



**Eredine Wind Farm
Section 36 Consent Application
Planning Statement
October 2024**

Report for

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EXECUTIVE SUMMARY

This Planning Statement has been prepared by WSP UK Limited ('WSP') on behalf of RWE Renewables UK Onshore Wind Limited ('the Applicant'). The purpose of this Planning Statement is to provide a detailed planning assessment of the proposed Eredine Wind Farm ('the Proposed Development') located in Argyll and Bute approximately 4.5km to the west of Inveraray and approximately 17km north-east of Lochgilphead ('the Development Site'), against the applicable renewable energy policies, the development plan and other relevant considerations.

This Planning Statement provides a description of the Proposed Development, before setting out the relevant policies and relevant considerations against which the application will be determined. The Proposed Development has been the subject of an Environmental Impact Assessment Report ('EIA Report'), which accompanies the Section 36 application, together with other associated documents which have been submitted to Scottish Ministers through the Energy Consents Unit. This Planning Statement also addresses the planning implications of the detailed technical assessments presented in the EIA Report and assesses the compliance of the Proposed Development against national energy policy, the Development Plan, and other relevant considerations. It is concluded that, overall, the Proposed Development complies with national energy policy, the relevant Development Plan (National Planning Framework 4 (NPF4) (2023) and the Argyll and Bute Local Development Plan 2 (2024) (LDP2)), and other relevant considerations as a whole and, as such, provides a strong justification for the granting of consent.

Terminology

For the purposes of this report the following terminology is used:

- The 'Proposed Development' - the 22 turbines, battery storage and associated infrastructure of Eredine Wind Farm for which consent is being sought;
- The 'Development Site' - means the site of the proposed Eredine Wind Farm,
- The 'Applicant' is RWE Renewables UK Onshore Wind Limited;
- The 'Agent' is WSP; and
- 'ABC' is Argyll and Bute Council.

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1. Introduction

1.1 Overview

- 1.1.1 This Planning Statement has been prepared by WSP (the 'Agent') on behalf of the Applicant in support of an application under Section 36 of the Electricity Act 1989 seeking consent to construct and operate a Wind Farm generating station comprising:
- Up to 22 wind turbines with tip heights up to 200m;
 - Access tracks connecting the turbines and other infrastructure elements;
 - Hard standing areas e.g. crane hardstanding;
 - Battery storage;
 - Control building and substation compound;
 - One anemometer mast;
 - Temporary working areas e.g. construction compound;
 - Electrical cabling between the control building and turbines; and
 - Potential borrow pit(s).
- 1.1.2 The Proposed Development is located in Argyll and Bute approximately 4.5km to the west of Inveraray and approximately 17km north-east of Lochgilphead. The majority of the Development Site, which is centred at coordinates easting (E)199418, (N) 704212, is located within Eredine Forest and comprises commercial coniferous plantation.
- 1.1.3 **Figure A.1** shows a site location map in the wider landscape, while **Figure A.2**, shows the Development Site planning application boundary and **Figure A.3** shows the Proposed Development layout (see Appendix A).

1.2 Planning History

- 1.2.1 An EIA Scoping Report was submitted in June 2020, in order to inform the preliminary environmental assessments and for the purpose of identifying their scope. The 2020 EIA Scoping Report assumed a maximum tip height of 180m turbines.
- 1.2.2 Due to advances in turbine technology and in line with governmental climate change targets, the Applicant revised the maximum tip height, to account for up to 230m. A further EIA Scoping Report was therefore submitted for comment to the Scottish Ministers on 24th June 2022. The Scottish Ministers issued the Scoping Opinion in response to this Scoping Report on 20th September 2022. At the time of publishing the Scoping Opinion, the consultation response from ABC had not been available to the Energy Consents Unit (ECU). A Scoping Opinion Addendum providing ABC's consultation response was therefore subsequently issued by the ECU on 31st May 2023.
- 1.2.3 The Scoping Opinion and Addendum is presented in full in Appendix 2A of the EIA Report.

1.3 Consultation

- 1.3.1 Subsequent to the submission of the 2022 EIA Scoping Report, the scope of the assessment was progressively refined in response to comments from consultees, together with consideration of environmental information that was obtained from survey work carried out as part of the EIA and the evolution of the Proposed Development.

1.4 Public Consultation

- 1.4.1 The Applicant considers that community consultation and engagement is key to the development and design process and the following activities have been undertaken:

- Direct Stakeholder Engagement with Local Ward Councillors, Neighbouring Ward Councillors, Community Councils and the local MSP;
- A maildrop to Local Ward Councillors, Neighbouring Ward Councillors and Community Councils, along with local residential and business properties within a 7.5km radius of the Development Site informing them of the Proposed Development. This maildrop also contained an email address and phone number for engagement with the Applicant; and
- The Applicant has continued to engage with local residents and stakeholders regarding the design of the Proposed Development. Public exhibitions were held at the following locations:
 - ▶ Nicol Hall, Inveraray – Tuesday 27th September 2022;
 - ▶ Ford Village Hall – Wednesday 28th September 2022;
 - ▶ Furnace Village Hall – Thursday 29th September 2022;
 - ▶ Portsonachan Village Hall – Tuesday 4th October 2022;
 - ▶ Dalavich Community Centre – Wednesday 5th October 2022;
 - ▶ An online Community Benefit Workshop was held on Tuesday 24th October 2023;
 - ▶ Nicol Hall, Inveraray – Wednesday 27th March 2024;
 - ▶ Portsonachan Village Hall – Thursday 28th March 2024; and
 - ▶ A project website [Eredine Onshore Wind Farm \(rwe.com\)](http://rwe.com) contains information regarding the Proposed Development, including the materials that were on display at the public exhibitions in the form of a virtual exhibition. The website also has details regarding how the development team can be contacted. Electronic versions of the EIA Report will be made available on the website.

- 1.4.2 Community consultation and engagement activities are detailed in the Pre-application consultation (PAC) Report, submitted with the application.

1.5 Structure of the Planning Statement

- 1.5.1 The Structure of the remainder of the document is as follows:

- Section 2 provides an overview of the Development Site and the Proposed Development;
- Section 3 highlights the current Legislative Framework applicable to the Proposed Development;

- Section 4 provides an overview of applicable Development Plan policies, national planning policy, and other material considerations;
- Section 5 provides an overview of International, UK and Scottish policy with regard to renewable energy developments and onshore wind guidance, as well as the expected contributions from the Proposed Development to renewable energy generation;
- Section 6 provides an assessment of the Proposed Development against national energy and planning policy, the applicable Development Plan as well as other material considerations; and
- Section 7 sets out the overall conclusions as to why the Proposed Development complies with the Development Plan, is considered to be sustainable development and therefore should be granted consent.

1.5.2 This Planning Statement is accompanied by the following Figures located at **Appendix A**:

- Figure A.1 - Site location plan
- Figure A.2 - Site boundary
- Figure A.3 - Site Layout

2. The Development Site and Proposed Development

2.1 Introduction

- 2.1.1 Chapter 4 of the EIA Report provides an overview of the location and character of the Development Site, alongside key features of the Proposed Development including that of timescales and components.

2.2 Site Location

- 2.2.1 The Development Site (centred at National Grid Reference (E)199418, (N) 704212 and shown on **Figure A.1** in **Appendix A**) is located within Eredine Forest, approximately 4.5km west of Inveraray and approximately 17km to the north-east of Lochgilphead in Argyll and Bute.
- 2.2.2 The Development Site lies on land between Loch Awe to the west and Loch Fyne to the east. The B840 runs in a south-west to north-east direction to the west of the Development Site, connecting the A816 to the southwest with the A819 to the north east. The A83 runs in a similar direction, to the east of the Development Site, connecting the aforementioned settlements of Lochgilphead and Inveraray. The operational An Suidhe Wind Farm is located to the north of the Development Site, while A'Chruach Wind Farm is located to the south of the Development Site, within Kilmichael Forest.
- 2.2.3 The nearest residential property to the Development Site is Killeen Farmhouse, which is adjacent to the Development Site boundary where it joins the A83 to the east. Killeen Farmhouse is located approximately 3.7km to the south-east of the nearest wind turbine (T1).

2.3 Site Characteristics

- 2.3.1 The Development Site lies in upland forest, and extends to approximately 4,247 hectares (ha), although the Wind Farm infrastructure would occupy only a small part of the overall Development Site, approximately 27ha. The majority of the Development Site is used for commercial forestry operations, within Eredine Forest (western area of the Development Site) and Brenchoillie Forest (eastern area of the Development Site).
- 2.3.2 The elevation of the Development Site is between 50m and 482m Above Ordnance Datum (AOD), with the topography being characterised by five summits, Beinn Dearg, Beinn Dubh Àirigh, Beinn Laoigh, Beinn Mheadhon, and Garbh Chruach. The highest of these is Beinn Dearg at 482m AOD.
- 2.3.3 The Development Site access will be accessed via the existing An Suidhe Wind Farm access, east of the Development Site, then via a new access track through the forestry.

2.4 Proposed Development

- 2.4.1 The Proposed Development would comprise the following main elements:
- Up to 22 wind turbines with blade tip heights up to 200m;

- New access tracks, and upgrade of existing access tracks;
- Hard standing areas e.g. crane hardstanding, blade laydown areas;
- A battery energy storage system and compound;
- A control building/substation and compound;
- A permanent anemometer mast;
- Two temporary construction compounds;
- Watercourse crossings (up to 92 culverts);
- Concrete batching plant;
- Electrical cable trenches;
- Up to 9 potential borrow pits; and
- Micro-siting allowance of 50m for turbines, directly associated infrastructure (foundations, hardstandings, and blade laydown areas) and the permanent met mast; and 100m for all other infrastructure.

2.5 Development Features

- **Chapter 4: Description of the Proposed Development** of the EIA report sets out key features of the Proposed Development, and details of the infrastructure layout. The Proposed Development layout is shown on **Figure A.3**.
- The turbine locations are presented in **Table 1.1**.

Table 1- 1 Wind Turbine Locations

Wind Turbine	Easting	Northing
1	201508.0	706114.0
2	201128.5	707054.8
3	200887.5	705147.7
4	200779.0	706459.0
5	200222.0	704727.0
6	200175.0	705910.0
7	199614.2	704276.6
8	199236.3	705149.8
9	199178.0	707191.0
10	199172.0	705898.0

11	198999.5	703779.0
12	198805.0	704370.0
13	198850.2	706418.2
14	198423.0	706930.0
15	198350.3	705076.5
16	198155.0	703498.0
17	198091.6	705578.5
18	198064.0	706123.0
19	197886.7	702986.9
20	197534.0	702434.0
21	197029.9	704927.1
22	196547.0	704575.0

2.6 Timeframes

- 2.6.1 The construction period for the Proposed Development would be a total duration of approximately 24 months.
- 2.6.2 The Proposed Development would be designed with an operational life of 35 years. During the 35 years the turbines will be maintained at regular intervals, in accordance with manufacturer recommendations and industry best practice.
- 2.6.3 As the Proposed Development nears the end of its operational life, a decision will be taken as to whether or not a life extension, repowering or decommissioning will be required.

3. The Planning Legislation Framework

3.1 Introduction

- 3.1.1 This section refers to the relevant legislative framework applicable to the Proposed Development.

3.2 The Electricity Act 1989

- 3.2.1 The application for the Proposed Development is made pursuant to Section 36 of the Electricity Act 1989 (as amended) (the '1989 Act'), as a generating station with capacity exceeding 50 megawatts (MW). The 1989 Act requires that a generating station with a capacity exceeding 50MW is not constructed, extended, or operated except in accordance with a consent granted by the Scottish Ministers.

3.3 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

- 3.3.1 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the EIA Regulations") apply to applications under Section 36 and 37 of the Electricity Act and sets out the legislative requirements of the EIA process.
- 3.3.2 The Proposed Development falls under Schedule 2 of the EIA Regulations as a generating station (Schedule 2(1)). A Schedule 2 development constitutes EIA development if it is likely to have significant effects on the environment by virtue of factors such as its nature, size or location as set out in Schedule 3 of the EIA Regulations.
- 3.3.3 The EIA process has played a central role in developing the design of the Proposed Development, with due cognisance of minimising potentially significant adverse environmental effects as far as reasonably practicable while maximising positive environmental effects. Details of the EIA process undertaken are provided in **Chapter 2: EIA Approach** of the EIA Report.

3.4 The Town and Country Planning (Scotland) Act (as amended) (1997)

- 3.4.1 The Town and Country Planning (Scotland) Act 1997 (as amended) (the '1997 Act') is the principal act which regulates development and land use planning matters in Scotland.
- 3.4.2 Section 57(2) of the 1997 Act states that on grant of a consent under Section 36 of the 1989 Act, "*Scottish Ministers may give a direction for planning permission to be deemed to be granted, subject to such conditions (if any) as may be specified in the direction, for – (a) so much of the operation or change of use to which the consent relates as constitutes development; (b) any development ancillary to the operational change of use to which the consent relates*".
- 3.4.3 Section 25 of the 1997 Act is not engaged for applications pursuant to Section 36 of the 1989 Act (i.e. the local development plan does not take primacy in the determination process). However, in considering the overall legal framework within which the Proposed Development would be assessed, the development plan is considered a relevant

consideration that may be taken into account by Scottish Ministers in the determination of this application.

- 3.4.4 The 'Development Plan' comprises the NPF4 (2023) and the Local Development Plan for the planning authority area, in this case Argyll and Bute Local Development Plan 2 (2024).

4. The Development Plan

4.1 Introduction

- 4.1.1 Under the 1997 Act, the statutory Development Plan covering the Development Site comprises:
- NPF4 which was published by the Scottish Ministers on 13 February 2023; and
 - LDP2 which was adopted on 28 February 2024.
- 4.1.2 The publication of NPF4 coincided with the implementation of certain parts of the Planning (Scotland) Act 2019 (the 2019 Act). To that end, Section 13 of the 2019 Act amends Section 24 of the 1997 Act to provide that: *“In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.”*

4.2 National Planning Framework 4 (NPF4) (2023)

- 4.2.1 NPF4 sets out the long-term plan for Scotland, guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. Unlike its predecessor (NPF3), NPF4 comprises a number of planning policies and forms part of the development plan. NPF4 provides the spatial strategy for Scotland to 2045 and takes account of the target for net zero emissions by 2045 set by the Scottish Government. It provides a strong framework for the deployment of renewable energy developments in general and in particular identifies the need for strategic scale (>50MW) renewable energy developments, including onshore wind farms.

National Spatial Strategy

- 4.2.2 NPF4 first sets out the National Spatial Strategy for Scotland 2045. The introductory text states *“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”* (page 3). The Spatial Strategy plans for future places in line with six spatial principles which are:
- Just transition;
 - Conserving and recycling assets;
 - Local living;
 - Compact urban growth;
 - Rebalanced development; and
 - Rural revitalisation.
- 4.2.3 The Strategy states that this is an *“integrated strategy to bring together cross-cutting priorities and achieve sustainable development.”* These principles will be applied to support the delivery of:
- Sustainable places;
 - Liveable places; and

- Productive places.

4.2.4 'Sustainable places' is the most relevant to this application and the framework sets out the legislative basis for Scotland's net-zero greenhouse gas emissions target by 2045, stating *"we must make significant progress towards this by 2030"* (Page 6). Under the National Spatial Strategy, it is stated *"We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."* (Page 7).

National Developments Statements of Need

4.2.5 NPF4 Annex B sets out statements of need for national development and provides that onshore electricity generation from renewables exceeding 50MW capacity is strategically important, accordingly classifying it as a 'national development' (category 3: Strategic Renewable Electricity Generation and Transmission Infrastructure). Inclusion as a national development establishes the general need for renewable projects of strategic scale across Scotland. As the Proposed Development exceeds the 50MW threshold, it therefore has national development status. NPF4 recognises the need for these developments, which are fundamental to the achievement of Scotland's net zero emissions target.

Spatial Planning Priorities

4.2.6 Annex C of NPF4 sets out Spatial Planning Priorities. The information within the priorities is intended to guide the preparation of Regional Spatial Strategies and LDPs to help deliver Scotland's National Spatial Strategy. For the region of North and West Coast and Islands, which covers Argyll and Bute, NPF4 states: *"To deliver sustainable places, Regional Spatial Strategies and Local Development Plans should maximise the benefits of renewable energy whilst enhancing blue and green infrastructure, decarbonising transport and building resilient connections."* (Page 121)

4.2.7 It also states that *"to significantly reduce greenhouse gas emissions, more onshore and offshore renewable energy generation will be needed, bringing unprecedented opportunities to strengthen local economies, build community wealth and secure long-term sustainability."* (Page 123)

Climate Emergency and Nature Crisis

4.2.8 NPF4 supports development which helps to meet Scotland's greenhouse gas emissions targets and 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"* (page 8).

4.2.9 NPF4 Policy 1, Tackling the climate and nature crises, intends; *"To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis."* (Page 36) The policy requires significant weight be given to the global climate and nature crises, when considering all development proposals, and it is highly relevant to the Proposed Development.

4.2.10 NPF4 Policy 2, Climate mitigation and adaptation is also relevant, as it aims *"to encourage, promote, and facilitate development that minimises emissions and adapts to the current and future impacts of climate change"* (Page 37).

4.2.11 NPF4 Policy 11, Energy is the most relevant to the Proposed Development and is the principal policy for the determination of this Section 36 application, its intention being 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.” (Page 53).

- 4.2.12 Part a) of the policy states inter alia “a) Development proposals for all forms of renewable, low carbon and zero emissions technologies will be supported. These include (i) wind farms, including repowering, expanding and extending the life of existing wind farms ... (iii) energy storage, such as battery storage... (vii) proposals including co-location of these technologies.” (Page 53).
- 4.2.13 Part c) of Policy 11 states that “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”.
- 4.2.14 The policy sets out 13 criteria in paragraph e) which such development is required to be considered against, in order to demonstrate how certain impacts have been addressed through project design and mitigation:
- 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.”*
- 4.2.15 The policy also states that “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.”
- 4.2.16 The Proposed Development does not lie within a National Park, National Scenic Area, nor will it affect other national or international designations. Therefore, parts (b) and (d) of Policy 11 do not apply and are not engaged in the context of the Proposed Development. It should also be noted that part d) expressly requires consideration of Policy 4 Natural

Places, where there are impacts on international or national designations, but not otherwise.

Relevant Policies of NPF4

4.2.17 Other subject specific policies within the NPF4 which are of relevance to the Proposed Development are listed in **Table 1-2** below.

Table 1-2 Relevant Subject Specific Policies within the NPF4

Subject Policy	Policy Reference	Overview
Biodiversity	Policy 3	Policy 3 ensures that Scotland's biodiversity assets are protected, requiring development to ensure it would conserve, restore, and enhance biodiversity. Careful planning, design, siting and mitigation should be utilised in line with the mitigation hierarchy to minimise adverse effects generated by development on biodiversity assets. Core to this policy is the need to rebalance: <i>"the planning system in favour of conserving, restoring and enhancing biodiversity and promotes investment in nature-based solutions, benefiting people and nature (page 9)"</i>
Natural Places	Policy 4	Policy 11 requires that energy development proposals that impact on international or national designations are assessed in relation to Policy 4. As noted above, the Proposed Development will not affect national or international designations. Policy 4 does not support development proposals that would have an unacceptable impact on the natural environment. The policy implements the protections afforded to European Sites through the Habitats Regulations and therefore requires any development proposals likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) to be subject to an appropriate assessment. Development proposals that will affect: a National Park; National Scenic Area; Site of Special Scientific Interest; National Nature Reserve; Ramsar site; local nature conservation site or landscape area in the LDP; species protected by legislation; or a NatureScot Wild Land Area will only be supported where they meet specific requirements such as meeting renewable energy targets, or a small-scale development that is linked to fragile communities in rural areas as detailed in Policy 4.
Soils	Policy 5	Policy 5 seeks to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.

Of relevance to this proposal, the policy states (c) *Development proposals on peatland, carbon rich soils and priority peatland habitat will only be supported for.... the generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets.*

Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site-specific assessment and a peat management plan will be required.

Forestry, woodlands and trees Policy 6

Policy 6 seeks to protect and expand forests, woodland and trees, and part b) states that development proposals will not be supported which result in: loss of or adverse impacts on the ecological condition of ancient woodlands; adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value or identified for protection in the Forestry and Woodland Strategy; fragmenting or severing of woodland habitats after appropriate mitigation; adverse impacts on woodlands, hedgerows and trees identified for protection in the Forestry and Woodland Strategy; or conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.

Part (c) only gives support for proposals involving woodland removal which achieve significant public benefit, in accordance with Scottish Government policy on woodland removal, and states “*Where woodland is removed, compensatory planting will most likely be expected to be delivered*”.

Part (d) states that “*development proposals on sites that include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.*”

Historic assets and places Policy 7

Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy 7 (part a) requires “*Development proposals with a potentially significant impact on historic assets or places [are to] be accompanied by an 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 impacts of change.*”

		Policy 7 (part h) states that <i>“Development proposals affecting scheduled monuments will only be supported where:</i> <i>i) direct impacts on the scheduled monument are avoided;</i> <i>ii) significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or</i> <i>iii) 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.”</i> Part o) of Policy 7 provides that where there is potential for non-designated buried archaeological remains to exist below a site, <i>“developers [are to] provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts...”</i> Policy 7 (parts b – f) are not considered relevant to the Proposed Development, as they relate to proposals involving works to listed buildings or development within a conservation area. Policy 7 (part j – n) provides policy relating to assets such as Historic Battlefields and World Heritage Sites, which would not be affected by the Proposed Development and are therefore not relevant.
Zero waste	Policy 12	Policy 12 encourages, promotes and facilitates development that is consistent with the waste hierarchy.
Blue and green infrastructure	Policy 20	Policy 20 looks to protect and enhance blue and green infrastructure and their networks. <i>“Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained.”</i>
Flood risk and water management	Policy 22	Policy 22 seeks to ensure development is sufficiently flood resilient and improves the flood resilience of their surroundings. It also seeks to ensure development does not compromise water resources and uses such resources effectively.
Health and safety	Policy 23	Policy 23 seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing, by setting out amenity related criteria to ensure pollution impacts are addressed and taken into account, stating that <i>“(e) Development proposals that are likely to raise unacceptable</i>

noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely”.

Minerals

Policy 33

Policy 33 aims to support the sustainable management of resources and minimise the impact of the extraction of minerals on communities and the environment. Parts a) to c) of Policy 33 are not applicable to the Proposed Development. Part d) sets out criteria which must be accorded with, and part e) states that development proposals for borrow pits “*will only be supported where:*
i. the proposal is tied to a specific project and is time-limited;
ii. the proposal complies with the above mineral extraction criteria taking into account the temporary nature of the development; and iii. appropriate restoration proposals are enforceable.

4.3 ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN 2 (2024)

- 4.3.1 The LDP2 was recently adopted by ABC in February 2024, and replaces the Argyll and Bute Local Development Plan 2015 and its associated Supplementary Guidance (March 2016), and Supplementary Guidance 2 (December 2016).
- 4.3.2 The LDP2 sets out a land use framework for the next 10 years to promote, guide and manage development in Argyll and Bute, to meet wider government aims. The plan states that NPF4 “*constitutes part of the development plan for the area and was taken into account as part of the Proposed Local Development Plan 2 Examination process.*” (Page 1).
- 4.3.3 The LDP2 sets out a vision that “*Argyll and Bute is an economically diverse and successful area based on sustainable and low carbon development. It has a growing population with high-quality, well-connected places where people are able to meet their full potential without prejudicing the quality of life of future generations. It benefits both economically and socially from its outstanding natural, historic and built environment whilst protecting those very same special qualities that make Argyll and Bute a place that people choose to be.*” (Page 5).
- 4.3.4 The LDP2 contains a number of policies of relevance to the application. Policy 02 – Out with Settlement Areas, states that development will only be acceptable outwith the “Settlement Areas” shown on the LDP2 proposals map where it can be demonstrated that it accords with either an allocation of the plan (not applicable to the Proposed Development) or part A, B or C of the policy as applicable, and all other relevant policies of the LDP2. Part (B) of the policy applies as the Development Site is located within a ‘Remote Countryside Area’. Parts (A) and (C) are not applicable. The policy states at part (B) that in Remote Countryside Areas, only specific categories of development will be supported on appropriate sites. One of those specific categories of development is “*Renewable energy related development*”. The policy draws particular attention to the need for development proposals to accord with Policies 70-76 and “*Development*

proposals will also be required to demonstrate that there will be no unacceptable adverse effects (either individually or cumulatively) on natural heritage resources, built and/or cultural heritage resources, and landscape and visual amenity."

4.3.5 Policy72 (Wild Land) is not included in the table below as the Proposed Development does not fall within a WLA.

4.3.6 Policy 30 – The Sustainable Growth of Renewables provides support for renewable energy developments *"where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable environmental effects, whether individual or cumulative, on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses."* The policy sets out the following criteria that all applications for wind turbine developments will be assessed against:

- *"Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.*
- *Landscape and visual impacts.*
- *Effects on the natural heritage, including birds.*
- *Impacts on carbon rich soils, using the carbon calculator.*
- *Public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF.*
- *Impacts on the historic environment, including scheduled monuments, listed buildings and their settings.*
- *Impacts on tourism and recreation.*
- *Impacts on aviation and defence interests and seismological recording.*
- *Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.*
- *Impacts on road traffic.*
- *Impacts on adjacent trunk roads.*
- *Effects on hydrology, the water environment and flood risk.*
- *Cumulative impacts arising from all of the considerations above.*
- *Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- *The scale of contribution to renewable energy generation targets.*
- *Effect on greenhouse gas emissions.*
- *Impacts on trees, woods and forests."*

4.3.7 The policy also states that *"in assessing any application, the Council will additionally have regard to the opportunities for energy storage, local energy networks, and long-term environmental management of the site."*

4.3.8 The criteria listed above essentially mirror NPF4 Policy 11, with the exception of tourism, and therefore, an assessment against Policy 11 effectively ticks all the boxes bar tourism for purposes of this policy.

4.3.9 Other subject specific policies of relevance to the Proposed Development are listed in Table 4-1 below.

Table 4-1 Other Relevant Policies within the Argyll and Bute LDP2 (2024)

Policy	Requirements
Policy 04 – Sustainable Development	Policy 04 requires developers to seek to demonstrate sustainable development principles. Of relevance to the Proposed Development are the requirement to: <i>“d) Maximise the opportunities for sustainable forms of design including minimising waste, reducing our carbon footprint, increasing energy efficiency, solar panels, ground, water and air source heat pumps and other forms of renewable energy generation;</i> <i>h) Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and heritage assets;</i> <i>i) Respect the landscape character of an area and the setting and character of settlements;</i> <i>k) Avoid having significant adverse impacts on land, air and water environment.”</i>
Policy 06 – Green and Blue Infrastructure	Policy 06 requires developments to, where appropriate, integrate green and blue infrastructure into the design of the proposal from the outset. Of relevance, the policy requires proposals to demonstrate: • <i>“How the development contributes to existing green networks – the linkage of the proposed green and blue infrastructure for the development to the existing wider green and blue infrastructure.</i> • <i>How the development provides for biodiversity – how it preserves and enhances local habitats within and around the site and contributes to existing wildlife corridors.</i> • <i>How development proposals will manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All SUDS features should be in accordance with the Principles of The SUDS Manual (C753).</i> • <i>Climate change – how the proposed green and blue infrastructure provision contributes to climate change mitigation and adaptation.</i> • <i>That the proposal would not have a negative impact upon existing green and blue infrastructure or would result in the fragmentation or loss of integrity of existing green networks.</i> • <i>How the proposed green and blue infrastructure will be managed in the future including maintenance and funding arrangements for its long-term management.”</i>
Policy 15 – Supporting the Protection, Conservation and Enhancement of	Policy 15 states that <i>“Development proposals will not be acceptable where they fail to:</i>

Our Historic Built Environment

- *protect, preserve, conserve or enhance the special characteristics and/or cultural significance of the historic built environment in terms of its location, scale, form, design or proposed use; or*
- *avoid any cumulative effect upon the special characteristics and/or cultural significance of designated built environment sites.*

Proposals for development that would affect either a designated or non-designated heritage asset or their setting will be expected to demonstrate that they would enable positive change by balancing the need to secure the long-term sustainability of the asset against the need to address the impacts of climate change and to meet the council's wider regeneration objectives, where appropriate."

Policy 16 – Listed Buildings

Policy 16 only supports development proposals affecting a Listed Building, its curtilage or wider setting when it respects the original structure in terms of setting, scale, design, materials and proposed use.... and it conforms to national policy and guidance.

The policy states that "The developer is expected to demonstrate to the planning authority's satisfaction, that the effect of a proposed development on a Listed Building, its curtilage and wider setting has been assessed and that measures will be taken to protect, conserve and where appropriate enhance the special interest of the asset. The use of appropriate access statements, design statements and conservation plans are expected to facilitate this assessment."

Policy 19 – Scheduled Monuments

Policy 19 states a presumption against *"development that does not retain, protect, conserve or enhance a Scheduled Monument and the integrity of its settings. Developments that have an adverse impact on Scheduled Monuments or their settings will not be permitted unless there are exceptional circumstances. New development on sites affecting the settings of scheduled monuments must respect their architectural, historic and other special qualities and conform to the national policies and guidance including but not limited to the 'Related Documents'. The developer is expected to satisfactorily demonstrate to the planning authority that the effect of a proposed development on a scheduled monument and its wider setting has been assessed and that measures will be taken to protect, conserve and where appropriate enhance the special interest of the asset. The use of appropriate setting analysis, design statements, character appraisals and conservation plans are expected to facilitate this assessment."*

Policy 20 – Gardens and Designed Landscapes

Policy 20 supports development proposals affecting nationally important Gardens and Designed Landscapes where they *"protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact upon important views to, from and within the site, or its setting"*.

The policy requires all such proposals to be accompanied by an assessment that follows the principles set out in the most up-to-date relevant guidance published by Historic Environment Scotland. Assessments are required to pay particular attention to:

- *"The artistic, historical, horticultural, architectural, scenic, and nature conservation interest of the site, AND*
- *The site's original design concept, overall quality and setting, AND*
- *Trees and woodlands and the site's contribution to local landscape character within the site including the boundary walls, pathways, garden terraces or water features."*

Policy 21 – Sites of Archaeological Importance

Policy 21 states that *“There is a presumption in favour of retaining, protecting, conserving and enhancing the existing archaeological heritage and any future discoveries found in Argyll and Bute.”*

The policy sets out criteria to be met when a proposed development would affect a site of archaeological significance, as follows:

- *“The prospective developer will be advised to consult the planning authority and its advisors, the West of Scotland Archaeology Service (WoSAS) at the earliest possible stage in the conception of the proposal, AND*
- *An assessment of the importance of the site will be provided by the prospective developer as part of the application for planning permission or (preferably) as part of the pre-application discussions, AND*
- *Relevant policies and guidance including but not limited to the ‘Related Documents’ must be conformed to.”*

When development that will affect a site of archaeological significance is to be carried out, both of the following will apply:

- *“Developers will be expected to make provision for the protection and preservation of archaeological deposits in situ within their developments, OR*
- *Where the planning authority deems that the protection and preservation of archaeological deposits in situ is not warranted for whatever reason, it shall satisfy itself that the developer has made appropriate and satisfactory provision for the excavation, recording, analysis and publication and, if appropriate preservation of, the remains.”*

Where archaeological remains are discovered after a development has commenced both of the following will apply:

- *“The developer will stop work and notify the WoSAS and the council immediately to enable an assessment of the importance of the remains to be made, AND*
- *Developers should make appropriate and satisfactory provision for the excavation, recording, analysis and publication of the remains. (Developers may see fit to insure against the unexpected discovery of archaeological remains during work).”*

Policy 31 – Minerals

Policy 31 gives support for mineral extraction in certain circumstances, including *“Borrow Pits where the proposal is found to be acceptable after being assessed against National Planning Framework 4 Policy 33 criterion e)”*.

The policy also states that Mineral extraction proposals will be assessed against:

- *“Disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;*
- *Impacts on local communities, individual houses, sensitive receptors and economic sectors important to the local economy;*
- *Cumulative impact with other mineral and landfill sites in the area;*
- *Effects on natural heritage, habitats and the historic environment;*
- *Landscape and visual impacts, including cumulative effects;*
- *Transport impacts;*
- *Benefits to the local and national economy;*

All applications for mineral extraction will require to be submitted in detail and include proposals for phased land restoration, aftercare and after use, community liaison and annual reporting. In respect of aftercare, the Planning Authority will require an appropriate financial mechanism, able to be drawn down by the Planning Authority, to be put in place to ensure the proper restoration and aftercare of the site unless it is otherwise agreed given the circumstances of the proposal."

Policy 39 – Construction Standards for Private Access

Policy 39 requires *"The construction standards to be applied for Private Accesses are as follows:*

- a) They shall be constructed to incorporate minimum standards to function safely and effectively as set out in the Council's Road Development Guide, in particular in relation to adequate visibility splays, access gradients, geometry, passing places, boundary definition, turning capacities, integrated provision for waste management and recycling.*
- b) It must be demonstrated to the Planning Authority that consideration has been given by the applicant in the design process to the potential need to make future improvements to the access up to and including an adoptable standard.*
- c) Accesses which connect to or impact significantly on a Trunk Road will require consultation with Transport Scotland."*

Policy 57 – Risk Appraisals

Policy 57 requires that *"Flood Risk Assessments, Drainage Impact Assessments, or land Erosion Risk Appraisals shall accompany development applications when required by the Planning Authority, or in consultation with the Scottish Environment Protection Agency (SEPA). This requirement shall have regard to information held by the Planning Authority on its Flooding and Land Erosion Trigger Maps and to awareness of potential for flooding, including the possible effects of climate change, or land erosion risks associated with the specific development proposed. SEPA has provided new guidance on undertaking Flood Risk Assessment"*

Policy 59 – Water Quality and the Environment

Policy 59 seeks to protect natural watercourse features by preventing or avoiding development on sites where there would be an unavoidably detrimental impact upon a watercourse. The policy provides that *"Proposals for development that could affect the water environment will be assessed with regard to their potential impact on:*

- a) Water quality and quantity, ecological status including morphology and hydrology (i.e. flow rate) chemical and biological status;*
- b) Riparian habitats and wildlife;*
- c) Geomorphic processes;*
- d) Leisure and recreational facilities and users;*
- e) Economic activity.*

The policy also states that *"Opportunities for improvement such as de-culverting, re-meandering, and/or naturalisation will be supported where carefully considered by the applicant from the outset in the proposed layout and design. Development proposals that would be adjacent to a watercourse should be supported with details showing how a minimum 6-metre riverbank buffer strip could be provided.*

Developments that may have a significant detrimental impact on the water environment will not be permitted unless it can be demonstrated that the impacts can be fully mitigated so as to ensure non deterioration of waterbody status and the River Basin Management Plans covering Argyll and Bute."

Policy 61 – Sustainable Drainage Systems (SUDS)

Policy 61 states that “Where appropriate, developers should incorporate existing ponds, watercourses or wetlands as positive environmental features in development schemes. The Council will also require that canalisation or culverting, which can increase the risk of flooding and also greatly reduce the ecological and amenity value of watercourses are avoided wherever practicable and designed sensitively where unavoidable. SUDS provide benefits in terms of flood avoidance, water quality, habitat creation and amenity. Development proposals will manage all rain and surface water through SUDS, which should form part of and integrate with proposed and existing blue-green infrastructure. All SUDS features should be in accordance with the Principles of The SUDS Manual (C753).”

Policy 62 – Drainage Impact Assessments

Policy 62 requires developers to incorporate SUDS measures in accordance with technical guidance, and to submit a Drainage Impact Assessment (DIA) for certain categories of development, including “non-householder developments involving new buildings, significant hard standing areas or alterations to landform”.

Policy 70 - Development Impact on National Scenic Areas (NSA's)

Policy 70 states that “Argyll and Bute Council will resist any development in, or affecting, National Scenic Areas that would compromise the objectives of their designation and the overall integrity of the area either individually or cumulatively, or that would fail to safeguard Special Qualities of the area unless it is adequately demonstrated that:

- a) Any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance; and
- b) The proposal is supported by an LVIA and has taken into account the content of any relevant Argyll and Bute Landscape Capacity Assessment.”

Policy 71 - Development Impact on Local Landscape Areas (LLA)

Policy 71 states that “Argyll and Bute Council will resist development in, or affecting, a Local Landscape Area where its scale, location or design will have a significant adverse impact on the character of the landscape. All development proposals in or affecting a Local Landscape Area must demonstrate that:

- a) Any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, economic or environmental benefits of community wide importance;
- b) The proposal is supported by a landscape and visual impact assessment and has taken account of the content of any relevant Argyll and Bute Landscape Capacity Assessment; and
- c) The location, scale, design, materials and landscaping would be of a high standard and would safeguard or enhance the special qualities and character of the Local Landscape Area.”

Policy 73 – Development Impact on Habitats, Species and Biodiversity

Policy 73 requires that:

- a) “When considering development proposals Argyll and Bute Council will give full consideration to the legislation, policies and conservation objectives, contained within the following:
 - (i) Wildlife and Countryside Act 1981; (and as amended by the Nature Conservation (Scotland) Act 2004); Species listed on Schedules 1, 5, 7, 8, 9 and 14.
 - (ii) Wildlife and Natural Environment (Scotland) Act 2011. A Code of Practice on Non-Native Species supports this Act.

(iii) Protection of Badgers Act 1992.

(iv) The Conservation (Natural Habitats, &c.) Regulations 1994, species listed on Schedules 2 and 4.

- a) When considering development proposals the Council will also seek to contribute to the delivery of the objectives and targets set by the Local Biodiversity Action Plan (LBAP) and the Scottish Biodiversity Strategy. Development proposals will be encouraged to incorporate, safeguard and enhance existing site biodiversity wherever possible. Applications for new developments may be required to complete a biodiversity checklist related to the scale, nature and location of the development (see LDP2 TN04 Technical Note: Biodiversity Checklist).
- b) Where there is evidence to suggest that a habitat or species of international, national and/or local importance exists on a proposed development site or would be affected by the proposed development, the Council will require the applicant, at his/her own expense, to submit a specialist survey of the site's natural environment, and if necessary a mitigation plan, with the planning application.
- c) Development proposals which are likely to have an adverse effect on protected species and habitats will only be permitted where it can be justified in accordance with the relevant protected species legislation.
- d) Development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that:
 - (i) there is no satisfactory alternative; and
 - (i) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
 - (ii) the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range."

**Policy 74 –
Development
Impact on sites of
International
Importance**

Policy 74 states that "Unless development is directly connected with or necessary to their conservation, proposals likely to have a significantly adverse effect, including cumulative, upon an existing or proposed Special Protection Area, existing or candidate Special Area of Conservation, or Ramsar Site (i.e. European Sites), including development outwith the site, shall require appropriate assessment.

Where appropriate assessment is required, permission may be granted where mitigation of any assessed significant effect is possible. Where mitigation is not possible, permission may only be granted if:

- (i) there are no alternative solutions; AND,
- (ii) there are imperative reasons of overriding public interest, including those of a social or economic nature; AND
- (iii) compensatory measures are identified and provided to ensure that the overall coherence of the network of European Sites is protected."

**Policy 75 –
Development
Impact on Sites of
Special Scientific
Interest (SSSIs)
and National**

Policy 75 requires development that would affect a Site of Special Scientific Interest or a National Nature Reserve to adequately demonstrate that:

Nature Reserves (NNRs)

- i) *“neither the natural feature(s) or qualities of special interest or objectives for which the land was notified, nor the overall integrity of the area, would be compromised; OR*
- ii) *any significant adverse effects upon the natural feature(s) or qualities of special interest or objectives for which the land was notified are clearly outweighed by social, environmental, or economic benefits of national importance, AND*
- iii) *the need for the development cannot be met in another, less environmentally sensitive, location.”*

Policy 77 – Forestry, Woodland and Trees

Policy 77 states a strong presumption in favour of protecting woodland resources. *“Particular care will be taken to ensure that ancient semi-natural woodland, native or long-established woods (including Atlantic Oakwoods), hedgerows and individual trees (including veteran trees) of high nature conservation value are safeguarded, conserved and, where possible, enhanced.”*

The policy permits removal of woodland resources in the interests of achieving significant and clearly defined additional public benefits.

Of relevance to the Proposed Development, it states that *“where woodland, hedgerows or individual trees are removed in association with development, adequate provision must be made for the planting of new woodland resources, including compensatory planting in accordance with the sequential approach set out in Policy 78 – Woodland Removal. Mitigation will be required where a development proposal would sever or impair connectivity between important woodland habitats.”*

Policy 78 – Woodland Removal

Policy 78 requires proposals involving the removal of woodland and compensatory planting to be in accordance with the Scottish Government’s Control of Woodland Removal Policy and the Argyll and Bute Woodland and Forestry Strategy.

A sequential approach will be applied to compensatory planting as follows:

- i) *“On-site (most preferable);*
- ii) *Off-site within Argyll and Bute, or*
- iii) *Elsewhere within Scotland (least preferable).”*

Policy 79 – Protection of Soil and Peat Resources

Policy 78 supports development where *“appropriate measures are taken to maintain soil resources and functions to an extent that is considered relevant and proportionate to the scale of the development.”*

Where development would have a significant adverse effect, it would not be supported unless it can be demonstrated that:

- a) *“Such adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from the development proposal; AND*
- b) *A soil or peatland management plan is submitted which clearly demonstrates how unnecessary disturbance, degradation or erosion of peat and soils will be avoided and how any impacts are to be mitigated. Evidence of the adoption of best practice in the movement of, storage, management, reuse and reinstatement of soils must be submitted along with any planning application.”*

Policy 80 – Geodiversity

Policy 80 does not support development that would have a significant adverse effect on non-designated Geological Conservation Review Sites or Local Geodiversity Sites, unless it is satisfactorily demonstrated that:

- a) *“Such adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from the development proposal, and*
- b) *The Council is satisfied that all possible mitigation measures have been incorporated to minimise adverse effects on the interests of the site. Where possible, any resultant rock exposures or other evidence of geodiversity interest should be considered for their potential as an educational or interpretative resource and a record made prior to any loss.”*

4.4 Other Material Considerations

Argyll and Bute Landscape Wind Energy Capacity Study (2017)

- 4.4.1 This advisory, non-statutory planning guidance, which revises and updates the 2012 Argyll and Bute Landscape Wind Energy Capacity Study (“ABLWECS”) was informed by Scottish Planning Policy (SPP), which was the relevant guidance at the time but is now replaced by NPF4. The policy context and NatureScot advice described in section 1.1 of ABLWECS has thus been superseded. Furthermore, NatureScot has revised its advice on landscape sensitivity studies for wind farm developments, moving away from ‘capacity studies’ that attempt to define how much generic development can be located within a particular landscape and favouring sensitivity studies (Landscape Sensitivity Assessment Guidance, April 2022). However, it is referred to in the LDP2 as providing guidance “In terms of landscape, and cumulative landscape impacts”. (para.5.29)
- 4.4.2 ABLWECS is a strategic study that aims to inform strategic planning for wind energy development in line with the former SPP and to provide guidance on the relative sensitivity of landscape character types to generic wind turbine typologies, rather than criteria for, the determination of individual planning applications. It does not replace site specific assessments of individual proposals.
- 4.4.3 The Proposed Development (all 22 turbines) would be located within the ‘Craggy Upland’ landscape character type 7 (LCT7) which the ABLWECS identifies as having some potential to accommodate large scale Wind Farm development (80m-130m high), however it goes on to state that there is “no scope” to accommodate Very Large turbines (>130m), which would apply to the Proposed Development. However, it should be noted that ABLWECS advises that there is no scope for turbines of the size proposed on the Development Site, anywhere in Argyll and Bute.

National Planning Advice and Circulars

- 4.4.4 National planning policy is supported by Planning Circulars, Planning Advice Notes (PANs), Advice Sheets and Ministerial/Chief Planner Letters to Planning Authorities. Planning Circulars contain guidance on policy implementation through legislative or procedural change, while PANs expand on national policy and incorporate best practice advice.

4.4.5 The following Scottish Government/Scottish Natural Heritage (SNH) (now referred to as NatureScot) Planning Circulars and Advice documents are considered to be of relevance to the Proposed Development:

- Spatial Planning for Onshore Wind Turbines – Natural Heritage Considerations (2015);
- Onshore Wind Planning – Frequently Asked Questions (2016);
- Online Renewables Planning Advice regarding Onshore Wind Turbines (2014);
- Online Planning Advice regarding Flood Risk (2015);
- Historic Environment Policy for Scotland (2019);
- Draft Peatland and Energy Policy Statement (2016);
- PAN 1/2013: Environmental Impact Assessment (2013);
- Planning Circular 1/2017: Environmental Impact Assessment regulations (2017);
- PAN 2/2011 Planning and Archaeology (2011);
- PAN 1/2011 Planning and Noise (2011);
- PAN 3/2010 Community Engagement (2010);
- PAN 60 Planning for Natural Heritage (2008);
- PAN 51 Planning, Environmental Protection and Regulation (2006);
- PAN 79 Water and Drainage (2006);
- PAN 75 Planning for Transport (2005);
- PAN 68 Design Statements (2003); and
- PAN 61 Planning and Sustainable Urban Drainage Systems (2001).

4.5 Other Applicable Plans and Strategies

4.5.1 It is considered the following documents are also applicable to the Proposed Development:

- Scotland's National Strategy for Economic Transformation (2022);
- Scotland Outlook 2030 (2021);
- Argyll and Bute Council Woodland and Forestry Strategy, (2011);
- Argyll and Bute Renewable Alliance Renewable Energy Action Plan (2018/19);
- Scotland's National Peatland Plan (2015), which outlines the benefits of healthy peatlands and how they can be improved. The principal aim is to protect, manage and restore peatlands to maintain their natural functions, biodiversity and benefits.

5. Renewable Energy Policy Framework

5.1 Introduction

- 5.1.1 This section refers to the relevant International, UK and Scottish policy framework and targets, it also provides onshore wind guidance for the Proposed Development.

5.2 International Policy and Targets

- 5.2.1 At the international level, action to tackle climate change is informed by the work of the Intergovernmental Panel on Climate Change (IPCC) which has finalised the synthesis report for the Sixth Assessment Report (AR6) and the United Nations Framework Convention on Climate Change (UNFCCC), which aims to stabilise atmospheric greenhouse gas concentrations at a level sufficiently low to “*prevent dangerous anthropogenic interference with the climate system*”. It sets non-binding limits on greenhouse gas emissions for individual countries. It does not include any enforcement mechanisms but outlines how specific international treaties (called ‘protocols’ or ‘agreements’) may be negotiated to specify further action towards the objective of the UNFCCC.
- 5.2.2 On 12th December 2015, 196 Parties to the UNFCCC including the UK adopted the Paris Agreement, which commits UNFCCC signatory countries to take action to cut carbon emissions and emphasises the aim to limit the temperature rise below 2°C and to limit the temperature increase even further to 1.5°C above pre-industrial levels.
- 5.2.3 The 28th UN Climate Change Conference of the Parties (COP 28) was hosted in Dubai in 2023. The COP 28 summit convened governments from around the world to agree the “*beginning of the end*” of the fossil fuel era by laying the ground for a swift, just and equitable transition, underpinned by deep emissions cuts and scaled-up finance.
- 5.2.4 In a demonstration of global solidarity, negotiators from nearly 200 Parties came together with a decision on the world’s first ‘*global stocktake*’ to ratchet up climate action before the end of the decade. This is considered the central outcome of COP28 – as it contains every element that was under negotiation and can now be used by countries to develop stronger climate action plans, due by 2025. The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to greenhouse gas emission levels in 2019, to keep the global temperature limit of 1.5°C within reach.

5.3 UK Policy and Targets

- 5.3.1 UK and Scottish Government climate and renewable energy policy makes clear that there is an urgent need for new renewable energy generation to meet the net zero commitment, as is supported by national energy policy documents.
- 5.3.2 At a UK level, the legislative climate change context is set out in the Climate Change Act 2008 (‘2008 Act’) as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019. Under this, the UK adopted a 2050 net zero emissions reduction target in June 2019, more ambitious than the previous goal of at least an 80% greenhouse gas emission reduction (below 1990 levels) by 2050. As part of this target, the Climate Change Committee (CCC) recommended that Scotland should achieve net zero by 2045.

- 5.3.3 The 2008 Act also requires the Government to set legally-binding 'carbon budgets' to act as stepping-stones towards the 2050 target. Carbon budgets cover a five-year period and currently run to 2037. The UK is currently in the Fourth Carbon Budget period (2023 to 2027). The CCC was set up to ensure emissions targets are set based on expert independent assessment of the evidence and to monitor the UK's progress towards meeting the targets. The Sixth Carbon Budget (2033 to 2037) looks to cut emissions by 78% by 2035 compared to the 1990 levels, and for the first time will incorporate the UK's share of international aviation and shipping emissions.
- 5.3.4 A range of policy documents set out the UK Government's binding commitments to cut carbon emissions through the deployment of renewable energy including:
- Energy White Paper (2020);
 - Net Zero Strategy: Build Back Greener (2021);
 - Build Back Better: our plan for growth (2021);
 - Climate Change Strategy 2021 - 2024 (2021); and
 - Clean Growth Strategy (2017) (updated 2018).
- 5.3.5 In April 2022, the UK Government updated the British Energy Security Strategy. It emphasises the need to accelerate the transition away from oil and gas towards greener, cleaner and secure domestic energy sources. The Strategy highlights the importance of onshore wind as one of the cheapest forms of renewable power, by committing to improve national network infrastructure and explore options to increase the provision of onshore wind across the UK.

5.4 Scottish Policy and Targets

- 5.4.1 In April 2019 the Scottish Government declared a climate change emergency and identified the ambitious new target to reduce emissions and become net zero by 2045, a target now enshrined in legislation as a legal duty. This declaration further emphasised the Scottish Government's commitment to combating climate change and especially reducing Scotland's own contributions to it. It is widely recognised that renewable energy projects are a sustainable form of energy production that can help combat the climate crisis.
- 5.4.2 Scotland has a world leading legislative framework to combat climate change and transition to a low carbon economy, with the Climate Change (Scotland) Act 2009 ('2009 Act'), as amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 ('2019 Act'). The 2019 Act introduced ambitious targets into the 2009 Act, including increasing the 2045 target to 100% emissions reduction (i.e. net zero emissions) and making provisions for a net zero greenhouse gas emissions target to be set on a credible and costed pathway. The 2045 target date is five years ahead of the current date set for the rest of the UK to achieve net zero and aims to ensure Scotland contributes to the worldwide efforts to deliver on the Paris Agreement.
- 5.4.3 The 2009 Act (as amended) also set out the following interim and annual targets:
- To reduce emissions by 48.5% by 2020¹(interim target);

¹ This target was recently amended by the Climate Change (Scotland) Act 2009 (Interim Target) Amendment Regulations 2023 from the previous figure of 56% to 48.5%. The effect of the modification is to "[adjust] the annual target figures for 2021 to 2029, in accordance with section 3(2) of the 2009 Act" and in accordance with "the most up-to-date advice received from the UK Climate Change Committee ("CCC"), advising that the 2020 interim target should be modified for the sole reason of a change in international carbon reporting practice".

- To reduce emissions by 51.1% by 2021;
- To reduce emissions by 53.8% by 2022;
- To reduce emissions by 56.4% by 2023;
- To reduce emissions by 59.1% by 2024;
- To reduce emissions by 61.7% by 2025;
- To reduce emissions by 64.4% by 2026;
- To reduce emissions by 67.0% by 2027;
- To reduce emissions by 69.7% by 2028;
- To reduce emissions by 72.3% by 2029;
- To reduce emissions by 75% by 2030 (interim target);
- To reduce emissions by 90% by 2040 (interim target); and
- To reduce emissions by 100% by 2045.

- 5.4.4 A recent Scottish government statement on 18 April 2024 however confirmed these annual and interim targets for cutting greenhouse emissions are to be scrapped, as eight of the last twelve annual targets have not been achieved, and the Scottish government has been told by the CCC that reaching the 75% milestone by the end of the decade is unachievable. It is proposed that new legislation will be introduced to address matters raised by the CCC. However, the Scottish government proposes that the long-term target of net zero by 2045 remains.
- 5.4.5 Sitting alongside Scotland's world leading climate change legislative framework, 'The Future of Energy in Scotland: Scottish Energy Strategy', (December 2017) set out the Scottish Government's 2050 vision for energy in Scotland as "*a flourishing, competitive local and national energy sector, delivering secure, affordable, clean energy for Scotland's households, communities and businesses.*" It highlights the importance of renewable energy and its associated infrastructure as being a major industrial sector in its own right, helping to sustain economic growth and employment. The strategy set two targets for the Scottish energy system by 2030: (1) the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; and (2) an increase by 30% in the productivity of energy use across the Scottish economy. The strategy also states that renewable electricity "*could rise to over 140% of Scottish electricity consumption, ensuring its contribution to the wider renewable energy target for 2030.*" (Page 34).
- 5.4.6 Scotland's 2018-2032 Climate Change Plan was updated in December 2020 due to the introduction of the Climate Act 2019. The Climate Change Plan sits alongside the Future of Energy in Scotland: Scottish Energy Strategy. It sets out policies and proposals on how the Scottish Government intends to meet its greenhouse gas emission reduction targets from 2018 – 2032 and provides the strategic framework for transition to a low carbon Scotland. The Climate Change Plan update reflects the ambitious targets introduced by the 2019 Act into the 2009 Act to reduce emissions by 75% by 2030 (compared with 1990 levels) and to be net zero by 2045.
- 5.4.7 As of 9th May 2023, the Scottish Government closed consultation on the Draft Energy Strategy and Just Transition Plan. The Strategy envisions that by 2045 Scotland will have a climate friendly energy system that delivers an affordable, resilient and clean energy supply for the households, businesses and communities of Scotland. This will be able to deliver maximum benefit while also enabling Scotland to achieve its wider climate and

environmental ambitions. The Draft Energy Strategy and Just Transition Plan restates the ambition of onshore wind and provides clear positions on community benefit and shared ownership, including how communities can benefit from repowering of existing sites. The Strategy states that the Scottish Government “*will place climate and nature at the centre of our planning system... making clear our support for all forms of renewable, low-carbon and zero emission technologies, including transmission and distribution infrastructure*”. (Chapter 3). The Strategy also states that the Scottish Government will “*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*” (Section 3.2).

- 5.4.8 The Onshore Wind Policy Statement (OWPS) (December 2022) sets out the Scottish Government’s position on onshore wind. The statement sets out the need for greater security of supply and lower cost electricity generation, which are now key drivers alongside the need to deal with the climate emergency:
- “*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.*”
 - “*On-site battery storage not only reduces pressures from the grid, but enables more locally focussed energy provision, and reduces costs to consumers.*”
 - “*The Scottish Government will continue to support the co-location of both battery storage and hydrogen production facilities with onshore wind developments to help balance electricity demand and supply, add resilience to the energy system and support the production of renewable hydrogen to meet our future demands.*”
- 5.4.9 The OWPS has set an overall ambition of a minimum of 20GW of installed capacity by 2030. The Scottish Government acknowledges that meeting the ambition of a minimum installed capacity of 20GW of onshore wind in Scotland by 2030 “*will require taller and more efficient turbines. This will change the landscape.*” (paragraph 3.6.1). It is noted that larger and fewer wind turbines present an opportunity for landscape improvement, as well as increasing the amount of electricity generated.
- 5.4.10 The Onshore Wind Sector Deal 2023 sets out commitments from the Scottish Government and the onshore wind industry to deliver upon the collective ambition of a minimum of 20GW of onshore wind in Scotland by 2030 whilst delivering maximum benefit to Scotland.

5.5 Progress Towards Achieving Targets

- 5.5.1 The Scottish Government’s target is to achieve the equivalent of 50% of total Scottish energy consumption from renewable sources by 2030.
- 5.5.2 The Scottish Government also set a target to deliver the equivalent of 100% of Scottish electricity consumption from renewables by 2020 (equates to around 16GW of installed renewables capacity). Figures published by the Scottish Government in December 2022 (Energy Statistics for Scotland) show that in 2021, 85.2% of total Scottish electricity consumption came from renewable sources falling short of the 100% target set.
- 5.5.3 The 50% energy from renewable sources by 2030 target in the Scottish Energy Strategy (2017) may require in the region of 17GW of installed renewables capacity by 2030

(Scottish Energy Strategy, page 34), whilst the OWPS's overall ambition requires a minimum of 20GW of installed capacity by 2030.

- 5.5.4 Figures published in the Energy Statistics for Scotland (December 2023) show that as of September 2023, 15GW of renewable electricity capacity was operational in Scotland (1.4GW increase compared to September 2022). It therefore remains the case that there is a significant shortfall against these targets.
- 5.5.5 The 2009 Act (as amended) set out even more ambitious targets for reducing emissions, as set out in paragraph 5.4.3. The Scottish Greenhouse Gas Statistics (2021) show emissions were reduced by 49.9%; and therefore, the annual 2021 target of 51.1% has not been met. The CCC also confirmed to the Scottish Government that the targets, in particular the 75% milestone by the end of the decade, are unachievable. As a result the Scottish government announced on 18 April 2024 that the annual and interim targets for cutting greenhouse emissions are to be scrapped, as eight of the last twelve annual targets have not been achieved.
- 5.5.6 The additional generation capacity of ~100MW, as a result of the Proposed Development, would enhance overall renewable energy generation yield and greenhouse gas emissions reduction, thereby contributing to these currently unmet targets.

6. Planning Appraisal of the Proposed Development

6.1 Introduction

- 6.1.1 This section provides an assessment of the Proposed Development against the relevant policies within the development plan and relevant legislation and guidance, drawing from conclusions reached in the EIA Report.

6.2 Renewable Energy Policy and Need for the Development

- 6.2.1 There is a clear need established by policy for renewable energy, and therefore the Proposed Development, and this is further compounded by NPF4 and the clear requirements to support development which contributes to combatting the climate crisis. The Proposed Development would help to meet these targets, in particular in accordance with NPF4, which importantly provides that the Proposed Development, being in excess of 50MW, has 'national development' status, and accordingly it is considered fundamental to the achievement of Scotland's net zero emissions target.
- 6.2.2 Additionally, NPF4 requires support for renewable energy development as demonstrated by:
- Policy 1 which recognises the importance of the climate emergency and nature crisis and requires significant weight to be given to them when considering development;
 - Policy 2 which aims to encourage, promote, and facilitate development, such as the Proposed Development, that minimises emissions and adapts to the current and future impacts of climate change; and
 - Policy 11 which encourages, promotes and aims to facilitate renewable energy development, including Wind Farms, setting out the criteria which it is to be considered against, but stating that *"in considering these impacts, significant weight should be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets"*.
- 6.2.3 LDP2 sets out a vision for ABC to be a successful area based on sustainable and low carbon development, which the Proposed Development accords with. The LDP2 specifically supports the location of the Proposed Development as the site is located within a 'Remote Countryside Area' in the plan, and LDP2 Policy 02 (B) states that in Remote Countryside Areas, *"Renewable energy related development"* will be supported on appropriate sites.
- 6.2.4 In addition, LDP2 Policy 30 provides support for renewable energy developments, subject to a number of criteria, including the scale of contribution to renewable energy generation targets, and has regard to opportunities for energy storage – both of which form part of the Proposed Development. In accordance with this policy, the Proposed Development is over 50MW and therefore would provide a significant contribution to the targets.
- 6.2.5 The Climate Emergency is well documented, and legislation and policies are in place to set targets and provide measures to combat the emergency. In Scotland, these include 2019 Act, The Climate Change Plan (2020 update), and the OWPS, which set an overall ambition of a minimum of 20GW of installed capacity by 2030.

- 6.2.6 As set out in **Section 5.5**, there is a significant shortfall against the targets set, which the Proposed Development could make a significant contribution towards with the additional generation capacity of ~100MW.
- 6.2.7 From a review of the current energy policy context, it is clear that:
- There are significant shortfalls against the Scottish renewable targets;
 - The UK and Scottish Governments have very challenging emission reduction targets, with the Scottish Government making provisions for a net zero greenhouse gas emissions target to be set on a credible and costed pathway and increasing the 2045 target to 100% emissions reduction;
 - The Climate Change Committee, in advising the Scottish and UK Governments, has identified the need for a significant increase in low carbon electricity; and
 - there is an important role for onshore wind.
- 6.2.8 The Proposed Development would form part of the essential infrastructure to provide locally produced renewable energy in Scotland.
- 6.2.9 The Scottish Government's target is to achieve 50% of total national energy use from renewable sources by 2030 and a largely decarbonised energy system by 2050. In December 2022, the Scottish Government stated that 85.2% of total electricity consumption in Scotland in 2021 came from renewable sources, against the target of 100%. The Proposed Development would make an important contribution to reducing carbon emissions and to meeting this, as yet unachieved target. The role of onshore wind therefore remains central to achieving Scottish renewable energy targets.
- 6.2.10 Based on available turbine technology, the Proposed Development would generate a capacity of approximately 100MW which would contribute to the target set by OWPS of 20GW of installed capacity by 2030. The increased generation capacity as a result of the Proposed Development would contribute to this meeting this target, whilst reducing greenhouse gas emissions.
- 6.2.11 The climate change and renewable energy policy framework is a very important material consideration for the determination of this Section 36 application, providing considerable support in favour of renewable energy development, including onshore wind, a position that has been strengthened by recent policy and legislative changes.
- 6.2.12 Onshore Wind Farms that have a good wind resource, limited environmental impacts and can proceed to implementation are very important now to contribute to these ambitious new targets set by the UK and Scottish Governments.
- 6.2.13 The Proposed Development, generating approximately 100MW, would help to tackle climate change not just in terms of renewable energy output but in the savings associated with CO₂ output. The increase in renewable energy output as a result of the Proposed Development would ensure further progress towards meeting the goals set out in the various policy and advisory documents outlined in Section 5 and would help to reduce the significant shortfall predicted against Scottish renewable electricity generation targets, in a location where commercial scale wind development has been found to be acceptable, in accordance with LDP2 Policy.
- 6.2.14 As a result of the above it is considered that the Proposed Development, which is of national importance, would contribute to Scotland's transition towards a net zero society and would be in accordance with the development plan.

6.3 Carbon Balance and Peat Management

- 6.3.1 NPF4 Policy 2 requires development to be sited and designed to minimise emissions and adapt to the current and future risks from climate change. Policy 11 states that in considering the impacts of a proposed wind farm, *“significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.”*
- 6.3.2 Policy 5 seeks to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. Of relevance to this proposal, the policy states *“(c) Development proposals on peatland, carbon rich soils and priority peatland habitat will only be supported for.... The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets”*.
- 6.3.3 LDP2 Policy 30 requires wind turbine development to be assessed in terms of the scale of their contribution to renewable energy generation targets, their effect on greenhouse gas emissions and their impact on carbon rich soils, using the carbon calculator, and Policy 79 states that development will only be supported where *“measures are taken to maintain soil resources and functions to an extent that is considered relevant and proportionate to the scale of the development”*. The Policy does not give support to development which *“would potentially have a significant adverse effect on soil resources and functions or peat structure and function in terms of disturbance, degradation or erosion will not be supported unless it is satisfactorily demonstrated that:*
- a) *Such adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from the development proposal; AND*
 - b) *A soil or peatland management plan is submitted which clearly demonstrates how unnecessary disturbance, degradation or erosion of peat and soils will be avoided and how any impacts are to be mitigated. Evidence of the adoption of best practice in the movement of, storage, management, reuse and reinstatement of soils must be submitted along with any planning application.”*
- 6.3.4 The primary purpose of the Proposed Development is to generate renewable energy, thereby assisting in the reduction of greenhouse gas emissions by reducing the need for production of electricity from combustion of fossil fuels. **Chapter 6: Renewable Energy and Peat** of the EIA Report considers the impact of the Proposed Development on climate (nature and magnitude of greenhouse gas (GHG) emissions) and the vulnerability of the Proposed Development to climate change (climate change resilience (CCR)). The chapter summarises the prevailing renewable energy policy framework, including international, UK and Scottish policy and targets, which are supportive of onshore wind farms in principle, subject to siting and environmental considerations.
- 6.3.5 The scope of the assessment of GHG emissions associated with the Proposed Development includes GHG emissions from all activities within the Development Site, arising from the construction, operation, maintenance and decommissioning phases, as well as the GHG emissions associated with material processing and transportation of materials and labour outside of the Development Site. GHG emissions have a global effect rather than directly affecting any specific local receptor to which a level of sensitivity can be assigned.
- 6.3.6 The global climate is the only receptor for the climate change assessment. Given the global impacts of climate change and the globally recognised requirement to limit GHG emissions to maintain global average temperature increase below 1.5°C to 2°C, as laid out in the Paris Agreement, the receptor is considered highly sensitive to GHG emissions.
- 6.3.7 The installed capacity of a wind turbine is a measure of its maximum rated output. The final MW capacity of the Proposed Development is not fixed and will depend upon the

model of turbine selected (within and subject to the maximum parameters assessed in the EIA Report) at the procurement stage, post-consent. For the purpose of carbon balance calculations, a conservative estimate of 100MW is assumed (assuming 22 x 4.5MW machines²), which is significant in meeting renewable energy targets and meets the requirements of NPF4 Policy 2 and 11.

- 6.3.8 On this basis, and with an assumed installed capacity of approximately 100MW, the amount of electricity produced by the Proposed Development has been estimated to be 303.5GWh per year, using site specific capacity factor of 35%.
- 6.3.9 Chapter 6: Renewable Energy, Carbon Balance and Peat Management includes an Outline Peat Management Plan (Appendix 6A) which resulted from comprehensive peat probing surveys. The predicted volume of excavated peat is 254,456m³ - all of which can be re-used for reinstatement operations within the Development Site, in accordance with NPF4 Policy 5 which supports renewable energy development whilst seeking to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development, and also accords with LDP2 Policy 79 which requires measures to be taken to maintain soil resources and functions, and requires a peat management plan to be produced.
- 6.3.10 Using version 1.8.1 of the online Scottish Government Carbon Calculator Tool, carbon losses and gains were calculated as a result of the Proposed Development. Using figures from the online calculator, the expected case carbon emission losses associated with the manufacture, construction and decommissioning of the assumed 100MW installed capacity, is 88,885tCO₂ equivalent (CO₂e), which equates to approximately 23% of total CO₂e losses.
- 6.3.11 On the basis of potential annual CO₂ savings of 129,000t/ year (based on figure of 424t of CO₂ savings per GWh and a capacity factor of 35%), the Proposed Development could result in a total carbon saving of approximately 4.5 Million (M) tonnes over its 35-year operational life and generate electricity to annually supply the equivalent of 98,600 homes.
- 6.3.12 It is predicted that the carbon loss in developing the Proposed Development would be paid back in ~3 years (9% of the 35-year operational life) based upon the expected outcome under the fossil fuel mix scenario. Even considering the maximum scenario against the fossil fuel mix, the Proposed Development would have achieved the carbon balance within ~6 years (17% of the 35-year operational life).
- 6.3.13 The assessment therefore concludes that the GHG impact of the Proposed Development would have an overall beneficial effect. The Proposed Development causes an indirect reduction in atmospheric GHG emissions which has a positive impact on achievement of carbon budgets and targets for Scotland and the UK, and a 1.5°C compatible trajectory, in compliance with government targets and NPF4 Policy 11 by contributing to these targets.

6.4 Noise

- 6.4.1 NPF4 Policy 11 and LDP2 Policy 30 supports renewable energy and requires such development to be assessed against impacts on communities and individual dwellings, including residential amenity and noise. NPF4 Policy 23 does not support proposals that are likely to raise unacceptable noise issues.
- 6.4.2 **Chapter 7: Noise** of the EIA Report assesses noise impact of both construction and operational activities, based on a candidate turbine using standard industry guidance at 12 noise sensitive receptors (NSRs) identified within 3km of the nearest turbine, the

² The final turbine and site capacity is currently unknown and will be the result of technical and commercial factors.

closest being Kirn Lodge (2.5km) and Old Farm House and Sobrachan (2.6km), with Eredine Village being 2.7km away.

- 6.4.3 The assessment concludes that the effect of construction noise, and decommissioning noise upon the closest assessed NSRs would be **not significant**, and therefore no specific mitigation is required; however as good practice, mitigation measures would be implemented, including restricted working hours. This mitigation would be captured in a planning condition should consent be granted.
- 6.4.4 In terms of operational noise, the results of the noise assessment demonstrate that there would be no exceedances of the 35dB noise limit as identified in ETSU-R-97 at any of the identified NSRs, as a result of the Proposed Development, and **Chapter 7: Noise** therefore predicts that the operational noise effects would be compliant with the limits identified in ETSU-R-97, and therefore specific mitigation measures are not considered necessary.
- 6.4.5 It is therefore considered that the Proposed Development accords with LDP2 Policy 30 and NPF4 Policy 11, as it has been demonstrated that it would not result in unacceptable impacts in terms of noise on communities and individual dwellings, from the construction, operation or decommissioning noise levels; and in addition, as good practice, mitigation measures would be implemented during construction. The Proposed Development would accord with criteria e) in Policy 23 which does not support development proposals which are likely to raise unacceptable noise issues.
- 6.4.6 A cumulative assessment was undertaken of the Proposed Development in noise terms, based on a worst-case scenario. The predicted cumulative wind turbine noise levels are shown to be below the ETSU-R-97 noise limits, and it can therefore be concluded that cumulative operational effects from the Proposed Development would be acceptable, in accordance with NPF4 Policy 11 and LDP2 Policy 30.

6.5 Landscape and Visual

- 6.5.1 NPF4 Policy 11 identifies that wind farm developments should mitigate their potential effects on landscapes as much as possible, but also appreciates that landscape effects are inherent to wind farm development. It further states that to ensure no unacceptable effects, such development should be considered against *“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.”*

LDP2 Policy 30 supports renewable energy where it can be adequately demonstrated that there would be no unacceptable individual or cumulative significant adverse effects on landscape character and visual amenity. The policy requires proposals to be assessed against the landscape and visual impacts. Policy 4 requires demonstration that the Proposed Development maximises opportunity for renewable energy generation whilst respecting the landscape character of the area and the setting and character of settlements.
- 6.5.2 Chapter 8: Landscape and Visual of the EIA Report assesses the landscape and visual effects of the Proposed Development, encompassing the construction, operation, and decommissioning phases of the Proposed Development, based on a 30km (from each of the proposed turbines) Study Area. The Proposed Development is located within an undesignated, forested area of Craggy Upland landscape character as described in the ABLWECS. This landscape includes existing wind farm development, which is recognised as a key characteristic that contains a number of attributes indicating reduced sensitivity to wind farm development.

- 6.5.3 The inherent nature of wind turbines as tall, modern structures means that the form of the wind farm as a whole is important. The appearance of the wind farm as an object or composition in the landscape was a key factor in the design evolution of the layout, and in consultation with ABC and NatureScot, design refinements were made to respond to the local landscape character, scale and form, to provide an improved 'landscape fit'. The Proposed Development has evolved from the scoping stage, through the design process which has involved a number of iterations. This has led to a reduction in the horizontal and vertical extent of the Proposed Development and a reduction in turbine numbers from 26 to 22. The vertical turbine height has also been reduced from 230m to blade tip (at scoping) to up to 200m to blade tip.
- 6.5.4 The Proposed Development has been designed to balance technical and project requirements with a need to safeguard the environment and satisfactorily accommodate the Proposed Development within its landscape setting. The design evolution has aimed to reduce landscape, visual and cumulative effects and to respect the landscape characteristics identified in the ABLWECS, including consideration of the appropriate scale, form, pattern and construction materials, as well as the potential cumulative effect of other wind farm developments. The design mitigation which has been applied, as described above, is considered to be appropriate and the impacts are considered to be localised, due to the location of the turbines within the central plateaux of the landscape set within a forested area which limits visibility from surrounding areas, and the design of the scheme which 'fits' with the scale and simplicity of the local landscape character, in accordance with NPF4 Policy 11 which considers renewable energy developments to be acceptable in such cases.
- 6.5.5 A key consideration for the Proposed Development was the landscape character and the large-scale simplicity of the host uplands (Craggy Upland LCT) with extensive moorland and coniferous forestry. This has a reduced susceptibility to wind farm development in comparison to the more complex craggy knolls and lochans and other smaller scale and complex landscape character types. The proposed turbines, although in an elevated location within an upland setting, would be located within coniferous forestry and surrounded by low-rising summits. The undulating upland landform and presence of further dispersed low summits has resulted in reduced effects.
- 6.5.6 In addition to the opportunities afforded by the Development Site location, the design and layout of the Proposed Development provides further mitigation. The 'simple' turbine layout is suitable for the underlying landform and simple landscape character of the Craggy Upland LCT and is considered to be a simple, balanced and cohesive turbine composition as well as being located within large-scale, broad and simple landscape character type. The proposed turbines have been cohesively located, on the central plateau of the LCT, benefitting from intervening screening which limits the visibility of the proposed turbines, as well as reducing the horizontal and vertical extent of the Proposed Development from key views, particularly when perceived from the edges (including small settlements and routes) and shores of Loch Fyne and Loch Awe, settlement of Inverary (resulting in no visibility of the turbines), and views from some surrounding elevated areas mainly within the Loch Lomond and Trossachs National Park (LLTNP) and Knapdale National Scenic Area (NSA). The height of the turbines, at 200m to blade tip, allows for the use of efficient and modern turbine models thus optimising the energy yield and hence contribution to renewable energy targets in line with the OWPS (2022), but is considered able to be accommodated considering the large-scale landscape setting of its location.
- 6.5.7 The scale of the turbines can be accommodated in this location, creating a simple, cohesive, balanced and clear design and visual composition that minimises excessive 'turbine clutter'. This has the following design advantages:

- Through design, the proposed turbines have been located within the central plateaux of the landscape and set within a forested area, that limits their visibility from surrounding areas;
- The Proposed Development would appear as a clearly recognisable scheme that ‘fits’ with the scale and simplicity of the local landscape character, such that the aesthetics and visual composition of the turbines (appearing as a simple and reasonably balanced composition) can be appreciated in their own right where visible; and
- The simple visual composition of the turbines reflects the character of the *Craggy Upland* LCT and the pattern of other existing and consented wind farm development nearby.

- 6.5.8 In addition, the Development Site infrastructure, including the access road and the locations of the temporary construction compound and proposed battery storage and substation compound are also discretely located to mitigate the effects on the local landscape character. As a result of the above detailed design consideration which has resulted in the Proposed Development, in terms of landscape character it is considered to be in compliance with NPF4 Policy 11 which requires wind farm developments to mitigate their potential effects on landscapes as much as possible and generally considers such development to be acceptable where appropriate design mitigation has been applied.
- 6.5.9 Chapter 8: Landscape and Visual notes that similarly to other nearby existing and consented wind farm developments (such as An Suidhe, A'Chruach, Blarghour, Carraig Gheal and Beinn Ghlas, located within the Craggy Upland LCT), the Proposed Development is located within a forested upland/ moorland landscape. It is set well back from the shores and slopes of Loch Awe and Loch Fyne. Whilst An Suidhe Wind Farm is visible in conjunction with the Proposed Development, both developments would be perceived as separate wind farms, which can reasonably be accommodated in the landscape and wider views. An Suidhe Wind Farm is relatively small and dated, and in addition would only be visible in combination with the Proposed Development for seven years, after which An Suidhe would be decommissioned (2035).
- 6.5.10 The Proposed Development is not located within or close to any designated landscapes or Wild Land Areas and there would be no significant effects on the special landscape qualities of the Loch Lomond and Trossachs National Park, Knapdale NSA or the wild land qualities of any Wild Land Areas. The Development Site is located 6.2km northwest of the East Loch Fyne (coast) LLA, however the assessment notes that there are no significant visual effects identified and is therefore considered to be in accordance with NPF4 Policies 70 and 71.
- 6.5.11 The Proposed Development would have a significant effect on part of the Craggy Upland and adjacent Loch Fyne Upland Forest Moor Mosaic landscapes, affecting a local area within approximately 2km of the proposed turbines. This level of localised effect, and geographical extent, is not unusual for wind farm development, as is acknowledged by NPF4 Policy 11 which recognises that *“such impacts are to be expected for some forms of renewable energy”*.
- 6.5.12 When assessing the cumulative landscape effects in Chapter 8: Landscape and Visual, in accordance with the requirements of NPF4 Policy 11, it highlights that significant effects resulting from large-scale wind farm development are unavoidable.
- 6.5.13 The chapter notes there would be no significant effects to the north-east due to the presence of the existing An Suidhe Wind Farm which already has an influence on this part of the Craggy Upland landscape. Beyond 1-2km to the south-east, significant effects would be limited by the recently constructed Inveraray to Crossaig 275kV Overhead Line that crosses this landscape, and therefore these effects from the Proposed Development

are considered to be in accordance with LDP2 Policy 30 which requires landscape and visual impacts to be acceptable.

- 6.5.14 Chapter 8 : Landscape and Visual assesses visual and cumulative visual effects from the Proposed Development and states that significant visual effects are likely to affect limited locations within approximately 9.8km distance from the Proposed Development (subject to a clear view of the proposed turbines and screening by landform and / or vegetation), as indicated by viewpoints 1, 2, 3, 4, 5, 8 and 12 inclusive, as shown on Chapter 8: Landscape and Visual, Figures 8.19– 8.44. A high-medium magnitude of change is visible at Viewpoints 2 and 3, and all other viewpoints are assessed as medium or less.
- 6.5.15 A further significant effect on views in the direction of the Proposed Development has also been identified in the south-west at the summit of Viewpoint 15: Beinn Bhan at approximately 11.8km distance from the nearest turbine. The magnitude of change would be Low resulting in significant visual effects due to a combination of the High sensitivity of this receptor and the extent of visibility of the Proposed Development at this distance. In overall terms, however, the views from the summit of Beinn Bhan would not be significant when considered as part of the wider 360° views and the walker experience. Whilst the chapter identifies some significant visual effects on views, it is considered that the Proposed Development accords with LDP2 Policy 30 as the visual effects have been minimised as much as possible through the iterative design process, and some significant effects are not considered to be unusual for a wind farm development, as highlighted in NPF4 Policy 11. Therefore, it is considered that the impact of these effects, at these distances would be acceptable.
- 6.5.16 The chapter identifies that there would be cumulative effects on viewpoints 2, 3, 4, 5, 12 and 15. There would be no significant visual effects from the northeast, east and west of the Proposed Development or beyond the containing slopes and facing edges of the lochs.
- 6.5.17 With regards to settlements, there would be significant visual effects on the views from parts of Dalavich as a result of the Proposed Development. Significant cumulative effects are also assessed from the settlement as a result of Blarghour / Blarghour Variation, An Carr Dubh Wind Farms and the Proposed Development. There would be no significant visual effects on any other settlements within the Study Area. There are no residential properties within 2km of the proposed turbines, and therefore the Proposed Development would not lead to residential amenity concerns.
- 6.5.18 The chapter identifies significant visual effects on short sections of only four transport routes:
- Up to approximately 0.4km of the A886 on the approach to the B8000 at Leanach;
 - Up to approximately 1km of the B840 in oblique inland views at Durran;
 - Up to approximately 0.7km of the B8000 at Leanach; and
 - Minor road along western shore of Loch Awe (C29 and C30) for ~4.6km
- The views from these sections of these four routes would be experienced transiently by road users (mainly drivers and where appropriate cyclists) who would experience the Proposed Development as part of the changing sequence of views experienced from the road.
- 6.5.19 The significant visual effects identified would also affect views from parts of the following four recreational routes:
- Core Path C119 (b-c): Braevallich, Loch Awe to Furnace / Scottish Hill Track 104. This route passes through the Development Site;

- Core Path C305: Dalavich to Barnaline Lodge;
- Core Paths C486 – Dun Dubh, Ford; and
- Scottish Hill Track Right of Way 105 / 106 Furnace to Ford / Kilmichael Glassary.

- 6.5.20 There would be no significant visual effects on the views from any other recreational routes within the Study Area. There would be a significant effect on the views from offshore recreational receptors on parts of Loch Awe and Loch Fyne. Whilst there would be a significant effect on the views from these receptors, there would be no significant effects on the overall recreational / visitor experience associated with the lochs. There would be no significant visual effects on any land-based recreational and tourist destinations including GDLs and hill summits, and therefore the impact on these receptors is considered acceptable in accordance with NPF4 Policy 11 and LDP2 Policy 30.
- 6.5.21 The Lighting Strategy for the Proposed Development has been approved by the Civil Aviation Authority and requires 13 of the 22 turbines to be lit with visible lighting. A full night-time assessment concluded that there would be no significant night-time effects on landscape character or designations including the perceptual qualities or the special landscape qualities (SLQ) and integrity of all landscape designations within the Study Area. There would also be no significant effects on the night-time views from four of the five settlements, three of the four roads, six of the nine recreational routes and none of the recreational and tourist destinations (including GDLs and hill summits) included in the assessment. The results of this assessment are therefore considered acceptable in accordance with the requirements of LDP2 Policy 30 as it demonstrates no unacceptable individual or cumulative significant adverse effects on landscape character and visual amenity.
- 6.5.22 Parts of the settlement of Dalavich, minor road along western shore of Loch Awe (overlapped with the Caledonia Way and Core Path C173 (a-d)), and Core Path C119 (b-c) / Scottish Hill Track 104, Core Path C305 and Scottish Hill Track Right of Way 106 would be significantly affected, but only when the lights are operating at maximum intensity (2000cd) during periods when visibility is <5km. The Eredine Wind Farm Aviation Technical Appendix (**Appendix 15A** of the EIA Report) suggests that conditions of poor visibility (<5km from the lit turbines) would occur for approximately 7% of the time. It is also unlikely that people would be walking along Core Paths / Rights of Way at night and the scenic views would be limited by darkness, with limited number of residents looking outside their house at night and a smaller number of drivers along the minor road at night.
- 6.5.23 It is acknowledged that whilst the Proposed Development would result in some significant adverse landscape and visual effects, it has been demonstrated that the Proposed Development has gone through a rigorous iterative design process, that has resulted in maximising the opportunity for renewable energy generation and its associated benefits whilst respecting the landscape character of the area and the setting and character of settlements, residential receptors, and other recreations and tourist receptors. As a result of the design process, the Proposed Development has minimised effects where possible, and because of the distance between turbines and nearby receptors, not unacceptable effects would occur on residential receptors. As a result, it is considered that the Proposed Development would accord with the Development Plan in terms of effects on the landscape and visual amenity.

6.6 Historic Environment

- 6.6.1 NPF4 Policy 11 requires renewable energy developments to be balanced against impacts on the historic environment to ensure that there is no unacceptable effect. Policy 7 requires proposals with a potentially significant impact on historic assets to be accompanied by an assessment identifying the likely visual or physical impact, including

cumulative effects and evidence of how the impacts would be managed. Where there is potential for non-designated remains to exist, developers must provide an evaluation of the archaeological resource, so impacts can be assessed.

- 6.6.2 LDP2 Policy 30 supports renewable energy developments where it can be adequately demonstrated that there would be no unacceptable environmental effects on the historic environment, including scheduled monuments, listed buildings and their settings. Policy 15 supports the protection, conservation and enhancement of our historic built environment.
- 6.6.3 **Chapter 9: Historic Environment** of the EIA Report assesses impact on the Historic Environment and establishes an extended Study Area of 15km from the Development Site. In addition, a Study Area of 1km from the boundary of the Development Site was also established to collect relevant data and allow an assessment of the potential presence of archaeological remains. In addition, WoSAS SMR records identified as belonging to the Non-Statutory Register of potentially nationally significant heritage assets were considered to a distance of 5km from the Development Site.
- 6.6.4 The chapter notes that there are no designated heritage assets within the Development Site, though it contains 198 non-designated heritage assets recorded through prior survey and evidence through historic mapping. It is considered that the Development Site has low potential for archaeological remains within the prehistoric to medieval periods, and a high potential for further post-medieval archaeological remains to be present based on remains already recorded.
- 6.6.5 The assessment considers that the potential for as yet unidentified archaeological remains to be present within the Development Site is low, however there is a possibility that construction works would impact upon any that do exist. It is therefore recommended that a watching brief take place in areas of high archaeological potential, identified through walkover survey and reference to assessed peat depth, in accordance with LDP2 Policy 21.
- 6.6.6 Based on heritage assets identified within the extended (15km) Study Area and Zone of Theoretical Visibility (ZTV) of the Proposed Development, the assessment concludes that one known heritage asset - the Auchindrain-Durran Drove Road would be affected by the construction of the access track to Turbines 7, 11 and 12. The magnitude of impact is assessed as medium due to the localised nature of access works affecting the feature, however as a heritage asset of local importance and therefore low value, the resulting effect would not be significant. The assessment recommends that the road be recorded prior to disturbance and that a watching brief is undertaken by a suitably qualified archaeologist.
- 6.6.7 As infrastructure may be micro-sited, a pre-construction walkover survey of areas of disturbance would be undertaken to ensure that other archaeological remains that may not have been recorded during prior walkover surveys are avoided or recorded. All archaeological mitigation measures should be set out within an Archaeological Project Design, to be approved by WoSAS on behalf of ABC.
- 6.6.8 Operational phase impacts and effects were assessed in relation to the setting of ten heritage assets within the 15km Study Area. The effects as a result of the Proposed Development would not be considered significant, and no mitigation measures are recommended.
- 6.6.9 It is considered that the Proposed Development would accord with the requirements of LDP2 Policies 15 and 30, since following the implementation of pre-works recording and an archaeological watching brief would ensure no significant environmental effects on the historic environment. In addition, the Proposed Development is in compliance with NPF4 Policy 11 which requires there to be no unacceptable effect on the historic environment.

- 6.6.10 The Proposed Development is also considered to be in accordance with NPF4 Policy 7, as the likely visual and physical impacts of the Proposed Development on the historic environment can be suitably mitigated. This mitigation would be through the use of planning conditions that detail how impacts on non-designated or unknown assets would be managed, ensuring that any non-designated remains which exist would be recorded and evaluated.
- 6.6.11 In addition, potential cumulative effects with four operational wind farms, three consented wind farms and four at application stage, within the 15km Study Area were identified at Dun na Cuaiche watchtower and Inveraray Castle designed landscape. Specifically, at application stage, the An Carr Dubh and Blarghour Variation Wind Farms would be added to outward views from Dun na Cuaiche. The assessment concluded that as the Proposed Development would not link to these application stage wind farms as a visual component, owing to the distance between them, the Proposed Development would not increase the magnitude of change and therefore the addition of the Proposed Development would result in a minor adverse effect, which would be not significant. The Proposed Development is therefore considered to comply with the requirements of LDP2 Policy 15 and NPF4 Policies 7 and 11 in terms of cumulative impact.

6.7 Ecology

- 6.7.1 NPF4 Policy 3 seeks to protect Scotland's biodiversity assets, and requires development to ensure it would conserve, restore, and enhance local biodiversity. Policy 11 requires renewable development to be balanced against the impact on biodiversity to ensure there is not an unacceptable effect. The policy also requires that energy development proposals that impact on international or national designations are assessed in relation to Policy 4. Policy 4 does not support development proposals that would have an unacceptable impact on the natural environment and in particular the policy implements, or draws attention to, legal protections afforded to European sites and protected species.
- 6.7.2 Policy LDP2 Policy 30 supports renewable energy related development where it can be adequately demonstrated that there would be no unacceptable environmental effects on the natural environment and requires development to be assessed against effects on the natural heritage, and Policy 06 requires proposals to demonstrate how the development provides for biodiversity – how it preserves and enhances local habitats within and around the Development Site and contributes to existing wildlife corridors. Specifically in relation to ecology, Policy 73 relates to the impact of development on habitats, species and biodiversity, and Policy 75 relates to impact of development on SSSI's or NNR's.
- 6.7.3 Chapter 10: Ecology of the EIA Report assesses the likely significant effects of the Proposed Development with respect to ecology, based on a 'Study Area' comprising the Development Site, a desk study area of statutory and non-statutory sites and legally protected and notable ecology features, and the field study areas (the Development Site plus buffer areas for each receptor).
- 6.7.4 Desk study data gathering was undertaken, and baseline surveys were undertaken in 2020, with relevant update surveys in 2022 and 2023 to establish any change in baseline conditions. The method used for the assessment corresponds with Chartered Institute of Ecology and Environmental Management (CIEEM) guidance and considers potential impacts and effects associated with the construction, operation and decommissioning phases of the Proposed Development.
- 6.7.5 The scope of the assessment includes ecological features of sufficient importance within a relevant Zone of Influence (ZoI). These include blanket bog, otters, bats and red squirrel. The assessment scoped out a number of designated sites, habitats and protected and notable species on the basis that they were not considered to be important ecological

features in the context of the Proposed Development. In accordance with LDP2 Policy 75, the two SSSI's located in the 10km Study Area were not considered to be important ecological features in the context of the Proposed Development and were therefore scoped out of the assessment. However, the assessment still includes mitigation measures where appropriate to ensure legislative compliance.

- 6.7.6 Construction effects of the Proposed Development are considered in the chapter. Permanent habitat loss would result from development land take, as well as areas of temporary habitat loss during construction which would require restoration (to include a 4m buffer). In addition, habitats adjacent to the zone of disturbance may be indirectly affected due to hydrological changes associated with the permanent footprint (a 10m hydrological disturbance zone has been applied). A total of 19.3ha of habitat would be permanently lost, equating to only 0.64% of the habitats recorded in the Study Area.
- 6.7.7 No turbines are located on blanket bog; however, access tracks are expected to contribute to the direct loss of 0.76ha of blanket communities during construction (0.2% of the study area resource). Effects would be minimised through the implementation of good practice embedded mitigation, including full habitat reinstatement of temporarily disturbed blanket bog habitat and the re-use of excavated peat within the Development Site, and therefore the EIA concluded that these effects are not significant.
- 6.7.8 The combined effects (direct and temporary loss, and indirect modification) of the Proposed Development on priority peatland would total 2.91ha. The restoration of this area in line with NatureScot guidance, plus an additional 10% biodiversity enhancement would deliver net enhancement. The total area of land identified for habitat restoration or enhancement would total 67.5ha. This biodiversity restoration and enhancement would therefore be in accordance with LDP2 Policy 73 and NPF4 Policies 3 and 20 which encourage development proposals to enhance existing site biodiversity wherever possible and maintaining the integrity of the overall network.
- 6.7.9 Construction phase effects on otter species, bats and red squirrels are not considered to be significant and no additional mitigation measures have been identified.
- 6.7.10 Decommissioning effects on designated sites, habitats and protected species are not considered to be significant and no additional mitigation measures have been identified.
- 6.7.11 The assessment notes that operational phase effects would not be significant in relation to designated sites, habitats and protected species. In relation to bats, common pipistrelle and soprano pipistrelle are noted by SNH guidance to be 'high risk' bat species (collision/barotrauma) from the operation of wind farms and were recorded utilising the Development Site. As a result of this, further mitigation has been identified. Taking into account proposed embedded mitigation (with regards to land take and design optimisation, keyholing/ forestry removal, watercourses/ crossings, bat habitat features, as detailed in Table 10.9, Chapter 10: Ecology of the EIA Report), the resultant effect on these species would not be significant.
- 6.7.12 In accordance with NPF4 Policy 11, the assessment considered the cumulative effects of the Proposed Development in combination with other nearby development. The scale of habitat loss is small when considered in terms of the proportions of the habitat in the local area, and not significant when considering the extensive peatland restoration measures proposed to be implemented as part of the habitat management plan (HMP).
- 6.7.13 It is considered that the Proposed Development has minimised the impact on biodiversity through the iterative design process in terms of avoid areas of important habitat, other good practice identified in the embedded mitigation, and enhancing the natural environment through restoration and habitat improvement secured through the habitat management plan. In addition, the Proposed Development would contribute to large scale renewable energy generation (being a national development). In accordance with LDP2

Policy 4, the Proposed Development maximises the opportunity for renewable energy generation whilst avoiding significant adverse impacts on biodiversity, natural and heritage assets. The Proposed Development is therefore considered to accord with NPF4 Policies 3, 4 and 11, and Policy LDP2 Policy 06 and 73.

6.8 Ornithology

- 6.8.1 NPF4 Policy 3 seeks to protect Scotland's biodiversity assets, and requires development to ensure it would conserve, restore, and enhance local biodiversity. Policy 11 requires energy development to be balanced against the impact on biodiversity, including birds, to ensure there are no unacceptable effects.
- 6.8.2 LDP2 Policy 73 provides that development proposals which are likely to have an adverse effect on protected species and habitats will only be permitted where it can be justified in accordance with the relevant protected species legislation. Policy 74 relates to development impact on sites of international importance (i.e. European sites). Policy 30 supports renewable energy related development where there would be no unacceptable environmental effects, including '*effects on the natural heritage, including birds*', and cumulative impacts.
- 6.8.3 **Chapter 11: Ornithology** of the EIA Report assesses the likely significant effects of the Proposed Development on ornithology. The ornithological baseline was informed by a desk study and field surveys undertaken between March 2019 and April 2022. The desk study identified two European sites, the Glen Fyne and Glen Etive Special Protection Area ("SPA") and the Knapdale Lochs SPA, within the 20km search area. Given the low risk of potential connectivity between its qualifying species and the Proposed Development, these SPAs were not taken forward for assessment.
- 6.8.4 Of the 15 species recorded during surveys, 7 (black grouse, black-throated diver, golden eagle, osprey, red-throated diver, white-tailed eagle and whooper swan) were scoped into the assessment, for consideration of the effects of construction, operation and decommissioning of the Proposed Development.
- 6.8.5 Effects from direct habitat loss during construction and decommissioning and operational disturbance and displacement were considered in relation to breeding of these species, all of which are of regional importance. All resulted in a low or very low magnitude of change and all adverse effects were considered not to be significant in terms of species.
- 6.8.6 In accordance with NPF4 Policy 11 and LDP2 Policy 30, cumulative effects in combination with other schemes was also considered, and the EIA chapter concluded that the Proposed Development would not result in significant adverse cumulative effects on the species listed above, in combination with other schemes. No significant effects are predicted on any of the identified ornithological features. As a result, no significant effects are predicted for these ornithological features in terms of the EIA Regulations. **Chapter 11: Ornithology** of the EIA Report concluded that provided good practice is followed to avoid disturbance to breeding birds, including the use of exclusion zones during construction and avoiding damage or destruction of occupied nests, significant effects on any ornithological features are unlikely.
- 6.8.7 Owing to the limited loss of appropriate habitat for ornithological features, both during construction and operation, and the best practice measures in place during construction it is considered that there would be no unacceptable effects on any bird species alone or in combination with other Wind Farm development. It is therefore considered that the Proposed Development accords with NPF4 Policy 3 and 11 and LDP2 Policy 73 and 74.
- 6.8.8 It is considered that the Proposed Development accords with LDP2 Policy 06, by preserving and enhance local habitats within and around the Development Site. This

includes implementation of a Breeding Bird Protection Plan, site supervision by a suitably experienced Ecological Clerk of Works (ECOW), along with the outline Habitat Management Plan (oHMP) included with the EIA Report. The oHMP proposes various habitat enhancements to benefit black grouse and diver species, and proposed habitat management measures to mitigate the effects on identified ecological features, notably peatland habitats, as well as delivering additional biodiversity improvements to benefit ecological and ornithological features.

6.9 Geology, Hydrology and Hydrogeology

- 6.9.1 NPF4 Policy 5 seeks to protect carbon rich soils and requires proposals on peatland, carbon-rich soils or priority peatland habitat, require a detailed site-specific assessment. The policy also states that development on such land will only be supported for certain uses including for the generation of renewable energy. Policy 11 requires energy development to be balanced against the effects on hydrology, the water environment and flood risk, to ensure there are no unacceptable effects. Policy 20 only gives support to proposals where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. Policy 22 seeks to ensure development is sufficiently flood resilient and improves the flood resilience of their surroundings. It also seeks to ensure development does not compromise water resources and uses such resources effectively.
- 6.9.2 LDP2 Policies 57, 59, 61 and 62 are relevant to the Proposed Development in terms of water quality and the environment, along with Policy 06 which requires proposals to manage surface water through SUDS which should integrate with proposed and existing blue-green infrastructure, and Policy 30 which supports renewable energy development where effects on hydrology, the water environment and flood risk are acceptable, and Policy 79 seeks to protect soil and peat resources.
- 6.9.3 Chapter 12: Geology, Hydrology and Hydrogeology of the EIA Report assesses the likely significant effects of the Proposed Development on geology, hydrology and hydrogeology. The assessment is based up on both desk study and survey data, including peat depth, based on the Development Site and a 2km buffer area (the 'Study Area').
- 6.9.4 The assessment identified potential effects on two aquifers and an associated Water Framework Directive (WFD) groundwater body - the local bedrock aquifer and Oban and Kintyre WFD groundwater body and the locally enhanced permeability superficial aquifer, which would be overlain by construction and operational activities which could lead to loss or contamination of groundwater. With embedded mitigation measures, the assessment concluded the level of effect would be negligible, and not significant.
- 6.9.5 Construction and operational activities would be in the catchments of watercourses and associated WFD surface water bodies within the Study Area which comprise the main rivers and associated tributaries and feeder lochs. The assessment considered that changes in flow and morphology, sediment loading, and pollution of watercourses and WFD surface water bodies could occur. The proposed mitigation to protect surface watercourses is extensive, including a 50m buffer zone applied, where possible, to the river network. The assessment therefore concludes that the anticipated effectiveness of the embedded environmental measures, along with the extensive use of existing tracks and watercourse crossings, and the considerable natural attenuation and dilution potential afforded by the watercourses, lochs and lochans in both catchments mean that the magnitude of change on the watercourses would be negligible and not significant.
- 6.9.6 Potential derogation or contamination effects due to the construction and operation of the Proposed Development on seven licensed abstractions required consideration as part of the assessment. Embedded mitigation that would serve to help protect the abstractions is

extensive and alongside the natural attenuation and dilution potential afforded by the watercourses, lochs and lochans in the catchment, means the level of effect would not be considered significant.

- 6.9.7 The potential for effects on two private water supplies (PWS) were assessed at Upper Braevallich Cottage and Kilbride Chalet. It was considered that with the extensive mitigation that would serve to protect the PWS and natural attenuation and dilution, there would be no significant effect on these PWSSs, and the Proposed Development is therefore considered to accord with LDP2 Policy 58.
- 6.9.8 The assessment identified that the potential effects as a result of the Proposed Development on 28 on-site ground water dependant terrestrial ecosystems (GWDTEs) required consideration. The majority of the mitigation is relevant to the protection of the quantity and quality of the water support, in particular the avoidance of development, where possible, on steep gradients and within deep peat deposits, and careful infrastructure design, indicates that the magnitude of change to the GWDTEs resulting from the Proposed Development would be low resulting in a negligible and not significant effect. The Proposed Development is therefore considered to accord with LDP2 Policy 06 as it would not have an unacceptable impact on existing blue and green networks.
- 6.9.9 In terms of peat, **Chapter 12: Geology, Hydrology and Hydrogeology** examines potential changes of the Proposed Development on the water environment supporting GWDTEs and, by association, peat. The chapter notes that phase 1 and 2 peat depth probing surveys were undertaken on the Development Site and in total, comprised 10,083 peat depth measurements, revealing peat depths ranging between 0 and 6m. A total of 4,800 (~47.6%) survey locations have recorded peat depths $\geq 0.5\text{m}$ and the calculated mean of all peat depths $\geq 0.5\text{m}$ is 1.09m. Embedded mitigation therefore includes for avoidance of deep peat deposits to minimise the volume of peat needing to be excavated, and excavation of deep peat could also have significant local influences on hydrology and associated habitats. In addition, a further embedded mitigation is the avoidance of gradients greater than 7° due to peat landslide risk. The Proposed Development is therefore considered to accord with NPF Policy 5 which supports renewable energy development on carbon rich soils and peatland, subject to a detailed site-specific assessment, and LDP2 Policy 79 which seeks to protect soil and peat resources.
- 6.9.10 In accordance with NPF4 Policy 11, and LDP2 Policy 30, cumulative effects on the water environment within a 10km radius of the site have been considered, and making the reasonable assumption that good practice mitigation has been applied to other wind farms within the surface water catchment, ensures no significant effects downstream.
- 6.9.11 Should consent be granted for the Proposed Development, additional mitigation measures such as a pollution prevention plan, and a construction environmental management plan (CEMP) would be sufficient to offset potential unacceptable adverse effects on the water environment. These mitigation measures could be controlled via a planning condition. The Proposed Development is considered to accord with NPF4 Policy 20 as the overall integrity of the water network would be maintained, and in accordance with NPF4 Policy 22 as the Proposed Development would not compromise water resources and would use such resources effectively. In addition, the Proposed Development is considered to be in accordance with LDP2 59 as the assessment demonstrates that impacts on the water environment and flood risk would be acceptable.
- 6.9.12 In accordance with LDP2 Policies 57, 61 and 62, Chapter 6 is accompanied by a Peat Landslide Risk Assessment, and would ensure no unacceptable impact on the water environment, and the Proposed Development would incorporate SUDS, and be supported by a DIA.

6.10 Traffic and Transport

- 6.10.1 NPF4 Policy 11 requires energy development to be balanced against the effects on road traffic and on adjacent trunk roads, including during construction, as well as public access, walking and cycling routes, to ensure there are no unacceptable effects.
- 6.10.2 LDP2 Policy 30 supports renewable energy related development where there would be no unacceptable impact and requires applications for wind turbine development to be assessed against impact on public access, including long distance walking and cycling routes and those scenic routes identified in NPF4, impact on road traffic, and impact on adjacent trunk roads.
- 6.10.3 **Chapter 13: Traffic and Transport** of the EIA Report assesses the likely significant effects of the Proposed Development with respect to traffic and transport. The assessment focuses on routes for heavy goods vehicles (HGVs) and light vehicles anticipated during the construction and decommissioning of the Proposed Development and includes the A83 from Lochgilphead to Tarbet. The A83 provides a connection to the A816 at Lochgilphead and the A82 at Tarbet. The A83 includes potential routes to nearby quarries and batching plants north and south of the Development Site. At this stage, it is anticipated that aggregates will be taken from the (up to) 9 onsite borrow pits. However, on a precautionary basis the assessment has assumed that all aggregates would be delivered from existing quarries and batching plants in the surrounding area, as a worst-case scenario.
- 6.10.4 The assessment includes an Abnormal Indivisible Load (AIL) Route Survey and a Route Survey Report, and constraints and proposed mitigation are informed by swept path analysis. Two core paths have been identified within the vicinity of the Development Site which adjoin proposed new tracks for the Proposed Development. The effects on these are assessed in **Chapter 14: Socio-economics (including tourism)** of the EIA Report, as detailed in **Section 6.11** below.
- 6.10.5 The assessment has scoped out potential effects on users of the road network as a result of operational traffic, and also decommissioning traffic on the basis that highway conditions following the 35-year life cycle of the Proposed Development are unknown.
- 6.10.6 The assessment allows for a number of embedded mitigation measures for inclusion in a Construction Traffic Management Plan (CTMP), (to include wheel washing facilities, sheeting, specific travel routes defined for delivery vehicles and HGVs to use the identified route) and assesses potential effects at a number of highway links (receptors) where the sensitivity ranges from medium to low and negligible. The significance evaluation indicates that the change from the Proposed Development is ranging from negligible to low during construction, and not significant.
- 6.10.7 The predicted traffic generation during construction is a peak of 92 HGV movements two-way during a 12-hour weekday. This peak is predicted to occur during months 12 and 13 of an anticipated 24-month construction programme. The final construction route is subject to agreements to source of aggregate, route selection identified by the appointed contractor and agreement by relevant local highways authorities. For purposes of assessment, a worst-case scenario has been used which assumes 100% construction traffic would be travelling along the northern route between Clachan Quarry and the site for the supply of aggregates. This worst-case scenario equates to a construction traffic peak of 92 HGVs using the northern route along the A83 during a 12-hour weekday. Based on this worst-case scenario, the highest number of HGV deliveries would be concentrated around the turbine base concrete pours, which would result in between 994 and 2019 vehicles per month over a 11-month period.

- 6.10.8 The proposed mitigation measures including the winning of stone from onsite borrow pits (to minimise the number of HGV deliveries over the construction period) and other mitigation controlled through the implementation of a CTMP (transports routes, limited speed limits, construction working hours) would further limit adverse impacts on nearby transport receptors, particularly during the busy concrete pours. Assuming the stone is won from onsite borrow pits, the highest number of HGV deliveries during the concrete pour period would be reduced to between 994 and 1193 vehicles per month over an 11-month period.
- 6.10.9 As a result of the iterative design process and the additional mitigation measures identified (to be incorporated within the CTMP and CEMP) it is considered that the Proposed Development would not result in unacceptable adverse effects on the receptors (people at home and work), sensitive and vulnerable groups and locations, retail areas, recreational areas, tourist attractions, collision clusters and routes with road safety concerns, junctions and highway links at/overcapacity) during the construction of the Proposed Development. It is therefore considered that the Proposed development accords with NPF Policy 11 and LDP2 Policy 30 in terms of impact on road traffic and adjacent trunk roads.
- 6.10.10 In accordance with NPF4 Policy 11 and LDP2 Policy 30, an assessment of cumulative effects was undertaken for the Proposed Development, and it was identified that the An Càrr Dubh application and Ladyfield Renewable Energy Park application project programmes could overlap with the Proposed Development and will share construction traffic routes and receptors. The assessment indicates that the peak traffic movements for these Proposals and the Proposed Development would likely be in different months, and therefore there is spare highways capacity to accommodate the Proposed Development traffic, and therefore no additional mitigation measures are required.
- 6.10.11 It should be noted that programmes are very fluid at this stage, meaning there is a likelihood that programmes would change over time. Notwithstanding this, the additional mitigation measures to be identified within the CTMP and CEMP would be sufficient to ensure no unacceptable adverse effects on receptors.

6.11 Socio- Economics, Tourism and recreation

- 6.11.1 NPF4 spatial planning priorities recognises that onshore renewable energy will bring opportunities to strengthen local economies, build community wealth and secure long term sustainability. Policy 11(c) supports development proposals in relation to energy projects where they maximise net economic impact, including local and community socio-economic benefits. Development should not have an unacceptable effect on public access, including impact on walking, cycling and scenic routes.
- 6.11.2 LDP2 Policy 30 supports renewable development which does not have unacceptable significant adverse effects on local communities, landscape character and visual amenity. It sets out criteria which renewable developments will be assessed against, including the net economic impact, local and community socio-economic benefits, the effects on public access, including impact on long distance walking and cycling routes and those scenic routes identified in NPF4, and impact on tourism and recreation.
- 6.11.3 **Chapter 14: Socio-economics (including tourism)** of the EIA Report assesses the likely effect of the Proposed Development on socio-economics and tourism during construction, operation and decommissioning, in particular the employment effects, key business sector effects, community impact from investment, tourism, recreation and public access. The 'Study Area' for tourism and recreation is 30km from the Development Site, and for socio-economics and labour, ABC's administrative area forms the 'Study Area'. There are a number of tourist and visitor destinations within 10km of the Proposed

Development, including: Inverary Castle; Dalavich Oakwood Forest; Lachlan Bay and Castle; Minard Castle; Ardcastle Wood; Inveraray Castle Inventory and GDL; Ardkinglas and Strone GDL; Loch Awe and Loch Fyne; and the peaks of Beinn Dubh Airigh, Beinn Dearg, Am Buachaille, Beinn Bhreac, Beinn Ghlas and Dun Leacainn. Embedded mitigation measures of relevance to this chapter include the provision of a Construction Method Statement (CMS), a Landscape Design Statement and an Access Management Plan.

Construction and Decommissioning phase

- 6.11.4 The net construction employment associated with the Proposed Development within the 'Study Area' will result in a medium magnitude of change on the labour market receptor, resulting in a short-term moderate beneficial effect, which is not significant, and is therefore not in conflict with NPF4 Policy 11 and LDP2 Policy 30 which require renewable developments to be assessed against the net economic impact, local and community socio-economic benefits.
- 6.11.5 Whilst users of recreational routes in the Study Area could experience temporary disruption, operation of the Proposed Development would not prevent people from visiting the area or from undertaking recreational activities in the area, such as using the Core Paths and exercising wider access rights. Construction of the Proposed Development is predicted to have a low level of change to off-site recreational receptors, such as nearby Core Paths and Rights of Way. As these receptors are considered to be of medium sensitivity (identified in Chapter 8: Landscape and Visual Impact of the EIA Report), this would result in a minor effect which is not significant. In the case of Core Path C119 (b-c): Braevallich, Loch Awe to Furnace / Scottish Hill Track 104, this will likely require temporary closure or diversion during construction. With the implementation of an Access Management Plan the assessment anticipates that the Proposed Development would have a low level of change that would result in a minor effect which is not significant.
- 6.11.6 Given the nature of the Proposed Development, it is not likely that its construction would detract from the purpose of visits to recreational and tourism receptors. It is anticipated that the destinations will continue to provide the same recreational offering and therefore not detract from their existing value. The Proposed Development will also ensure continuity of access to receptors is maintained. Therefore, the construction of the Proposed Development is predicted to have a low magnitude of change on recreation at these destinations, resulting in a minor effect which is not significant. The Proposed Development is therefore considered to accord with NPF4 Policy 30, and LDP2 Policy 30.
- 6.11.7 In terms of community and socio-economic benefits, 41km of new and upgraded access tracks would be constructed for the Proposed Development, thus improving access long term for a wide range of people including those with limited mobility, and therefore complying with LDP2 Policy 30 providing local community socio-economic benefits.
- 6.11.8 Decommissioning works may again require the temporary diversion or closure of Core Path C119 (b-c): Braevallich, Loch Awe to Furnace / Scottish Hill Track 104. However, this would be temporary and reversible. Any impacts on the economy or on recreational or tourism receptors are therefore expected to be lower than found at the construction phase. At worst, the decommissioning works would result in a low magnitude of effect, on low or medium sensitivity receptors. This would result in negligible to minor effects which are not significant.

Operational phase

- 6.11.9 During the operational phase, the Proposed Development is predicted to have a low but beneficial magnitude of change on the economy and employment at the local ABC level.

Though not significant in EIA terms, this would result in a minor beneficial effect. Other local economic benefits associated with the Proposed Development would result in minimal change to the labour market resulting in a short term minor beneficial effect (not significant in EIA terms). The Proposed Development therefore accords with Policy 11 and LDP2 Policy 30 which require renewable developments to be assessed against the net economic impact, local and community socio-economic benefits.

- 6.11.10 The operation of the Proposed Development is predicted to have a medium beneficial magnitude of change on recreational users of the Development Site at the local ABC level. Due to the recreational offer within the site being limited to open access/right to roam activities, it is considered to be of low sensitivity for recreational purposes, this would result in a minor beneficial effect which is not significant. The operation of the Proposed Development is predicted to have a medium magnitude of change on recreational users of the nearby Core Paths and Rights of Way. These receptors are considered to be of low sensitivity for recreational purposes, so this would result in a minor beneficial effect that is not significant. Overall, the operation of the Proposed Development is predicted to have a beneficial effect for recreational users of the Development Site as a result of improved access resulting from new and upgraded tracks. Therefore, the operational phase of development is not considered to have an unacceptable effect on public access, tourism or recreation, in accordance with LDP2 Policy 30.
- 6.11.11 In accordance with NPF4 Policy 11 and LDP2 Policy 30 the cumulative effects from the Proposed Development were assessed, and no cumulative impacts on users of tourism or recreational resources are identified, nor would the Proposed Development have an unacceptable effect on public access, including impact on walking, cycling and scenic routes. In terms of economic impact, of the cumulative wind farms identified within 10km (and 12km south-west) of the Development Site (as set out in Chapter 8: Landscape and Visual of the EIA Report), the majority are existing operational sites and there is only one site which could see construction works (and the accompanying spend) in a similar timeframe to the construction phase of the Proposed Development. Therefore, whilst there would be cumulative beneficial effects on the economy, these are unlikely to be of a level which could be considered as significant. There will be a cumulative operational spend but given the small scale of spend associated with each wind farm and the use of central maintenance teams by many of the wind farm operators, this is not expected to be significantly beneficial. Therefore, the Proposed Development does not conflict with NPF4 Policy 11 and LDP2 Policy 30.

6.12 Aviation

- 6.12.1 NPF4 Policy 11 requires energy development to be balanced against the impacts on aviation and defence interests including seismological recording. LDP2 Policy 30 also requires all renewable energy developments to be assessed against impacts on aviation and defence interests and seismological recording.
- 6.12.2 **Chapter 15: Aviation** of the EIA Report assesses the likely effects of the Proposed Development with respect to aviation, in particular the potential effects on Ministry of Defence (MoD) Low Flying activities, NATS Lowther Hill Primary Surveillance Radar (PSR), and National Air Traffic Services (NATS) Tiree PSR. Glasgow Prestwick Airport has been scoped out, as the Proposed Development lies outside of the safeguarding area, and they stated in their scoping consultation response that they would have no aviation grounds for objection to an application.
- 6.12.3 The construction of the Proposed Development would create a physical obstruction to flight operations in the vicinity of the wind turbines.

- 6.12.4 A range of embedded mitigation measures, in the form of appropriate notification to aviation stakeholders of the extent of the Proposed Development, the maximum height of obstructions, the operational period and timings of any maintenance activity, together with the lighting and marking of infrastructure, would minimise effects to aviation flight operations as a result of construction.
- 6.12.5 As required by LDP2 Policy 30 and NPF4 Policy 11, the Proposed Development has been assessed against impacts on aviation and defence interests and seismological recording, as detailed below.
- 6.12.6 The Proposed Development is located within Low Flying Area (“LFA”) 14 and is considered by the MoD to be a low priority low flying area, which are less likely to raise concerns. The MoD have requested that aviation infrared lighting be fitted to the Proposed Development to mitigate potential effects on low flying operations during operation of the turbines. Embedded mitigation for the operational phase including notification to aviation stakeholders, lighting and marking would result in no significant predicted effects, in accordance with LDP2 Policy 30 and NPF4 Policy 11.
- 6.12.7 The Radar Line of Sight (“RLoS”) Analysis demonstrated that Turbine 1 (T1) will theoretically be detectable by the Lowther Hill Primary Surveillance Radar (“PSR”), with minor exposure to the radar (less than 2m) at a distance of approximately 130 km. With a mitigation scheme in place, however, the post-mitigation effects are predicted to be acceptable, in accordance with LDP2 Policy 30 and NPF4 Policy 11.
- 6.12.8 The Proposed Development is theoretically within the operational range of the NATS Tیره PSR system. However, all of the proposed turbines would be screened by existing terrain from the radar and are not predicted to have any effect on the performance of the Tیره radar, in accordance with LDP2 Policy 30 and NPF4 Policy 11.
- 6.12.9 Overall, therefore, no significant effects are predicted. Cumulative effects have not been raised by aviation and defence consultees and it is therefore considered that there will be no significant cumulative effects.
- 6.12.10 The Proposed Development is therefore considered, to be in accordance with the requirements of NPF4 Policy 11, and LDP2 Policy 30.

6.13 Infrastructure & Other Issues

- 6.13.1 NPF4 Policy 11 provides support for renewable energy development and requires it to be assessed against the impacts on impacts on shadow flicker, telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised to ensure it wouldn’t have an unacceptable effect. In addition, the policy requires assessment of proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration, as well as the quality of site restoration plans, including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans. Policy 23 relates to health and safety and seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing, and requires noise pollution impacts to be addressed.
- 6.13.2 LDP2 Policy 30 require applications to be assessed against *“impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised”*.
- 6.13.3 In accordance with NPF4 Policy 11, Chapter 16 of the EIA Report assesses the effects of the Proposed Development on utility infrastructure, telecommunications, public safety,

human health and major accidents and disasters. Shadow Flicker was scoped out of the assessment.

- 6.13.4 Regarding telecommunications, the assessment considered it unlikely that television reception quality would be directly affected by the Proposed Development, partly due to the prevalence of digital television. In the event that telecommunications are disturbed, this would become most apparent during the first year of operation. In the event that telecommunications are disturbed, measures to mitigate this effect are as follows:
- Within 12 months of the first export date, any individual claim regarding TV picture loss or interference shall be investigated by a qualified engineer appointed by the developer;
 - The results shall be submitted to the planning authority; and
 - Should any impairment to the TV or radio signal be attributable to the development, the developer shall remedy such impairment within 3 months.
- 6.13.5 Therefore, as the Proposed Development would not have unacceptable impacts on telecommunications and broadcasting installations, and ensure that transmission links will not be compromised, it is considered to be in accordance with the requirements of LDP2 Policy 30 and NPF4 Policy 11.
- 6.13.6 Utility infrastructure has been identified in the Development Site boundary including three water pipelines and an underground power line. These are located in a relatively central area of the Development Site, approximately 750m from the nearest turbine (T18). The iterative design process has considered this infrastructure and the consultation responses received, and 750m buffer zones were implemented into the design, to ensure that no impacts on the infrastructure would occur during the construction or operation of the Proposed Development. As a result of this the Proposed Development is considered to accord with NPF4 Policy 18 by mitigating against potential effects on local infrastructure.
- 6.13.7 In terms of population and human health, the chapter considers noise, traffic and transport, and landscape and visual. No exceedances of the ETSU-R-97 criteria are predicted as a result of noise emissions from the Proposed Development. As such, the operational noise effects of the Proposed Development, either alone or in combination with other developments, would not be significant. The volume of traffic predicted and resulting relative increases during construction of the Proposed Development would not have a significant impact on severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accident and safety, and therefore effects would not be considered significant. The effects on population and human health in terms of landscape and visual are considered to be not significant. As a result, the Proposed Development has addressed noise pollution impact, landscape and visual impact and road safety and is considered to be in compliance with NPF4 Policy 23 as people and places will be protected from environmental harm.
- 6.13.8 The potential for major accidents and disasters as a result of the Proposed Development were considered, and the topics scoped in for assessment included landslide risk, severe weather, flooding, transport incidents, industrial accidents and utility system failures. In terms of peat landslide risk, as mentioned in paragraph 6.9.9, development on gradients of greater than 7° will be avoided to mitigate against this possibility. The assessment concludes there would be low or very low risk of significant effects arising as a result of the above topics, in relation to major accidents and disasters, and therefore, no significant risks to human health and population are expected as a result of the Proposed Development, in accordance with the requirements of NPF4 Policy 23.

6.14 Forestry and woodland

- 6.14.1 NPF4 Policy 6 seeks to protect and expand forests, woodland and trees, and part b) states that development proposals will not be supported which result in: loss of or adverse impacts on the ecological condition of ancient woodlands; adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value or identified for protection in the Forestry and Woodland Strategy; fragmenting or severing of woodland habitats after appropriate mitigation; adverse impacts on woodlands, hedgerows and trees identified for protection in the Forestry and Woodland Strategy; or conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.
- 6.14.2 Part (c) only gives support for proposals involving woodland removal which achieve significant public benefit, in accordance with Scottish Government policy on woodland removal, and states *“Where woodland is removed, compensatory planting will most likely be expected to be delivered”*.
- 6.14.3 Part (d) states that *“development proposals on sites that include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.”*
- 6.14.4 LDP2 Policy 77 states a strong presumption in favour of protecting woodland resources. The policy permits removal of woodland resources in the interests of achieving significant and clearly defined additional public benefits. Of relevance to the Proposed Development, it states that *“where woodland, hedgerows or individual trees are removed in association with development, adequate provision must be made for the planting of new woodland resources, including compensatory planting in accordance with the sequential approach set out in Policy 78 – Woodland Removal. Mitigation will be required where a development proposal would sever or impair connectivity between important woodland habitats.”*
- 6.14.5 LDP2 Policy 78 requires proposals involving the removal of woodland and compensatory planting to be in accordance with the Scottish Government’s Control of Woodland Removal Policy and the Argyll and Bute Woodland and Forestry Strategy. A sequential approach will be applied to compensatory planting as follows:
- ▶ *“On-site (most preferable);*
 - ▶ *Off-site within Argyll and Bute; or*
 - ▶ *Elsewhere within Scotland (least preferable).”*
- 6.14.6 Appendix 4A: Forestry Assessment of the EIA Report considers the potential implications of the Proposed Development on the woodland resource within the application boundary and its long-term management. The Forestry Study Area (FSA) extends to approximately 9,694.5ha, and comprises woodlands in the National Forest Estate which is owned by the Scottish Government and managed by Forestry and Land Scotland (FLS).
- 6.14.7 The assessment notes that forestry is not regarded as a receptor for EIA purposes – as a commercial forest, its structure continually undergoes change due to felling and restocking, natural events and external factors such as wind farm development.
- 6.14.1 The effect of the Proposed Development on the structure of the woodlands within the FSA has been compared against the Baseline Felling Plan. The total felling required to accommodate construction of the Proposed Development, including infrastructure and advanced felling, totals 198.1ha. Of the 198.1ha of felling required for construction of the Proposed Development, 9.5ha was scheduled to take place in Phase 3, 29.2ha was scheduled to take place in Phase 4 in the Baseline Felling Plan and 126.2ha would be

advanced from later phases. As a result, the Proposed Development is not considered to conflict with the requirements of NPF4 Policy 6 and LDP2 Policy 77 and 78. A comparison of the baseline restocking plan and the Proposed Development restocking plan show that overall, there would be a net reduction in the area of stocked woodland in the FSA of 91.2ha – this is largely due to the permanent open ground associated with the wind farm. In addition, it is noted that the species composition of the forest would change as a result of the Proposed Development forestry proposals, in particular a net reduction of Sitka spruce either pure or in mixed stands, of 78ha.

- 6.14.2 In accordance with NPF4 Policy 6(c), the Applicant is committed to providing appropriate compensatory planting, the extent, location and composition of which would be agreed with Scottish Forestry (SF), taking into account any revision to the felling and restocking plans prior to the commencement of construction of the Proposed Development. As a result of the proposed compensatory planting, it is considered that the Proposed Development does not conflict with the requirements of NPF4 Policy 6 and LDP2 Policy 77, as there would be no overall loss of woodland.

7. Conclusions

- 7.1.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) is not engaged for applications pursuant to Section 36 of the 1989 Act, however, the development plan is considered a material consideration that may be taken into account by Scottish Ministers in the determination of this application. The recently published LDP2, along with NPF4 are considered to be the relevant in the assessment of this Proposed Development.

- 7.1.2 In assessing the environmental impacts of the Proposed Development, it is considered to be in compliance with the development plan, gaining considerable support from NPF4 policies which place significant weight on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets. Importantly, NPF4 provides that the Proposed Development, being over 50MW, has 'national development' status, and accordingly it is considered fundamental to the achievement of Scotland's net zero emissions target. It is conservatively estimated that the Proposed Development would contribute an output of approximately 100MW renewable energy and could result in a total carbon saving of approximately 4.5 Million (M) tonnes over its 35-year operational life, generating electricity to annually supply the equivalent of 98,600 homes. This is especially important given the recent announcement that Scotland has failed to meet interim targets previously set with a view to reaching net zero by 2045.

- 7.1.3 LDP2 Policy 30 provides support for renewable energy developments, subject to a number of criteria, including the scale of contribution to renewable energy generation targets, and has regard to opportunities for energy storage. The Proposed Development incorporated co-located energy storage and would also provide a sizeable contribution to renewable energy generation targets. The Development Site is located within a remote countryside area, where Policy 2 supports renewable energy related development which accords with policies with respect to landscape and the natural environment, natural and heritage resources and landscape and visual impact.

- 7.1.4 As demonstrated in Section 6 of this Planning Statement, the Proposed Development accords with the relevant policies, and would not have any unacceptable adverse effects on any receptors in relation to peat, noise, historic environment, ecology, ornithology, geology, hydrology and hydrogeology (including flood risk), traffic and transport, socio-economics (including tourism), aviation, telecommunications, infrastructure and other issues and forestry and woodland. As is to be expected per Policy 11 in NPF4, some significant (though not unacceptable) localised landscape and visual effects have been identified. However, those must be weighed against the policy position and the Proposed Development's positive contribution towards addressing the climate crisis and the biodiversity emergency, net zero, the reduction in carbon emissions and the security of a local supply of renewable energy for the UK. The embedded mitigation and additional measures secured through planning conditions would further mitigate against any adverse effects.

- 7.1.5 When considering the Proposed Development in the round, the benefits are considered to significantly outweigh the residual adverse (but not unacceptable) impacts. As a result, the Proposed Development is considered to be in compliance with both NPF4 and the LDP2 as well as other relevant considerations including national policy. Furthermore, it is considered that the Proposed Development would provide a substantial contribution to the Scottish Government's binding targets in connection with net zero. It is therefore



respectfully requested that Section 36 consent and deemed planning permission is granted.

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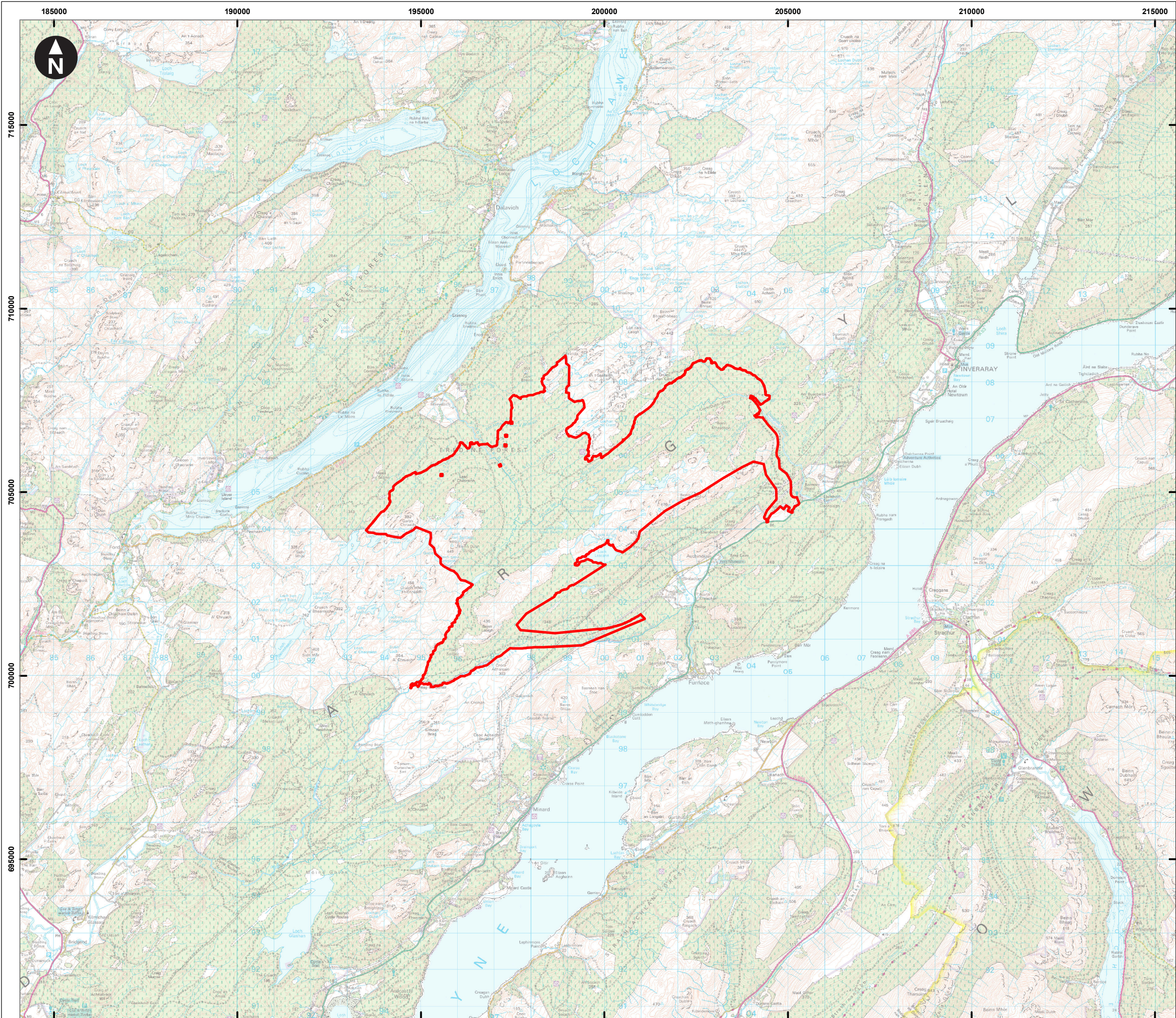
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Appendix A Figures



Key

Site boundary

0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 km

Scale at A3: 1:100,000

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Client



Eredine Wind Farm
Planning Statement

Figure A-1
Site location plan



September 2024

