zero states:

"As one of the cheapest and fastest to build sources of power we have, onshore wind will play a critical role in boosting our energy independence with clean power by 2030. The reality is

[21] Renewable UK (2025) Stacking up the storage: where the UK battery market stands in 2025 Available at: https://www.renewableuk.com/energypulse/blog/stacking-up-the-storage-where-the-uk-battery-market-stands-in-2025/

[22] UK Government (2025) Onshore Wind Taskforce Strategy Available at: https://www.gov.uk/government/publications/onshore-wind-strategy

that every turbine we build helps protect families, businesses and the public finances from future fossil fuel shocks.

That's why in our first 72 hours in office, we lifted the onshore wind band in England - in place for nine years under the previous Government. And it's why last July we established the Onshore Wind Taskforce to bring Government, industry and trade unions together to explore how we can radically accelerate deployment of this critical technology.

The Onshore Wind Taskforce strategy is the outcome of that work. It sets out more than 40 steps Government and industry will take to help deliver up to 29GW of onshore wind by 2030. That includes driving ambitious reforms to planning, grid connections, and routes to market, while building the supply chains and skilled workforce we need."

2.3.55 In addition, within the forward the statement by the Head of Clean Power 2030 within DESNZ states *inter alia*:

"Clean Power 2030 is our ambitious mission to grow rapidly Britain's clean electricity infrastructure, reducing Britain's dependency on imported oil and gas, securing key clean industries and readying the country for the expected growth in electrical demand over the next 20 years.

Our Clean Power Action Plan targets a near doubling of onshore wind capacity up to 29GW by 2030. That will require rapid development of new onshore wind across Britain and repowering of existing sites to bring British consumers some of the cheapest homegrown power that can be produced. We are already working with NESO to slash the queue of projects waiting to connect to the grid to accelerate the best onshore wind development.

Rapid deployment of onshore wind is our first line of defence against future gas price spikes - every megawatt added displaces imported gas in the power system. With the steps in this new strategy, we will cement the growth of an important homegrown industry. The momentum behind clean power continues to grow."

2.3.56 The various commitments and actions within the OWTS cover:

- Scoping, planning and consenting improvement for onshore wind projects;
- Networks and systems reform;
- Communities and public perception actions;
- Aviation and defence commitments to improve the interface between wind energy and civil and military radar and related matters;
- Finance and routes to market; and
- Supply chains, skills and workforce.

2.3.57 The OWTS refers to the Government's Clean Power Action Plan (discussed above), which was published in December 2024 and which set out a pathway to achieving the mission of clean power by 2030. Page 10 of the OWTS states that:

2.3.58 *"All routes to achieving this mission are reliant on mass deployment of renewable electricity technologies, including onshore wind. The Clean Power Plan stated that to decarbonise the power sector by 2030, 27-29GW onshore wind will be needed within GB*[23]*.* That is a significant increase above the current installed capacity, which stands at 14.8 GW in GB (over 16GW in the UK)".

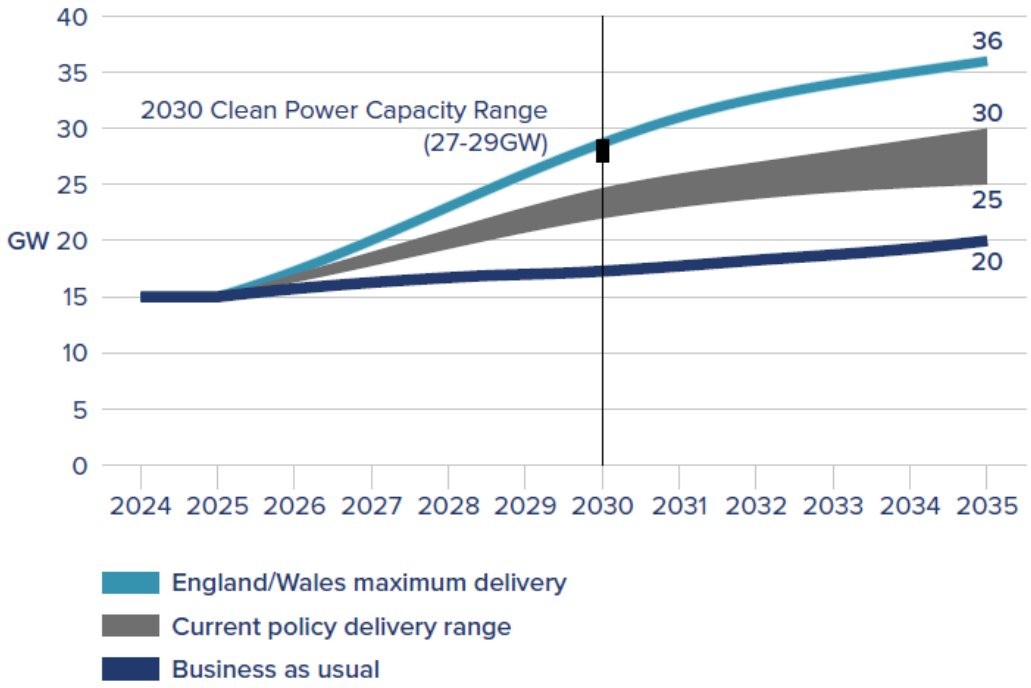
2.3.59 It is explained that the delivery of up to 29 GW of onshore wind by 2030 would involve around 10 to 12 GW more than would have been deployed under historic growth rates, with England contributing around 2 GW by 2030.

[23] The strategy explains that this means delivery of a system with at least 95% of GB's generation being produced from clean sources.

2.3.60 The OWTS also emphasises the significant economic opportunity that further onshore wind deployment will deliver (page 10). It states that meeting the onshore wind 2030 targets together with the actions within the OWTS, could deliver up to 45,000 direct and indirect jobs in Great Britain and result in £70 million per year of extra investment in community benefits.

2.3.61 At page 18 of the OWTS, reference is made to illustrative deployment scenarios which it states emphasises "*the challenge in meeting the 2030 clean power range in GB which will require significant deployment in Scotland, England and Wales*." This is illustrated in **Figure 2.5** below (reproduction of Figure 5 from the Strategy).

Figure 2.5: Clean Power Deployment Scenarios (Onshore Wind)



2.3.62 The scenarios as illustrated in **Figure 2.5** include:

- *Business as usual* - under this scenario onshore wind only reaches in the region of 17 GW by 2030 and 20 GW by 2035.
- *Current policy delivery range* - this assumes "seamless implementation" of the reform announced as part of the Clean Power 2030 Action Plan and the action set out in the OWTS. In this scenario up to around 25 GW is installed by 2030 and 30 GW by 2035.
- *England / Wales maximum delivery* - this is set out as the most optimistic scenario and shows the potential of increasing onshore wind deployment through strengthened policies in England and Wales. Under this scenario onshore wind deployment could reach levels consistent with the 2030 Clean Power range but also increases to in excess of 35 GW by 2035.

2.3.63 The OWTS addresses implementation and states (page 71) that the Government is committed to delivering the level of onshore wind needed by 2030 and is establishing a new Onshore Wind Council to oversee its implementation.

2.4 Scotland: Climate Change and Emissions Reductions Legislation

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

2.4.1 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve "net zero" by 2045. It is

clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.

2.4.2 When it was enacted, the Climate Change (Scotland) Act 2009[24] set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. However, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019[25] amended the 2009 Act, setting even more ambitious targets to reach net zero by 2045.

2.4.3 Scotland will need significant expansion of renewable generation capacity to achieve these ambitious targets by 2045.

CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024)

2.4.4 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland[26]' in March 2024. The related press release of the same date stated that Scotland's 2030 climate goals, of reaching 75% emissions reduction by 2030, were no longer credible, stating:

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.*

The Scottish Government delayed its draft Climate Change Plan last year despite the 2030 target being only six years away. This has left a significant period without sufficient actions or policies to reach the target; the required acceleration in emissions reduction in Scotland is now beyond what is credible."

2.4.5 The CCC calls in the report for Scotland's Climate Change Plan to be published urgently in order that the CCC can assess it and identify the actions which will deliver on its future targets.

2.4.6 The press release states that there is a path to Scotland's post-2030 targets, but stronger action is needed to reduce emissions across the economy.

2.4.7 The main report (page 10) states that "*The Scottish Government should build on its high ambition and implement policies that enable the 75% emissions reduction target to be achieved at the earliest date possible*."

2.4.8 Page 18 of the report addresses electricity supply, and it states that there has been some progress in delivering renewable electricity generation in Scotland. Reference is made to the Government aim to develop 8 to 11 GW of offshore wind and 20 GW on onshore wind capacity, both by 2030. The report notes that "*The growth in onshore wind capacity has slowed, however, and is slightly off track to deliver its 2030 target, which will require operational capacity to more than double*."

2.4.9 Page 40 states that in terms of onshore wind, Scotland must increase the deployment rate by more than a factor of four to an average annual rate of 1.4 GW in order to meet the 2030 targets. In terms of onshore wind, the most recent statistics released in December 2025[27] by the Scottish Government note that onshore wind capacity grew by 0.2 GW between the third

[24] Scottish Government (2009) Climate Change (Scotland) Act 2009. Available at: https://www.legislation.gov.uk/asp/2009/12/contents

[25] Scottish Government (2019) Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 Available at: https://www.legislation.gov.uk/asp/2019/15/contents

[26] CCC (2024) Progress in reducing emissions in Scotland – 2023 Report to Parliament. Available at: https://www.theccc.org.uk/wp-content/uploads/2024/03/Progress-in-reducing-emissions-in-Scotland-2023-Report-to-Parliament.pdf

[27] Scottish Government (2025) Quarterly Energy Statistics – Q3 2025. Available at: https://www.gov.scot/publications/energy-statistics-for-scotland-q3-2025/pages/key-points/

quarter of 2024 and the third quarter of 2025. While this is only a snapshot of one year, this is far removed from the rate of deployment recommended by the CCC.

2.4.10 In light of the CCC Report, the Scottish Government stated it remained committed to achieving net zero but would move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which would bring the Scottish Parliament in line with the Welsh and UK approaches.

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

2.4.11 The Climate Change (Emission Reduction Targets) (Scotland) Act 2024[28] received Royal Assent on 22 November 2024 (the 2024 Act). The 2024 Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, to replace the concept of statutory annual and interim targets. The 2024 Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.

2.4.12 The 2024 Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved (explained above). The Act does not change the existing statutory target of net zero emissions by 2045.

2.4.13 The emissions reductions targets set out are significant and the 2009 Act states the Scottish Ministers have a duty to ensure the targets are met. The Scottish Ministers have duties to keep the Scottish Parliament informed about whether the targets are being met and to publish plans for meeting those targets. All Scottish public authorities also have a duty to exercise their functions in a way best calculated to contribute to the delivery of the targets.

CCC Report, Scotland's Carbon Budgets, Advice for the Scottish Government (May 2025)

2.4.14 This CCC Report[29] was published in May 2025, and it sets out the CCC's advice on the level of Scotland's four proposed carbon budgets, covering the period 2026 to 2045. It recommends that the Scottish Government sets its carbon budgets, at annual average levels of emissions that are:

- 57% lower than 1990 levels for the First Carbon Budget (2026 to 2030);
- 69% lower than 1990 levels for the Second Carbon Budget (2031 to 2035);
- 80% lower than 1990 levels for the Third Carbon Budget (2036 to 2040); and
- 94% lower than 1990 levels for the Fourth Carbon Budget (2041 to 2045).

2.4.15 The report sets out that the CCC's advice "*shows that the proposed carbon budgets are deliverable and Scotland can achieve its 2045 net zero target*." (page 8)

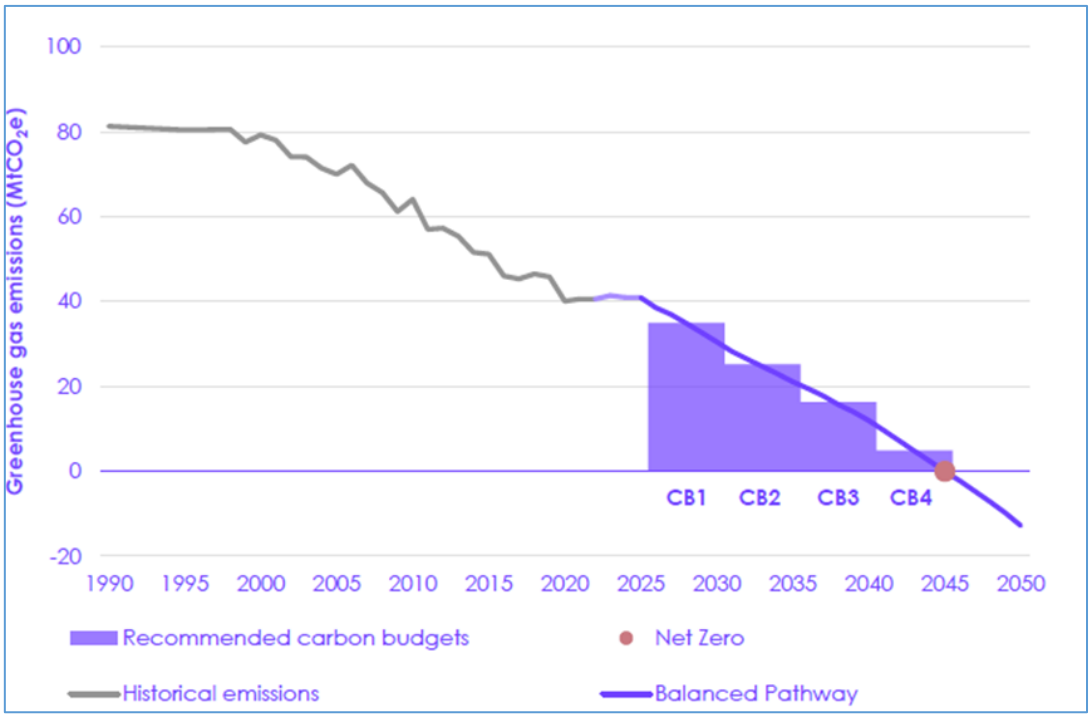
2.4.16 The recommended carbon budgets are illustrated in **Figure 2.6** [30].

[28] Scottish Government (2024) Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 https://www.legislation.gov.uk/asp/2024/15

[29] CCC (2025) Scotland's Carbon Budgets. Available at: https://www.theccc.org.uk/wp-content/uploads/2025/05/Scotlands-Carbon-Budgets-2.pdf

[30] CCC (May 2025). The Report states that the 'Balanced pathway' sets the recommended level of Scotland's carbon budgets.

Figure 2.6 CCC Recommended Carbon Budgets for Scotland



2.4.17 It states that getting to net zero by 2045 will require immediate action, at pace and scale and adds that decisions on the exact pathway and policies are for the Scottish Government.

2.4.18 The Report explains that progress to date has largely come from electricity decarbonisation, reflecting Scotland's abundant renewable resources. It goes on to state (page 9) that:

"Action will increasingly be required in predominantly devolved policy areas to hit the Net Zero 2045 target and the proposed carbon budgets. Now that the framework for climate action has been reset, the Scottish Government has the opportunity to use its powers to match its ambitions with action."

2.4.19 The Report identifies priority actions, which over the period of the first two carbon budgets will be the remaining decarbonisation of electricity generation as well as further electrification of key technologies, particularly the roll-out of EVs and heat pumps.

2.4.20 The Report identifies the sources of future emissions reductions and notes that in the next decade, over the next two carbon budgets, they are predominantly met from electrification of key technologies across the economy and measures to reduce demand for high-carbon activities.

2.4.21 Specifically in relation to electricity and low carbon supply the Executive Summary explains (page 12) that in the Balanced Pathway set out by the CCC:

*"the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035**, increasing to 66 GW by 2045**. This provides 98% of electricity generation in Scotland in 2035 and caters for increasing demand in Scotland and the rest of Great Britain (GB). Grid storage, use of storable fuels on the GB-wide network, and smart demand flexibility ensure a reliable supply of electricity even in adverse weather years. These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process. To deliver clean electricity, the planning process to approve large electricity infrastructure projects in Scotland needs to be urgently improved."* (Emphasis added)

2.4.22 Scotland currently has approximately 17.8 GW[31] of renewables operating capacity, a 4.5% increase compared to 17.0 GW at the end of the second quarter of 2024. Therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 48.2 GW to be deployed. This would equate to approximately 2.4 GW of operating capacity coming online each year over the next 20 years.

2.4.23 The Report sets out in more detail the key actions to deliver the Balanced Pathway in electricity supply. At page 94 it refers to the key action for the Scottish Government which is to *"Urgently improve the planning process to approve large electricity infrastructure projects in Scotland, such as transmission lines and onshore wind farms."* citing that it can currently take up to four years to approve large electricity infrastructure projects in Scotland.

2.4.24 The Report makes reference to the Scottish Government and the UK Government's commitment to reform the energy consents system in Scotland, including through measures in the Planning and Infrastructure Bill (now enacted). It states that *"Both governments should ensure that these reforms are now implemented at pace. All bodies involved in the planning and consenting process must also be adequately resourced and skilled."*

2.4.25 Following the CCC's recommendations, the Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025[32] ('2025 Regulations') came into force on the 10th October 2025. These Regulations reinforce the Scottish Government's commitment to achieving the climate targets. The 2025 Regulations amend the 2009 Act to include the Scottish carbon budgets for the five-year periods of 2026 to 2030, 2031 to 2035, 2036 to 2040 and 2041 to 2045 and align with the recommendations of the CCC in May 2025.

2.4.26 Scotland's Cabinet Secretary for Climate Action and Energy Gillian Martin said in a statement to Parliament on 8th October 2025[33]:

"This Government's commitment to tackling the climate emergency remains unwavering, and enshrining carbon budgets in legislation is a crucial step towards our net zero goal…It remains our intention to publish a draft climate change plan in the autumn, to allow sufficient time for the final version to be published before the end of this session of Parliament.".

2.4.27 The draft Climate Change Plan was published on the 6th November 2025 and is discussed below. It is an important tool in policy terms to set the direction of travel on how the targets will be achieved in practice within each of the key sectors.

2.5 Scotland: Climate Change and Renewable Energy Policy

2.5.1 The sections which follow, 2.6 to 2.11, address the key Scottish Government climate change and energy policy and related documents: these are:

- The Scottish Energy Strategy (2017);
- The Onshore Wind Policy Statement (2022);
- The Draft Energy Strategy and Just Transition Plan (2023);
- The Green Industrial Strategy (2024); and
- The Draft Climate Change Plan (2025).

[31] Scottish Government (December 2025) Energy Statistics for Scotland – Q3 2025

[32] Scottish Government (2025) The Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 Available at: https://www.legislation.gov.uk/ssi/2025/281/regulation/2/made

[33] https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-08-10-2025?meeting=16625&iob=141948

2.6 The Scottish Energy Strategy (2017)

2.6.1 The Scottish Energy Strategy[34] ('SES') was published in December 2017. The SES preceded almost all of the important events and publications referred to above but nevertheless sets out that onshore wind is recognised as a key contributor to the delivery of renewable energy targets – specifically 50% energy from renewable sources to be attained by 2030. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain the new legally binding 'net zero' targets so it is out of date in that respect.

2.6.2 The SES refers to "Renewable and Low Carbon Solutions" as a strategic priority (page 41) and states "*we will continue to champion and explore the potential of Scotland's huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets*".

2.6.3 The SES sets out what is termed the "opportunity" for onshore wind and there is explicit recognition that onshore wind is amongst the lowest cost forms of power generation. It is also recognised as "*a vital component of the huge industrial opportunity that renewables creates for Scotland*".

2.6.4 The SES sets out the Government's clear position on onshore wind namely:

"*our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand*." (page 44)

2.7 The Onshore Wind Policy Statement

2.7.1 The Scottish Government published an updated OWPS on 21st December 2022. It replaced the version published in November 2017.

2.7.2 The Ministerial Foreword makes it clear that seeking greater security of supply and lower cost electricity generation are now key drivers alongside the need to deal with the climate emergency. In this regard, the Cabinet Secretary for Net Zero, Energy and Transport states (page 3):

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

"*Scotland has been a frontrunner in onshore wind and, while other renewable technologies are starting to reach commercial maturity, continued deployment of onshore wind will be key to ensuring our 2030 targets are met*".

2.7.3 The Foreword states that onshore wind has the ability to be deployed quickly, is good value for consumers and is also widely supported by the public. The Minister further states that:

"*This Statement, which is the culmination of an extensive consultative process with industry, our statutory consultees and the public, sets an overall ambition of 20 GW of installed onshore wind capacity in Scotland by 2030.*

While imperative to meet our Net Zero targets it is also vital that this ambition is delivered in a way that is fully aligned with, and continues to enhance, our rich natural heritage and native flora and fauna, and supports our actions to address the nature crisis and the climate crisis".

2.7.4 The OWPS is structured on the basis of eight chapters which contain a mix of policy guidance and also technical information. Key content of relevance to the Proposed Development is referenced below.

[34] Scottish Government (2017) The Scottish Energy Strategy Available at: https://www.gov.scot/publications/scottish-energy-strategy-future-energy-scotland-9781788515276/

Increasing the Rate of Deployment and Forecast Increase in Electricity Demand

2.7.5 Chapter 1 “Ambitions and Aspirations” (page 5) refers to current deployment of onshore wind in Scotland and states:

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

2.7.6 It is explained that National Grid's Future Energy Scenarios[35] project concludes that Scotland's peak demand for electricity will at least double within the next two decades and that this will require a substantial increase in installed capacity across all renewable technologies.

Onshore Wind Target and Development Pipeline

2.7.7 In terms of existing deployment, paragraph 1.1.5 of the OWPS states that as of June 2022 the UK had 14.6 GW of installed onshore wind, with around 8.7 GW of this capacity within Scotland. Reference is made to a figure of 11.3 GW of onshore wind "*currently in the pipeline, spread over 217 potential projects*".

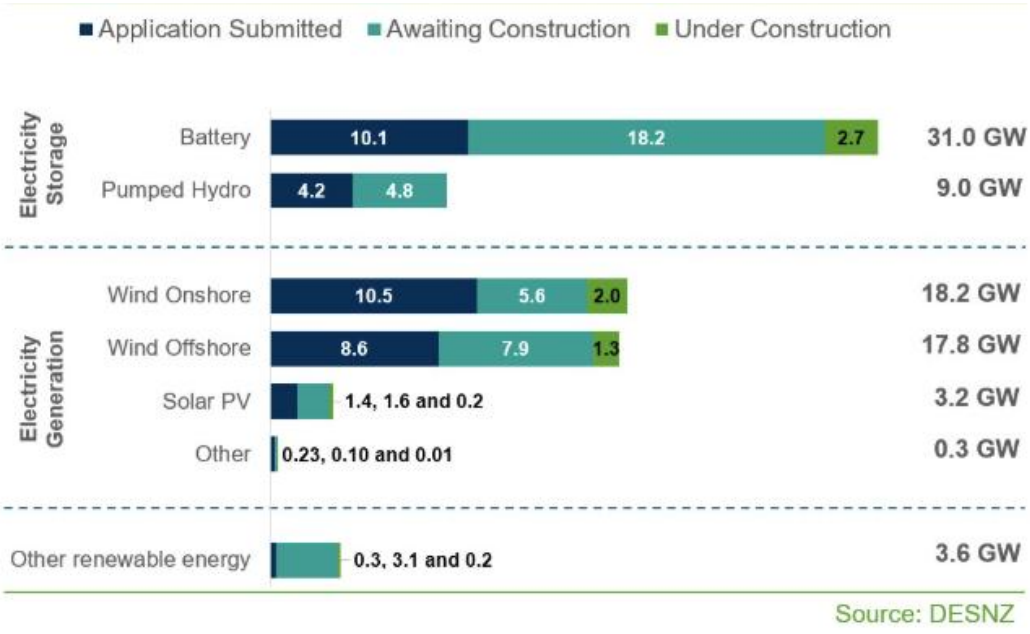
2.7.8 Updated figures on deployment and pipeline are provided by the Scottish Government in the Energy Statistics for Scotland[36] which are released quarterly. The most recent statistics were published in December 2025[37], with Figure 8 of this update illustrating that Scotland had 10.4 GW of installed capacity as of the end of September 2025. In terms of pipeline, Figure 9 (reproduced below as **Figure 2.7**) illustrates that 18.2 GW were at Application stages; Awaiting construction or Under construction. The majority, 10.5 GW, was Application stage, with 5.6 GW Consented / Awaiting construction, and 2 GW Under construction. This means that 12.4 GW of onshore wind is committed (operation and under construction). There are no guarantees that the 5.6 GW of consented projects will be built out for various reasons. However, if all of this was built out before 2030 this would only achieve 18 GW of the 20 GW minimum target. Although other schemes are likely to be consented, it is important to reiterate that the 20 GW is not a cap and is a **minimum** target, not forgetting the wider generation and emission reduction targets beyond 2030 that still need to be met.

[35] National Grid has set out a range of different, credible ways to decarbonise the energy system with regard to attaining Net Zero for the UK by 2050.

[36] https://www.gov.scot/collections/quarterly-energy-statistics-scotland/

[37] Scottish Government (2025) Energy Statistics for Scotland – Q3 2025 https://www.gov.scot/publications/energy-statistics-for-scotland-q3-2025/

Figure 2.7 Estimated Capacity (GW) by technology and planning stage for renewable energy projects in pipeline as of end September 2025



2.7.9 The footnote to the figures set out on page 6 of the OWPS is pertinent and is as follows:

"*Developments in the planning/consenting process have not yet been considered and given permission to proceed. Some of these projects will receive consent, but some may not, and it is unlikely that all of this noted capacity will be fully realised. A degree of duplication within the planning system must also be considered, where developments which have consent re-apply to adjust the parameters of that consent. This will also reduce the capacity which is deliverable from this overall figure*".

2.7.10 BVG Associates are commissioned by the Scottish Government to review target in line with the Onshore Wind Sector Deal. Their report entitled 'Scotland Onshore Wind Pipeline Analysis 2024-2030[38]' was published in November 2024 ('the BVG Report'). While the statistics are now out of date, they do provide useful insight to how deployment may materialise and the report highlights that not all projects in the system will be built out.

2.7.11 The BVG Report provides insights into different scenarios under which Scotland could achieve its ambition of 20 GW of onshore wind by 2030. It examines various sensitivities to assumptions on key parameters including matters such as the duration of the planning process for applications, repowering and also project viability. The assumptions in relation to the planning process reflect the aims of the Onshore Wind Sector Deal. If these are not met, then there will be negative consequences for the onshore wind pipeline.

2.7.12 The analysis of the pipeline in the BVG Report is based upon a model which applies several filters which result in projects being removed from the pipeline and these include matters such as:

> Projects which remain in the same development status for too long which is a reasonable indication that they are likely to be dormant and therefore are not likely to proceed;

> Projects with turbine attributes which today would likely put that project at a commercial disadvantage such as relatively low blade tip height such as 150 m or less; and

[38] BVG Associates (2024) Scotland onshore wind pipeline analysis 2024-2030. Available at: https://www.scottishrenewables.com/assets/000/004/378/BVGA-32509-Scotland_2030_Pipeline_Analysis_Nov_24_-_FINALpdf_original.pdf?1734950081

- Application of an attrition rate in relation to applications being refused consent.

2.7.13 Although the BVG Report sets out some suggested actions which could increase the likelihood of reaching 20 GW in 2030, these have limitations. For example, the suggested actions include:

- An action is suggested to reduce the default planning determination duration times to shorter ones; however, this would be very much dependent upon the allocation of additional resources in the planning system and there is no evidence of that happening at the present time; and
- A further action is to assume repowering of all onshore wind developments at end of their life and assuming an uplift on original capacity of 100%. Again, this assumption has its limitations and there is also no evidence that widespread repowering is going to be undertaken on such a basis. Extensions of operational life is likely to remain an attractive option in many cases.

2.7.14 The BVG Update Report of 2024 cautions (page 20) that the ability to deliver 20 GW by 2030 is likely to be restricted by current resource constraints. Their analysis predicts that these include that the number of current consent decisions from the ECU (Scottish Government) will need to at least double for at least three of the next five years.

2.7.15 The Update Report (page 15) also states that "*it remains clear that a significant increase in consent decisions made each year at the ECU level will be required to reach the 20 GW by 2030 target, and that the reduced development times promised [by the Onshore Wind sector Deal] ….will be essential if Scotland is to achieve the 20 GW operational onshore wind by 2030*."

2.7.16 The Update Report also highlights that the continued issue of Eskdalemuir (Seismic Array constraint) and the recent designation of the Flow Country World Heritage Site is likely to result in a loss of some 1.9 GW and 3 GW of operational capacity in 2030 in the deployment scenarios considered.

2.7.17 There are therefore a number of factors which indicate that there may be a shortfall in deployment against the minimum 20 GW 2030 onshore wind target, and therefore it is important that the right developments in the right place are granted consent.

Government commitment to 20 GW of Onshore Wind by 2030

2.7.18 Section 1.2 of the OWPS refers to the Deployment Ambition to 2030. Reference is made to the Climate Change Committee's position as set out in their exploratory scenarios for emissions to 2050 and also as referred to within the CB6.

2.7.19 Paragraph 1.2.2 of the OWPS states that: "*these estimate that, in every scenario, the UK will require a total of 25-30 GW of installed onshore wind capacity by 2050 to meet government targets - which would mean doubling the current UK installed capacity*".

2.7.20 Section 1.3 of the OWPS further refers to the new 20 GW ambition and acknowledges that the Scottish Government's Programme for Government 2022/2023 committed Government to enabling up to 12 GW of onshore wind to be developed and it is stated that:

"*It is vital to send a strong signal and set a clear expectation on what we believe onshore wind capacity will contribute in the coming years.*

In line with this commitment, and reflecting the natural life cycles of existing wind farms, this statement sets a new ambition for the deployment of onshore wind in Scotland:

A minimum installed capacity of 20 GW of onshore wind in Scotland by 2030.

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

2.7.21 This statement is followed by reference to the 'Legislative Context', in particular the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the related net zero

greenhouse gas emissions targets. The OWPS states (paragraph 1.4.1) "*meeting these targets will require decisive and meaningful action across all sectors*".

2.7.22 Paragraph 2.4.2 states that "*onshore wind will play a crucial role in delivering our legally binding climate change targets*".

2.7.23 The OWPS makes clear that the 20 GW ambition of installed capacity is a "minimum" (page 6). In short, there is a substantial shortfall to address in order to attain that figure and projects that are not yet in the planning system are unlikely to provide installed capacity by 2030. This underlines the importance of the benefits that the Proposed Development can deliver – namely near-term delivery of a substantial volume of installed capacity.

2.7.24 Based on current installed capacity, there is a shortfall of 2.2 GW of onshore wind resource required to be met by 2030.

Delivering the Government's 20 GW Ambition for Onshore Wind

2.7.25 Chapter 2 of the OWPS entitled 'Delivering on our Ambition for Onshore Wind in Scotland' states that the Scottish Government is to form an Onshore Wind Strategic Leadership Group ('SLG') and "*will task this SLG with taking forward the aspirations of this policy statement, and the development of an Onshore Wind Sector Deal*". This reflects the importance of the onshore wind sector.

2.7.26 Section 2.3 refers to a "Vision for Onshore Wind in Scotland" and states that Scottish Renewables, on behalf of the sector in Scotland, has produced a Vision Statement which the Government considers "*to lay the basis of a more detailed sector deal that the SLG will develop*".

2.7.27 The Onshore Wind Sector Deal was finalised and published in September 2023 and is referenced further below.

2.7.28 The **Vision Statement** is contained within Annex 5 of the OWPS (page 66). A summary of the Vision for the onshore wind industry in Scotland is a future where:

- An additional 12 GW of new onshore wind generation is constructed by 2030.
- Onshore wind continues to play a key role in decarbonising the power sector, reducing consumer costs and ensuring security of supply whilst playing a key role in the electrification of heat and transport.
- The selection of wind farm locations and technologies enables the use of the most productive modern turbines and balances the need to respect biodiversity and natural heritage.
- Land use for onshore wind is optimised and combined with other initiatives including reforestation and peatland restoration, as well as providing enhanced access to green space for recreation.
- New and repowering projects consistently receive high levels of public support.
- High skilled and sustainable jobs are created, including long term jobs in the operational phase.
- Material use is optimised, and carbon impact is minimised, through the principles of a circular economy.
- Community benefit and shared ownership provides lasting social and economic benefits; and
- Onshore wind plays a central role in ensuring a just transition for communities and people.

2.7.29 The Vision Statement states (page 67) that:

"*Onshore wind remains vital to meeting this increasing demand, providing fast deployment whilst minimising cost to the consumer. This will be achieved by deploying the most productive modern turbines that are taller than older models, by re-powering existing sites where possible and by maximising the use of our exceptional natural wind resource where environmental effects are acceptable*."

Balancing Environmental Considerations and Benefits

2.7.30 Chapter 3 of the OWPS "Environmental Considerations: Achieving Balance and Maximising Benefits" refers to matters relating to specific environmental topics as follows:

- Shared Land Use;
- Peat and Carbon-Rich Soils;
- Forestry;
- Biodiversity;
- Landscape and Visual Amenity; and
- Noise.

2.7.31 Section 3.3 addresses peat and carbon rich soils. It highlights that approximately 75% of Scotland's peatlands are degraded through drainage, extraction and other actions. It explains that reversing degradation through peatland restoration is central to mitigating and adapting to the linked climate and nature crises.

2.7.32 Paragraph 3.3.6 states: *"The continued deployment of onshore wind and restoration of peatlands and carbon rich soil will both play vital roles in delivering Scotland's emissions reductions targets….. Given the established need for additional onshore wind turbines to tackle climate change and to ensure long term availability of cheap, renewable energy, in some cases it may be necessary to construct onshore wind farms on areas of peat"*.

2.7.33 The document goes on to explain that the onshore wind sector has made remarkable advances over the past decade in mitigation and restoration solutions for peatland. It states that the identification of the condition of existing peatland is a vital part of the wind farm design process and bespoke management plans have an important role. It adds that *"by assessing the net carbon impacts of proposed developments on carbon rich soils and peatlands we will ensure that planning and consenting regimes result in the right projects in the right places, with all applications considered on a case-by-case basis within the relevant planning regime."* (paragraph 3.3.13)

2.7.34 Section 3.5 addresses biodiversity and paragraph 3.5.6 states that *"as the rate of onshore wind deployment increases in the coming years, we see a great opportunity for wind energy developments to further contribute significantly to our biodiversity ambition. By proactively managing intact habitats and the species they support, restoring degraded areas and improving connectivity between nature rich areas, onshore wind projects will contribute to our climate change targets and help address the biodiversity crisis".* (paragraph 3.5.6)

2.7.35 Landscape and Visual Amenity is addressed at Section 3.6 in Chapter 3 of the OWPS with direct cross references to NPF4. Paragraph 3.6.1 states (original emphasis):

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

2.7.36 As referenced below, NPF4 policy expressly recognises that significant landscape and visual impacts are to be expected and the OWPS emphasises that as a result there will be changes in Scotland's landscape.

2.7.37 Paragraph 3.6.2 of the OWPS, in cross-referencing NPF4, makes it clear that outside of National Parks and National Scenic Areas "*the criteria for assessing proposals have been updated, including stronger weight being afforded to the contribution of the development to the climate emergency, as well as community benefits*".

2.7.38 There is therefore express direction of greater weight attaching to the benefits of the development in terms of how it contributes to tackling the climate emergency. The removal of the Spatial Framework for onshore wind farms, as previously required by Scottish Planning Policy (SPP), also gives rise to fewer locational constraints.

2.7.39 Paragraph 3.6.5 makes reference to Landscape Sensitivity Studies and makes it clear that these should not be used in isolation to determine matters of acceptability but can be a useful tool in assessing specific sensitivities within an area. It should be noted that the term is now landscape sensitivity, in comparison with SPP paragraph 162 which encouraged Landscape Capacity Studies. This reflects NatureScot's 2022[39] guidance.

2.7.40 Paragraph 3.6.3 also makes reference to the NPF4 Policy 11 criteria with regard to energy development stating that "*where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable*".

Energy Systems and Regulation

2.7.41 Chapter 8 of the OWPS deals with 'Onshore Wind, Energy Systems and Regulation'. Section 8.2 refers to network planning and delivery and states:

"*Delivering our ambition of 20GW of onshore wind by 2030 will create demands on our electricity infrastructure. New developments will need to connect quickly to Scotland's distribution and transmission networks. Networks must be able to invest quickly and ahead of need in order to ensure swift and efficient connections for onshore wind developments*".

2.7.42 It should also be noted that NPF4 Policy 11 advises that grid capacity should not constrain renewable energy development, therefore any challenges facing developers in getting connected, including delays, are not matters for the planning decision makers to be concerned with.

2.7.43 Section 8.4 refers to security of supply and storage potential associated with onshore wind and it acknowledges the increase in onshore wind developments co-located with battery storage facilities. It goes on to state that *"as we continue to progress towards the decarbonisation of our energy system, battery storage will be more and more prevalent. On-site battery storage not only reduces pressures from the grid, but enables more locally focussed energy provision, and reduces costs to consumers."* (Page 47)

2.7.44 It goes on to state that the Scottish Government will continue to support the co-location of battery storage with onshore wind developments to help balance electricity demand and supply and add resilience to the energy system.

OWPS Conclusions

2.7.45 Page 49 of the OWPS sets out overall conclusions and these include *inter alia* the following key points:

> Deployment of onshore wind is "*mission critical for meeting our climate targets*".

> As an affordable and reliable source of electricity generation, "*we must continue to maximise our natural resource and deliver Net Zero in a way that is fully aligned with, and continues to protect our natural heritage and native flora and fauna*".

[39] NatureScot, Landscape Sensitivity Assessment Guidance, paragraph 8 (2022).

- A renewed commitment to this technology will ensure we keep "*leading the way in onshore wind deployment and support within the UK*".
- The Scottish Government has established "*a clear expectation of delivery with our ambition for a **minimum installed capacity of 20GW** of onshore wind in Scotland by 2030 and providing a vehicle for that delivery through the creation of* [the] *Onshore Wind Strategic Leadership Group*" (emphasis added).

2.7.46 It is stated that "*Onshore wind will remain an essential part of our energy mix and climate change mitigation efforts, but we are also in a nature crisis. Onshore wind farms must strike the right balance in how we care for and use our land*…".

2.7.47 The term "mission critical" is strong language and indicates onshore wind is crucial and extremely important to the attainment of the Government's policy and legislative objectives. This is fundamentally different policy language to that contained within National Planning Framework 3 ('NPF3') and SPP.

2.8 The Onshore Wind Sector Deal

2.8.1 The Onshore Wind Sector Deal[40] (the 'Sector Deal') for Scotland was finalised in September 2023. It sets out a series of key measures which will support the Scottish Government in reaching its target of a minimum of 20 GW of onshore wind by 2030. It describes how the Scottish Government, and the onshore wind sector will work together to deliver onshore wind farms quickly, sustainably and to the benefit of local communities and with the overall objective of attaining Scotland's net zero target.

2.8.2 The Foreword sets out that:

"*The Government is committed to working with developers and stakeholders, understanding the operational barriers to delivering onshore wind projects and setting out processes to help reduce them. We also commit to speeding up consenting decisions, working with planning authorities and statutory consultees to increase skills and resources, as well as streamlining approaches.*

Jointly, we will work together on ensuring a balance is struck between onshore wind and the impacts on land use and the environment. We will collaborate to enable information to be collected and shared from monitoring and evidence purposes, and we jointly want to capitalise on the unique opportunity for Scotland to become a world leader in decommissioning, re-manufacturing and recycling of onshore wind assets."

2.8.3 It further adds that:

"*The Sector Deal is more than just a document; it is a testament to our determination, a celebration of our potential, and a promise to future generations. Let us work together to usher in an era where innovation, sustainability, and prosperity converge, as we power Scotland's greener future through the boundless energy of onshore wind*."

2.8.4 The matters within the Sector Deal to be actioned by a collaborative approach and also by specific actions from the sector and Government relate to:

- Supply chain, skills and the circular economy;
- Community and benefits;
- Land use and the environment;
- Planning;

[40] Scottish Government (2023) Onshore Wind Sector Deal. Available at: https://www.gov.scot/publications/onshore-wind-sector-deal-scotland/

- Legislative and regulatory actions; and
- Technical actions.

2.8.5 In terms of land use and the environment, the Sector Deal sets out that NPF4 Policy 1 makes it clear that significant weight needs to be given to the global climate and nature crisis and that "*New onshore wind projects in Scotland will enhance biodiversity and optimise land use and environmental benefits*" (page 11).

2.8.6 It further adds that:

"*Balancing the need for more wind farms with the safeguards defined in NPF4 will be a crucial aspect of achieving the 2030 onshore wind ambition. Scotland will continue to be a world leader in responsible onshore wind development, demonstrating how onshore wind can co-exist with a diversity of species, sensitive habitats, peatland, carbon rich soils and forestry, ensuring positive outcomes for the climate and nature*."

2.8.7 In terms of planning, a key matter is that there is an ambition to reduce the time it takes to determine Section 36 applications. The Sector Deal also states (page 13) in relation to planning that:

"*The ambition of 20 GW of installed onshore wind capacity by 2030 will require a significant number of new sites, the repowering and extension of existing sites and the realisation of unbuilt consented sites. Meeting this ambition will require the determination of applications to be made much more quickly than in recent years.*"

2.9 The Draft Energy Strategy and Just Transition Plan

2.9.1 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' ('draft Energy Strategy') entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. The draft Energy Strategy is to replace the one previously published in 2017. The consultation period ended in April 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.

2.9.2 The Ministerial Foreword states:

"*The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a Net Zero nation by 2045, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition…*

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises….

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities….

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

2.9.3 The Foreword adds that the draft Energy Strategy sets out key ambitions for Scotland's energy future including:

- **More than 20 GW of additional renewable electricity on and offshore by 2030** (emphasis added).
- Accelerated decarbonisation of domestic industry, transport and heat.

- Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- Energy security through development of our own resources and **additional energy storage**. (emphasis added)
- A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

2.9.4 The draft Energy Strategy states (page 7, Executive Summary) that the vision for Scotland's energy system is:

"*…that by 2045 Scotland will have a flourishing, climate friendly energy system that delivers affordable, resilient and clean energy supplies for Scotland's households, communities and business. This will deliver maximum benefit for Scotland, enabling us to achieve a wider climate and environmental ambitions, drive the development of a wellbeing economy and deliver a just transition for our workers, businesses, communities and regions.*

In order to deliver that vision, this Strategy sets out clear policy positions and a route map of actions with a focus out to 2030".

2.9.5 A fundamental part of the draft Energy Strategy is expanding the energy generation sector. The Executive Summary states (page 8) that Scotland's renewable resources mean that:

"*….we can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.*

We are setting an ambition of more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind….

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030……"

Recognition of the role of Battery Storage

2.9.6 With regard to the potential of battery storage the draft Energy Strategy recognises:

"Batteries can be combined to provide energy storage: In a domestic setting supporting the energy efficiency of individual homes; In communities and neighbourhoods, supporting the energy efficiency of the local low energy network; In strategic locations and through aggregating a large number of fixed and vehicle batteries to support regional energy and grid balancing a high energy network".

2.9.7 The draft Energy Strategy mirrors the support for energy storage set out in NPF4 (page 130).

2.9.8 The draft Energy Strategy further recognises the potential contribution BESS can make to achieving net zero in summarising the key areas where it is considered that the UK Government needs to take action to support the delivery of the draft Energy Strategy with particular regard to energy system flexibility stating: *"We urge the UK Government to make ancillary markets more accessible for Battery Energy Storage Systems (BESS) and other low carbon technologies ahead of fossil fuel powered alternatives"*.

2.10 The Green Industrial Strategy

2.10.1 The Scottish Government published a Green Industrial Strategy[41] ('GIS') in September 2024. The Executive Summary sets out the mission of the GIS, namely:

"*This Green Industrial Strategy's mission is to ensure that Scotland realises the maximum possible economic benefit from the opportunities created by the global transition to Net Zero*".

[41] Scottish Government (2024) The Green Industrial Strategy Available at: https://www.gov.scot/publications/green-industrial-strategy/documents/

2.10.2 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's wind economy, carbon capture and storage, supporting the green economy by way of professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.

2.10.3 Page 6 sets out that GIS forms a key part of the Government's broader National Strategy for Economic Transformation. It states that "*It also links explicitly to our Just Transition Plans which describe how the transition to Net Zero in the most emitting sectors will be achieved in a way that delivers economic, social and community benefits, including fair work, environmental preservation and reduced poverty and inequality*."

2.10.4 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states (page 7) that this:

"*is about making the most of our natural resources, established onshore and offshore wind sectors and first-mover advantage in floating offshore wind to generate clean electricity; participating in global supply chains as well as expanding our domestic supply chain capacity and seizing opportunities across the offshore wind supply chain, from infrastructure to manufacturing; positioning Scotland as a leader in material circularity of wind turbines and components.*"

2.10.5 Actions include *inter alia*:

- Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
- Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
- Delivering planning and consenting systems which enable Scotland's net zero development pipeline; and
- Exploring the circularity opportunity in onshore wind.

2.10.6 Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.

2.10.7 Onshore wind is referred to in some detail at page 21 where the GIS states:

"*Onshore wind is the biggest single technology in Scotland's current mix of renewable electricity generation, comprising 62% of installed capacity.*

A thriving onshore wind sector is therefore critical to the decarbonisation in Scotland and the UK. As set out in our 2022 Onshore Wind Policy Statement, Government and industry are focused on delivering at least 20 GW of onshore wind by 2030 (doubling current capacity) and recent pipeline analysis shows that we should be on track to deliver this.

This trajectory is underpinned by the Onshore Wind Sector Deal which sets out a set of specific collaborative actions which include commitments by both the Scottish Government and the onshore wind industry to help deliver the 20 GW ambition.

A supportive policy environment and successful industry collaboration via the Onshore Wind Strategic Leadership Group confirms the shared commitment of Government and industry to achieve this successful and responsible growth.

The onshore wind workforce is highly skilled and opportunities in installation, consulting, operations and maintenance are anticipated to rise in response to growth ambitions. Specialised engineering consultancy services such as wind farm design and financial due diligence related to onshore developments are expected to grow and offer additional export potential. There is commercial opportunity in circular supply chains related to the UK wind industry. Scotland's established, and now ageing onshore wind assets may also offer opportunities for innovative solutions in remanufacturing, recycling, and decommissioning end of life assets."

2.10.8 It is clear therefore that to progress the Government's objectives with regard to wind energy that there needs to be clear support for new investment and growth in onshore wind development. Realising the economic and social opportunities will only be achieved through the development and consenting of additional wind energy developments. Such deployment will not only be critical towards achieving the net zero target, given the important contribution that wind energy will make in that regard but will also help deliver the Government's clear green infrastructure mission.

2.11 Scotland's Draft Climate Change Plan

2.11.1 The Scottish Government published 'Scotland's Climate Change Plan – 2026-2040[42]' ('draft CCP') on 6th November 2025. The Plan covers the period 2026 to 2040 and aligns with three five-year "carbon budget" periods: 2026 to 2030, 2031 to 2035 and 2036 to 2040. The draft CCP sets out the policies and proposals the Scottish Government will take forward to enable the carbon budgets set out in legislation to be met. The carbon budgets have been set in line with the levels proposed by the CCC in May 2025, referred to above, and provide a clear pathway towards Scotland achieving net zero by 2045.

2.11.2 The draft CCP confirms that Scotland remains committed to achieving net zero GHG emissions by 2045 at the latest and that as of 2023, Scotland had reduced emissions by 51.3% since 1990 — the largest reduction in the UK.

2.11.3 The Plan notes that the key driver of the transition to date has been the transformation in the way energy is generated - from coal and gas to a thriving renewables sector. In 2023, 70% of electricity generated in Scotland was from renewable sources.

2.11.4 It acknowledges the opportunity the transition to net zero provides in terms of growing the economy noting that the net zero transition can support significant economic opportunities for Scotland.

2.11.5 The Plan sets out average reductions in GHG emissions (compared to 1990 baseline) for each five-year period:

- 57% lower than baseline levels for 2026-2030,
- 69% lower than baseline levels for 2031-2035,
- 80% lower than baseline levels for 2036-2040, and
- 94% lower than baseline levels for 2041-2045.

2.11.6 These budgets provide a "pathway" toward net zero by 2045, and the Plan is designed to ensure policies are in place to meet them.

2.11.7 The Plan emphasises a "Just Transition" — meaning the transition to net zero should be fair, support jobs, regionally distributed benefit, minimise negative impacts. It also links mitigation (cutting emissions) with adaptation (preparing for climate impacts) and nature/biodiversity goals.

2.11.8 The draft CCP sets out sectoral policies relating to a range of sectors, which are prescribed in legislation including energy supply; agriculture; and transport, amongst others. Key policies and actions have been set out for each sector to meet the carbon budgets.

2.11.9 The draft CCP outlines the emissions pathway for each sector covered by the plan, some of the key actions which will be taken to achieve it and the economic opportunities and benefits the action will support.

2.11.10 Annex 2 of the draft CCP contains the Sectoral Annexes which support the draft CCP. Energy supply is one of the key areas of focus.

[42] Scottish Government (2025) Scotland's Climate Change Plan 2026 – 2040. Available at: https://www.gov.scot/publications/scotlands-climate-change-plan-2026-2040/

2.11.11 At page 79 of Annex 2, it sets out the vision for Scotland in relation to energy supply stating that:

"By 2035, we will have expanded our renewable capacity significantly to meet the increasing demand as other sectors decarbonise. We already have an ambition to have delivered 20GW of onshore wind by 2030 and we have consulted on a proposed updated ambition for the development of up to 40GW of new offshore wind by 2040."

2.11.12 It continues that as we transition to net zero and reduce reliance on fossil fuel generation *"energy storage will play a larger role in ensuring a secure and resilient electricity system by providing a reliable and flexible electricity supply."* (page 79)

2.11.13 One of the actions identified to achieve the vision of emissions reduction for the energy generation sector means *"moving to an electricity system in which the residual amount of unabated gas is displaced by low carbon and renewable sources. To deliver this target, whilst ensuring a safe and secure supply, we must grow our renewables capacity, including from offshore and* ***onshore wind****, and solar."* (Page 83, Annex 2) (emphasis added)

2.11.14 The publication of the CCP demonstrates the continued commitment required and needs case for delivering additional renewable energy capacity to achieve net zero.

2.11.15 The draft CCP was subject to consultation until 29 January 2026. Scottish Parliament committees have until 5 March 2026 to scrutinise and report on the aspects of the Plan which fall under their remit.

2.11.16 The Scottish Government has committed to publishing its final Climate Change Plan before the dissolution of Parliament for the 2026 election.

2.12 Conclusions on the Renewable Energy Policy and Legislative Framework

2.12.1 It is considered that the Proposed Development is very strongly supported by the climate change and renewable energy policy and legislative framework.

2.12.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper and it is essential that rapid progress is made otherwise the legally binding target in Scotland of net zero by 2045 will not be met. In order to achieve the targets set out, decision makers are encouraged to support all renewable energy projects which are environmentally acceptable in order to deal with the capacity attrition which is inevitable as certain projects fall away due to economic viability or other market factors.

2.12.3 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

2.12.4 The change from annual Scottish emission reduction targets to a system of carbon budgets, and the abandoning of the interim 2030 target, has served to show that Scotland is not on track to attain net zero, and it strengthens the case for rapidly approving schemes that can contribute to this goal. The overall target of net zero remains unchanged in the move to carbon budgets.

2.12.5 Decisions through the planning and wider consenting system must be responsive to this position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance in a given case.

2.12.6 In terms of the energy policy considerations, it is helpful to reference a recent position of the Scottish Ministers with regard to a Section 36 wind farm decision. Section 36 consent was granted by the Scottish Ministers on 09 May 2025 for the Chrathaich Wind Farm in

Highland[43]. From paragraph 90 *et seq* of the Decision Letter, the Scottish Ministers in commenting on the acceptability of the development stated:

"The seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Ministers. Scotland's renewable energy and climate change targets, energy policies and planning policies are all relevant considerations when weighing up the proposed development. NPF4, Scotland's Energy Strategy and the Onshore Wind Policy Statement ('OWPS') make it clear that renewable energy deployment remains a priority of the Scottish Government. These are all matters which should be afforded significant weight in favour of the Proposed Development...

The transition to a low carbon economy is an opportunity for Scotland to take advantage of our natural resources to grow low carbon industries and create jobs…

The Scottish Ministers are satisfied that the deployment of this amount of renewable energy the proposed development could generate is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its target date for Net Zero emissions of all greenhouse gases by 2045."

2.12.7 In the very recent Bankend Rig III Section 36 decision[44] (November 2025), the Scottish Ministers set out their position with regard to the OWPS. At paragraph 104 they state:

"The OWPS reaffirms the vital role for onshore wind in meeting Scotland's energy targets within the context of the Scottish Government's 2045 net zero emissions commitment. The OWPS sets out the Scottish Government's position for the ongoing need for more onshore wind development and capacity in locations across Scotland where it can be accommodated in appropriate locations. OWPS also seeks to maximise the benefits from onshore wind to ensure that Scotland's citizens have access to affordable, low carbon and renewable energy whilst tackling the climate and nature crises in tandem.

The Scottish Ministers are satisfied that the proposed development will provide a contribution to renewable energy targets and carbon savings in support of the ambitions of the SES and OWPS."

2.12.8 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge and imperative of attaining and sustaining net zero and the need to substantially increase renewable capacity, notably by way of onshore wind.

2.12.9 The OWPS, Clean Power 2030 and draft CCP form part of the new policy approach alongside NPF4. These documents confirm the UK and Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.

2.12.10 The Scottish Government commitment to achieve **a minimum** of 20 GW of onshore wind by 2030 has been referenced. The OWPS notes that, at the time of writing, this would require an increase in the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore wind farms. The Proposed Development and its contribution must be considered in the context of the scale and urgency of the stated Scottish Government policy position.

2.12.11 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in order to attain net zero.

[43] Scottish Ministers (2025) Chrathaich Wind Farm Decisions Notice ECU Reference ECU00004704 Available at: https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00004704

[44] Scottish Ministers (2025) Bankend Rig III Wind Farm Decision ECU Reference ECU00004516 https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00004516

3. The Benefits of the Proposed Development

3.1 The Benefits: Summary

3.1.1 This Chapter summarises the benefits that would arise from the Proposed Development.

Renewable Energy Generation and Energy Storage

> With an installed capacity of up to approximately 91 MW, based on the candidate turbine used in assessment, of onshore wind energy and a BESS of approximately 50 MW in capacity, the Proposed Development would make a valuable and important 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 renewable energy and net zero targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the climate emergency.

> The Proposed Development is estimated to produce an average of approximately 413.41 GWh of electricity annually (based on an estimated net capacity factor of 51.86% based on wind data analysis). This equates to the power consumed by approximately 114,800 average UK households[45], which would be a significant contribution to the green energy requirements in the UK.

> The Proposed Development would make a valuable and important 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 renewable energy, electricity storage and net zero targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the climate emergency.

> The UK legally binding target of net zero GHG emissions by 2050 and the Scottish Government target of net zero by the earlier date of 2045 are major challenges, as explained in the previous Chapter. The Scottish Government has made it clear that onshore wind plays a vital and indeed *"mission critical"* role in the attainment of future targets in relation to helping to combat the crisis of global warming.

> The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development's delivery of renewable generation and electricity storage capacity will have a disproportionately higher benefit than the same capacity delivered later.

Emissions Savings

> The carbon balance calculations establish that the Proposed Development could result in the saving of approximately 85,575 tonnes of carbon dioxide equivalent emissions per annum if a grid mix of electricity generation were used as the counterfactual position during the 40-year operational lifetime of the Proposed Development. For fossil fuel mix of electricity generation, this equates to 175,285 tonnes of CO_2.

> The expected carbon payback time of the Proposed Development, based on the Carbon Calculator output, is 1.9 years for a grid mix generation and 0.9 years for fossil fuel mix generation. This is the period of time for which a wind farm needs to be in operation

[45] Based on 3.6Mh average household electricity consumption per annum from Digest of UK Energy Statistics (DUKES) 2025.

before it has avoided as much carbon dioxide as was released in its lifecycle (i.e. accounting for construction, operation and decommissioning as determined through the use of the Scottish Government Carbon Calculator[46]). The Carbon Balance Assessment for the Proposed Development is provide at **Appendix 2.4** of **EIAR Volume 4.**

Security of Supply and Energy Storage

> The British Energy Security Strategy has been referenced. It provides an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.

> With this context, the attractiveness of onshore wind, as a proven technology which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear.

> The Proposed Development, if consented, would provide a valuable contribution to security of supply for the wider region, Scotland and for the wider Great Britain ('GB') area. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from renewable resources, and would enable the Proposed Development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.

> BESS will play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. In doing so, it ensures the economic use of grid infrastructure, by increasing the flexibility of energy generation and when it is exported to the grid, through the use of battery storage. The greater consistency in terms of export capacity the more efficient it will be for consumers.

Socio-Economic Benefits

3.1.2 The socio-economic effects have been set out in the **Maximising Socio-Economic Benefits Report** which accompanies the application. In summary these include:

> The Proposed Development is likely to deliver a series of economic benefits during the phases of construction and development and following operation. In particular, it is estimated that during its construction and development, the Proposed Development will generate:

- £7.7 million Gross Value Added (GVA) and a peak of 91 jobs in South Lanarkshire;
- £24.8 million GVA and a peak of 296 jobs in Scotland; and
- £42.0 million GVA and a peak of 468 jobs in the UK as a whole.

> During its operational life each year the Proposed Development is likely to generate:

- £2.9 million GVA and 18 jobs in South Lanarkshire;
- £5.9 million GVA and 47 jobs in Scotland; and
- £8.4 million GVA and 66 jobs in the UK.

> In total, over the development, construction and operation phases of the Proposed Development, it was estimated that it could contribute:

- £125 million GVA in South Lanarkshire;

[46] Scottish Government (2022) Carbon Calculator Tool for Onshore Wind Farms. Available at: Carbon calculator for wind farms on Scottish peatlands: factsheet - gov.scot

- £261 million GVA in Scotland; and
- £378 million GVA in the UK.

> The Proposed Development will contribute to public finances through the payment of non-domestic rates, which is likely to amount to around £1.8 million each year, and around £70.8 million over the Proposed Development operational lifespan. This will support the funding of local public services in the context of challenging public sector finances.

> The Applicant has made a commitment in relation to supply chain opportunities, which will build the capacity of the local supply chain for the cluster of energy developments that will be constructed in South Lanarkshire in the next ten years. These commitments include practical steps to remove barriers to entry for local Small and Medium Sized Enterprises (SMEs) to participate in the onshore wind supply chain, collaboration with the Chambers of Commerce, Business Gateway and Community Councils and other developers in the area.

> The Proposed Development if consented will deliver a series of economic benefits through each phase of its development and throughout its entire operational life. This economic activity, and the commitments outlined within the **Maximising Socio-Economic Benefits Report** will contribute to the human, economic, social, and natural capital of South Lanarkshire. The Proposed Development could make a significant contribution to Scotland's economic strategy, which is now being driven by climate change commitments and would deliver a range of local economic and community benefits.

Community Benefits

> The Applicant has made a commitment to maximise local economic benefits, aiming to foster a collaborative relationship with the local community and to ensure that a lasting legacy of socioeconomic benefit to the area is implemented. The Applicant is offering a community benefit fund of £5,000 per installed MW capacity of onshore wind per annum, which is expected to generate £455,000 each year, or £18.2 million over the 40- year operational lifetime of the Proposed Development, with the goal of supporting local ambitions and needs.

Biodiversity Enhancement and Land Restoration

> Significant biodiversity enhancements are proposed as set out in an Outline BEMP (**Technical Appendix 6.7** of **EIAR Volume 4**). The Outline BEMP sets out aims and objectives to achieve biodiversity enhancement for the Proposed Development. The focus is to restore and enhance moorland habitat and improve bog condition (peatland restoration); create native broadleaved woodland edges and riparian woodland corridors; and enhance grassland habitats for breeding waders and black grouse. The details of the proposed enhancement measures are set out in more detail in Chapter 4 in the context of NPF4 biodiversity policy and related obligations.

4. Appraisal against NPF4

4.1 Introduction

4.1.1 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and was adopted on 13th February 2023.

4.1.2 A Chief Planner's Letter[47] was issued on 8th February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contains advice intended to support consistency in decision making ahead of new style Local Development Plans (LDP) being in place.

Development Management

4.1.3 NPF4 now forms part of the statutory Development Plan since its adoption and publication. For the purposes of Section 36 decision making, acknowledging that Section 25 of the 1997 Act is not engaged, NPF4 is a significant consideration in the overall decision-making process.

4.1.4 Section 13 of the Planning (Scotland) Act 2019 Act amends Section 24 of the 1997 Act regarding the meaning of the statutory 'development plan', such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:

> *"(a) the National Planning Framework,*
>
> *(b) any strategic development plan for the time being applicable to the area, together with— (i)the Scottish Ministers' notice of approval of that plan, and (ii)any supplementary guidance issued in connection with that plan, and*
>
> *(c) any local development plan for the time being applicable to the area."*

4.1.5 Following the approval of NPF4, Strategic Development Plans ('SDPs') and associated supplementary guidance cease to have effect and as such are no longer considered to be part of the development plan. The Chief Planner's letter of 8th February 2023 states supplementary guidance associated with LDPs which was in force before 12th February 2023 (the date on which section 13 of the 2019 Act came into force) will continue to be in force and be part of the development plan.

4.1.6 As such, the statutory Development Plan covering the Site consists of NPF4 and South Lanarkshire Council Local Development Plan 2[48] (SLC LDP2) (adopted 9th April 2021). There is no statutory Supplementary Guidance associated with the LDP2.

4.1.7 The publication of NPF4 coincided with the implementation of certain parts of the Planning (Scotland) Act 2019 (the '2019 Act'). A key provision is that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, then whichever of them is the later in date will prevail. In this case, the NPF4 is the later element of the Development Plan.

How NPF4 is to be used

4.1.8 Annex A (page 94) of NPF4 explains how it is to be used. It states:

"*The purpose of planning is to manage the development and use of land in the long-term public interest … Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places*."

[47] Chief Planner (2023) Transitional arrangements for National Planning Framework 4 Available at: https://www.gov.scot/publications/chief-planner-letter-transitional-arrangements-for-national-planning-framework-4/

[48] South Lanarkshire Council (2021) South Lanarkshire Council Local Development Plan 2 https://www.southlanarkshire.gov.uk/developmentplan2

4.1.9 Annex A states that NPF4 is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It adds:

"*It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals*[49]*. NPF4 includes a long-term spatial strategy to 2045*."

4.1.10 In terms of how NPF4 should be used; it states at page 95 that *"NPF4 should be read as a whole. It represents a package of planning policies to guide us to the place we want Scotland to be in 2045."*

4.1.11 NPF4 contains a spatial strategy and Scottish Government development management policies are to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan[50] ('IIP').

4.1.12 NPF4 therefore for the first time, has introduced centralised development management policies which are to be applied Scotland wide.

4.1.13 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Development "*meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity*".

4.2 The National Spatial Strategy – Delivery of Sustainable Places

4.2.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):

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

4.2.2 The principles are stated as playing a key role in delivering the United Nations Sustainable Development Goals and the Scottish Government's National Performance Framework[51].

4.2.3 The Spatial Strategy is aimed at supporting the delivery of:

- 'Sustainable Places': "where we reduce emissions, restore and better connect biodiversity";
- 'Liveable Places': "where we can all live better, healthier lives"; and
- 'Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".

4.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

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

[49] The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include *inter alia* '*affordable and clean energy'* and *'climate action'*.

[50] The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive Net Zero emissions economy. Available at: https://www.gov.scot/publications/infrastructure-investment-plan-2021-22-2025-26-progress-report-2023-2024/documents/

[51] The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

4.2.5 The National Spatial Strategy in relation to 'sustainable places' is described (page 7) as follows:

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

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

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

4.2.6 Six National Developments ('NDs') support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

4.2.7 A summary description of that ND is provided at page 7 of NPF4 as follows:

"*Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply*".

4.2.8 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regard to reducing greenhouse gas emissions. It states:

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

4.2.9 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy. Recognising that tackling climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

4.3 National Developments

Overview

4.3.1 Page 97 of NPF4 sets out that 18 National Developments have been identified. These are described as:

"*significant developments of national importance that will help to deliver the spatial strategy … National development status does not grant planning permission for the development and all relevant consents are required*".

4.3.2 It adds that:

"*Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors. … In addition to the statement of need at Annex B, decision makers for applications for consent for national developments should take into account all relevant policies*".

4.3.3 Annex B of NPF4 sets out the various NDs and related Statements of Need. It explains that NDs are significant developments of national importance that will help to deliver the Spatial Strategy. It states (page 99) that:

"*The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes*".

National Development 3 "Strategic Renewable Electricity Generation and Transmission Infrastructure"

4.3.4 Page 103 of NPF4 describes ND3 and it states:

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

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

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

4.3.5 The location for ND3 is set out as being all of Scotland and in terms of need it is described as:

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

4.3.6 Reference is made to the designation and classes of development which would qualify as ND3, and it states in this regard:

"*A development contributing to 'Strategic Renewable Electricity Generation and Transmission' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development:*

(a) on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity*; (emphasis added)*

(b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and

(c) new and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations."

4.3.7 The Proposed Development, with an installed capacity over 50 MW, has national development status. The Proposed Development is therefore of national importance for the delivery of the National Spatial Strategy set out in NPF4.

4.3.8 The Spatial Strategy requires a "*large and rapid increase*" in electricity generation from renewables and the National Spatial Strategy makes it clear (NPF4, page 6) that "*we must make significant progress*" by 2030.

4.3.9 NPF4 makes it clear that there is a need for wind farms of 'scale'[52]. This links to the express acknowledgement in NPF4 Policy 11 (see below) that some significant effects are inevitable.

[52] The NPF4 Statement of Need for National Developments states that additional electricity generation "of scale" is fundamental to achieving a Net Zero economy (NPF4, page 103).

4.4 National Planning Policy

4.4.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.

4.4.2 In terms of planning, development management and the application of the national level policies, NPF4 states (page 98):

"*The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies*".

4.4.3 In terms of "sustainable places" relevant policies to the Proposed Development include the following:

- Policy 1: Tackling the climate and nature crises;
- Policy 3: Biodiversity;
- Policy 4: Natural places;
- Policy 5: Soils;
- Policy 6: Forestry, woodland and trees;
- Policy 7: Historic assets and places; and
- Policy 11: Energy.

4.4.4 In terms of "liveable places" the policy of most relevance to the Proposed Development is:

- Policy 22: Flood risk and water management.

4.4.5 These policies are addressed below.

4.4.6 The Chief Planner's Letter of 8th February 2023 provides advice in relation to applying NPF4 policy. It states that the application of planning judgement to the circumstances of an individual situation remains essential for all decision making, informed by principles of proportionality and reasonableness. It states:

"*It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement.*" (underlining added)

4.4.7 The Letter adds:

"*It is recognised that it may take some time for planning authorities and stakeholders to get to grips with the NPF4 policies, and in particular the interface with individual LDP policies. As outlined above, in the event of any incompatibility between the provision of NPF4 and the provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible*".

4.5 Policy 1: Tackling the Climate and Nature Crises

4.5.1 The intent of Policy 1 is "*to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

4.5.2 Policy 1 directs decision makers that "*when considering all development proposals significant weight will be given to the global climate and nature crises.*"

4.5.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker.

4.5.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

"*This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises*."

4.5.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal, on the basis of its positive or negative contribution to the climate and nature crises.

4.5.6 The term "Tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross-cutting outcomes and states with regard to Policy 1 that the policy gives significant weight *"to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions".*

4.5.7 As noted above, the Proposed Development would enable a substantial level of renewable generation and electricity storage to make a contribution to targets.

The application of Policy 1

4.5.8 Given the nature of the Proposed Development, it would make a valuable contribution in relation to targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The specific emission and carbon saving benefits have been set out in Chapter 3 and below in the context of NPF4 Policy 11 which requires the contribution that a development would make to targets to be taken into account.

4.5.9 The point is made later in this appraisal against NPF4 that it is important to recognise that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of renewable energy and electricity storage, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "Net Zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of Net Zero is also to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.5.10 The Reporter's comments on this particular policy in the Sanquhar II Inquiry Report[53] are informative. At paragraph 2.48 of the Supplementary Report, the Reporter addresses NPF4 Policy 1 and states that:

"*tackling the nature crisis is required to be given significant weight alongside the climate crisis. There is no indication that one strand should be given greater priority over the other. That does not necessarily mean that an individual proposal must be shown to respond to both crises in equal measure, however. The two matters are also inextricably linked, with the nature crisis being, in part, exacerbated by climate change*."

4.5.11 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development.

4.6 Policy 11: Energy

4.6.1 For the consideration of wind energy development, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

[53] Sanquahr II, Section 36 Decision dated 31 August 2023, Supplementary Report of Inquiry dated 20 February 2023 (Case Reference WIN-170-2006).

"*to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.*"

4.6.2 Policy Outcomes are identified as: "*expansion of renewable, low carbon and zero emission technologies*".

4.6.3 Policy 11 is as follows:

"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;

ii. enabling works, such as grid transmission and distribution infrastructure;

iii. energy storage, such as battery storage and pumped storage hydro;

iv. small scale renewable energy generation technology;

v. solar arrays;

vi. proposals associated with negative emissions technologies and carbon capture; and

vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

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

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

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

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

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

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

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

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

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

vii. impacts on historic environment;

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

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

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

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

xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity".

Application of Policy 11

4.6.4 Paragraph a) of Policy 11 states a position of express "support" for wind farm development.

4.6.5 The intent and desired outcome of the policy is clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development would help to deliver.

4.6.6 The wording of Policy 11 Paragraph (a)(i) makes it clear that the policy supports new wind farms and paragraph (vii) provides clear support for proposals including co-location of wind farms and energy storage technology.

4.6.7 Paragraph b) of Policy 11 does not apply in this case as there is no development within a National Park or National Scenic Area (NSA).

4.6.8 Paragraph c) of Policy 11 requires developments to "maximise net economic impact". The socio-economic effects that would arise have been summarised in Chapter 3 above and set out in the **Maximising Socio-economic Benefits Report** which accompanies the application.

4.6.9 The Proposed Development will maximise the socio-economic benefits it will have on the local community and South Lanarkshire through the actions and commitments made by the Applicant. These relate to supply chain opportunities; skills development; community empowerment and environmental protection and enhancement. Some of the measure include:

- Commitment to supply chain development actions including practical steps to remove barriers to entry for local SMEs to participate in onshore wind supply chain.
- Collaboration with BizGive for the creation of a software platform to collate information on the supply chain capabilities in the local area, provide local stakeholder engagement and report impacts.
- Local skills development through active engagement with local schools such as Biggar High School providing presentations to highlight the wide range of employment opportunities in onshore wind and engaging through career days.
- Building relationships and engagement with local colleges directly and through the Energy Skills Partnership (ESP) recognising that further education is the education route most applicable to the skills needed for onshore wind. This could also involve support for student projects and placements.

- Investing resources to understand the local needs and aspirations that can be supported through the Community Benefit Funding (CBF) and other benefits. This has included in-person events and virtual consultation to identify the opportunities perceived by the community and consider further work to support these opportunities through the CBF with a long-term vision. This information and approach will be shared with other developers in the area.
- Open to consider community ownership opportunities where there is interest, the Applicant also follows an innovative approach to working with relevant companies with the aim of installing solar panels and batteries to local households.

4.6.10 The Applicant has proposed a wide range of initiatives which demonstrates accordance with NPF4 Policy 11(c) to "maximise net economic impact". These are consistent with the Scottish Renewables guidance, covering the four themes of maximising the supply chain, skills and workforce, community empowerment, and natural environment benefits (which are discussed below under Policy 3).

4.6.11 The Proposed Development has demonstrated accordance with this aspect of Policy 11(c).

4.6.12 Paragraph d) of Policy 11 states that development proposals that impact on international and national designations *"will be assessed in relation to Policy 4"*.

4.6.13 Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such (international, national and local) designations is examined further below with specific regard to the provisions of NPF4 Policy 4.

4.6.14 Paragraph e) of Policy 11 states that project design and mitigation *"will demonstrate how"* impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below. The Applicant has through project design and mitigation addressed impacts on the matters set out at Policy 11 (e). This has been set out in full within **Chapter 3: Design Evolution and Alternatives** of **EIAR Volume 2,** and within relevant topic specific chapters of the EIAR where relevant.

(i) Impacts on Communities and Individual Dwellings - Residential Visual Amenity

4.6.15 As part of the EIAR, a Landscape and Visual Impact Assessment ('LVIA') has been prepared (**Chapter 4: Landscape and Visual** of **EIAR Volume 2**) that considers the potential landscape and visual effects arising from the Proposed Development. Additionally, a Residential Visual Amenity Assessment ('RVAA') (**Technical Appendix 4.7** of **EIAR Volume 4**) has been undertaken. These documents should be referred to for their detail.

4.6.16 The RVAA was undertaken for properties within 2.5 km of the turbine array. The RVAA considered whether or not the effect at the properties would reach what in current guidance is called the 'Residential Visual Amenity Threshold' ('RVAT') beyond which effects are considered to be in the public, rather than private, interest.

4.6.17 A total of 15 residential receptors were identified within this study area. These have been considered as 12 individual properties or groups, with three of these properties being financially involved with the Proposed Development. Grouped properties have similarity of location, setting, outlook and screening. All properties were judged to have a high magnitude of change. Although significant visual effects are identified, no properties or property grouping were judged that the RVAT would be reached due to a combination of factors including distance from the turbine array and screening from landform and woodland.

(i) Noise and Shadow Flicker

4.6.18 **Chapter 10: Noise** of **EIAR Volume 2** considers the potential noise impacts of the Proposed Development. The assessment comprised consultation with SLC; characterisation of the baseline noise environment and the assessment of noise effects due to construction activities and the operation of the wind turbines. During the design process, consideration was given to

the location of turbines in relation to their distance from noise sensitive receptors (NSR) with turbines located as far as possible from NSRs to minimise the potential for effects to occur.

4.6.19 Construction noise activities associated with the Proposed Development were assessed in accordance with guidance and acceptable threshold noise values presented within BS 5228[54]. Results show that the predicted noise levels would be below the noise threshold levels detailed in BS 5228, with the exception of one residential receptor during the defined Daytime period, and two receptors during the defined Weekend and Evening period due to the construction of the Eastern Access road junction (month 1). However, the effects are deemed to be **not significant**; due to the short duration of the works and small magnitude of the exceedance where the Daytime threshold is exceeded and that no works are anticipated during the Weekend and Evening defined periods. Nevertheless, mitigation in the form of the implementation of good practice measures (in accordance with BS 5228) during construction has been committed to by the Applicant to keep noise to a minimum.

4.6.20 The operational wind farm noise assessment involved setting the Total ETSU-R-97 Noise Limits relative to background noise levels at the nearest NSRs, predicting the likely effects and setting Site-Specific Noise Limits which could be conditioned for the operation of the Proposed Development on its own.

4.6.21 Background noise monitoring was undertaken to set the Total ETSU-R-97 Noise Limits for the Proposed Development at locations which are representative of the surrounding NSRs. Predictions of wind turbine noise from the Proposed Development were made in accordance with good practice using a candidate wind turbine.

4.6.22 Predicted cumulative operational wind farm noise levels indicate that for NSRs, cumulative wind turbine noise resulting from nearby operational, consented and proposed wind farms (planning application submitted), as well as the Proposed Development, would meet the Total ETSU-R-97 Noise Limits.

4.6.23 Predicted operational noise levels from the Proposed Development on its own indicate that it would meet the Site-Specific Noise Limits at all Noise Assessment Locations (NALs), with the exception at four NALs. To meet the Site-Specific Noise Limits at these NALs, mitigation in the form of low noise mode management would be required based on the current candidate turbine for certain wind speeds and wind directions.

4.6.24 The use of Site-Specific Noise Limits would ensure that the Proposed Development could operate concurrently with other operational, consented and proposed wind farm developments in the area and would also ensure that the Proposed Development's individual contribution could be measured and enforced if required.

4.6.25 Should the Proposed Development receive consent, the final choice of wind turbine would need to be operated in such a way that the Site-Specific Noise Limits presented in the noise assessment, committed to as part of the mitigation strategy and contained in any operational noise condition, are met. As such, no significant residual operational effects are predicted for the NSRs identified.

4.6.26 **Chapter 12: Shadow Flicker** of **EIAR Volume 2** considers the potential impacts on residential amenity resulting from shadow flicker; a phenomenon caused by the moving shadow of the turbine rotor being cast over a narrow opening, such as a window or open door.

4.6.27 The location of sensitive receptors in relation to potential shadow flicker effects were digitised as GIS data and the layout of the Proposed Development was initially developed with consideration of the proximity of the wind turbines to these sensitive receptors, with the aim to maintain a 10-rotor diameter (RD) separation distance. Furthermore, as part of the design process the number of turbines was reduced from 16 to 13 which reduced the lateral extent of the potential shadow flicker effects. Due to other environmental and technical constraints, a 10 RD separation distance was not feasible for all turbine locations, and where required sensitive receptors were included within a shadow flicker assessment.

[54] BSI Standards Limited (2014) Code of practice for noise and vibration

4.6.28 The shadow flicker assessment indicated that four properties could be subject to shadow flicker from the proposed turbines, with three of these properties also having the potential to be affected by cumulative shadow flicker effects (in combination with other wind developments).

4.6.29 The outputs of the shadow flicker model show that at three of these properties there is potential for exceedance of the accepted threshold for shadow flicker effects, resulting in a potential **significant** adverse effect from the Proposed Development and in combination with other cumulative schemes.

4.6.30 It should be emphasised that the analysis undertaken is considered a conservative estimate of the extent to which properties would experience effects in relation to shadow flicker. However, prior to the erection of the first turbine, the Applicant commits to the development of a Wind Farm Shadow Flicker Protocol which would be submitted to and approved in writing by SLC. This would set out the protocol to be followed should a shadow flicker complaint be received from a receptor within the study area and potential mitigation measures. These mitigation measures may include the provision of internal or external screening at the property of the complainant, or programming of the turbines to reduce effects. Operation of the Proposed Development would be undertaken in accordance with the Wind Farm Shadow Flicker Protocol.

4.6.31 With appropriate mitigation measures in place the residual effects for shadow flicker during operation of the Proposed Development would be reduced to below accepted threshold shadow flicker levels, thereby ensuring **non-significant** shadow flicker levels for all relevant receptors.

(ii) Landscape and Visual Considerations

Overall Design Approach

4.6.32 Throughout the design evolution of the Proposed Development, a key driver has been the consideration of potential landscape and visual effects on receptors including how the Proposed Development would relate to the existing landscape character as well as existing and proposed wind farms in the landscape. The Proposed Development has been designed, as far as possible, to avoid and minimise impacts and effects to landscape and visual receptors through the process of design development.

4.6.33 A preliminary Landscape Design Layout[55] was produced by the specialist landscape consultant, which was driven by three distinct objectives:

- Objective 1: To create a balanced layout in views of the development from readily accessible public places.
- Objective 2: To follow the broad topography of the Site.
- Objective 3: To ensure that the scale (both of the turbines and the scale of the 'ridges and valleys' landscape) was proportionate.

4.6.34 Based on these objectives specific landscape and visual design recommendations were set out as part of the preliminary site design, with the layout being informed by the large scale of the landscape and topographical ridgeline features. The design evolution of the Proposed Development is set out in detail in **Chapter 3: Design Evolution and Alternatives** of **EIAR Volume 2**. All mitigation in landscape and visual terms is embedded within the final design for the Proposed Development.

Landscape Character

4.6.35 It is noted that the surrounding landscape includes several notable operational wind farms including Clyde and extension to the northeast, Middle Muir and Andershaw to the north, and Harestanes and Minnygap to the southeast where the Proposed Development would occupy

[55] Referred to as Layout 01 (Initial Landscape Design) in **Chapter 03: Design Evolution and Alternatives** of **EIAR Volume 2**.

an area and extend westwards between the Clyde and Harestanes wind farms, but would appear separate.

4.6.36 The general topography of the Site is one of undulating rounded hills and is characteristic of the Southern Uplands.

4.6.37 The landscape assessment is detailed in **Appendix 4.2** of **EIAR Volume 4** with the assessment summarised in **Chapter 4: Landscape and Visual** of **EIR Volume 2**.

4.6.38 The Proposed Development would be located within a transitional landscape covering LCT 209: Upland Glen – Glasgow & Clyde Valley; and LCT 217: Southern Uplands – Glasgow & Clyde Valley. The assessment of landscape character considered potential effects on 11 LCTs, out to approximately 15 km which, following a review of landform, ZTV mapping and site visits, was considered an appropriate range within which potential significant effects would likely occur. Using the ZTV shown on **Figure 4.8** of **EIAR Volume 3a** as an indicator of likely visibility, and visualisations within EIAR Volume 3b, the initial assessment took forward two LCTs for detailed assessment as follows:

> LCT 209 Upland Glen – Glasgow & Clyde Valley; and

> LCT 217 Southern Uplands – Glasgow & Clyde Valley.

4.6.39 The majority of the Proposed Development, including all 13 turbines would be located within LCT 217 Southern Uplands – Glasgow & Clyde Valley. LCT 209 Upland Glen – Glasgow & Clyde Valley would include sections of upgraded and new access tracks.

4.6.40 In relation to LCT 209 Upland Glen – Glasgow & Clyde Valley the LVIA concludes that the proposed turbines would be viewed beyond the LCT, and theoretical visibility is predicted to be widespread to approximately 10 km to around the vicinity of Elvanfoot. From this location the proposed turbines would be viewed in conjunction with the nearby turbines of Clyde Wind Farm, which often appear closer to the LCT when viewed from the north.

4.6.41 For the majority of the LCT, theoretical visibility is predicted from the same locations as where Clyde Wind Farm is visible and is a feature within the surrounding uplands and alters the perception of this LCT to a wind farm landscape. The addition of the Proposed Development would result in turbines being located further west with a similar pattern to Clyde Wind Farm, resulting in a slight intensification of turbines. However, the key characteristics of the glen would still be readable.

4.6.42 Overall, the effect on the character of the landscape within LCT 209 is judged as significant (Major) to (Moderate) within approximately 7.5 km to the north of the Site, and thereafter reducing to not significant levels.

4.6.43 In relation to LCT 217 Southern Uplands – Glasgow & Clyde Valley the ZTV analysis indicates widespread theoretical visibility of the Proposed Development within 5 km, thereafter, reducing to summits, south facing upper slopes and interconnecting ridgelines with distance to the north. The extent of actual visibility would reduce further as a result of forestry although the LVIA acknowledges that some of these areas would be clear-felled during the lifespan of the Proposed Development. It is noted that Clyde Wind Farm and Extension are prominent features in this LCT.

4.6.44 Potential effects on character would mainly be associated with views of the proposed turbines which would have greatest visibility within the LCT whilst the other areas of infrastructure would be less visible due to a combination of screening by landform and forestry. The size and scale of the change would be medium on account of the large-scale and openness of the landscape and presence of other wind turbines both within the LCT (Clyde + Extension) and in neighbouring LCTs. Changes occurring would be limited in comparison to the overall size of the LCT.

4.6.45 Overall, the effect on the character of the landscape within LCT 217 is judged as significant (Moderate) for an area of the LCT approximately within 5.1 km to the northeast, and extending northwards to 7.5 km of the proposed turbines. Thereafter, levels of effect would reduce to not significant levels.

4.6.46 The landscape and visual impacts are judged to be localised. As such the extent and nature of effects is considered to be acceptable when considered against the policy criteria in NPF4 which specifically states, *"Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable".* While the term 'local' is not defined in this context in planning policy or guidance, it is helpful to examine how the Scottish Ministers have defined 'localised'.

4.6.47 The term requires a judgement on the geographical extent of influence from a wind farm, having regard to the type of landscape in which the impacts would arise. In this regard, it is relevant to consider two relatively recent wind farm Section 36 decisions.

4.6.48 In the Chleansaid Section 36 decision[56], (16 turbines at 200 m to blade tip height) the Scottish Ministers at page 13 of their Decision Letter, stated:

"The Scottish Ministers agree with the EIA Report conclusions that the proposed development will have some significant landscape and visual impacts but overall these would remain relatively localised, with the majority of significant effects not occurring more than 12 km from the proposed development. It is, therefore, considered by the Scottish Ministers that the landscape and visual impacts are acceptable."

4.6.49 This position is repeated on page 16 of the Decision Letter, where it is stated:

"….these impacts are considered acceptable in the context of the benefits that the proposed development will bring in terms of net economic benefit, contributing to renewable energy and climate change targets, while protecting the natural environment."

4.6.50 Furthermore in the Bunloinn Section 36 Decision[57] (10 turbines at 200 m to blade tip height), at paragraph 24 of the Decision Letter it states that the planning authority acknowledges there will be significant landscape and visual impacts but *"it is satisfied that by virtue of the proposed development's location, setting and design, these are largely localised and are acceptable when all matters are taken into account."*

4.6.51 At paragraph 93 it is set out that *"The Scottish Ministers acknowledge that the proposed development will have some significant landscape and visual impacts but overall, these would remain relatively localised with the majority of significant effects occurring within 12 km of the proposed development none at a distance greater than 14.7 km."*

4.6.52 It is fully accepted that each development needs to be considered on its respective merits, but it is important that there is consistency in decision making with regard to this particular aspect of NPF4 policy 11 e) and its application. In the two Scottish Ministers' decisions referenced above (which were not subject to a Public Inquiry) they reference the landscape and visual effects as being "relatively localised" and "largely localised" which implies Ministers are prepared to take a view that there could be some effects which may be greater than localised, but in the round are considered to be acceptable.

4.6.53 In summary, in this case significant landscape effects would be localised occurring across the Site and extending to approximately 7.5 km from the Proposed Development to the north of the Site for LCT 209 and for an area of LCT 217 approximately within 5.1 km to the northeast, and extending northwards to 7.5 km of the proposed turbines.

Designated Landscapes

4.6.54 There are a number of designated landscapes within approximately 25 km of the Proposed Development. Many of the these have limited or no ZTV coverage and are scoped out of detailed consideration. The designated landscape assessment is detailed in **Appendix 4.6** of **EIAR Volume 2** and summarised in **Chapter 4: Landscape and Visual** of **EIAR Volume 2.**

[56] Scottish Ministers (2023) Chleansaid Wind Farm Decision ECU Reference: ECU00002031 Available at: https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002031

[57] Scottish Ministers (2024) Bunloinn Wind Farm Decision ECU Reference: ECU00003304 Available at: https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00003304

4.6.55 The Proposed Development is located within the Leadhills and Lowther Hills Special Landscape Area (SLA). Analysis of the ZTV identified a further three locally designated landscapes with theoretical visibility of the Proposed Development to be considered in a detailed assessment including; Moffat Hills Regional Scenic Area (RSA) (Dumfries & Galloway) – 9.9 km to the east; Tweedsmuir Uplands RSA (Scottish Borders) 11.3 km to the northeast; and Thornhill Uplands RSA (Dumfries & Galloway) – 16 km to the south, and 2.0 km to the west.

4.6.56 Drumlanrig Garden and Designed Landscape (GDL) is located approximately 7.2 km to the southwest. No significant effects were predicted for the GDL. For the majority of the designation, the proposed turbines would be partially and fully screened by intervening policy woodland and would not affect the Outstanding Interest that the GDL is designated for. The Magnitude of change is judged as Low to Negligible resulting in a not significant (Minor) effect.

4.6.57 In relation to the Leadhills and Lowther Hills SLA, the Proposed Development would be theoretically visible from a relatively large part of the southern half of the designation, thereafter, reducing to the upper slopes and summits on elevated ground in the northern half.

4.6.58 As a result of this visibility, the Proposed Development would reduce the 'sense of emptiness' in the southern half of the SLA as identified in the special qualities. However, views of wind farms are already a feature from the SLA and include Middle Muir to the north, and Clyde Wind Farm to the northeast and nearby. The combination of visibility of the Proposed Development with Clyde Wind Farm in particular effectively creates the boundary of the designated area. Significant effects are predicted on this special quality.

4.6.59 The assessment concludes that no other special qualities, cultural artefacts, extensive moorland are impacted upon and whilst there is some loss of the sense of emptiness in the southern half of the SLA, this does not substantively affect the integrity of the designation overall, noting that the special qualities are not present in equal measure across all of the designated area.

4.6.60 In relation to Drumlanrig GDL, Moffat Hills RSA, Tweedsmuir Uplands RSA and Thornhill Uplands RSA the addition of the Proposed Development is not considered to affect the special qualities of these local designations and no significant effects are predicted.

Visual Effects

4.6.61 The visual assessment is detailed in **Technical Appendix 4.3** of **EIAR Volume 4** and summarised on **Chapter 4: Landscape and Visual** of **EIAR Volume 2.**

4.6.62 In assessing visual amenity, the assessment has considered the following receptors:

- Roads: M74 Motorway / A74 (M) road / NCR 74; A76 road; A701 road; and A702 road - a 4.4 km section of the A74 (M) road and NCR 74 as they pass the River Clyde valley south of Abington near Elvanfoot and a 10.3 km section of the A702 road between the bend southeast of Elvanfoot to above the Dalveen Pass were identified as the only roads that would receive significant effects to its views. Thereafter, effects would be not significant due to screening by a combination of landform and forestry/woodland, as well as distance from the Proposed Development.
- Long Distance Paths: SUW; Roman Reivers Route; and Annandale Way. Only the SUW, which passes through the Site for approximately 2.0 km, was identified for detailed assessment as having potential for significant effects. The assessment concludes that effects are judged to be significant to views from Beld Knowe to Lowther Hill for approximately 16.6 km of the route. Thereafter, effects would be not significant to views from the SUW due to screening by a combination of landform and woodland, as well as distance from the proposed turbines.
- Scottish Hill Tracks ('SHT'): a total of 13 SHTs were considered with SHT 62: Wanlockhead to Enterkinfoot by the Enterkin Pass and SHT 63/63a/63b: Daer Reservoir to Durisdeer and 64/64a/64b: Daer Reservoir to Thornhill being the only SHT's identified as receiving potential significant effects. For SHT 62 significant effects to views are

predicted from the top of the ridgeline between Threehope Height 551 m AOD, and Holbrae for approximately 2.4 km, thereafter reducing to not significant elsewhere due to intervening landform. For SHT 63/63a/63b significant effects to views are predicted for much of the footpath in the north extending from the A702 road to approximately the border with Dumfries and Galloway. From here, the proposed turbines would be prominent features and whilst there would be some screening by forestry, the turbines would be visible for much of the route, including the footpath across the Site as far as Durisdeer Hill.

- Core Paths: CL/3558/1 Southern Upland Way, Portrail Water-Coom Rig; CL/5692/1 Watermeetings – Coom Rig; and ROYS/444/1 Sweetshaw Brae. All three are assessed as receiving a significant effect to their views due to their proximity to the Proposed Development. For CL3558/1 and CL5692/1 signifiant effects are limited to a 900 m – 920 m section, thereafter reducing to not significant due to screening by forestry. ROYS/444/1 is assessed under the SUW (refer to above).
- Hilltops: Significant effects were predicted for hill tops to the south and west due to their proximity to the Proposed Development and open views experienced.

4.6.63 No settlements were identified as receiving theoretical visibility of the Proposed Development and subsequently no significant visual effects are predicted.

4.6.64 In summary, significant visual effects were identified for various locations within approximately 10 km of the Proposed Development. As noted above, recent Section 36 wind farm decisions have addressed the matter of localised landscape and visual effects. These have been deemed acceptable at distances of c. 14 km, or greater in some instances. Significant visual effects are contained in this case to within 10 km and on the basis of the LVIA assessment set out in Chapter 4 and recent decisions by Scottish ministers, they are considered to be acceptable.

Cumulative Landscape & Visual Effects

4.6.65 The assessment of cumulative effects is detailed in **Technical Appendix 4.4 of EIAR Volume 4** and summarised in **Chapter 4: Landscape and Visual** of **EIAR Volume 2**.

4.6.66 The cumulative assessment considers the following cumulative scenarios:

- Consented Scenario: the addition of the Proposed Development in the context of operational, under construction and consented wind farms, i.e. a likely future scenario; and
- In-Planning Scenario: the addition of the Proposed Development in the context of operational, under construction, consented, undetermined planning applications and wind farm developments currently at appeal, i.e. a less certain future scenario.

4.6.67 In the cumulative scenarios considered, there would be an increase in wind energy development in the wider landscape through the enlargement of existing turbine groups and introduction of new turbine groups. The assessment concludes that there would be no changes to effects identified to occur with consented or in-planning schemes, from that predicted for the Proposed Development in isolation, with the exception of potential cumulative degradation to key characteristics of LCT 217 Southern Uplands – Glasgow & Clyde Valley in the 'In-Planning' scenario.

4.6.68 Design mitigation has relied on the large scale of the landscape and the topographic character of the area, such that the design of the Proposed Development has sought to relate to the large topographic features or to the large-scale infrastructure (i.e. other operational wind farms) present in the area.

Aviation Lighting

4.6.69 The assessment of aviation lighting is included in **Technical Appendix 4.5** of **EIAR Volume 4,** and summarised in **Chapter 4: Landscape and Visual** of **EIAR Volume 2**.

4.6.70 To mitigate the nighttime visual effects of the Proposed Development on visual amenity of non-aviation receptors a reduced lighting scheme is proposed and committed to as embedded mitigation by the Applicant. The reduced lighting scheme proposes aviation lighting on seven of the 13 turbines and proposes to reduce the intensity of the lighting during conditions of clearer visibility[58]. Proposed lighting is designed to give a horizontal beam with reduced upward and downward spill of light, such that the brightness of the light is decreased for viewers close to the turbines viewing them from below[59].

4.6.71 Significant (Moderate) effects have been identified during the hours of darkness from aviation lighting for the SUW, Scottish Hill Track (SHT) 63/63a/63b: Daer Reservoir to Durisdeer / 64/64a/64b: Daer Reservoir to Thornhill, and three Core Paths within 5 km of the Proposed Development. A limited number of hills to the south and west including Lowther Hill are also predicted to experience significant effects.

4.6.72 Some residential properties within 2.5 km would also experience significant effects, although with strong downward angles at which the lights would emit light at limited intensities, such that the lights will be perceived as less bright at these locations, including some properties for which the angle of view is -4° or below, such that the lights would theoretically not be visible.

Conclusions on Landscape and Visual Effects in the context of Policy 11

4.6.73 As is to be expected with wind energy developments of commercial scale, the LVIA confirms that the Proposed Development would result in significant adverse effects. These would be considered significant for landscape receptors out to approximately 7.5 km. For visual receptors significant adverse effects would be predicted out to approximately 10 km.

4.6.74 Significant effects would not compromise the character or special qualities of landscape designations. Such effects are not untypical for such a development. The assessment indicates that the Proposed Development will not significantly affect the integrity of any national or local landscape designations.

(iii) Public Access

4.6.75 During the design evolution, due consideration was placed on the location of the public access path network within the Site and surrounding area and the design sought to achieve suitable setback distances from the public access path network whilst also balancing the constraints presented by other environmental and physical considerations.

4.6.76 A review of SLC's Core Path network indicates that there are a number of Core Paths, Aspirational Core Paths and Wider Network Paths within the Site, with a 2 km section of the SUW passing through the Site.

4.6.77 Access tracks used by construction traffic will be required to cross a number of the paths identified. Permanent and temporary Core Path diversions relative to the onsite access tracks and infrastructure are proposed.

4.6.78 A permanent diversion is required to a short section (approximately 880 m) of the SUW which is noted as Core Path CL/3560/1 (Southern Upland Way, Hitteril Hill). Permission for providing a permanent diversion will be obtained through the separate process of seeking a diversion order. The permanent diversion will be provided so that users of the SUW/Core Path network can avoid infrastructure associated with the Proposed Development both during construction and operation.

4.6.79 A temporary diversion during construction will be put in place for the part of the SUW which is noted as Core Path CL/3559/1 (Southern Upland Way, Portrail Water-Coom Rig). The diversion will follow an established diversion route used during forestry operations and is

[58] Lights would only operate at full intensity of 2000 cd when visibility is less than 5 km; at other times they would be at 10%, i.e., 200 cd.

[59] Turbines 1, 2, 7, 8, 9, 11 and 13 are proposed to be lit. Further details of the proposed reduced lighting scheme are included in **Technical Appendix 4.5** of **EIAR Volume 4**.

formed of an existing track alignment with appropriate signage in place to direct users to the diversion.

4.6.80 The diversion and closure of Core Paths will be signed and publicised on relevant project and local authority websites. Signs will also clearly indicate the location of the Proposed Development construction works and the access tracks to be used by construction traffic. These signs will be regularly checked and maintained for the duration of the construction period.

4.6.81 Under the provisions of the Land Reform (Scotland) Act 2003[60], it is proposed that the Site access tracks will be available for full public use for non-motorised users upon completion of the construction and commissioning phases, subject to following the Scottish Outdoor Access Code[61]. Further opportunities exist in terms of providing improvements to existing track network in the Site including some of the Core Path network along which the SUW is located.

4.6.82 Full details are set out in **Technical Appendix 9.2 Outdoor Access Management Plan** of **EIAR Volume 4** which provides the basis for a full Outdoor Access Management Plan which would be prepared post consent, secured by an appropriately worded planning condition. Public Access has been considered throughout the project design and mitigation has been set out where necessary to ensure access can be maintained during construction of the Proposed Development, and public access will be enhanced on completion.

(iv) Aviation, Defence Interests

4.6.83 **Chapter 11: Aviation** of **EIAR Volume 2** considers the potential effect on aviation and defence interests including the NATS En Route plc (NERL) Lowther Hill and Cumbernauld Primary Surveillance Radars (PSRs); the Prestwick Airport PSR; Prestwick Airport instrument flight procedures (IFPs); Prestwick Airport air-ground-air (AGA) radio communications; and military low flying. Aviation matters have been considered through the project design stages and mitigation has been proposed where necessary.

4.6.84 Following consultation with Prestwick, it has been confirmed there would be no effect on Prestwick Airport PSR or radio communications.

4.6.85 Mitigation measures are set out in **Chapter 11: Aviation** of **EIAR Volume 2** including the use of aviation lighting on selected turbines; Infra-red lighting on all turbines; Prior notification of details of development to SLC, Civil Aviation Authority (CAA) and Ministry of Defence (MoD); Re-design of Prestwick Airport IFP charts and Adjustment of data processing parameters on Lowther Hill PSR.

4.6.86 Effects on Prestwick Airport IFPs will be determined by a formal IFP assessment commissioned by the Applicant from the airport's Approved Procedure Design organisation (APDO).

4.6.87 The residual effects of the Proposed Development on the Lowther Hill and Cumbernauld PSRs in the operational phase are assessed as Minor adverse and Not Significant since the application of data processing techniques in the Lowther Hill Indra 3D radar is designed to filter out wind turbine returns.

4.6.88 In relation to low flying military aircraft, the MoD has advised that any effects on low flying military aircraft would be mitigated by inclusion of planning conditions requiring aviation lighting and prior notification of the development to the MoD. Residual effects for construction and operation are therefore not significant.

[60] Scottish Government (2003) Land Reform (Scotland) Act 2003 Available at: https://www.legislation.gov.uk/asp/2003/2/contents

[61] https://www.outdooraccess-scotland.scot/act-and-access-code/scottish-outdoor-access-code-visitors-and-land-managers/what-scottish-outdoor-access-code

(v) Telecommunications and Broadcasting

4.6.89 The Telecommunications Assessment, set out within **Technical Appendix 1.6** of **EIAR Volume 4** addresses telecommunication links. There is one microwave link passing within 1 km of the proposed turbines. The operator of that link has advised that the Proposed Development will have no effects on their link.

4.6.90 There are no other fixed telecommunications links, such as scanning telemetry and TV re-broadcast links, in the vicinity that may be affected by the Proposed Development. It is concluded that the Proposed Development will have no effects on scanning telemetry or TV re-broadcast links.

4.6.91 The EIAR concluded that the Proposed Development will have no effects on fixed telecommunications links and as such these were scoped out of EIA.

(vi) Impacts on Road Traffic and Trunk Roads

4.6.92 **Chapter 9: Traffic and Transport** of **EIAR Volume 2** has considered the traffic and transport impacts associated with the Proposed Development.

4.6.93 There are two proposed accesses into the Site:

> Western Access – from the A702 through Watermeetings Forest; and

> Eastern Access – off the Daer Reservoir Road, to enter the site at Wintercleugh.

4.6.94 The assessment assumes that the construction related traffic will enter and exit the Site through the Eastern Access via Daer Water road and Abnormal Indivisible Load ('AIL') deliveries will enter and exit the Site through the Western Access from the A702.

4.6.95 Suitable borrow pits have been identified within the Site and, in conjunction with other materials available from the construction of the substation and BESS compounds, are expected to provide 100% of aggregate materials for use for construction of the Proposed Development. However, as a worst-case assessment, it has been assumed that 100% of these materials along with any materials for concrete batching will be imported to Site.

4.6.96 The construction traffic will result in a temporary increase in traffic flows on the road network surrounding the Proposed Development. The peak of construction activity is expected to occur in month 11 when there will be a total of 204 vehicle movements per day, comprising 152 two-way HGV movements and 52 two-way car/LGV movements.

4.6.97 The assessment suggests that significant effects may be experienced by Daer Water road Users / Residents; and Core Path / Path Users during the peak of construction prior to the implementation of mitigation.

4.6.98 The following measures will be implemented to mitigate any adverse effects of construction:

> Construction Traffic Management Plan, including a Staff Travel Plan;

> AIL Transport Management Plan; and

> Outline Outdoor Access Management Plan.

4.6.99 The assessment concludes that with the implementation of appropriate mitigation, no significant residual effects are anticipated in respect of traffic and transport issues. The residual effects are all assessed to be slight or insignificant and as they would occur during the construction phase only, they are temporary and reversible.

4.6.100 During operation, the Proposed Development would generate only the occasional maintenance and inspection vehicle movements. The transport impacts of the Proposed Development during operation would therefore not be significant and have been scoped out of detailed assessment.

4.6.101 The impact on traffic and trunk roads has been considered through the design development of the Proposed Development and where necessary appropriate mitigation has been set out. No significant adverse effects are predicted in relation to traffic.

(vii) Historic Environment

4.6.102 **Chapter 5: Cultural Heritage** of **EIAR Volume 2** assesses the potential direct, indirect, setting, and cumulative effects of the Proposed Development on the identified assets within the following study areas:

- Inner Study Area: The Site, defined by the Site Boundary within which components of the Proposed Development are to be sited and which direct effects may arise from the construction of the Proposed Development.
- Outer Study Area: a study area extending 10 km from the outermost turbines for the identification of heritage assets with settings that may be affected by the operation of the Proposed Development.

4.6.103 Embedded design mitigation has sought to address adverse effects on heritage assets including where possible, with the layout designed to avoid or minimise construction effects and to minimise effects on the settings of heritage assets as far as possible. Specifically, the Proposed Development, including access elements, has been designed to avoid any direct/indirect construction impacts on the Scheduled Monument within the Site Boundary. Stand-off buffers / protective fencing are also proposed within which no works would take place with construction machinery only working in defined areas.

4.6.104 There is one Scheduled Monument within the Inner Study Area: the Smithwood Bastle House (SM 5647). There are 30 non-designated heritage assets located within the Inner Study Area.

4.6.105 There are 34 Scheduled Monuments within the Outer Study Area. The closest to the Site is the Durisdeer Roman Fortlet (SM 670), which is located to the west within a valley within the Durisdeer Hills, approximately 3.5 km from the nearest turbine.

4.6.106 There are two Inventory GDLs in the outer study area Drumlanrig Castle (GDL 00143) approximately 7.5 km to the southeast and Scot's Mining Company House (GDL 00339) approximately 8 km to the northwest. A total of 57 listed buildings are recorded in the Outer Study Area: three Category A, 37 Category B, and 17 Category C. The closest is the Category A listed Durisdeer Parish Church which is located under 5 km to the southwest. There are four Conservation Areas, the closest Durisdeer Conservation Area at approximately 4.6 km to the southwest of the nearest turbine.

4.6.107 Taking into account both the historic and ongoing pastoral land-use of the Site, in addition to evidence for earlier prehistoric activity both within and just outside the Site Boundary, the potential for hitherto undiscovered buried archaeological remains to survive within the Inner Study Area is assessed to be moderate.

4.6.108 No significant adverse effects are predicted on heritage assets within the Inner Study Area as result of construction works. Mitigation measures have been proposed to ensure significant direct/indirect impacts are avoided.

4.6.109 In relation to operational effect on the setting of heritage assets, the following assets were considered for detailed assessment:

- Smithwood Bastle House (SM 5647) Scheduled Monument;
- Category A Listed Drumlanrig Castle (LB3886); and
- The Drumlanrig Castle GDL (GDL 00143).

4.6.110 In relation to Smithwood Bastle House (SM 5647) the assessment notes that the key setting element of the asset, which most contributes to its cultural significance, is the monument's situation with a relatively isolated landscape historically characterised by pastoral agriculture. The assessment concludes that:

"While making a prominent visual addition to the landscape southwest of the asset, visualisations indicate that the Proposed Development would not fundamentally alter the character of the landscape in this direction as being relatively isolated rough-grazing, with this being discernible in spite of the presence of renewable energy infrastructure."

4.6.111 The assessment continues:

"Key northeastern views away from the Proposed Development along the length of the Daer Water Valley, over which the existing Clyde Wind Farm already features prominently, would be unchanged. The integrity of the surviving pastoral landscape, both to the southwest toward the Proposed Development, and to the northeast where associated agricultural fabric is best represented, would in consequence be retained. In turn, the experience, appreciation, and understanding of the cultural significance of the Smithwood Bastle House, such as this is conveyed through the setting of the asset, would therefore also be retained."

4.6.112 The assessment concludes that there would be a significant (moderate) adverse effect on the setting of this Scheduled Monument, however it is considered that the key setting aspects of the Scheduled Monument, and their capacity to inform and convey cultural significance, would be adequately retained such that the integrity of the setting would not be significantly compromised.

4.6.113 In relation to Category A Listed Drumlanrig Castle (LB3886) and Inventory and Designed Landscape (GDL00143), the key setting element of Drumlanrig Castle and its gardens relates to the scale and diversity of the designed landscape itself. In particular, the contrast between dense woodland, gardens, and open parkland is identified in the listing as being especially important to the overall setting of the castle and gardens. The southern approach to the castle, which travels down a long, tree-lined drive, represents the key vantage from which the castle was intended to be beheld. Other important elements are the long distance views to the east south and northwest from internal avenues of the asset.

4.6.114 The Proposed Development includes the installation of wind turbines to the northeast, with the nearest turbines located approximately 7 km from the easternmost extent of the designed landscape, and over 10.5 km from the castle itself.

4.6.115 Although turbines are visible from the 'Castle View' designed view, their presence does not rival the landscape prominence of the castle itself. Key views within the designed landscape, such as along the tree-lined, north-facing drive of the castle, and over the ornamental gardens and expansive woodland to the south, would be unaffected by the Proposed Development. The resulting impact of the Proposed Development on Drumlanrig Castle and its gardens is assessed to be of low magnitude and is considered not significant.

4.6.116 Effects in relation to the historic environment are further examined below in terms of NPF4 Policy 7 (Historic assets and places).

(viii) Hydrology, the Water Environment and Flood Risk

4.6.117 **Chapter 8: Hydrology, Hydrogeology, Geology and Soils** of **EIAR Volume 2** considers the impacts of the Proposed Development with regard to hydrology, the water environment and flood risk.

4.6.118 Areas of the Site have been classified as potentially Ground Water Dependent Terrestrial Ecosystems ('GWDTE'), based on NVC habitat surveying. Further site-specific hydrological assessment demonstrates that while potentially groundwater dependent vegetation communities are present, that these areas are not supported by groundwater. As such, they are considered to be surface water fed and no significant effects from the Proposed Development are anticipated on GWDTEs.

4.6.119 The assessment has considered the potential for significant adverse effects during the construction, operation and decommissioning of the Proposed Development in relation to hydrology, the water environment and flood risk. Mitigation measures have been embedded through design (e.g., maintaining suitable buffers from watercourses and design of access

track alignment to minimise watercourse crossing requirements) and best practice measures would be implemented and controlled during construction through a CEMP.

4.6.120 No significant residual effects are predicted though the application of embedded and standard / best practice mitigation measures. Notwithstanding this, the Applicant has committed to water quality monitoring during construction, operational and at the point of decommissioning to ensure protection of Drinking Water Protection Areas (DWPA).

4.6.121 In relation to flood risk from rivers, SEPA Flood Risk maps show that only lower lying land in close proximity to watercourses within the Site are at risk of flooding, including areas at a High risk of flooding. However, the majority of the Site is assessed by SEPA to be at Very Low likelihood of flooding from rivers.

4.6.122 The Eastern Access route extends across Meikle Burn and Daer Water which are shown to be areas of High risk of flooding from rivers. The Western Access route extends across the Potrail Water where the land is also shown to be at High risk of flooding from rivers. However, the watercourse crossings would be designed to a 1 in 200 annual probability plus allowance for climate change[30], ensuring the Site remains accessible during a flood event. Elements of the Proposed Development which may be sensitive to flooding from rivers, including all turbines and electrical equipment, are located outside of areas assessed by SEPA to be at potential risk of flooding.

4.6.123 In relation to flood risk from surface water SEPA mapping shows that the main area of the Site is at Very Low risk, including all the proposed turbine locations. Areas close to smaller watercourses on the Site are shown to be at High, Medium and Low risk, including locations of the access track crossing the Old Town Burn, Meikle Burn and headwaters of Kirkhope Cleuch. As noted above, watercourse crossings would be designed to a 1 in 200 annual probability plus allowance for climate change.

4.6.124 No significant residual effects on hydrology, hydrogeology, the water environment or flood risk are predicted during the construction, operation or decommissioning phases of the Proposed Development.

(ix) Biodiversity including impacts on birds

Ecology

4.6.125 **Chapter 6 Ecology** of **EIAR Volume 2** considers the potential effects of the Proposed Development on non-avian ecology, including designated sites, terrestrial and aquatic habitats and protected species.

4.6.126 The Proposed Development has been designed to minimise impacts on priority habitats, peatland and protected species in so far as practicable.

4.6.127 The Site is adjacent to the Shiel Dod SSSI which is designated for its upland habitats, which lies 160 m from the closest point of the proposed works. The SSSI lies upstream of the planned works, and on the basis of the implementation of good practice measures no indirect impacts are predicted on the SSSI. The Site is considered to be sufficiently spatially separated from any other designated site with ecological qualifying features to preclude the potential for likely effects.

4.6.128 Habitats within the Site are mixed; the more extensive habitats within the Site are marshy grassland, unimproved acidic grassland, wet heath and blanket bog. The blanket bog within the Site is considered to be degraded and of a modified condition due to a history of intensive grazing, trampling and livestock poaching.

4.6.129 The Site and immediate surrounding area is used by protected species. A Species Protection Plan (SPP) (outline version provided in **Technical Appendix 6.5** of **EIAR Volume 4**) would be implemented to enforce suitable mitigation measures to ensure compliance with protected species legislation during construction. No likely significant effects are predicted for protected species.

4.6.130 The Proposed Development would result in direct and potentially indirect habitat loss for blanket bog and wet modified bog habitats. Despite this habitat being associated with Annex I and Scottish Biodiversity List[62] ('SBL') blanket bog classifications, the habitat within the study area is a degraded resource in relatively poor condition that has been impacted over time and as a result is considered of local nature conservation value.

4.6.131 The assessment concludes that for blanket bog and wet modified bog, direct losses amount to 2.99 ha for permanent infrastructure and 3.72 ha for temporary works areas: a total of 6.71 ha, or 4.48 %, of the combined resource within the study area. There may also be some additional indirect loss. As a worst-case scenario, direct and indirect habitat loss for permanent and temporary works areas is an overall total of 11.15 ha or 9.69 % of the study area's blanket bog, and 1.29 ha or 3.71 % of the study area's wet modified bog with an overall amount to 12.44 ha, or 8.30 % of the combined resource within the study area. Given the consideration of Nature Conservation Value, Conservation Status and Magnitude of Impact, the effect significance on blanket bog / wet modified bog is considered to be not significant.

4.6.132 No significant residual effects on habitats or species is predicted during the construction, operation or decommissioning phases of the Proposed Development.

4.6.133 Enhancement and restoration of habitats through the delivery of a Biodiversity Enhancement Management Plan (BEMP) (outline BEMP provided in **Technical Appendix 6.7** of **EIAR Volume 4)** is proposed to reduce effects on habitats further. The BEMP would aim to achieve significant biodiversity enhancement and would include provisions for the protection, maintenance, restoration and/or enhancement of blanket bog and peatland and upland habitats locally, including within the Shiel Dod SSSI and within the Site. Furthermore, the BEMP would deliver additional proposals including native broadleaved woodland and riparian corridor creation, and grassland enhancement to benefit waders and biodiversity in general.

Ornithology

4.6.134 **Chapter 7 Ornithology** of **EIAR Volume 2** considers the Proposed Development's potential impact on Important Ornithological Features (IOFs) associated with the construction, operation and decommissioning of the Proposed Development, relating to disturbance during construction, operational displacement which could impact on breeding success, productivity and/or survival rates of IOFs, and collision risk mortality.

4.6.135 The Site does not form part of any statutory designated site for nature conservation with qualifying ornithological interests or lie within potential connectivity distances for any Special Protection Area (SPA).

4.6.136 Baseline studies have established that the Site and adjacent habitats are used by Schedule 1 raptors including goshawk, red kite and golden eagle. The Site has also been recorded to support an assemblage of ground nesting waders, with black grouse also known to be present in the locality. The Site and immediate surrounding area are not identified as being of importance for migratory waterfowl.

4.6.137 Collision mortality risks to the proposed turbine locations have been estimated using the NatureScot Collision Risk Model (CRM), with risks predicted as being not significant for any species. Despite this, a protocol, as approved by SLC in consultation with NatureScot, would be put in place for reporting and removal of all confirmed or suspected bird collision fatalities with the Proposed Development.

4.6.138 As considered best practice for red kite, an operational livestock carcass recovery protocol is proposed and would be prescribed and implemented for the Proposed Development during operation. This would include for regular searching of the turbine array area for fallen livestock and removal to an agreed disposal site. This would reduce the likelihood that red kites would be attracted to carrion near to turbines and therefore be subject to collision risk. Construction disturbance and operational displacement effects for black grouse, golden eagle, red kite and

[62] Scottish Government (2025) Scottish biodiversity: list Available at: https://www.gov.scot/publications/scottish-biodiversity-list/

curlew are also assessed and concluded as not significant, and no significant cumulative effects are predicted when considering the Proposed Development in combination with other wind farms.

4.6.139 Embedded and standard / best practice mitigation, including the appointment of an ECoW, completion of pre-commencement surveys and implementation of a Bird Disturbance Management Plan (BDMP), would enable the protection of breeding birds during construction and operational maintenance works associated with the Proposed Development.

4.6.140 The Proposed Development would provide for the delivery of long-term beneficial habitat enhancement measures for bird species and wider biodiversity through the Outline BEMP (**Technical Appendix 6.7** of **EIAR Volume 4**). Measures would include enhancement of grassland away from areas of operational infrastructure to improve nesting and foraging opportunities.

4.6.141 No significant residual effects were predicted on any IOFs either as a result of the Proposed Development alone, or cumulatively, with other operational, consented or application stage developments.

4.6.142 Proposed biodiversity enhancement measures are discussed further below with regard to NPF4 Policy 3 (Biodiversity).

(x) Trees, woods and forests

4.6.143 The closest stand of ancient woodland to the Site is 4.1 km as such no impacts are predicted on designated trees, woods or forests.

4.6.144 There are small areas of broad-leaved plantation woodland and coniferous plantation woodland within the Site. Permanent felling of 1.59 ha would be required for the construction and operation of the Proposed Development; 0.97 ha of felling (including 0.03 ha open ground) would be required in relation to the construction of the Western Access and 0.62 ha of felling would be required in relation to the Eastern Access. Full details are provided within **Technical Appendix 2.3** of **EIAR Volume 4**.

4.6.145 The Applicant is committed to providing at least 1.59 ha of appropriate compensatory planting. This is likely to be provided within the Site and would complement the planting proposed in the outline BEMP which includes provision for the creation of native broadleaved woodland and riparian cover.

4.6.146 No significant effects are predicted for trees or woodland from the Proposed Development.

(xi) Decommissioning and (xii) site restoration plans

4.6.147 Decommissioning and the potential impacts associated with it have been considered throughout the EIA in so far as practical at this stage. No significant effects are predicted as a result of any decommissioning activities. A Decommissioning Environmental Management Plan (DEMP) would be submitted to SLC for approval which would set out environmental protection measures and restoration principles which will be implemented during the decommissioning phase.

4.6.148 Site restoration will be undertaken as soon as possible in affected areas to minimise disruption to land use. Where appropriate, measures to be delivered as part of the BEMP will be implemented at the earliest practicable opportunity to maximise and expedite the potential for beneficial effects.

xiii. Cumulative impacts

4.6.149 Cumulative impacts and associated mitigation measures have been considered and assessed across all topic areas and throughout the EIAR.

Balancing the Impacts v Contribution of a Development and Conclusions on Policy 11

4.6.150 It is considered that the Proposed Development would not give rise to any unacceptable effects in relation to any of the above environmental or technical criteria. For a number of the environmental and technical topics, planning conditions can be attached to ensure the Proposed Development would be implemented in an environmentally acceptable way.

4.6.151 Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy developments. This is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable. As explained above, the LVIA concludes that the significant landscape and visual impacts are localised, and that appropriate design mitigation has been adopted.

4.6.152 Significant adverse effects are predicted for one Scheduled Monument, however it is concluded that the key setting aspects of the Scheduled Monument, and their capacity to inform and convey cultural significance, would be adequately retained such that the integrity of the setting would not be significantly compromised.

4.6.153 Overall, the Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.6.154 The second last paragraph of Paragraph e) of Policy 11 is expressly clear that in considering any identified impacts of developments, significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets. The "contributions" are inextricably related to the scale of a proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.

4.6.155 In terms of contribution to targets, the Proposed Development's contribution has been set out in Chapter 3 above. The scale of the energy generation and storage output and emissions savings are of national importance.

4.6.156 A key point is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant weight. Significant weight is also afforded in relation to Policy 1.

4.6.157 Overall, therefore, the Proposed Development is considered to be in accordance with NPF4 Policy 11.

4.7 Policy 3: Biodiversity

Policy 3 and Principles

4.7.1 Policy 3 has an intent to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Outcomes of the policy are that biodiversity is enhanced and better connected, including through strengthened nature networks and nature-based solutions.

4.7.2 In summary, there are no significant adverse effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 Policies 3 and 4 (the latter in terms of designations – see below) respectively address.

4.7.3 Policy 3 requires developments to, wherever feasible, provide nature-based solutions that have been integrated and made best use of and for significant biodiversity enhancements to be provided.

4.7.4 Paragraph b) states that:

"*Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future*

management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria."

4.7.5 The policy goes on to reference the need for an understanding of the existing characteristics of a site and states that an assessment of potential negative effects should be undertaken which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.

4.7.6 Paragraph b) iv) of the policy sets out a requirement that "*significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate*."

4.7.7 Paragraph d) adds that "*any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration*".

Current Guidance

4.7.8 The Chief Planner's Letter of 8th February 2023 provides some guidance with regard to Policy 3. It confirms that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and reiterates that research has been commissioned to explore options for developing a biodiversity metric or other tool for use in Scotland. This is currently being developing by NatureScot, details below. It adds that there will be some proposals which will not give rise to opportunities to contribute to the enhancement of biodiversity:

"*and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case*".

4.7.9 The Scottish Government published 'Planning Guidance: Biodiversity [63] ' ('Biodiversity Guidance') in December 2025. Paragraph 1.1 states that it:

"*Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity*."

4.7.10 The draft guidance refers to 'key terms' and with regard to 'enhancement', states at Paragraph 1.10:

"*The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver*".

4.7.11 The Biodiversity Guidance addresses development planning and, in terms of development proposals, references 'core principles.' At Paragraph 3.1 the draft guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal. Section 3.2 states:

"*Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time*."

4.7.12 The principles set out are as follows:

[63] Scottish Government (2025) Planning Guidance: Biodiversity
https://www.gov.scot/publications/scottish-government-planning-guidance-biodiversity/

- Apply the mitigation hierarchy;
- Consider biodiversity from the outset;
- Provide synergies and connectivity for nature;
- Integrate nature to deliver multiple benefits;
- Prioritise on-site enhancement before off-site delivery;
- Take a place-based and inclusive approach;
- Ensure long term enhancement is secured; and
- Additionality (ensuring that enhancement delivered is additional to any measures which would have been likely to happen in the absence of the development).

4.7.13 These core principles have been applied as appropriate with regard to the Proposed Development.

4.7.14 Page 17 of the Biodiversity Guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised; and
- Assessments can be qualitative or quantitative (for example through use of a metric).

4.7.15 Section 4.12 of the draft guidance states:

"*In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required. Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out*".

4.7.16 Section 4.14 states that it will be for a planning authority to determine whether the relevant policy criteria have been met, taking into account the circumstances of the particular proposal. The Biodiversity Guidance adds:

"*NPF4 does not specify how much enhancement or 'net gain' should be delivered, though biodiversity should clearly be left in a 'demonstrably better state' than without intervention. Rather, the selection and design of enhancements will be a matter of judgement based on the circumstances of the individual case, taking into account a range of considerations*."

4.7.17 The Biodiversity Guidance also makes reference to off-site delivery of enhancement proposals and states at Paragraph 4.19 that:

"*Where the relevant policy tests cannot be met on site, off-site provision may be considered alongside on site. In these circumstances, off-site delivery should be as close as possible to the development site, with consideration being given firstly to the immediate landscape context and existing ecological value of the site*."

4.7.18 An important point is that the Biodiversity Gidance is proposed as a "*living document*". Paragraph 5.1 states that it is the Government's intention that it will be updated as practice "*beds in across planning authorities*".

4.7.19 In early 2024 NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'. The Biodiversity Guidance notes that NatureScot has commenced work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 policy 3b. This includes guidance on the use of existing biodiversity metrics in the Scottish Planning system.

4.7.20 This consultation paper did not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlighted the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, now finalised and referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making.

4.7.21 NatureScot advised in October 2025[64] that a consultation on a working draft metric and associated guidance is planned for mid-2026 and expect a Scottish metric to be fully available to use in 2027.

4.7.22 NatureScot have also published a Research Report[65] which was a review of habitat classifications for their potential use in a Scottish planning biodiversity metric in early 2026. This report reviews and makes recommendations for systems of vegetation classification to be used to provide data for a Scottish planning biodiversity metric ("the Scottish metric").

Proposed Significant Biodiversity Enhancement

4.7.23 The Applicant is committed to the delivery of biodiversity enhancement in relation to the Proposed Development. Details are set out within an accompanying Outline BEMP (**Technical Appendix 6.7** of **EIAR Volume 4**). The recommendations within the Outline BEMP are informed by the findings of baseline ecological and ornithological surveys undertaken for the Proposed Development along with the aims of the fourth South Lanarkshire Biodiversity Strategy 2024 - 2030 [66].

4.7.24 This Outline BEMP proposes a Biodiversity Enhancement Area (BEA) covering up to approximately 1,213 ha and comprising four overarching Habitat Management Units (HMU):

- HMU A – Moorland Habitat Management / Enhancement;
- HMU B – Peatland Restoration;
- HMU C – Native Broadleaved Woodland and Riparian Corridor Creation; and
- HMU D – Breeding Wader Grassland Management.

4.7.25 The Outline BEMP identifies three clear aims with associated objectives and prescriptions for how it will be delivered. The aims are as follows:

- Aim 1: Restore and enhance moorland habitat and improve bog condition (HMU A and B)
- Aim 2: Create native broadleaved woodland edges and riparian woodland corridors (HMU C) and
- Aim 3: Enhance grassland habitats for breeding waders and black grouse (HMU D)

4.7.26 The outline BEMP sets out monitoring arrangements for each of the measures proposed which will establish whether the proposed management measures are achieving the various aims and objectives. A report would be submitted by the Applicant to the Biodiversity Advisory Committee (BAC) in Years 1, 3 and 5 of operation, the frequency of reporting after Year 5

[64] NatureScot (October 2025) Scottish Biodiversity Metric Update. Available at: https://www.youtube.com/watch?v=DyuMmd1nNb4

[65] NatureScot (2026) NatureScot Research Report 1391 - A review of habitat classifications for their potential use in a Scottish planning biodiversity metric. Available at: https://www.nature.scot/doc/naturescot-research-report-1391-review-habitat-classifications-their-potential-use-scottish-planning#summary

[66] Available at: https://www.southlanarkshire.gov.uk/downloads/file/16574/biodiversity_strategy_2024_-_2030

would be agreed with the BAC, which would be set up to oversee and monitor the implementation of the agreed BEMP.

4.7.27 The outline BEMP notes that the measures proposed aim to achieve significant biodiversity enhancement as a direct result of the Proposed Development over its operational lifetime, in line with objectives of Policy 3. Nature based solutions, such as peatland restoration, have been identified to secure biodiversity enhancement.

4.7.28 As such it is considered that overall the enhancement proposals would result in the Site, from a biodiversity perspective, being in a "demonstrably better state" than without intervention, consistent with the provisions of Policy 3.

4.7.29 It is important to keep in mind that one of the greatest threats to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of renewable energy generation, to facilitate the earliest possible decarbonisation of the energy system and the achievement of net zero no later than 2045. A fundamental purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits will be to biodiversity.

4.8 Policy 4: Natural places

4.8.1 Paragraph a) of the policy states that development proposals which by virtue of type location or scale will have an unacceptable impact on the natural environment will not be supported.

4.8.2 Paragraph b) addresses both nature conservation and landscape designations. Part b deals with development proposals likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas). Part c) deals with national landscape designations and also SSSIs and National Nature Reserves.

4.8.3 Paragraph c) deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or a National Scenic Area (NSA) should be addressed. As explained in the LVIA, no national level landscape designations would be affected by the Proposed Development.

4.8.4 Paragraph d) deals with local landscape designations. Policy 4 is as follows:

"*Development proposals that affect a site designated as …a local landscape area in the LDP will only be supported where:*

- *Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance*".

4.8.5 The policy follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "*integrity*" of the area or "*the qualities for which it has been identified*".

4.8.6 The policy sets out in the second limb of NPF4 Policy 4, Part d) provides that development proposals that affect a site designated as a local landscape area in the LDP (Special Landscape Areas - SLAs in this case) will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:

- this policy provision, reflects the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or National Scenic Area) must be balanced against the benefits of a development for which significant weight must be given;
- the second limb is independent of the first ("or") and is to be applied where a decision-maker concludes that a development will have significant adverse effects on the integrity of a local designation;

- NPF4, Policy 4, Part d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").

4.8.7 Paragraph f) deal with species protected by legislation. Development proposals that are likely to have an adverse effect on protected species will only be supported where the proposal meets the relevant statutory tests.

4.8.8 Paragraph g) deals with development proposals located within wild land areas. It notes that buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

Application of Policy 4

4.8.9 As explained above in the contact of policy 11 e), no significant adverse effects are predicted in relation nature conservation designations and interests.

4.8.10 As explained above in the context of NPF4 Policy 11, the Proposed Development would be theoretically visible from a relatively large part of the southern half of the Leadhills and Lowther SLA, thereafter, reducing to the upper slopes and summits on elevated ground in the northern half.

4.8.11 Significant adverse effects are predicted on one aspect of the designation's special qualities – its 'sense of emptiness'. However, overall the assessment concludes that it would not impact other special qualities and whilst there is some loss of the sense of emptiness in the southern half of the SLA, it does not substantively affect the integrity of the designation overall in compliance with Policy 4 d).

4.8.12 In relation to the Moffat Hills RSA, Tweedsmuir Uplands RSA; and Thornhill Uplands RSA the addition of the Proposed Development is not considered to affect the special qualities of these local designations.

4.8.13 The aviation lighting on the Proposed Development will not have significant adverse effects on the integrity of the SLA's or the qualities for which they have been identified.

4.8.14 The Site and immediate surrounding area is used by protected species including bats, mountain hare, otter, common lizard, brown trout, water vole and potentially pine marten. The risk to protected species is considered to be low based on the levels and distribution of species activity recorded in relation to the Proposed Development. A Species Protection Plan (SPP) (outline provided in **Technical Appendix 6.5** of **EIAR Volume 4**) would be implemented to enforce suitable mitigation measures to ensure compliance with protected species legislation during construction. No likely significant effects are predicted for protected species.

4.8.15 The Proposed Development would not be located within a Wild Land Area, the closest WLA is the Talla Hart WLA approximately 20 to 25 km to the west. A wild land assessment is therefore not required or included in the LVIA as agreed with NatureScot during scoping.

4.8.16 Overall, the Proposed Development is considered to be in accordance with NPF4 Policy 4.

4.9 Policy 5: Soils

Policy 5 and Principles

4.9.1 In terms of soils, Policy 5 states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects. The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position that was in the former SPP; however, a key difference is that renewable energy proposals are one of the types of development expressly supported and considered to be acceptable in principle on peatlands (Paragraph c) reflecting the net benefits in carbon emissions and peatland restoration potential which can be gained.

The application of Policy 5

4.9.2 **Chapter 8 Hydrology, Hydrogeology, Geology and Soils (EIAR Volume 2)** considers the impacts of the Proposed Development with regard to geology, soils and peat.

4.9.3 No nationally important environmental designations specifically for peat or geological conservation are located at the Site.

4.9.4 The findings of the peat depth survey found that the majority of the Site is either absent of peat or, where peat is present, it is relatively shallow (less than or equal to 0.5 m in depth for 85% of samples). The mean peat depth recorded across the Site was 0.27 m. The deepest areas of peat were recorded up to 3.0 m in the southwest of the Site.

4.9.5 Infrastructure of the Proposed Development has been located away from these deeper peat deposits where practicable, taking into account other environmental and technical constraints, or microsited to minimise potential adverse effects. This includes all of the turbines and their associated hardstanding areas, with the exception of turbines 1, 10 and 12, where the peat depth is expected to be up to 1.5 m in depth for turbine 10 and up to 1 m depth for turbines 1 and 12. The peat depth beneath the proposed substation and BESS compound is expected to be up to 1 m in depth. The proposed borrow pits are located in areas with peat depths of 0.5 m or less. There are areas of deeper peat within the Site that interface with sections of the proposed access tracks between turbine 7 and 8. Floating tracks has been proposed in thid area to minimise disturbance and excavation of peat in this section.

4.9.6 The survey's results indicate a high degree of modification to the peatland through artificial drainage (and to a lesser extent the small area of overplanting with coniferous plantation forest).

4.9.7 It is estimated that construction of the Proposed Development would result in the excavation of approximately 48,480 m^3 of peat including peaty/organo-mineral soils (comprising approximately 48,334 m^3 acrotelmic peat and 146 m^3 of catotelmic peat).

4.9.8 Potential reuse opportunities, comprising temporary infrastructure reinstatement and borrow pit reinstatement and restoration is estimated to be 99,707 m^3. This demonstrates that all excavated peat can be reused for reinstatement opportunities.

4.9.9 A Peat Landslide Hazard Risk Assessment (PLHRA) has been undertaken and is provided at **Technical Appendix 8.6** of **EIAR Volume 4**. The Site is considered to be Low or Very Low risk with regards to peat slide risk with the exception of three track locations which are considered to be Moderate. General good practice mitigation measures would be sufficient to provide mitigation for very low and low risk areas of the Site, with moderate risk areas managed through the micrositing of infrastructure following post-consent ground investigation and detailed design. Where micrositing is not practicable then excavation of the peat to remove the potential risk would be required. The approach to mitigation would be confirmed post-consent based on detailed ground investigation at the Site.

4.9.10 Further specific mitigation is proposed in order to reduce non-significant effects and provide offsetting and enhancement of some of the currently degraded peatland habitats present on the Site. The mitigation approach uses a combination of reuse and restoration which has formed the peat management strategy as set out in the Outline Peat Management Plan (OPMP) at **Technical Appendix 8.5** of **EIAR Volume 4**.

4.9.11 The Applicant is also committed to delivering measures as outlined in the Outline BEMP which includes measures to enhance the existing and degraded peatland habitats and create favourable conditions for the re-establishment of peat and peatland vegetation, which has been discussed under Policy 3 of this Planning Statement and is set out in detail in **Technical Appendix 6.7** of **EIAR Volume 4**. The proposed peatland restoration is a nature-based solution, which would have multiple synergistic benefits including the expansion and preserving of carbon sinks and reduction of net carbon emissions.

4.9.12 The Proposed Development is considered to be in accordance with NPF4 Policy 5.

4.10 Policy 6 Forestry, woodland and trees

4.10.1 The Policy intent is to protect and expand forests, woodland and trees.

Application of Policy 6

4.10.2 There are several stands of ancient woodland as listed in the Ancient Woodland Inventory ('AWI') within 5 km of the Site; most lie to the west of the Site, and one to the north, with the closest stand of ancient woodland 4.1 km from the Site. The majority of ancient woodland within 5 km of the Site are categorised as Long-Established (of plantation origin), with a few small patches categorised as Ancient (of semi-natural origin).

4.10.3 There are small areas of broad-leaved plantation woodland and coniferous plantation woodland within the Site.

4.10.4 Some felling is required to facilitate the construction and operation of the Proposed Development, with full details set out in **Technical Appendix 2.3** of **EIAR Volume 4**. Areas of forest and woodland within the Site that would be affected by the Proposed Development consist of two separate ownerships and management arrangements: Watermeetings Forest and Nunnerie Farm Native Woodland Creation Scheme near Hitteril.

4.10.5 Permanent felling of 1.59 ha would be required for the construction and operation of the Proposed Development; 0.97 ha of felling (including 0.03 ha open ground) would be required in relation to the construction of the Western Access within the Watermeetings Forest and 0.62 ha of felling would be required in relation to the Eastern Access within the woodland creation at Hitteril.

4.10.6 The Applicant is committed to providing at least 1.59 ha of appropriate compensatory planting. This is likely to be provided within the Site and complement the native broadleaved woodland planting proposed within the OBEMP (refer to **Appendix 6.7** of **EIAR Volume 4**).

4.10.7 The OBEMP includes provision for the creation of native broadleaved woodland and riparian cover as supported by Policy 6.

4.10.8 No significant effects are predicted for trees or woodland from the Proposed Development.

4.11 Policy 7: Historic Assets and Places

Policy 7 and Principles

4.11.1 In terms of Policy 7 which deals with Historic Assets and Places, the policy is very similar to that which was in SPP (paragraph 145).

4.11.2 The intent of the policy is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:

- Paragraph a) states that "*development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impact of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records*."
    - Paragraph c) states that "*development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest*".
    - Paragraph d) states that "*development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced*".

- Paragraph h) states that "*development proposals affecting Scheduled Monuments will only be supported where:*

  i) direct impacts on the Scheduled Monument are avoided;
  ii) significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or
  iii) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised.

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

- Paragraph o) states that "*non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact*".

The application of Policy 7

4.11.3 **Chapter 8 Cultural Heritage** of the **EIAR Volume 2** assess the potential direct, indirect, setting, and cumulative effects of the Proposed Development on the identified assets within the inner and outer study areas (as defined above under policy 11 vii.)

4.11.4 Mitigation measures for protecting known assets during construction or recording of currently unknown features which could be lost due to groundworks during construction, and the residual effects of the Proposed Development have also been proposed and assessed.

4.11.5 The assessment concludes in relation the Smithwood Bastle House (SM5647) that its key setting aspects, and capacity to inform and convey cultural significance, would be adequately retained such that the overall integrity of the Scheduled Monument's setting would not be significantly compromised as a result of the Proposed Development.

4.11.6 In relation to the Category A Listed Drumlanrig Castle (LB3886) and Inventory and Designed Landscape (GDL00143) as noted above no significant effects are predicted on the asset and the Proposed Development would not affect the assets cultural significance. Key views within the designed landscape, such as along the tree-lined, north-facing drive of the castle, and over the ornamental gardens and expansive woodland to the south, would be unaffected by the Proposed Development.

4.11.7 Based on these conclusions, it is considered that the GDL's cultural significance, character and integrity would be protected and preserved and the Proposed Development would not significantly impact important views to, from or within the GDL. As such, the Proposed Development would be in accordance with the part i) of Policy 4.

4.11.8 The Proposed Development is considered to be in accordance with Policy 7 of NPF4.

4.12 Policy 22 Flood Risk and Water Management

4.12.1 The intent of Policy 22 is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Paragraph c) is the most relevant part of the policy which states that development proposals should not increase the risk of surface water flooding to others, or itself be at risk. In addition, all rain and surface water should be managed through Sustainable Urban Drainage Systems ('SUDs').

Application of Policy 22

4.12.2 As set out above, effects on hydrology, the water environment and flood risk are an assessment criterion within NPF4 Policy 11 (Energy). **Chapter 8: Hydrology, Hydrogeology, Geology and Soils** of **EIAR Volume 4** addresses hydrology matters in detail including flood risk and sustainable drainage and there are no issues arising with regard to these topics, with all watercourse crossing designed to accommodate a 1 in 200 year event plus allowance for climate change.

4.12.3 The Proposed Development is therefore considered to be in accordance with NPF4 Policy 22.

4.13 Conclusions on NPF4

4.13.1 The Proposed Development is considered to be acceptable in relation to all of NPF4 Policy 11's environmental and technical topic criteria and with other relevant NPF4 policies.

4.13.2 A key point within Policy 11 (Energy) is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in the case of the Proposed Development.

4.13.3 Significant weight is also afforded in relation to NPF4 Policy 1 (Tackling the climate and nature crises). This policy direction fundamentally alters the planning balance compared to the position that was set out in the former NPF3 and SPP.

4.13.4 The term "tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.13.5 Overall, the Proposed Development, as a National Development, is considered to be one that would make a substantial and valuable contribution to the NPF4 Spatial Strategy and would help deliver a 'sustainable place'. Overall, it is considered that Proposed Development would accord with relevant policies of NPF4, and with NPF4 when read as a whole.

5. Appraisal against the Local Development Plan

5.1 Introduction

5.1.1 The other element of the statutory Development Plan covering the Site comprises the SLC LDP 2 adopted in April 2021. The Plan contains two Volumes: Volume one which sets out the main policies and these are supported by more detailed polices in Volume two.

5.1.2 There is no Supplementary Guidance (SG) associated with LDP2. In place of SGs, volume two of LDP 2 contains detailed policies which provide guidance on a range of topics in support of the main policies in Volume 1.

5.1.3 The SLC LDP was prepared and adopted prior to NPF4 coming into force and reflects the provisions of the former SPP, now superseded. Where incompatibilities exist between the LDP and NPF4, or where the LDP is silent, the policies of NPF4 prevail.

5.1.4 Relevant policies from the SLC LDP are referenced below. This Chapter does not present a detailed assessment of the Proposed Development as that has been covered above in Chapter 4 against the policy provisions of NPF4. An appraisal of relevant policies and consideration of areas of conflict or contradictions with NPF4 is provided.

5.2 LDP Policies

5.2.1 Relevant LDP Volume 1 policies are referenced in **Table 5.1** below.

Table 5.1: Relevant SLC LDP Volume 1 Policies

Policy	Policy Summary	Comment re NPF4
Policy 1: Spatial Strategy	The spatial strategy seeks to encourage sustainable economic growth and regeneration and move towards a low carbon economy, protect the natural and historic environment and mitigate against the impacts of climate change. To do this the Council will inter alia protect and enhance the natural and historic environment and support renewable energy developments in appropriate locations.	No conflict with NPF4.
Policy 2: Climate Change	New development must seek to minimise and mitigate against the effects of climate change. The policy contains various considerations including the need for sustainable locations, avoiding flood risk, ensuring no unacceptable effects on the environment and avoiding or minimising disturbance of carbon rich soils and, where appropriate, include provision for restoration of damaged peatlands.	No conflict with NPF4
Policy 14: Natural & Historic Environment	All development proposals will be assessed in terms of their impact on the natural and historic environment, including biodiversity, geodiversity, landscape and townscape. The policy sets out that the Council will seek to protect natural and historic designations from adverse impacts.	No conflict with NPF4

Policy	Policy Summary	Comment re NPF4
Policy 15: Travel & Transport	New development proposals must consider and mitigate the resulting impacts from traffic growth, particularly development related traffic, and have regard to the need to reduce the effects of greenhouse gas emissions.	No conflict with NPF4
Policy 16: Water Environment & Flooding	Any development proposals which will have a significant adverse impact on the water environment will not be permitted. Sites where flood risk may be an issue shall be the subject of a local flood risk management assessment.	No conflict with NPF4
Policy 18: Renewable Energy	*See below*	*See below.*

5.2.2 Within Volume 1, Policy 18 'Renewable Energy' is as follows:

"Applications for renewable energy infrastructure developments will be supported, subject to an assessment against the principles set out in the SPP, in particular the considerations set out at paragraph 169.

The Spatial Framework for Wind Energy set out in Table 7.2 and shown on Figure 7.1 applies to applications for wind energy developments of 15m or greater in height, including extensions and repowering proposals.

All renewable energy proposals shall be assessed against the relevant criteria and requirements set out in the Assessment Checklist for Renewable Energy Proposals contained in Volume 2.

Development proposals must also accord with other relevant policies and proposals in the development plan. Refer to Appendix 1 for relevant Volume 2 policies and additional guidance."

5.2.3 Policy 18 is considered to be incompatible with NPF4 Policy 11 and should not be afforded weight. Policy 18 states that developments will be supported subject to an assessment against the principles set out in SPP and, in particular, the various considerations set out at paragraph 169 of SPP. The policy also cross refers to a Spatial Framework for wind energy development. SPP (and its Spatial Framework approach) has been replaced by NPF4 and is no longer a relevant consideration in decision making.

5.2.4 Appendix 1 of Volume 1 of LDP2 lists relevant policies in LDP Volume 2 stemming from Policy 18 as Policies SDCC6 'Renewable Heat', RE2 'Biomass' and RE1 'Renewable Energy'. It is only Policy RE1 that is of relevance to the consideration of the application.

5.2.5 Policy 18 therefore defers the development management policy provisions to Policy RE1 and its associated 'checklist' and to related non statutory guidance. This is considered below under LDP2 Volume 2 policies.

Additional Planning Guidance

5.2.6 In terms of 'additional guidance', Appendix 1 of Volume 1 of the LDP lists this as follows:

- SLC Supporting Planning Guidance 'Renewable Energy';
- Landscape Capacity Study for Wind Energy (2016) and its Addendum (2017);
- Tall Wind Turbines Landscape Capacity, Siting and Design Guidance (2019);

- South Lanarkshire Landscape Character Assessment (2010); and
- South Lanarkshire Validating Local Landscape Designations (2010).

5.2.7 These documents have been taken account of in the design and development and subsequent assessment as part of the EIA for the Proposed Development, where relevant.

Other relevant LDP2 Policies

5.2.8 LDP2 Volume 2 contains additional policies and detailed criteria against which development proposals are to be considered. These are summarised in Table 5.2 below.

Table 5.2: Relevant SLC LDP Volume 2 Policies

Policy	Policy Summary	Comment re NPF4
DM1 - New Development Design	New development will be required to ensure there is no conflict with adjacent land uses and no adverse impact on existing or proposed properties in terms of noise or disturbance.	No conflict with NPF4
Policy SDCC2 - Flood Risk	The Council will seek to prevent increases in the level of flood risk and refuse development where it would be at risk from flooding.	No conflict with NPF4
Policy NHE2 – Archaeological Sites and Monuments	Seeks to preserve scheduled and non-scheduled monuments in situ and in an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting will not be permitted unless there are exceptional circumstances.	Some conflict with NPF4, which refers to significant adverse effects on integrity of setting and that proposals will only be supported where they avoid significant adverse impacts on integrity of setting.
Policy NHE3 – Listed Buildings	Development affecting a Listed Building or its setting shall, as a first principle, seek to preserve the building and its setting, and any features of special architectural interest which it has.	No conflict with NPF4
Policy NHE4 – Gardens and Designed Landscapes	Development affecting sites listed in the Inventory of Gardens and Designed Landscapes shall protect, preserve and, where appropriate, enhance such places and shall not significantly impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.	No conflict with NPF4
Policy NHE6 – Conservation Areas	Development and demolition within a Conservation Area or affecting its setting shall preserve or enhance its character and be consistent with any relevant Conservation Area appraisal or management plan that may have been prepared for the area.	No conflict with NPF4

Policy	Policy Summary	Comment re NPF4
Policy NHE7 – Natura 2000 Sites	All development which would have a likely significant effect on Natura 2000 sites will be subject of an appropriate assessment. The requirements of the policy apply to all proposed or designated Natura sites which could be affected by the proposals, including those which are located out with the boundary of South Lanarkshire Council.	No conflict with NPF4
Policy NHE8 – National Nature Reserves and Sites of Special Scientific Interest	Seeks to protect SSSI/National Nature Reserves. Development which affects either designation will be expected to demonstrate that the overall integrity will not be compromised or any significant adverse effect on the qualities of the area are clearly outweighed by social, environmental or economic benefits of national importance.	No conflict with NPF4
Policy NHE9 – Protected Species	Development that would impact on a European Protected Species will be resisted unless there is demonstratable evidence that the development is required, there is no satisfactory alternative, or the development would not be detrimental to the maintenance of the population of the species.	No conflict with NPF4
Policy NHE11 – Peatland and Carbon Rich Soils	The Council shall seek to protect peatland and carbon rich soils from adverse impacts resulting from development. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO_2) emissions. Where peatland is drained or otherwise disturbed, there is likely to be a release of CO_2 to the atmosphere. Developments should aim to minimise this release.	Some minor conflict with NPF4, no allowance for renewable energy development on peatland or carbon rich soils.
Policy NHE12 – Water Environment and Biodiversity	Development proposals should protect and where possible enhance the water environment in accordance with the Water Framework Directive. Development proposals which will have a significant adverse impact on the water environment will not be permitted. Consideration will be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment.	Some conflict with NPF4 which requires projects to demonstrate through project design and mitigation how impacts on the water environment are addressed. There is no specific exclusion where a development proposal results in a significant adverse impact on the water environment. Notwithstanding, there are no such impacts in relation to the Proposed Development.
Policy NHE13 – Forestry and Woodland	Development proposals should seek to manage, protect and enhance existing ancient semi-natural woodland (ASNW), other woodlands, hedgerows and individual trees. In all cases involving the proposed removal of existing woodland, the acceptability of woodland removal and the requirement for compensatory planting will be assessed against the criteria set out in the Scottish Government's Policy on Control of Woodland Removal.	No conflict with NPF4

Policy	Policy Summary	Comment re NPF4
Policy NHE16 – Landscape	Sets out criteria for the assessment of development proposals within Special Landscape Areas (SLAs) and seeks to protect and enhance the wider landscapes of SLC through the maintenance and enhancement of landscape character.	Some conflict with NPF4 in relation to the treatment of SLAs. NPF4 includes a qualifying measure where significant adverse effects are predicted on the integrity of an SLA such that these are clearly outweighed by social, environmental or economic benefits of local importance.
Policy NHE18 – Walking, Cycling and Riding Routes	Walking, cycling, riding routes core water routes and water access/egress points will be safeguarded. Development proposals adjacent to or on the line of any route will require to take account of the route in the design and layout.	No conflict with NPF4
Policy NHE20 – Biodiversity	Development should demonstrate that they have no significant adverse impact on biodiversity. Where proposals are likely to lead to significant loss of biodiversity, they will only be supported if adequate mitigation and offsetting measures can be agreed with the council. Developments should consider opportunities to contribute positively to biodiversity conservation and enhancement.	No conflict with NPF4
Policy RE1 - Renewable Energy	*See below*	

5.2.9 From a review of the LDP2 policies, they are largely compatible with the policy provisions of NPF4, with the exception of the following:

> Policy NHE2 'Archaeological Sites and Monuments' is considered to be incompatible with NPF4 policy 7 (Historic assets and places). The Policy states that "*Developments which have an adverse effect on Scheduled Monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances*". NPF4 Policy 7 states that developments will only be supported where they avoid "*significant adverse impacts on the integrity of the setting of a scheduled monument*", it is not simply whether or not they have an adverse effect on a Monument, which is referenced in the first part of the LDP policy. NPF4 Policy 4 goes on to state that development can also be supported where "*exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised*".

> LDP2 Policy NHE11 'Peatland and Carbon Rich Soils' states that the Council will seek to protect peatland and carbon rich soils from adverse impacts resulting from development. NPF4 Policy 5 (Soils) changed the national policy position in relation to peatland, with renewable energy developments supported on peatland. NPF4 Policy 5 states that development proposals on peatland, carbon rich soils and priority peatland habitat, will only be supported for various types of development, including "*essential infrastructure*" and also in relation to "*the generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets*". In the case of the Proposed Development, it is essential infrastructure and also generates energy from renewable sources. The LDP2 Policy makes no such provision for these uses located within peatland and carbon rich soils.

- Policy NHE16 'Landscape' relates to SLAs and states development will only be permitted if it can be accommodated "*without having an unacceptable significant adverse effect on the landscape character, scenic interest and special qualities and features for which the area has been designated*". The LDP2 policy provisions are therefore significantly different from the provisions of NPF4 Policy 4 (Natural places), which allows for development to be supported, even if it has significant adverse effects on the integrity of a local landscape designation, if the benefits that would arise from it are of at least local importance.

5.2.10 Policy RE1 'Renewable Energy' (in Volume 2) relates to the assessment of proposals for renewable energy developments and is as follows:

"Applications for renewable energy development will only be acceptable if they accord with the relevant requirements and guidance set out in:

- *Volume 2 Appendix 1 Assessment Checklist for Renewable Energy Proposals;*
- *Supporting Planning Guidance on Renewable Energy;*
- *Landscape Capacity Study for Wind Energy (2016) (as amended by the Tall Wind Turbines Guidance 2019);*
- *Other relevant policies in LDP2."*

5.2.11 Appendix 1 of Volume 2 contains a 'renewable energy assessment checklist'. This is intended to supplement Policy 18 in LDP2 which as noted sets out general policy relating to renewable energy.

5.2.12 The checklist in turn makes cross references to The LDP2 'Supporting Planning Guidance' (SPG) entitled 'Renewable Energy'. As noted, this is non-statutory guidance and does not form part of the Development Plan. Chapter 5 of the SPG contains development management considerations *"to be used in the assessment of all scales and types of renewable energy proposals"* (page 3).

5.2.13 It is also considered that Policy RE1 is not compatible with NPF4 and in particular, NPF4 Policy 11 (Energy). Policy RE1 cross refers to, as noted, a renewable energy assessment checklist. The checklist, however, cross-refers in a number of places to the policy provisions of LDP2 and as explained above, a number of these are incompatible with the applicable policies of NPF4. The checklist also contains a number of specific development management provisions which are not contained within NPF4 Policy 11.

5.2.14 A further very important point is that the LDP2 policy for renewable energy does not require decision makers to place significant weight on the contribution of a proposal for renewable energy generation to targets, when considering the impacts of a development – in contrast to NPF4 Policy 11.

5.2.15 For these reasons, Policy RE1 of LDP2 should only be afforded very limited weight and the same approach should also be taken to those topic policies identified above, which would be incompatible with the policy provisions of NPF4.

The SLC Landscape Capacity Study

5.2.16 The 'checklist' within Appendix 1 of Volume 2 of the LDP sets out that wind energy proposals will be assessed against the guidance for specific landscape character types contained in Table 6.1 of the Landscape Capacity Study for Wind Energy (February 2016) as amended by the Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance (2019).

5.2.17 The Onshore Wind Policy Statement makes reference to Landscape Sensitivity Studies and makes it clear that these should not be used in isolation to determine matters of acceptability but can be a useful tool in assessing specific sensitivities within an area. It should be noted that the term is now landscape sensitivity, in comparison with SPP paragraph 162 which

encouraged Landscape Capacity Studies. This reflects NatureScot's 2022 guidance[67] which states that *"sensitivity assessments can help to steer development towards better locations and inform a proposal's LVIA. They should never be used in isolation to determine the acceptability of a development type in landscape terms. They do not replace the need for individual LVIAs and/or Environmental Assessments for individual proposals."*

5.2.18 The design approach for the Proposed Development has taken into account the guidance in these studies as referenced in the LVIA. Further details are provided in **Chapter 3: Design Evolution and Alternatives (EIAR Volume 2)** and the **Design Statement** which is submitted as a supporting document to the application.

5.3 Emerging LDP

5.3.1 Preparation of the council's next Local Development plan the area - South Lanarkshire Local Development Plan (LDP3) – is progressing. The first stage of LDP 3 focuses on the preparation of an Evidence Report. This was consulted on between April and July 2025. A Report was presented to the South Lanarkshire Full Council meeting on the 10th of December 2025 seeking formal approval to submit the Evidence Report to Scottish Ministers for consideration through the statutory Gate Check process. This approval was granted.

5.3.2 The Gate Check will involve a Reporter from the Directorate of Planning and Environmental Appeals (DPEA) reviewing the evidence and deciding if it is sufficient to start preparation of the proposed LDP 3. Once the Evidence Report has received clearance from the Scottish Government, work will start on the proposed plan itself, which will include a Call for Ideas in Spring 2026.

5.3.3 Current timescales for adoption of LDP 3 is in mid-2028. As such the LDP3 is considered to have no weight in decision making at this stage.

5.4 Conclusions on the LDP

5.4.1 The environmental and topic considerations within the LDP policies are encompassed within the broad remit of NPF4 Policy 11 Part e). Each of the relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and are not repeated.

5.4.2 Given the policy appraisal undertaken, it is considered that the Proposed Development would be in accordance with relevant policies of the LDP (i.e. those which are compatible with NPF4).

5.4.3 It is considered that the effects arising from the Proposed Development would be acceptable in terms of the relevant policy topics of the LDP. These policy provisions are considered to be broadly encompassed by those of NPF4 and given the appraisal set out above in Chapter 4, there would be no conflict with their terms.

[67] NatureScot (2022) Landscape Sensitivity Assessment Guidance Available at: https://www.nature.scot/doc/landscape-sensitivity-assessment-guidance-methodology

6. Conclusions

6.1 The Climate Crisis and Renewable Energy / Storage Policy Framework

6.1.1 The urgent need for onshore wind and other renewable technologies including energy storage capacity has been set out, with the large increase in the deployment of these technologies supported through a number of policy documents and by Scottish Government commitments – most recently expressed from a land use planning perspective in NPF4 and the OWPS.

6.1.2 Onshore wind was already viewed and described as "vital" to the attainment of net zero targets in 2017. This imperative has only increased since a climate emergency was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) 'Net Zero' publication[68]. Furthermore, the drive to attain net zero emissions is legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2024.

6.1.3 The Scottish Government is clear that a very substantial quantity of onshore wind is required to meet the onshore wind target requirement by 2030 – namely a minimum of 20 GW of operational onshore wind capacity. Deployment of more onshore wind is described in the OWPS as being "*mission critical for meeting our climate targets*".

6.1.4 As explained in Chapter 2 of this Planning Statement, the CCC has stated (June 2024) that the deployment rates for low carbon technology need to significantly increase in order to meet the interim carbon budget targets and the longer term net-zero target. In this regard in terms of renewable technologies the CCC has stated that onshore wind installations will need to double by 2030. The UK Government has accepted this advice and has committed to an onshore wind target for the UK of 30 GW by 2030, as confirmed in the Clean Power Action Plan published in December 2024 and in the Onshore Wind Taskforce Strategy published in 2025.

6.1.5 The important benefits of the Proposed Development have been set out in the context of the current climate emergency, and they would help address the pressing issue of climate change and very challenging net zero targets and contribute to improving security of supply.

6.2 The Planning Balance

6.2.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the climate emergency and the contribution of individual developments to tackling climate change.

6.2.2 The revised OWPS was published in December 2022. NPF4 came into force on 13th February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of this Section 36 application. Both should be afforded very considerable weight in decision-making.

6.2.3 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required. As described in this Planning Statement:

> The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "*at the heart of our vision for a future Scotland*" so that "*the decisions we make today will be in the long-term interest of our country*"[69]. The policy position, and the priority afforded to combatting the climate emergency, is different to that which was set out in the former NPF3 and SPP;

[68] CCC, Net Zero, The UK's contribution to stopping global warming (May, 2019).
[69] NPF4, page 2.

- NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global climate emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and
- Both NPF4 and the OWPS are clear that further onshore wind development, of scale and utilising modern, larger turbines, has a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including onshore wind farms and BESS.

6.2.4 It is important to fully recognise both the scale and urgency of the challenge set out in these documents, and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030 requiring, as set out in the OWPS, that "*we must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support Net Zero delivery across all sectors, including heat, transport and industrial processes*"[70].

6.2.5 Publication of the OWPS for the first time, set an onshore wind target: a Scottish Government ambition for a minimum of 20 GW of installed onshore wind capacity by 2030. As noted, good progress has been made to reach this but there is still more to do. This target is also embedded in the Scottish Government's consultative draft Energy Strategy and Just Transition Plan, together with the commitment to "*place the climate and nature at the centre of our planning system*"[71] (original emphasis) in line with the NPF4.

6.2.6 By any measure, the identified need for delivery of this additional capacity is a massive challenge requiring an urgent and positive response. The 'window' until the key date of 2045 for net zero is getting narrower.

6.2.7 As the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure within NPF4 explains[72] "*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its Net Zero emissions targets*."

6.2.8 The Statement of Need relates to the attainment of Government renewable generation and emission reduction targets. Moreover, it relates to the importance of developing electricity supplies which are not dependent on volatile international markets and are located within the UK's national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels (including foreign imports) is now enormous, in order to protect consumers from high and volatile energy prices.

6.2.9 Other policy support for development of wind farms is found in NPF4 and the OWPS:

- In addition to the cross-cutting NPF4 Policy 1, NPF4 Policy 11 (Energy) directs that in considering the identified impacts of an onshore wind proposal significant weight will be placed on the contribution of the Proposed Development to renewable energy generation targets and on greenhouse gas emissions reduction targets – the Proposed Development would generate up to 91 MW of clean renewable energy with an additional 50 MW battery storage capacity.
- The OWPS expressly recognises that meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines and that "*this will change the landscape*."
- NPF4 Policy 11 confirms that significant landscape and visual impacts are to be expected for some forms of renewable energy. Scottish Government policy, which forms part of the

[70] OWPS 2022, paragraph 1.1.2.
[71] Energy Strategy and Just Transition Plan, page 55
[72] NPF4, page 103.

Development Plan, is that where such impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to be acceptable. Notably, policy recognises that significant landscape and visual effects are inevitable and generally acceptable. As explained above, the extent of significant landscape and visual effects that would arise from the Proposed Development are considered to be localised for a development of this scale in this type of landscape.

- In relation to biodiversity matters, NPF4 Policy 3 (Biodiversity) requires that for national and EIA development, that significant biodiversity enhancements be provided. The Applicant has proposed such measures, as set out in the outline BEMP.
- NPF4 Policy 4 provides in principle support for wind farm development in all locations with the exception of National Parks and National Scenic Areas (NSA), unless the conditions in NPF4 Policy 4 c) are met. The Proposed Development is not within a National Park or a NSA;
- NPF4 Policy 4, Part d) specifically relates to a proposed development that may adversely affect the integrity of a local landscape designation. It provides that development will be supported where significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. Overall, the Proposed Development would have no adverse impacts on the integrity of local landscape designations;
- In relation to NPF4 Policy 5 (Soils) the policy framework supports development proposals on peatland and carbon rich soil where they relate to the generation of energy from renewable sources. Such development requires to be subject to a site-specific assessment which has been undertaken in this case for the Proposed Development. Site specific assessments have been undertaken and as explained, the siting and design approach has sought to minimise adverse impacts on peatland and carbon rich soils and in addition significant peatland restoration is proposed.
- In terms of cultural heritage matters, NPF4 Policy 7 (Historic assets and places) makes it clear that development affecting Scheduled Monuments will be supported if significant effects on the integrity of the setting of a monument are avoided. While one asset, Smithwood Bastle House (SM5647), is predicted to experience a significant adverse effect in relation to setting, it has been explained in the assessment that this would not go as far as to affect the integrity of the setting of the asset.

6.2.10 The Applicant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the Proposed Development. In short, appropriate design mitigation has been applied as required by NPF4 Policy 11. Potentially significant adverse landscape and visual effects resulting from the Proposed Development have been minimised through an iterative design process and a well-considered proposal has been established, which is condered to have acceptable effects. The landscape and visual impacts would be localised and is clear from NPF4 Policy 11 that such impacts are to be considered generally acceptable. The term localised has been examined in a number of recent wind farm decisions, as have been identified. Where significant effects have been predicted, these have been deemed acceptable out to 14 km and beyond in some instances. The Proposed Development would result in significant adverse effects, however these are considered to be limited in nature and extent.

6.2.11 NPF4 and the OWPS require that the decision-maker must also identify and weigh the adverse effects of a proposed development. However, increased weight is to be given to the benefits of a proposed development in the planning balance owing to the seriousness and importance of energy policy related considerations and the contribution of the Proposed Development in meeting climate change targets.

6.2.12 It is considered that this approach is very clearly reflected and articulated in NPF4 and the OWPS (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development's contribution towards meeting targets). Moreover, Section 3.6 of the OWPS states that the criteria for

assessing proposals (in NPF4) have been updated "*including stronger weight being afforded to the contribution of the development to the climate emergency*".

6.2.13 In considering the increased policy support for renewable development at the national level which has been introduced by NPF4, a series of Section 36 decisions[73] issued not long after NPF4 came into force, give a clear direction as to the way Reporters and the Scottish Ministers have approached the policy position in NPF4. The position remains that there is strong support for renewables and in particular onshore wind development and that the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority of the Scottish Ministers.

6.2.14 In the very recent Earlsburn Extension Section 36 Decision[74] (December 2025) at Paragraph 81 the Scottish Ministers state:

"The OWPS reaffirms the deployment of onshore wind is mission critical for meeting Scotland's energy targets. The statement renews the commitment to onshore wind technology and sets ambition for a minimum installed capacity of 20GW of onshore wind in Scotland by 2030, while recognising the existing nature crisis, and that onshore wind farms must strike the right balance in how we care for and use the land.

The Scottish Ministers are satisfied that the proposed Development will provide a contribution to renewable energy targets and carbon savings in support of the ambitions of the SES and OWPS"

6.2.15 It is accepted that each individual application needs to be considered on its respective merits; however, it is evident from Section 36 decisions issued since NPF4 came into force, that Scottish Ministers have recognised that there has been a material and tangible shift in planning policy support for onshore wind development and that this has clear implications for the planning balance and changes the calculus regarding the scale and extent of adverse effects which may now be found acceptable.

6.2.16 In this case, the Proposed Development has a capacity over 50 MW and is a development of national importance that will help to deliver the National Spatial Strategy set out in NPF4. The Proposed Development would make a valuable contribution to help Scotland, and the UK, attain net zero, security of supply and related socio-economic objectives. It is submitted that significant weight should be given to this contribution when weighing the need for the Proposed Development and its identified effects within the planning balance.

6.2.17 The Proposed Development is considered to be in accordance with the relevant policies of the NPF4 and the LDP.

6.2.18 The limited and localised effects of the Proposed Development, including how relevant effects listed in NPF4 Policy 11(e) have been addressed, is detailed in the supporting information to the application. In terms of Policy 11, in considering the identified impacts of the Proposed Development significant weight must be placed on its nationally important contribution to renewable energy generation and greenhouse gas emissions reduction targets.

6.3 Overall Conclusion

6.3.1 The policy set out in NPF4 and the OWPS and in the other policy documents referred to requires a rebalancing of the consenting of onshore wind and energy storage developments in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the nationally important benefits of the Proposed Development it is considered that the benefits of the proposal clearly outweigh its adverse effects.

[73] In this regard see Sanquhar II (para 4.5 of Supplementary Inquiry Report), Clashindarroch II (paras 2.45, 2.51 and 2.90 of Supplementary Inquiry Report) and Shepherd's Rig (paras 3.4 and 3.14 of Supplementary Inquiry Report).

[74] Scottish Ministers (2025) Earlsburn Extension Wind Farm ECU Reference: ECU00004510 https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00004510

6.3.2 The up-to-date policy set out in NPF4 and the OWPS, and the policy in the draft Energy Strategy, provide strong and increased support for the grant of Section 36 consent for the Proposed Development.

6.3.3 The conclusion is that the Proposed Development is consistent with all relevant policies of NPF4 and the LDPs, and with the Development Plan when read as a whole insofar as that is a relevant matter in a Section 36 application.

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