Glentarken Wind Farm

Planning and Energy Policy Statement

Contents

1. Introduction

1.1. Introduction

1.1.1. This Planning and Energy Policy Statement has been prepared by Savills UK Limited on behalf of SSE Generation Ltd (the Applicant). It supports an application to the Scottish Ministers under Section 36 (S36) of the Electricity Act 1989[1] (the Electricity Act) to construct and operate a generating station incorporating up to 12 wind turbine generators (WTGs) of up to 180 metres (m) tip height, battery energy storage system (BESS) and associated infrastructure, to be known as Glentarken Wind Farm and hereafter referred to as 'the Proposed Development'.

1.1.2. The Proposed Development will have an installed capacity of more than 50 Megawatts (MW). A detailed description of the Proposed Development is set out in **Chapter 2: 'Development Description'**, Volume 1 of the Environmental Impact Assessment Report (EIAR) with a Site Layout Plan provided as **Figure 2.1 (EIAR Volume 2)** ('the Site').

1.1.3. This Planning and Energy Policy Statement accompanies the EIAR for the Proposed Development. It does not form part of the EIAR but draws upon its findings to inform conclusions on planning and energy policy matters.

1.1.4. As part of the S36 process, the Applicant is also seeking that Scottish Ministers issue a Direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997[2] (the Planning Act), as amended, that deemed planning permission also be granted for the Proposed Development. Glentarken Wind Farm is proposed to have an operational life of 50 years from the date of final commissioning.

1.1.5. This Statement provides an assessment of the Proposed Development against relevant energy policy, national planning policy and local planning policy. There is no 'primacy' of the Development Plan in an application made under the Electricity Act, as would be the case for an application under the Planning Act as found in the case of William Grant & Sons Distillers Ltd v Scottish Ministers [2012] Court of Session Outer House 98 (paragraphs 17 and 18). Rather, weight can be attributed by the decision maker to all material considerations including the various levels of national and local energy and planning-related policy and guidance as deemed appropriate. These principles were reaffirmed by the Court of Session Outer House in the case of Wildcat Haven Community Interest Company v Scottish Ministers [2024] CSOH 10 (paragraph 43) dated 8 February 2024 and by the subsequent Inner House judgment dated 15 November 2024 ([2024] CSOH 10).

1.1.6. This Statement assesses the acceptability of the Proposed Development in land use and planning policy terms in light of the residual impacts identified in the EIAR. It also gives consideration to energy policy objectives, concluding with considered comments about the overall acceptability of the Proposed Development in the context of the full range of material considerations.

1.2. Structure of the Statement

1.2.1. Following this introductory section, this Planning and Energy Policy Statement is structured as follows:-

- Section 2 discusses the Electricity Act, specifically Schedule 9;

- Section 3 describes the Site and the Proposed Development and summarises its key benefits;
- Section 4 provides commentary on relevant planning history;
- Section 5 discusses energy legislation and policy matters and considers the Proposed Development with reference to relevant renewable energy generation and greenhouse gas reduction targets;
- Section 6 assesses the Proposed Development against the relevant policies of the Development Plan including National Planning Framework 4; and
- Section 7 weighs up the case for the Proposed Development providing concluding remarks on its overall acceptability.

[1] https://www.legislation.gov.uk/ukpga/1989/29/contents

[2] https://www.legislation.gov.uk/ukpga/1997/8/contents

2. Electricity Act – Schedule 9

2.1.1. A decision on this S36 application under the Electricity Act is the principal decision to be made in this case. The Applicant is a generating licence holder and Schedule 9 paragraph 3 to the Electricity Act requires that a licence holder or a person authorised by exemption to generate, distribute, supply, or participate in the transmission of electricity shall:-

'*have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest*'

2.1.2. Schedule 9 paragraph 3 continues and states that the licence holder, or a person benefiting from an exemption, is to do '*what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings, or objects'*.

2.1.3. The Scottish Ministers as decision maker are required to have regard to the desirability of the matters mentioned in paragraph 3(1)(a) of Schedule 9 (paragraph 3(2)(a)) as summarised above, and to also consider the extent to which those formulating the proposals has done what he reasonably can to mitigate the effects of the proposals.

2.1.4. Through the design evolution and the EIA process, the Applicant has sought to avoid significant environmental impacts arising from the Proposed Development and to then mitigate those that have been identified. These details are set out in the various chapters forming the EIAR that is submitted with the application.

3. The Site and Proposed Development

3.1. The Proposed Development

3.1.1. The Proposed Development will comprise the construction, 50 year operation and subsequent decommissioning of up to 12 WTGs and associated infrastructure, with an overall generating capacity in excess of 50 MW.

3.1.2. A detailed description of the Proposed Development is set out in **Chapter 2 'Development Description' (EIAR Volume 1**) but in summary, it comprises the following key elements:-

- Up to 12 WTGs, each with a maximum tip height of up to 180 m with internal transformers;
- Turbine foundations;
- BESS with up to 50 MW capacity;
- Crane hardstandings and associated laydown areas at each wind turbine location;
- Approximately 15.6km of on-site access tracks comprising 11.8 km of cut track, 2.8 km floated track and 1 km of upgraded existing track, to connect to ancillary site infrastructure;
- An on-site substation, welfare building and store;
- A network of underground cabling to connect each wind turbine to the on-site substation;
- Passing places;
- Watercourse crossings;
- A LiDAR unit to collect meteorological and wind speed data, and associated hard stand; and
- Any associated ancillary works required.

3.1.3. In addition to the above, the Applicant is proposing areas of habitat management and biodiversity improvements, as set out in an Outline Biodiversity Enhancement Management Plan (OBEMP), submitted as **Technical Appendix (TA) 7.7 (EIAR Volume 4).** In summary these proposals comprise:-

- Restore and enhance peatland habitat and improve bog condition;
- Restore acid grassland habitats; and
- Enhance the mosaic of curlew breeding and foraging habitat.

3.1.4. The proposed wind turbines will all have a maximum blade tip height of up to 180 m and a rotor diameter of approximately 162 m. For EIA purposes, each turbine has a nominal capacity of 6.2MW. However, the final choice of turbine model and the specification of hub height and rotor diameter will be subject to a selection process (prior to construction) considering technical, environmental and commercial aspects.

3.1.5. To comply with Civic Aviation Authority (CAA) policy on the lighting of wind turbines at 150 m in height or more, it has been established that visible aviation lighting is needed on four of the 12 wind turbines. Further details on the lighting strategy are included within **TA 13.1 (EIAR Volume 4).**

3.1.6. It is intended that the proposed WTG locations and all ancillary infrastructure will be subject to a micro-siting tolerance of 50 m in any direction, taking into consideration onsite constraints and the findings of detailed site investigation work to be carried out prior to construction.

3.1.7. Subject to detailed site investigations, it is expected that the WTGs will be constructed on either gravity or piled foundations, as shown on **Figure 2.4 (EIAR Volume 2)**. The detailed design, sizing and specification for each foundation will depend on the final turbine selected and the ground conditions encountered at each turbine location, which will be confirmed by detailed site investigations post-consent, in the pre-construction period.

3.1.8. Permanent crane hardstandings measuring approximately 97 m x 30 m will be constructed at each turbine location to facilitate the erection of the turbine components using mobiles cranes, **Figure 2.5 (EIAR Volume 2)**. Additional temporary hardstanding areas will be constructed for the secondary crane, as shown on **Figure 2.5 (EIAR Volume 2)**. Following turbine erection, temporary hardstandings would be reinstated but the main hardstandings will be left in-situ during the operational life of the Proposed Development to facilitate ongoing turbine maintenance.

3.1.9. The Proposed Development would most likely be connected to the national electricity grid network via a combination of Overhead Line (OHL) and underground cable via Killin substation, located approximately 9 km from the Site. Works required to connect the Proposed Development to the national electricity grid network would be the subject of a future consenting process by the Transmission Operator.

3.1.10. In order to minimise the amount of stone required to be imported to construct the Proposed Development, up to six temporary borrow pits may be used, with general arrangement drawings for each provided within **TA 8.3 Borrow Pit Assessment (EIAR Volume 4**). It is anticipated that stone won from these borrow pits will be used to construct access tracks and hardstanding requirements.

3.1.11. To further minimise traffic movements associated with concrete delivery, an onsite concrete batching may be necessary. If one is required, it is anticipated that batching will be undertaken within one of the borrow pits or another location, but the final location will be determined by the appointed principal contractor in due course and agreed with SEPA.

3.1.12. It is anticipated that the delivery of abnormal indivisible loads (AILs) to the Site will likely be from the Port of Grangemouth. AILs will leave the port and travel along the M9 to Junction 10 then via the A84, then on to Site via the A85. Access to Site would be taken from a newly constructed Junction along the A85, approximately 2.8 km east of Lochearnhead, **Figure 11.4 (EIAR Volume 2)**. Requirements for any off-site upgrading works to the public road network would follow confirmation of the wind turbines to be procured and would be subject to a separate consent as required.

3.1.13. While the layout of the Proposed Development has been developed to minimise the number of watercourse crossings required, a total of 24 watercourse crossings would be required, comprising 23 new watercourse crossings and one upgraded existing watercourse crossing as shown on **Figure 8.1a (EIAR Volume 2)**. **Chapter 8 'Geology, Peat, Hydrology and Hydrogeology' (EIAR Volume 1)** and further detailed in EIAR **TA 8.4 (EIAR Volume 4)**. The exact specifications of watercourse crossings will be subject to detailed design prior to construction.

3.1.14. Embedded mitigation and habitat management and enhancement measures are integral to the Proposed Development. During construction, environmental protection measures will be controlled by, *inter alia,* a Construction Environmental Management Plan (CEMP), a Peat Management Plan (PMP) and various

Species Protection Plans (SPPs). A suitably qualified Ecological Clerk of Works (ECoW) would be appointed to oversee the works and ensure compliance with agreed documents and working practices.

3.1.15. If consent is granted, habitat enhancement will be undertaken following construction. An OBEMP has been prepared and is presented at **TA 7.7 (EIAR Volume 4)**. This outline document sets out a framework for enhancement of habitats within the Site which would be further refined in a detailed BEMP to be prepared post consent and in consultation with relevant stakeholders and landowners. The key aspects of the OBEMP are summarised earlier.

3.1.16. The construction period for the Proposed Development would be approximately 18 months depending upon seasonal working and weather conditions. Table 25, **Chapter 2 'Development Description' (EIAR Volume 1)** provides an indicative timetable for each phase of the construction works, with an associated likely sequencing of the works.

3.1.17. Normal hours of working during the construction period will be as follows:-

- Monday to Friday 0700-1900;
- Saturday 0700-1400; and
- No working on Sundays or public holidays without prior written approval.

3.1.18. No works, with the exception of turbine or transformer delivery, the completion of turbine erection or emergency work, will take place outside these hours, unless agreed in advance with Perth and Kinross Council. The requirement for out-of-hours work could arise, for example, from delivery and unloading of abnormal loads (usually undertaken at night/early morning to minimise disruption on the public road network and in agreement with consultees, such as Police Scotland) or health and safety requirements, or to ensure optimal use is made of fair weather windows for the erection of turbine blades and the erection and dismantling of cranes.

3.1.19. The Applicant is committed to maximising the socio-economic benefits of the Proposed Development as discussed further in Section 3.3. Further information in relation to the socio-economic benefits of the Proposed Development are set out in **Chapter 12 'Socio-economics, Tourism and Recreation' (EIAR Volume 1)** and the stand-alone **Economic and Community Impact Report** .

3.2. Site Description

3.2.1. The Site of the Proposed Development is located approximately 45 km west of Perth within the Drummond Estate and approximately 2.8 km of Lochearnhead, Stirling. The Site extends to approximately 1,103 hectares (ha) in area and includes land within the Perth and Kinross local authority area and the Stirling local authority area. The turbine array will be within Perth and Kinross, while the Site entrance and a portion of the access track is located within the Stirling area.

3.2.2. There are two valleys within the Site: Glen Tarken and Glen Beich. Glen Beich and Beich Burn form the western boundary of the Site. Most of the meandering burns within the Site drain into Loch Earn. The majority of the Site is an area of heathland and moorland or rough hill pasture. The southern edge of the Site has areas of arable land, forests and woodland. On the western border of the Site is an area of Ancient Woodland (AWI).

3.2.3. Loch Lomond and the Trossachs National Park lies approximately 1 km from the nearest turbines to the west and south of the Proposed Development **(Figure 5.4 (EIAR Volume 2))**. The River Earn (Comrie to St. Fillans) National Scenic Area (NSA) is located within 5 km southeast of the Proposed Development while the Loch Rannoch and Glen Lyon National Scenic Area (NSA) is located within 10 km north of the Proposed Development, as shown on **Figures 5.4 and 5.11 (EIAR Volume 2)** along with other landscape designations.

3.2.4. The nearest locally designated landscape is the Creag Gharbh Local Landscape Area (LLA) which partly covers the western extent of the Site and is located adjacent to the northern boundary of the Site and the turbine array.

3.2.5. There are no international or national natural heritage designations such as Special Protection Areas (SPAs) or Sites of Special Scientific Interest (SSSI) within the Site, but there are some such designations within the vicinity of the Site as shown on **Figure 7.1 (EIAR Volume 2)**.

3.2.6. The are no residential properties located within 2km of the nearest turbine.

3.2.7. **Figure 8.4 (EIAR Volume 2)** shows the NatureScot Carbon & Peatland Map, which indicates the mapped presence of Class 1 and 2 nationally important, priority peatlands within the Site boundary.

3.3. Benefits of the Proposed Development

3.3.1. In summary, the key benefits of the Proposed Development are as follows:-

- Significant enhancement measures, over and above those required to mitigate the effects of the Proposed Development, are proposed. In this respect, a key aim of the OBEMP is to deliver benefits to the peatland habitats (approximately 268 ha) and to the breeding bird community (particularly curlew);
- The Proposed Development will help meet the Scottish Government's net zero greenhouse gas emission target by 2045. Over the 50 years that it is expected to be generating carbon-free electricity, taking into account the carbon payback period, the Proposed Development could result in CO_2 emission savings of approximately 5.88 million tonnes when replacing fossil fuel-mix electricity generation and once CO_2 emissions associated with construction of the Proposed Development are factored;
- Since the start of the war in Ukraine and allied with the cost of living crisis, in part due to the significant increase in oil and gas prices, there is a renewed sense of urgency to expand 'home grown' sources of energy to reduce reliance on imported supplies. The Proposed Development responds positively in this regard;
- Construction of the Proposed Development will generate a range of contract opportunities for local companies with generation of £13.6 million Gross Value Added (GVA) and 152 years of employment in Perth and Kinross and Stirling. The Proposed Development would potentially lead to the creation of new direct and indirect jobs through supply chain benefits and new expenditure introduced in the local economy and the Applicant has committed to prioritise local companies in the provision of contracts during the development and construction, and operational phases;
- While recognising that community benefits are voluntary, and are not material considerations, the Applicant is offering £5,000 per MW per year during the operational life of the Proposed

Development, as per Scottish Government guidance. Based upon a total installed capacity of around 74.4 MW (the WTGs only), this would equate to up to £372,000 annually to the local community and over £18.6 million over the proposed 50-year operational life.

4. Planning History

4.1. The Proposed Development Site

4.1.1. Having reviewed the Perth and Kinross and Stirling online planning portals, it is confirmed that the Site within which the Proposed Development is contained is not subject to any relevant planning history.

4.2. Glen Lednock Wind Farm

4.2.1. A Scoping Request was submitted to the Energy Consents Unit (ECU) on 16 November 2023 for Glen Lednock Wind Farm (ECU Ref: ECU00004966). The proposal by Low Carbon UK Wind Development Company Limited is situated southwest of Loch Lednock Reservoir in Glen Lednock on the Invergeldie Estate. This is located directly to the northeast of the Site.

4.2.2. The proposal is anticipated to comprise up to 25 wind turbines with a tip height of 220 m.

4.2.3. A formal Scoping Opinion was issued on 8 February 2024 by Scottish Ministers. No application has been made to date which is available to view on the ECU portal.

5. Energy Legislation and Policy Considerations

5.1. Introduction

5.1.1. This Section of the Planning Statement provides commentary against the most relevant pieces of energy legislation and policy considered to be of most relevance to the Proposed Development. This is not an exhaustive overview of all relevant policies and plans relevant to this subject area and given the legislative basis and statutory nature of the net-zero targets (discussed further below) only the most salient pieces of legislation and policies are discussed here.

5.2. The Legislative Context

UK Legislation

Climate Change Act 2008

5.2.1. The Climate Change Act 2008[3] became law on 26 November 2008 and introduced a legally-binding target for the UK to reduce greenhouse gas (GHG) emissions by at least 80% by 2050, relative to 1990 levels. Efforts to reduce GHG in Scotland contribute to achievement of UK wide targets, as well as meeting Scotland specific targets as discussed below.

The Climate Change Act 2008 (2050 Target Amendment) Order 2019

5.2.2. The UK Government amended the Climate Change Act 2008 in June 2019 to increase the GHG reduction targets for the UK, reflecting the recommendations set out in the Committee on Climate Change (CCC) Report from May 2019 'Net Zero - The UK's contribution to stopping global warming'[4]. The Climate Change Act 2008 (2050 Target Amendment) Order 2019[5] amended the 2008 Act by passing into law the target for UK GHG emissions to be at least 100% lower than the 1990 baseline by 2050 (net zero by 2050), an increase on the previous target for an 80% reduction by the same date.

Energy Act 2023

5.2.3. The Energy Act 2023 received Royal Assent on 26 October 2023[6]. Originally introduced as the Energy Security Bill in 2022, it seeks to build on the commitment set out in the April 2022 British Energy Security Strategy[7] to reduce the UK's dependence on volatile fossil fuel markets, by improving domestic energy production and make the UK more self-sufficient when it come to the energy it uses.

5.2.4. Following the introduction of the Act into law, the then Energy Security Secretary Claire Coutinho commented that '*The Energy Act is the largest piece of energy legislation in a generation. It will boost investment in clean energy technologies and support thousands of skilled jobs across the country. It lays the foundations for greater UK energy independence, making us more secure against tyrants like Putin, and helps us to power Britain from Britain'*.

[3] https://www.legislation.gov.uk/ukpga/2008/27/contents

The Climate Change (Scotland) Act 2009

5.2.5. The Climate Change (Scotland) Act 2009[8] created the statutory framework for GHG emission reductions in Scotland by setting a target for net Scottish emissions for the year 2050 to be at least 80% lower than the 1990 baseline level. An interim target of a 42% reduction by 2020 was also set out.

5.2.6. The 2009 Act also established the Public Bodies Climate Change Duties which came into force on 1 January 2011. It requires that Public Bodies, which includes the Scottish Ministers as decision makers, exercise their functions:

- in a way best calculated to contribute to deliver the Act's emissions reduction targets;
- in a way best calculated to deliver any statutory adaptation programme; and
- in a way that it considers most sustainable.

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

5.2.7. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019[9] amends the Climate Change (Scotland) Act 2009, by introducing even more ambitious GHG reduction targets. It commits Scotland to becoming a net zero society by 2045 (five years earlier than the rest of the UK).

5.3. Progress Towards Net Zero Targets

5.3.1. In addition to setting a target date of 2045 for reaching net zero emissions, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 also introduced interim targets which included a target to reduce emissions by 75% by 2030 (compared to 1990 levels). However, in April 2024, the Scottish Government abandoned its target of achieving a 75% reduction in emissions by 2030, recognising that the target is *'out of reach'*. The Scottish Government did however note its *'unwavering commitment'* to reaching net zero by 2045, a target that remains embedded in statute.

5.3.2. At the same time as announcing that the 2030 GHG reduction target had been abandoned, the Scottish Government also confirmed that it would drop the legally binding annual targets on reducing emissions. The most recent annual targets in the lead up to 2045 are set out in Table 1 below.

5.3.3. The Climate Change (Emissions Reduction Targets) (Scotland) Bill was introduced on 5 September 2024 and was passed by MSPs in the Scottish Parliament on 5 November 2024 (105 votes to zero, with 7 abstentions).

[4] https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/
[5] https://www.legislation.gov.uk/ukdsi/2019/9780111187654
[6] https://www.legislation.gov.uk/ukpga/2023/52/contents
[7] https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy
[8] https://www.legislation.gov.uk/asp/2009/12/contents
[9] https://www.legislation.gov.uk/asp/2019/15

Table 1: GHG Reduction Targets by Year

Year	GHG Reduction Targets (as % of 1990 baseline)	Year (continued)	GHG Reduction Targets (as % of 1990 baseline)
2020 (interim target)	48.5%	2033	79.5%
2021	51.1%	2034	81%
2022	53.8%	2035	82.5%
2023	56.4%	2036	84%
2024	59.1%	2037	85.5%
2025	61.7%	2038	87%
2026	64.4%	2039	88.5%
2027	67.0%	**2040 (interim target)**	90%
2028	69.7%	2041	92%
2029	72.3%	2042	94%
2030 (interim target)	75%	2043	96%
2031	76.5%	2044	98%
2032	78%	2045	100% (net zero emissions)

5.3.4. The June 2024 announcement to Parliament about missing the 2022 target and the earlier decision to abandon the 2030 interim target shows how much work still requires to be done to achieve the long term goal of net zero by 2045. The Proposed Development can make a National Development (see later discussion on National Planning Framework (NPF) 4) level contribution to this goal.

5.4. United Nations (UN) Emissions Gap Report 2024 – No more hot air … please!

5.4.1. For more than a decade the UN Gap Reports have compared where GHG emissions are heading, against where they need to be, and highlights ways to close the gap. The latest Gap Report, *No more hot air … please!*, was published on 24 October 2024[10].

5.4.2. The 2024 Gap Report notes in the Foreword that GHG emissions reached a new high in 2023. This context coupled with the promises made to date put us *'on track for best-case global warming of 2.6 degrees this century and necessitating future costly and large-scale removal of carbon dioxide from the atmosphere to bring down the overshoot.'* It is outlined that the *'Increased deployment of solar photovoltaic technologies and wind energy could deliver 27 per cent of the total emission reduction potential in 2030 and 38 per cent in 2035.'*

5.4.3. The Report notes in the Executive Summary that:

'The magnitude of the challenge is indisputable. At the same time, there are abundant opportunities for accelerating mitigation action alongside achieving pressing development needs and Sustainable Development Goals. Technology developments, particularly in wind and solar energy, continue to exceed expectations, lowering deployment costs and driving their market expansion.'

[10] https://www.unep.org/resources/emissions-gap-report-2024

5.4.4. As a result, the Report notes that unprecedented action is now needed by all countries and this *'will require overcoming formidable policy, governance, institutional and technical barriers as well as an unprecedented increase in the support provided to developing countries along with a redesigning of the international financial architecture.'*

5.5. UK Energy Policy

Prime Minister's National Statement at COP29

5.5.1. On 12 November 2024, at the 29th UNFCCC Conference of the Parties (COP29) in Baku, the UK Prime Minister announced the UK's 2035 Nationally Determined Contribution (NDC) under the Paris Agreement. This commits the UK to reducing economy-wide GHG emissions by at least 81% by 2035, compared to 1990 levels, excluding emissions from international aviation and shipping.

5.5.2. The 2035 NDC is based on advice from the CCC. It is a progression on the UK's previous NDC pledging to reduce emissions by at least 68% by 2030. It was informed by the outcomes of the Global Stocktake from COP28 and is aligned with limiting global warming to 1.5 °C. It is also aligned with the level of ambition in Carbon Budget 6 (2033-37) on the pathway to net zero by 2050.

5.5.3. The headline target will be followed by submission of the detail underpinning the NDC – known as Information to facilitate Clarity, Transparency and Understanding (ICTU) – to the United Nations Framework Convention on Climate Change ahead of the February 2025 deadline.

CCC - Progress in Reducing Emissions – 2024 Progress Report to Parliament

5.5.4. The 2024 Progress Report to the UK Parliament[11] was published in July 2024 and considers the global picture with regards to emissions reductions and adaptation to climate change. It discusses the UK's role in a global context before discussing a range of sectors such as transport, building, manufacturing, electricity supply, fuel supply, aviation and shipping etc. Each sector is looked at in terms of emission trends and drivers, indicators of progress, next steps and major risks.

5.5.5. In the Executive Summary, it is outlined that the UK has *'a successful track record of emissions reductions'*. However, *'despite some progress, the previous Government signalled a slowing of pace and reversed or delayed key policies'*. The new Government needs to *'act fast'* to ensure the UK remains on track to meet its current commitments.

5.5.6. The report notes that it has been the wettest 18 months on record in England. The impacts on farmland have been extensive with areas submerged for extended periods, leading to the loss of crops and animals. Livelihoods have also been disrupted and lives lost in the UK and overseas as a direct consequence of climate impacts, which are becoming more severe.

5.5.7. The report sets out that the cost of key low-carbon technologies is continuing to fall, creating an opportunity for the UK to boost investment, reclaim global climate leadership and enhance energy security by accelerating take-up. British-based renewable energy is the cheapest and fastest way to reduce vulnerability to volatile global fossil fuel markets. The faster the UK gets off fossil fuels, the more secure

[11] https://www.theccc.org.uk/wp-content/uploads/2024/07/Progress-in-reducing-emissions-2024-Report-to-Parliament-Web.pdf

the UK will become.

5.5.8. There is overarching support for the roll out of clean energy technology and due to the targets needing to be met, the Report states *'Annual offshore wind installations must increase by at least three times, onshore wind installations will need to double and solar installations must increase by five times.'*

5.5.9. On planning, a key priority area is to remove planning barriers for heat pumps, electric vehicle charge points and onshore wind. In Scotland, NPF4 has set a positive policy framework to achieve this, which is discussed in Section 4.

5.5.10. As noted, there has been a change in UK Government with the Labour Party, in July 2024, winning the general election. In July 2024 the new UK Government published a 'Policy Statement on onshore wind'[12], which noted its commitment to '*doubling onshore wind energy by 2030. That means immediately removing the de facto ban on onshore wind in England, in place since 2015*'. It is recognised that this policy position did not apply in Scotland, but the swift publication of the July 2024 Policy Statement following the election of a new Government at Westminster highlights the UK Government's commitment to onshore wind.

5.6. Scottish Energy Policy

Onshore Wind Policy Statement 2022

5.6.1. The Onshore Wind Policy Statement[13] (OWPS) was published in December 2022 and clearly sets out that onshore wind will be a critical technology to help deliver the 2030 (now abandoned) and 2045 climate change targets.

5.6.2. The Ministerial Forward notes that *'we must accelerate our transition towards a net zero society'*. It adds that *'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'* (emphasis added).

5.6.3. The OWPS quantifies the amount of new onshore wind that is needed in order to meet GHG reduction targets and notes in the Ministerial Foreword that there is an *'ambition of 20GW* [Gigawatts] *of onshore wind capacity in Scotland by 2030'* to encourage decarbonisation of the energy system. Paragraph 1.1.5 states that Scotland has 8.7GW of onshore wind as of June 2022 with an additional 11.3GW in the pipeline at various stages for the future.

5.6.4. Paragraph 8.4.1 states that onshore wind can also play a greater part in ensuring energy supply security, a key focus of the previously discussed Energy Act 2023.

5.6.5. Chapter 3 'Environmental Considerations: Achieving Balance and Maximising Benefits' references Scotland's Land Use Strategy and recognises that as the country moves towards a net zero economy, there will need to be a significant land use change, from current uses to forestry and peatland restoration and that this needs to happen alongside other essential activities, including onshore wind, while protecting and

[12] https://www.gov.uk/government/publications/policy-statement-on-onshore-wind/policy-statement-on-onshore-wind

[13] https://www.gov.scot/publications/onshore-wind-policy-statement-2022/

enhancing habitats.

5.6.6. Paragraph 3.5.6 recognises that as an *'essential part of our energy mix'*, onshore wind deployment will increase in the coming years, providing further opportunities for the sector to contribute significantly to biodiversity ambitions. In the commentary on peat and carbon-rich soils, the OWPS notes that reversing degradation of peat through peatland restoration is central to mitigating and adapting to the linked climate and nature crises. Paragraph 3.3.6 notes that in some cases it will be necessary to construct onshore wind farms on areas of peat, *'given the established need for additional onshore wind turbines to tackle climate change and to ensure long-term availability of cheap renewable energy'* (emphasis added).

5.6.7. In Section 3.6, the OWPS discusses landscape and visual matters and links with NPF4 (discussed in Section 6 of this Statement). Paragraph 3.6.1 notes that in order to ensure climate change targets are met, taller and more efficient turbines will be required and that *'this will change the landscape'* (no emphasis added). This very clear statement from the Scottish Government recognises that facilitating the route to net zero will result in noticeable changes to the landscape, and this is something society will have to accept. This point is also recognised in Policy 11(e)(ii) of NPF4. Not all renewable energy projects will receive permission however, and the OPWS recognises in paragraph 3.6.1 that the aspiration is to ensure *'the right development happens in the right place'*.

5.6.8. Importantly, the OWPS states in paragraph 3.6.2 that *'stronger weight'* (emphasis added) is now to be given to the contribution of a development to the climate emergency in the planning balance, as well as community benefits. If the legally binding climate change targets are to be met, the enhanced need case for more onshore wind to deliver the 2030 20GW ambition needs to be recognised by decision makers.

5.6.9. Chapter 5 'Benefits to Local Communities and Financial Mechanisms' notes the Scottish Government's commitment to the principles of a just transition to a net zero economy, meaning that communities across Scotland feel the benefits of this transition. The Applicant is proposing a suite of packages aimed at maximising the socio-economic benefits of the Proposed Development as summarised in Section 3 of this Statement. Further details of these measures are set out in **TA 13.1 (EIAR Volume 4)**.

5.6.10. In the concluding chapter, the OWPS describes the deployment of onshore wind as *'mission critical'* for meeting climate targets. There is a clear desire to see the deployment of greater volumes of onshore wind over the coming decade to deliver the ambition of a minimum installed capacity of 20GW by 2030. Critically, the OWPS does not just want developers to deliver onshore wind energy in isolation. Proposals need to maximise the economic, social and environmental benefits too, to help the just transition to a net zero society.

CCC – Progress in Reducing Emissions – 2023 Report to Parliament

5.6.11. The above 2023 Report to the Scottish Parliament was published in March 2024[14]. One of the key messages of the report is that Scotland missed the 2021 annual target of a 51.1% reduction in GHG emissions which is the eighth target Scotland has missed within the last 12 years. Secondly, the report noted that the acceleration required in emissions reduction to meet the 2030 target is '*now beyond what is credible'*. The report also noted that '*current overall policies and plans in Scotland fall far short of what is*

[14] https://www.theccc.org.uk/publication/progress-in-reducing-emissions-in-scotland-2023-report-to-parliament/

needed' to achieve the legal emissions reduction targets.

5.6.12. In April 2024, in response to the findings of the CCC report, the Scottish Government abandoned its target of achieving a 75% reduction in emissions by 2030, recognising that the target is '*out of reach'*. The Scottish Government did however note its '*unwavering commitment'* to reaching net zero by 2045, a target that remains embedded in statute.

Serving Scotland – Programme for Government 2024-2025

5.6.13. The Programme for Government was published in September 2024[15] and therefore represents the most recent statement of the Scottish Government's priorities on a range of issues. While the Programme for Government is not an energy policy specific publication, it does set out important statements about how the Scottish Government intends to address various matters relating to the climate emergency, nature crisis and renewable energy, amongst other issues.

5.6.14. The First Minister's Foreword notes that the Programme for Government focuses on four key priorities with one being *'tackling the climate crisis emergency'*. Section 3 outlines:

'The twin crises of climate change and biodiversity loss represent the existential threat of our times, underlined by recent confirmation that the global temperature has pushed past the internationally agreed 1.5 degrees Celsius warming threshold for a 12-month period. We must reduce emissions and our vulnerability to the future impacts of climate change and restore our natural environment.'

5.6.15. This theme is revisited throughout the document and mirrors the foreword to NPF4 (discussed in Section 4) which puts the twin global climate and nature crisis at the heart of the future vision for Scotland.

5.6.16. It is clearly noted that *'our potential for renewable energy generation is one of our greatest environmental and economic opportunities'*. It goes on to outline that in order to support a just transition to a green economy the Scottish Government will shortly publish the Energy Strategy and Just Transition Plan. As well as doubling the ambitions for renewable energy generation, this will set out actions to deliver a clean energy pipeline and its economic benefits.

Scottish Energy Strategy (SES) 2017 & Draft Energy Strategy and Just Transition Plan (2023)

5.6.17. The SES[16] was published in December 2017 and sets out the Scottish Government's strategy through to 2050, marking a 'major transition' over the next three decades in terms of energy management, demand reduction and generation.

5.6.18. The Strategy sets a new 2030 'all energy' target for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources. The Strategy also targets an increase by

[15] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/09/programme-government-2024-25-serving-scotland/documents/programme-government-2024-25-serving-scotland/programme-government-2024-25-serving-scotland/govscot%3Adocument/programme-government-2024-25-serving-scotland.pdf

[16] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2017/12/scottish-energy-strategy-future-energy-scotland-9781788515276/documents/00529523-pdf/00529523-pdf/govscot%3Adocument/00529523.pdf

30% in the productivity of energy use across the Scottish economy.

5.6.19. Page 57 acknowledges that the possible electrification of heat and transport on a large scale could place much greater demand on the renewable electricity sector. Accordingly, page 33 notes that achieving the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030 will be challenging but the target *'demonstrates the Scottish Government's commitment to a low carbon energy system and to the continued growth of the renewable energy sector in Scotland'* (emphasis added).

5.6.20. Page 41 notes that renewable and low carbon energy will provide the foundation of our future energy system, offering Scotland a huge opportunity for economic and industrial growth. While the SES acknowledges that all renewable energy technologies will have a role to play in the future energy system, the nature of the energy and climate change goals means that *'onshore wind must continue to play a vital role in Scotland's future - helping to decarbonise our electricity, heat and transport systems, boosting our economy and meeting local and national demand'* (page 43) (emphasis added).

5.6.21. The Scottish Government published the Draft Energy Strategy & Just Transition Plan[17] (hereafter referred to as the Draft SES) for consultation purposes in January 2023. While the Draft SES may be subject to change following consideration of responses, brief commentary is merited here on certain aspects of its content.

5.6.22. The Ministerial Foreword describes the 2020s as a *'decisive decade'* when we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045. It notes the need to reduce dependency on oil and gas, as a means of combating the climate crisis and reducing our exposure to global market volatility in the energy market. The Draft SES seeks to reduce energy costs in the long term and reduce the likelihood of future energy cost crises. It also seeks to achieve the transition to a net zero society in a just manner, so that the employment and economic opportunities associated with it are fully realised.

5.6.23. The overall vision is that by 2045:-

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

5.6.24. A series of actions to achieve this vision are listed on page 24 of the Draft SES, including the need *to 'significantly scale up renewable energy production, including on-and offshore wind power, renewable hydrogen, marine energy, solar and hydro'* (emphasis added).

5.6.25. Meeting the anticipated increase in demand for domestic electricity forms a key component of the Draft SES, but exporting electricity generated in Scotland is recognised as an economic opportunity. In 'Delivering the Vision' on page 22, the Draft SES states that by 2030 *'Scotland will be a renewable powerhouse, exporting renewable hydrogen and electricity to support decarbonisation in Europe as part of an integrated system with the rest of Europe'*. This opportunity is illustrated in Figure 6 on page 19.

[17] https://www.gov.scot/publications/draft-energy-strategy-transition-plan/

5.6.26. Section 3.1 notes that *'increasing levels of home-grown renewable supply will make energy more affordable and ensure it is always available when we need it'*. The Draft SES is not technology specific and there are comments, aspirations and targets for different technology types. It is clear that the Draft SES sees onshore wind as playing a key role in meeting the target of an additional 20GW of renewable energy capacity by 2030. In this respect, onshore wind is expected to provide 12GW of this additional capacity and the Draft SES notes at paragraph 3.1.2 that *'taller and more efficient turbines can be deployed at both new developments and when considering the repowering of existing sites, providing significantly increased capacity, often without increasing the footprint of an existing site. There are also substantial opportunities associated with repowering onshore wind farms as they come to the end of their lives'*.

5.6.27. Consistent with the OWPS, the Draft SES seeks to ensure that economic benefits and benefits to communities are maximised as part of the drive to deliver significant additional onshore wind capacity. This is reflected in the wording of NPF4 Policy 11(c).

5.6.28. The need to address the nature crisis as we deploy greater volumes of onshore wind is discussed on page 66, recognising that peatland impacts of onshore wind can be significant. As such, there remains a need to balance the benefits of onshore wind deployment with impacts on carbon rich habitats.

5.6.29. In Section 3.2 'Reducing Our Reliance on Other Energy Sources', the Draft SES notes that the Scottish Government wishes to ensure the fastest possible transition from dependence on a fossil fuel energy system to one that maximises the value we obtain from Scotland's rich and varied renewable energy resource. This section references NPF4 and states that the Scottish Government will encourage, promote and facilitate all forms of renewable energy development, both onshore and offshore.

6. The Development Plan

6.1. Introduction

6.1.1. Unlike planning applications considered under the terms of Section 25 of the Planning Act, the Development Plan does not form the primary basis upon which the application will be determined. The Development Plan will be an important material consideration in the determination of the application, however there is no legislative requirement for the S36 application to be determined in accordance with the provisions of the Development Plan.

6.1.2. The statutory Development Plan as it relates to this S36 application comprises the following documents:-

- National Planning Framework 4[18] (NPF4) (2023);
- Perth and Kinross Local Development Plan 2[19] (PKCLDP) (2019); and
- Stirling Local Development Plan[20] (SCLDP) (2018).

6.1.3. The Scottish Government's Chief Planner issued a letter on 8 February 2023[21] relating to 'Transitional Arrangements for National Planning Framework 4' to provide advice on NPF4 becoming part of the statutory Development Plan. The letter reiterates that, as per Section 13(2)(3) of the Planning (Scotland) Act 2019, in the event of any incompatibility (which is not defined) between a NPF4 provision and a LDP provision, whichever of them is later in date shall prevail. In the case of the Proposed Development therefore, in the event of any policy incompatibility, NPF4 carries greater weight in the planning balance as the more recent document.

6.1.4. In a letter dated 27 June 2024[22], albeit focusing on housing delivery, the Chief Planner discussed the implementation of NPF4 and reinforced the position of the Scottish Ministers that *'policies in NPF4 should be read and applied as a whole and that conflicts between policies are normal and to be expected'*. (emphasis added)

6.2. National Planning Framework 4 (NPF4) (2023)

Introduction

6.2.1. NPF4 was adopted on 13 February 2023 and now comprises the national element of the statutory Development Plan. NPF4 sets out the long-term vision for development and investment across Scotland and replaces Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3) in their entirety.

6.2.2. NPF4 sets out a list of national planning policies to assess applications, alongside national developments and spatial priorities for different regions within Scotland. NPF4 is an Outcome focused document, with

[18] https://www.gov.scot/publications/national-planning-framework-4/

[19] https://www.pkc.gov.uk/media/45242/Adopted-Local-Development-Plan-2019/pdf/LDP_2_2019_Adopted_Interactive.pdf?m=1576667143577

[20] https://www.stirling.gov.uk/media/0zpdflkj/stirling-council-local-development-plan-2018.pdf

[21] https://www.gov.scot/publications/chief-planner-letter-transitional-arrangements-for-national-planning-framework-4/

[22] https://www.gov.scot/publications/planning-for-housing-chief-planner-letter-june-2024/

each of the 33 planning policies accompanied by statements on 'Policy Intent' and 'Policy Outcomes'.

6.2.3. This marks a significant change from the status of the now replaced NPF3 and SPP, which did not form part of the statutory Development Plan. Not only has the status of the document changed, but the wording of key national planning policies has materially altered too, as discussed below.

6.2.4. There are two central themes running through NPF4 namely addressing i) the climate emergency and ii) the nature crisis. These key themes are reflected in the detailed wording of many policies, as well as their stated Intent and Outcomes. As the Ministerial Foreword notes:-

'Putting the twin global climate and nature crises at the heart of our vision for a future Scotland will ensure the decisions we make today will be in the long-term interest of our country'.

6.2.5. The Ministerial Foreword also notes that delivering net zero greenhouse gas emissions is one of three 'strategic priorities' alongside addressing child poverty and delivering a wellbeing economy.

6.2.6. While not all renewable energy applications will be granted permission and there is still a need for decision makers to apply the 'planning balance', it is clear that the introduction of NPF4 is having a material effect upon the weight that decision makers give to the global climate emergency and nature crisis. In two Section 36 wind farm cases, and following the introduction of NPF4, Reporters changed their initial recommendations to refuse permission to recommendations to approve. Those two schemes are:-

- Clashindarroch II Wind Farm (Aberdeenshire); and
- Shepherds Rig Wind Farm (Dumfries & Galloway).

6.2.7. In the case of Clashindarroch II, in the post NPF4 Supplementary Report to Ministers (DPEA Reference WIN-110-2, 3 March 2023)[23], the Reporter concluded in paragraph 2.90 that:-

'I find the weight that should be given to the contribution these proposals make towards renewable energy generation and greenhouse gas emission targets is now greater and necessitates a change to my previous assessment of acceptable'.

6.2.8. A judicial review of the decision of the Scottish Ministers relating to consideration of impacts on wild cat was dismissed by the Court of Session in February 2024 (P833/23)[24].

6.2.9. In the Shepherds Rig Wind Farm case, in that post NPF4 Supplementary Report to Ministers (DPEA Reference WIN-170-2005, 2 March 2023), the Reporter reached similar conclusions in paragraph 3.14:-

'… we recognise the urgent policy imperative in OWPS and NPF4 to deliver additional installed wind farm capacity. These recently published policy statements demonstrate a significant strengthening of policy support for renewable energy developments, to which the proposal would make an obvious contribution. In our original report, we found that the significant effects on the area's recreational resources should be given significant weight, to the extent that they outweighed the aims of delivering renewable energy. In the updated policy context, we find that the proposal's obvious contribution to renewable energy targets

[23] https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002002&T=6

[24] https://www.scotcourts.gov.uk/media/24sn5jiy/2024csoh10-wildcat-haven-community-interest-company-for-judicial-review.pdf

causes the benefits as a whole to now clearly outweigh the significant landscape and visual effects'.

6.2.10. The recognition of the shift in the planning balance has been recognised in a number of other wind farm decisions that have obtained consent. For example, in the Sanquhar Wind farm PLI Report (March 2023), paragraph 4.5:

'I now consider that a tangible shift in planning policy has been made at the national level. In my view it is likely that this shift may be sufficient to result in some windfarm proposals, which would previously have been refused under the former policy regime, to potentially now be granted consent.' (emphasis added)

6.2.11. Not all post NPF4 wind farm applications have been granted permission and the Scottish Ministers have refused permission for consent at sites including Clauchrie Wind Farm (Ref: ECU00002001[25]) and Kintradwell Wind Farm (Ref: ECU00002217[26]). For the reasons discussed more fully in the following paragraphs, it is considered that the planning balance in the case of the Proposed Development clearly fall on the side of granting consent. Not only will the Proposed Development contribute positively to the global climate emergency (and also benefit from National Development status), it will make a positive contribution to the nature crisis, through the implementation of a variety of biodiversity compensation and enhancement measures, further details of which are set out in the OBEMP, **TA 7.7 (EIAR Volume 4)**.

6.2.12. The positive contribution that the Proposed Development can make to addressing the twin nature and climate crises is set out in the following policy assessment. The following commentary starts with Part 1 of NPF4, working through the document in chronological order, and considering the Proposed Development against specific planning policies and wider stated outcomes and spatial priorities

NPF4 Part 1 – A National Spatial Strategy for Scotland 2045

6.2.13. Part 1 of NPF4 sets out the national spatial strategy and regional spatial priorities for different parts of Scotland. Six spatial principles are identified which will influence all plans and decisions as follows:-

- Just Transition;
- Conserving and Recycling Assets;
- Local Living;
- Compact Urban Growth;
- Rebalanced Development; and
- Rural Revitalisation.

6.2.14. Application of these spatial principles will support the planning and delivery of:-

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

[25] https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002001

[26] https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002217

6.2.15. The commentary in NPF4 on 'Sustainable Places' is the most relevant section of Part 1 to this application. Page 6 notes the legislative basis for Scotland's net zero GHG emissions target by 2045. As a headline objective, the commentary on page 7 states that *'Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment'*.

6.2.16. Page 7 states that '*every decision on our future development must contribute to make Scotland a more sustainable place'* and there is encouragement for the expansion of renewable energy generation. To respond to the global biodiversity crisis, *'nature recovery must be at the heart of future places'* (page 7).

6.2.17. In the 'Cross-Cutting Outcome and Policy Links' Box on page 8 'Reducing Greenhouse Gas Emissions', NPF4 states that:-

'The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole'.

6.2.18. In the 'Cross-Cutting Outcome and Policy Links' Box on page 9 'Improving Biodiversity', NPF4 notes that the nature crisis and the global climate emergency underpin the spatial strategy as a whole.

6.2.19. These Policy Link Boxes clarify how NPF4 will help achieve the stated outcomes through reference to relevant policies and summary commentary on each. Those NPF4 policies of most relevance to the Proposed Development are discussed in the section below on NPF4 Part 2.

NPF4 Part 2 – National Planning Policy

6.2.20. Part 2 of NPF4 sets out the national planning policies. There are 33 national planning policies in total, set out under the three headings of:-

- Sustainable Places;
- Liveable Places; and
- Productive Places.

6.2.21. For each policy, NPF4 provides commentary on Policy Intent, Policy Outcomes and then discusses implications of the policy for Local Development Plans. Following the policy wording, NPF4 then sets out statements on Policy Impact and cross references to other Key Policy Connections.

6.2.22. Those policies considered to be of relevance to the Proposed Development are discussed in the following paragraphs, starting with Policy 11 'Energy', being the most relevant in this case. Thereafter, commentary on policies follows in numerical order.

<u>Policy 11: Energy</u>

6.2.23. This policy is the most relevant to the Proposed Development. The Policy Intent is 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 emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)'.

6.2.24. The Policy Outcomes are the '*expansion of renewable, low-carbon and zero emissions technologies'*.

6.2.25. To achieve these Outcomes, Policy 11 states in part (a) that *'development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported'* (emphasis added). This includes*, 'wind farms including repowering, extending, expanding and extending the life of existing wind farms'* out with National Parks and National Scenic Areas (NSA) (parts (a)(i) and (b)).

6.2.26. On the basis of the above, given the Site's location (with the exception of a small area adjacent to the A85 to allow access which falls within the Loch Lomond and Trossachs National Park) out-with the aforementioned national designations (including wind turbine siting locations), it is considered that the Proposed Development can draw support from Policy 11 part (a) in principle. In this respect, NPF4 Part 3 states, '*where a policy states that development will be supported, it is in principle, and it is for the decision maker to take account of all other relevant policies'*. It is also recognised that each application must be treated on its own merits, having regard in particular to the assessment criteria in part (e) of Policy 11.

6.2.27. These criteria are discussed below in Table 2, but what is important to highlight at this point is that the final part of Policy 11(e) requires decision makers to give '*significant weight'* to the contribution that a proposal makes to '*renewable energy generation targets and on greenhouse gas emissions reduction targets'*.

6.2.28. Part (c) of Policy 11 deals with the socio-economic impacts of renewable energy proposals. It states that '*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'*.

6.2.29. The socio-economic benefits associated with the Proposed Development are set out in **Chapter 12 'Socio-economics, Tourism and Recreation' (EIAR Volume 1)** and the stand-alone **Economic and Community Impact Report**. Key factors worthy of note are:-

- During its development and construction, the Proposed Development could generate £14.0 million GVA and 156 years of employment in Perth and Kinross and Stirling; and;
- £48.3 million GVA and 564 years of employment in Scotland.

6.2.30. During the operational phase, each year the Proposed Development could generate:-

- £1.3 million GVA and 9 years of employment in Perth and Kinross and Stirling; and
- £3 million GVA and 25 years of employment across Scotland.

6.2.31. The Proposed Development will also contribute to public finances through the payment of non-domestic rates, which could amount to £892,000 annually, or £44.6 million over a 50-year operational lifetime. This will support the funding of local public services in the context of challenging public sector finances.

6.2.32. Through local partnerships, the Applicant will support communities to develop the skills sought after within the onshore wind sector, to secure jobs and optimise the opportunities associated with the Proposed

Development. The Applicant has also committed to prioritise local companies in the provision of contracts during the development and construction, and operational phases.

6.2.33. While it is recognised that community benefits are voluntary arrangements, and are not material considerations, the Applicant is committed to maximising local economic benefits by following Scottish Government guidance on community benefits and is offering £5,000 per MW per year during the operational life of the Proposed Development. Based upon a total installed capacity of around 74.4 MW (12 x 6.2 MW wind turbines), this would equate to up to £372,000 annually to the local community, or £18.6 million during the proposed 50-year operational lifetime.

6.2.34. Should consent be granted, the Applicant would work with local communities to ensure the most appropriate structures are set up to ensure that the community benefit fund can be used in a way that meets with local community expectations and ultimately helps to facilitate community wealth building (see also later commentary on NPF4 Policy 25).

6.2.35. Over and above these benefits, it is important to recognise the strategic importance of the Proposed Development (as a defined National Development) to the provision of a more secure supply of energy for the UK, which in itself will have important economic benefits for society by reducing our exposure to fluctuating energy supplies on the global market

6.2.36. Taking the above into account, it is considered that the Applicant has done what it reasonably can at this stage in the process to maximise the socio-economic benefits of the Proposed Development consistent with Policy 11 part (c), noting the commitment to working closely with stakeholders further should consent be granted.

6.2.37. Part (d) of Policy 11 confirms that proposals that impact on international or national designations will be assessed in relation to Policy 4. Commentary on Policy 4 is set out below.

6.2.38. Part (e) of Policy 11 sets out a list of factors to be considered in the assessment of renewable energy and zero emissions proposals. Part (e) of Policy 11 requires applicants to demonstrate how various factors have been addressed through design and mitigation. The Proposed Development is assessed against these factors in Table 2 below.

6.2.39. In discussing the criteria in Policy 11(e), the Reporter in the Glendye Wind Farm report (DPEA Reference WIN-110-3, 2 May 2023)[27] noted in paragraph 9.129 that:-

'We do not agree with the interpretation of some parties that all of the items listed must necessarily be fully mitigated or resolved. We agree with the applicant that this should form part of the decision-maker's process of weighing the planning balance'.

6.2.40. Ultimately, therefore, non-compliance with one element of Policy 11(e) or other policies for that matter does not mean a development is unacceptable. This would need to be considered as one of a range of issues that applies to the planning balance exercise. NPF4 needs to be considered as a whole.

[27] https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00000676&T=6

Table 2: Commentary on NPF4 Policy 11 Part (e)

Policy Criteria	Commentary
Policy 11(e)(i) Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker.	The effects of the Proposed Development on these receptors are considered in **Chapter 5 'Landscape and Visual Impact Assessment' (EIAR Volume 1)** and **Chapter 9 'Noise' (EIAR Volume 1)**. With regards to shadow flicker, this matter was scoped out EIAR. Table 9.3 in **Chapter 9 'Noise' (EIAR Volume 1)** identifies the name of residential properties considered as part of the noise assessment. There are no residential properties located within 2 km of the Proposed Development. The assessment in **Chapter 9 'Noise' (EIAR Volume 1)** considered potential noise effects associated with construction, operation and decommissioning of the Proposed Development. The assessment noted that noise and vibration during the construction and decommissioning phases may well be audible and/or perceptible to people residing in the area, but the levels would be below established noise limits. It is acknowledged that the upgrade of public roads and their use thereof, is expected to occur in close proximity to residential properties. A range of mitigation measures are proposed to ensure these activities do not give rise to significant effects, such as limits on working periods, following best practice etc. Further detail on these measures would be set out in a CEMP, the requirement for which can be controlled through condition. An OCEMP is submitted as **TA 2.1 (EIAR Volume 4)**. With mitigation in place, no significant noise effects are predicted through the construction or decommissioning phases. The operational noise assessment considered noise arising from operation of the wind turbines in line with ETSU-R-97[28]. The assessment notes that the layout of the wind turbines was carefully designed to ensure that there is an adequate separation distance between the proposed turbines and the nearest residential property (mitigation by design). The assessment concludes that the Proposed Development operating in isolation and cumulatively with the proposed Glen Lednock Wind Farm meets the requirements of ETSU-R-97. As a result, no additional mitigation is required. **Chapter 5 (EIAR Volume 1)** (the LVIA) notes that there are no residential properties within 2 km of the Proposed Development and the requirement to undertake a Residential Visual Amenity Assessment was scoped out of the EIAR. Following an initial sieving exercise, the LVIA in **Chapter 5 (EIAR Volume 1)** noted that the settlements of Comrie, Crieff, Muthill and Fearnan were identified as likely to experience significant effects.

[28] The Assessment and Rating of Noise from Wind Farms', The Working Group on Noise from Wind Turbines, ETSU Report for the DTI, ETSU-R-97, September 1996. Available at: https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU_Full_copy__Searchable_.pdf

Policy Criteria	Commentary
	Detailed assessments against each settlement (which included consideration of the impacts of visible aviation lighting) are set out in Section 5.9 of the LVIA which concludes as follows:- • Comrie – located approximately 11 km southeast from the Proposed Development, while there is theoretical visibility of three turbine tips from within parts of the settlement, the Proposed Development would introduce a negligible magnitude of change and no significant effects would arise; • Crieff – located approximately 19.2 km southeast from the Proposed Development, while there is theoretical visibility of two turbine tips from within parts of the settlement, there would be no theoretical visibility of any hubs from within the settlement. Theoretical visibility of turbine tips would largely be screened by intervening trees and the Proposed Development would introduce a negligible magnitude of change and no significant effects would arise; • Muthill – is located approximately 21.7 km southeast from the Proposed Development, while there is theoretical visibility of two turbine tips from within parts of the settlement, the Proposed Development would introduce a negligible magnitude of change and no significant effects would arise; and • Fearnan – located approximately 15.6 km northeast from the Proposed Development, there is theoretical visibility of up to seven turbines and up to two hubs from the settlement. The Proposed Development would introduce a low magnitude of change, which is not significant.
Policy 11(e)(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.	This part of Policy 11 notes that proposals will generally be acceptable where **significant** landscape and visual effects are localised and/or appropriate design mitigation has been applied. The policy does not require that all landscape and visual effects need to be localised to be acceptable. Where appropriate design mitigation has been applied and effects extend beyond what may be considered localised, then these too will generally be found to be acceptable. The corollary is that it would be unusual for such effects to be considered unacceptable. A stand-alone Design and Access Statement is submitted with the application which sets out how the Applicant approached the design of the Proposed Development, considering a range of factors such as topography, planning policy and guidance, landscape designations, viewpoints and other issues. Dealing with landscape designations and character first, it is important to note that there are no national landscape designations covering the Site with the exception of a small area adjacent to the A85 to allow access which falls within the Loch Lomond and Trossachs National Park. The majority of the Site (including wind turbine locations) is out with national landscape designations, as shown on **Figure 5.4 (EIAR Volume 2)**.

Policy Criteria	Commentary
	A preliminary assessment of potential impacts upon landscape designations was undertaken to decide which should be taken forward for detailed assessment. This is presented in **Chapter 5 (EIAR Volume 1)** which concluded that the following designations should be taken forward for detailed assessment in the EIA. • Creag Gharbh LLA; • Loch Tay LLA; • Loch Lomond and Trossachs National Park; • Loch Rannoch and Glen Lyon NSA; and • River Earn (Comrie to St Fillans) NSA. No other landscape designations were taken forward for assessment. That same preliminary appraisal concluded that some Landscape Character Types (LCT) should also be taken forward for assessment; namely:- • LCT 147 (ii) Summits and Plateaux – Central (Beinn Leabhainn); • LCT 254 (iii) Straths and Glens with Lochs (Loch Earn); • LCT 251 (ii) Highland Summits (Ben More/Ben Vorlich); • LCT 376 (i) Summits and Plateaux – Tayside (Forest of Glenartney, south of Loch Earn); • LCT 376 (iii) Summits and Plateaux – Tayside (Ben Lawers and Beinn Heasgarnich); • LCT 371 (ii) Mid Upland Glens (Glen Lednock); • LCT 372 Lower Upland Glens; • LCT 374 Mid Upland Glens with Lochs; and • LCT 376 (ii) - Summits and Plateaux – Tayside (Ben Chonzie/Sron Mhor/Meall nam Fuaran). Brief summaries of the findings of these detailed assessments are set out below:- • Loch Lomond and Trossachs National Park – The assessment of effects on the Special Landscape Qualities (SLQs) of the Loch Lomond and Trossachs National Park found that the Proposed Development would have a significant effect on two of the nineteen SLQs (SLQs 2 and 9). The Proposed Development is almost entirely located outside the National Park (no turbines are within the National Park) and as such there would be no direct effects on the physical attributes of the SLQs and any effects would be perceived only. **Chapter 5 (EIAR Volume 1)** concludes that the objectives of the National Park designation and the overall integrity of the area will not be compromised by the Proposed Development. In respect of the Cumulative Assessment (Scoping Scenario), which takes account of Glen Lednock Wind Farm (which is only at scoping stage), the cumulative effect is considered significant due to the contribution of the Proposed Development to the increased extent of the view

Policy Criteria	Commentary
	affected which would be readily apparent from the Ben Vorlich and Meall Reamhar ridge and would have significant cumulative effects on SLQs 2, 7 and 9. • Glen Lyon NSA – The assessment of effects on the SLQs found that the Proposed Development would have a significant effect on one of the twelve SLQs of the NSA (SLQ 12). This does not, however, imply a significant effect on the overall 'integrity' of the NSA. The Proposed Development is located outside the NSA and as such there would be no direct effects on the physical attributes of the SLQs and the effects on NSA SLQs would be perceived only. • River Earn (Comrie to St. Fillans) NSA - The assessment of effects on the SLQs were found to be not significant and that effects that would occur would not be of such a scale to undermine the overall integrity of the NSA. In respect of the Cumulative Assessment (Scoping Scenario), the scale and position of the Proposed Development on the ridge and its contribution to the increased spread of wind farm development on the ridge, is a key factor of consideration. Taking this into account, the cumulative magnitude of change in this scenario is considered to be Medium resulting in a Major-Moderate and Significant cumulative effect for SLQs 1 and 8. • Creag Gharbh LLA - The assessment found that there would be significant effects due to the introduction of wind energy development into the landscape where there is none currently experienced within the immediate context of this LLA. Taking account of the Cumulative Assessment (Scoping Scenario), the cumulative effect is considered to be significant due to the closer proximity of the Proposed Development to the LLA than the proposed Glen Lednock Wind Farm which intensifies the cumulative effect experienced. • Loch Tay LLA – The assessment found that there would be no significant effects on the LLA resulting from the introduction of the Proposed Development. • LCTs – The LVIA in **Chapter 5 (EIAR Volume 1)** concludes that significant landscape character effects are assessed to occur within a maximum of 12 km from the nearest turbine of the Proposed Development. The NSAs, National Park and LLAs are discussed further in relation to NPF4 Policy 4. The visual effects of the Proposed Development were considered from 22 representative viewpoints (VPs). A summary of the visual effects at each of these VPs is set out in EIAR Table 5.41. That assessment concluded that significant visual effects would occur

Policy Criteria	Commentary
	out to a range of approximately 16 km from the nearest turbine of the Proposed Development and be experienced at VP1, VP2, VP6, VP7, VP8 and VP20. Overall, as is to be expected for a commercial scale wind farm some significant landscape and visual effects will arise with the Proposed Development. As a result of the application of mitigation by design, the LVIA concludes significant effects on landscape character and visual amenity are relatively localised in nature. There is no guidance as to what constitutes 'localised' in the context of this policy, and it will be for the decision maker to consider this on a case by case basis but further commentary on this is set out in the later discussion on NPF4 Policy 4 and following this Table 2.
Policy 11(e)(iii) Public access, including impact on long distance walking and cycling routes and scenic routes.	The LVIA in **Chapter 5 (EIAR Volume 1)** considered potential visibility of the Proposed Development from a range of transportation, recreational and core path routes. There are no direct impacts arising from the Proposed Development which would lead to temporary closures or diversions of footpaths and other public access routes. There are no Core Paths within the Site of the Proposed Development. The closest Core Path to the Proposed Development is STFI/101 (Tarken Lodge LL&TTNP) - Allt an Fhionn - Glen Tarken) which links St Fillans to the uplands to the south of the Site through the wooded northern shores of Lochearnhead. A wireline only viewpoint was prepared (VP C) and utilised to assess the impacts on this Core Path. Long distance walking routes within 20 km include the Scottish National Trail and the Rob Roy Way. The Rob Roy Way is included in the further assessment due to close proximity (approximately 2.3 km to the nearest turbine) to the Proposed Development while the Scottish National Trail has limited theoretical visibility and was not take forward. One cycle route passes through the detailed 20 km LVIA study area. This is part of National Cycle Network (NCN) 7. Due to the very limited theoretical visibility of the Proposed Development from this route, it was not taken forward for further assessment in the LVIA. Some of the 22 VPs are also representative of recreational routes, as summarised in Table 5.3 of **Chapter 5 (EIAR Volume 1)**. Summaries of the assessments against paths, trails and road routes are set below:- • Core Paths – EIAR Table 5.41 confirms that some significant visual effects will arise upon stretches of Core Path STFI/101 while no other significant visual effects are predicted on other routes; • Rob Roy Way - EIAR Table 5.41 confirms that some significant visual effects will arise upon stretches of the Rob Roy Way, namely the elevated section that climbs south from

Policy Criteria	Commentary
	Killin along the rocky uplands close to the Proposed Development before descending at Ardeonaig; and • Roads – no significant effects were found for travellers on A827 near Fearnan or the A822 near Muthill.
Policy 11(e)(iv) Impacts on aviation and defence interests including seismological recording.	**Chapter 13 'Aviation' (EIAR Volume 1)** considers impacts of the Proposed Development upon these interests. As that assessment confirms, engagement with aviation stakeholders has been undertaken through the design evolution phase. Due to the height of the proposed turbines, they will require visible aviation lights. A reduced aviation lighting scheme has been agreed in consultation with the CAA such that the approved reduced lighting scheme has only four of the 12 turbines lit at the nacelle with no tower lights. The Proposed Development will potentially impact military and civilian (EHSU) low flying operations. The Ministry of Defence (MoD) has requested that the WTGs are fitted with MoD accredited aviation safety lighting and in accordance with the CAA, Air Navigation Order 2016 and that details of the Proposed Development are included on aviation charts. **Chapter 13 (EIAR Volume 1)** confirms these arrangements form part of the embedded mitigation measures and once implemented, will ensure that the overall effect on military low flying and EHSU operations will be negligible and not significant in EIA terms. The Proposed Development will potentially impact the National Air Traffic Services (NATS) En Route Ltd radar at Lowther Hill. For the Lowther Hill radar, mitigation has been identified and it is expected that a Radar Mitigation Scheme will be agreed. Once this mitigation has been implemented **Chapter 13 (EIAR Volume 1)** confirms there would be no significant effects on this receptor. The requirement for agreement on any outstanding aviation matters can be addressed through the imposition of planning conditions and there will be no residual effects upon aviation or defence interests.
Policy 11(e)(v) Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.	**Chapter 13 'Television and Radio' (EIAR Volume 1)** confirms that as the Proposed Development does not affect any fixed links, no impacts upon any telecommunications or broadcasting installations are predicted.
Policy 11(e)(vi) Impacts on road traffic and on adjacent trunk roads, including during construction.	**Chapter 11 'Traffic and Transport' (EIAR Volume 1)** finds that the maximum traffic impact associated with the construction phase is predicted to occur in month 10 of the 18 month construction programme. During month 10, there will be a total of 192 vehicle movements per day, comprising 144 two-way HGV movements and 48 two-way car / (light goods vehicles) LGV movements. This would equate to approximately 16 two-way total vehicle movements or 12 two-way HGV movements per hour, across a typical 12-hour day, assuming a flat traffic profile i.e. vehicles distributed evenly across the day. This increase will be temporary and will only occur during the construction phase. The assessment of the Proposed Development does not predict any significant effects on traffic or access, and as a result no

Policy Criteria	Commentary
	mitigation is required to address any predicted environmental effects associated with the increased traffic generated during the worst–case month of the construction programme. Notwithstanding, standard additional good practice measures are considered appropriate and these would be set out in a Construction Traffic Management Plan (CTMP), which can be secured through planning condition. Traffic levels during the operational phase of the Proposed Development were scoped out of the EIAR given these are likely to be insignificant as expected traffic flows will be up to two vehicle movements per week.
Policy 11(e)(vii) Impacts on historic environment.	**Chapter 10 'Cultural Heritage' (EIAR Volume 1)** considers potential impacts arising from the construction and operational phases of the Proposed Development. It considers potential direct impacts (e.g. disturbing archaeology) as well as indirect effects (impacts upon the setting of historic environment assets). For the purposes of the assessment Inner and Outer Study Areas were adopted, as shown on **Figures 10.1 and 10.2 (EIAR Volume 2)** respectively. The assessment reports that twelve potential direct impacts on heritage assets have been identified, arising from the construction of the Proposed Development. In addition, 17 other heritage assets lie within the micrositing allowance and could be affected by any micrositing of the proposed layout. Without mitigation, 11 of these construction impacts are assessed as significant in EIA terms. The remaining impacts are assessed as not significant. Mitigation measures have been set out within Section 10.5 of **Chapter 10 (EIAR Volume 1)** that would avoid, reduce or offset the predicted effects and residual effects of no more than minor significance are predicted following implementation of mitigation (not significant in EIA terms). These include preservation in situ, watching briefs and excavation where necessary. The assessment considers that the Proposed Development may have indirect effects on the setting of some cultural heritage assets in both the Inner Study Area and the Outer Study Area. There is potential for the turbines to be present in views toward and from Scheduled Monuments, Listed Buildings, and Inventory Gardens and Designed Landscapes in the vicinity of the Proposed Development. A number of these assets were taken forward for assessment of operational phase effects as discussed in Table 10.3 of **Chapter 10 (EIAR Volume 1)**, supported by Technical Appendices 10.2 and 10.3 and accompanying cultural heritage visualisations, as set out in **Figures 10.3 – 10.7 (EIAR Volume 3)**. The assessment of operational phase effects finds there will be no significant effects on the settings of any of these heritage assets.
Policy 11(e)(viii) Effects on hydrology, the water environment and flood risk.	**Chapter 8 'Geology, Peat, Hydrology and Hydrogeology' (EIAR Volume 1)** considers the potential impacts of the Proposed Development upon these receptors. It is accompanied by associated Technical Appendices 8.1-8.7 addressing peat

Policy Criteria	Commentary
	landslide risk; peat management; watercourse crossings, borrow pit appraisal, Groundwater Dependent Terrestrial Ecosystems (GWDTE) and a private water supply (PWS) assessment. A comprehensive suite of embedded mitigation and best practice measures has been incorporated into the design of the Proposed Development, referred to as 'embedded mitigation' and summarised in Section 8.4 of **Chapter 8 (EIAR Volume 1)**. In addition, it is proposed that a range of good practice measures will be adopted during construction to further minimise the potential for significant effects upon hydrology and the water environment. These measures are set out in an OCEMP, submitted as **TA 2.1 (EIAR Volume 4).** Should consent be granted, it is expected a detailed CEMP would be submitted for approval prior to the commencement of development Published mapping confirms the Site is not located in an area identified as being at flood risk. Accordingly, a detailed flood risk and drainage impact assessment was scoped out of the assessment in **Chapter 8 (EIAR Volume 1)**. A simple screening of potential flooding sources (fluvial, coastal, groundwater, infrastructure etc.) is presented in the **Chapter 8 (EIAR Volume 1)**, Section 8.4 and summarised in Table 8.6. Overall, **Chapter 8 (EIAR Volume 1)** concludes that residual effects on hydrogeology, hydrology and geology receptors (including flood risk) following the implementation of mitigation measures are all not significant, see EIAR Table 8.6.
Policy 11(e)(ix) Biodiversity including impacts on birds.	Effect upon biodiversity and birds are considered in **Chapter 6 'Ornithology' (EIAR Volume 1)** and **Chapter 7 'Ecology' (EIAR Volume 1)**. Both chapters confirm that the Proposed Development has been designed to minimise impacts upon ornithological and biodiversity interests, (including protected species and designated sites) as far as practicable, achieved through embedded mitigation and an iterative design process. In terms of ecology and biodiversity, **Chapter 7 (EIAR Volume 1)** considers potential impacts across the construction and operational phases upon habitats, protected species and designated sites. Prior to the implementation of mitigation, the assessment considers that prior to the application of mitigation there were likely significant effects during the construction phase and operational phase upon habitats and protected species (bats). With the implementation of mitigation all significant adverse effects would reduce to non-significant levels as summarised in EIAR Table 7.7. With regards to habitat loss, a Biodiversity Enhancement Management Plan (BEMP) will be implemented to deliver a net gain in peatland habitat. An OBEMP is included in **TA 7.7 (EIAR Volume 4)**, and this is discussed further below in relation to NPF4 Policy 3. Overall, the assessment concludes there are not likely to be any significant adverse residual effects on ecology, habitats or biodiversity as a result of the Proposed Development assuming that mitigation measures referred set out in the chapter are adopted.

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	Significant beneficial effects are predicted to arise as a result of habitat improvement works, as noted in EIAR Table 7.7. **Chapter 6 (EIAR Volume 1)** considered potential impacts upon birds, including qualifying interests of SPAs. That Chapter confirms that the Site does not form part of any statutory designated site for nature conservation with qualifying ornithological interests or lie within potential connectivity distances to any SPA. Likely significant effects during construction and operation have been assessed within **Chapter 6 (EIAR Volume 1)**. These relate to disturbance or direct habitat loss for the following species: black grouse, golden eagle, merlin, red kite and curlew. Collison mortality risks are predicted as being low or negligible for all species. With the implementation of appropriate mitigation as detailed in **Chapter 6 (EIAR Volume 1)** Section 6.5 the assessment concludes that the residual effects across all phases of the Proposed Development upon all bird species are not considered to be significant in EIA terms. The OBEMP (**TA 7.7 (EIAR Volume 4)**) notes that the measures associated with the Proposed Development will lead to beneficial effects for a range of bird species including waders and other upland breeding birds.
Policy 11(e)(x) Impacts on trees, woods and forests.	The majority of the Site is an area of heathland and moorland or rough hill pasture. The southern edge of the Site has areas of arable land, forests and woodland. On the western border of the Site is an area of AWI. The small area of AWI within the Site is located along Glen Beich to the south along the new access track. The AWI has been avoided in the design of the Proposed Development and no mature/semi-mature trees are expected to be lost as a result of the Proposed Development. Impacts on forestry was scoped out of the EIAR and **Chapter 7 'Ecology' (EIAR Volume 1)** confirms there will be no loss, direct or indirect impacts to any of the trees located within the Site as a result of the Proposed Development. Further discussion is set out under the commentary on NPF4 Policy 6.
Policy 11(e)(xi) Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.	These matters can be covered by planning conditions as deemed necessary and would be discussed post submission with Perth and Kinross Council and Stirling Council.
Policy 11(e)(xii) The quality of site restoration plans including the measures in place to safeguard or guarantee availability	This matter can be covered by planning conditions consistent with other projects across the country.

Policy Criteria	Commentary
of finances to effectively implement those plans.	
Policy 11(e)(xiii) Cumulative impacts.	Each chapter of the EIAR considers the potential for and significance of cumulative impacts associated with the Proposed Development. While each assessment adopted its own study area for the cumulative assessments, **Figure 5.15 (EIAR Volume 2)** shows the location and planning status of all wind farms within 20km of the Proposed Development. With the exception of **Chapter 5 'Landscape and Visual' (EIAR Volume 1)**, no significant cumulative effects were found in any other EIAR chapter. The LVIA in **Chapter 5 (EIAR Volume 1)** notes that there are no consented or application cumulative wind energy developments in close proximity to the Proposed Development. Where consented and application cumulative schemes are visible from key landscape and visual receptors, they would appear within a context and backdrop of existing wind energy development, substantially limiting their cumulative influence and interaction with the Proposed Development. The Proposed Development would not result in significant landscape or visual effects with the consented and application cumulative schemes included in the LVIA. The assessment in **Chapter 5 (EIAR Volume 1)** considered likely cumulative effects with the scoping stage Glen Lednock Wind Farm proposal. The Glen Lednock Wind Farm scheme in its current design would be located immediately to the east of the Proposed Development. Likely significant cumulative effects within this scoping stage scheme were identified, as follows: • A Major-Moderate and Significant Effect was found for: LCT 376 (i): River Earn (Comrie to St Fillans) NSA SLQs 1 and 8; Viewpoint 20 and Core Path STFI/101. • A Moderate and Significant Effect was found for: LCT 147 (ii); LCT 251 (ii); LCT 376 (iii); LCT 376 (ii) within 5km; Creag Gharbh LLA; LLTNP SLQs 2, 7 and 9; Loch Rannoch and Glen Lyon NSA SLQ 12; Viewpoints 1, 7, 8, 19 and 21. **Chapter 5 (EIAR Volume 1)** concludes that the perception of a '*landscape with wind farms*' would be maintained across each of the cumulative scenarios. There are no consented or application wind farm developments within close enough proximity to alter this perception and whilst the cumulative scoping scenario would further intensify this characteristic (as a result of the introduction of Glen Lednock within the host LCT to the east of the Proposed Development), it is considered that the perception of a '*landscape with wind farms*' would be maintained.

6.2.41. As this commentary demonstrates the Proposed Development will give rise to some significant environmental effects, primarily relating to landscape and visual, that cannot be mitigated further. While recognising that some significant landscape and visual effects will arise, the LVIA in **Chapter 5 (EIAR Volume 1)** considers that the design strategy ensures that significant effects on landscape character and visual amenity are relatively localised in nature and where effects are predicted upon NSAs or the LLTNP, these would not compromise the objectives of designation and the overall integrity of the areas in question. This is discussed further under the commentary on NPF4 Policy 4.

6.2.42. NPF4 Policy 11 now explicitly recognises in national planning policy that significant landscape and visual impacts *'are to be expected for some forms of renewable energy'*. Policy 11 also notes that proposals will generally be acceptable where significant landscape and visual effects are localised and/or appropriate design mitigation has been applied. The design of the Proposed Development has resulted in a scheme where the spread of landscape and visual effects is considered to be in line with policy, described in **Chapter 5 (EIAR Volume 1)**.

6.2.43. There is no guidance on what defines 'localised' within the context of Policy 11(e)(ii), and this issue has been considered on a case by case basis in post NPF4 decisions. Significant visual effects have been identified as occurring out to a range of approximately 16 km from the nearest turbine with significant visual effects identified for six of the 22 VPs. Significant landscape character effects are found within a maximum range of approximately 12 km. The assessment in **Chapter 5 (EIAR Volume 1**) describes significant effects on landscape character and visual amenity as relatively localised in nature.

6.2.44. In considering these findings, it is noted that in the Scottish Ministers decision letter on Bunloinn Wind Farm (ECU00003304[29]) the landscape and visual effects for that scheme were considered to be localised with most occurring within 12 km of that scheme and none beyond 14.7 km. Scottish Ministers noted that no national or regional landscape designations would be significantly affected by that development and overall the landscape and visual effects were deemed to be acceptable.

6.2.45. While each scheme must be considered on its own merits taking account of site specific factors, it is relevant to note that the extent of significant landscape and visual effects in the Bunloinn scheme are broadly similar to the Proposed Development, which also does not give rise to significant effects upon the integrity of any national landscape designation. The Scottish Ministers conclusions in relation to Bunloinn add weight to the conclusions of the LVIA about the localised nature of landscape and visual effects for the Proposed Development.

6.2.46. Positive effects would arise as a result of the Applicant's proposed environmental enhancement activities. These are discussed further below in relation to NPF4 Policy 3.

6.2.47. To add to this commentary, it is relevant to note that at the end of the part (e) assessment criteria after part (xiii), Policy 11 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 emission reduction targets' (emphasis added)

[29] https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00003304

6.2.48. Whereas previously it was down to the discretion of individual decision makers about what weight they decided to give to a particular matter, Policy 11 now explicitly states that as a matter of national planning policy, they must give significant weight to the renewable energy benefits of a scheme in the planning balance (this is also set out in Policy 1 which also addresses the nature crisis and is discussed below).

6.2.49. The strength of this new policy has been demonstrated in the aforementioned Shepherds Rig and Clashindarroch II Wind Farm cases, where previous recommendations to refuse permission were amended to recommendations for approval, following the adoption of NPF4 and those Reporters giving 'significant weight' to the project benefits in the planning balance.

6.2.50. In considering Policy 11 overall, it is important to remember that the stated policy Outcome is:-

'Expansion of renewable, low-carbon and zero emissions technologies'.

6.2.51. Following the policy summary in Table 2 it is considered that the Proposed Development can be positively assessed against the criteria of Policy 11 individually and when the policy is considered in the round.

Policy 1: Tackling the Climate and Nature Crises

6.2.52. Policy 1 states in full that:-

'When considering all development proposals significant weight will be given to the global climate and nature crises'.

6.2.53. The Policy Intent is to '*encourage, promote and facilitate development that addresses the global climate emergency and nature crises'*. The Policy Outcomes are '*zero carbon, nature positive places'*.

6.2.54. This policy applies to all forms of development and not just renewable energy proposals. The reference to the need to give *'significant weight'* to the global climate and nature crises in this overarching policy aligns with but goes further than Policy 11, which does not specifically mention the nature crisis.

6.2.55. The language of this overarching policy is very clear and shows the seriousness with which Ministers are treating these two fundamental issues. Combined with the Policy Intent and Policy Outcomes, there can be no doubt about what this policy is designed to achieve and what it requires of decision makers. It clear that there is no longer any discretion about what weight should be given to these matters in the planning balance, and this marks a notable and significant shift in national planning policy which has been put into practice by Reporters and Ministers on recent wind farm cases.

6.2.56. For example, in their assessment of Policy 1 in the Glendye Wind Farm case, the Reporters noted in paragraph 9.100 that:-

'there is a strong needs case for the ongoing delivery of renewable energy and we recognise that this is all the more essential given the Scottish Government's declaration of a Climate Emergency in 2019, and legally binding targets introduced in 2020 for net zero greenhouse gas emissions by 2045'.

6.2.57. In discussing NPF4 Policy 1 they continued in paragraph 9.109 and stated that:-

'The national development status of the proposed development, which clearly identifies that the proposal is capable of providing strategic-scale renewable energy generation, leads us to conclude that its contribution to the achievement of net zero must be given significant weight under the terms of the policy'.

6.2.58. The Proposed Development will generate around 74.4 MW of renewable electricity from the WTGs supported by a BESS, a national scale development. Combined, these two elements will help meet the Scottish Government's net zero ambitions by 2045. The inclusion of a BESS will also help facilitate the creation of a more flexible energy system, helping the development of more 'home grown' energy and ultimately moving towards a more secure energy supply in the future. The Proposed Development is a National Development as defined in Annex B of NPF4. This is discussed below.

6.2.59. Biodiversity improvements are an integral part of the Proposed Development, not an afterthought. The principles of the Applicant's biodiversity improvements are set out in the OBEMP (**TA 7.7 (EIAR Volume 4)**) and are discussed below on Policy 3. The dual benefits of the Proposed Development will ultimately make a positive contribution to the Policy Outcomes of Policy 1 which is to deliver 'Zero carbon, nature positive places'. These factors allow the Applicant to draw strong support from Policy 1 for the Proposed Development.

Policy 3: Biodiversity

6.2.60. The Intent of Policy 3 is '*to protect biodiversity, reverse biodiversity loss, deliver positive benefits from development and strengthen nature networks'*. The Policy Outcomes are that '*biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions'*.

6.2.61. Policy 3 sets out a range of criteria that vary depending upon the scale and type of development proposed. Part (a) applies to all scales of development and states that proposals will contribute to the enhancement of biodiversity including, inter alia, restoring degraded habitats and building and strengthening nature networks and the connections between them. Part (b) relates to *'national or major development or for development that requires an Environmental Impact Assessment'*. This part of Policy 3 states that proposals will only be supported where they will conserve, restore and enhance biodiversity '*so that they are in a demonstrably better state than without intervention*'. Part (b) continues and sets five criteria that proposals will be expected to meet. These are discussed in **Table 3** below.

6.2.62. Before commenting on Policy 3(b), it is worth noting that the Scottish Government's Chief Planer issued a letter on 22 November 2023[30] providing an update on various planning issues. Within that letter, the Chief Planner confirmed that NatureScot will shortly commence work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 Policy 3b. A consultation exercise on the development of this metric closed on 10 May 2024[31]. For the time being, therefore, there is no standard agreed national metric for considering schemes against NPF4 Policy 3b. Notwithstanding, the OBEMP utilises a biodiversity net gain (BNG) metric to demonstrate that the measures proposed for the creation, restoration and enhancement of habitats at the Site would fully compensate for predicted habitat and biodiversity losses, and provide further enhancement.

6.2.63. In considering the Proposed Development against Policy 3(b), particular regard has been had to the

[30] https://www.gov.scot/publications/chief-planner-letter-stakeholder-update-autumn-2023/

[31] https://www.nature.scot/doc/biodiversity-metric-scotlands-planning-system-key-issues-consultation

OBEMP in EIAR **TA 7.7 (EIAR Volume 4)**. The OBEMP notes that:-

'*The measures detailed within this OBEMP aim to achieve significant biodiversity enhancement at the Site, in line with objectives outlined in National Planning Framework 4 (NPF4) Policy 3'.*

6.2.64. The document is in draft format only at present and would be developed further in consultation with key stakeholders should consent be granted. The commentary below is based upon the proposals set out in the OBEMP.

Table 3: Commentary on NPF4 Policy 3 Part (b)

Criteria	Commentary
Policy 3(b)(i) '*The proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats'.*	The EIAR accompanying the application for the Proposed Development is based upon a thorough understanding of the Site and its ecological context, obtained through desk-based assessment, field work and consultation. The assessment of the impacts of the Proposed Development, mitigation measures and enhancement proposals have been informed by a significant understanding of the Site built up over several years of surveys, consistent with this policy requirement.
Policy 3(b)(ii) '*Wherever feasible, nature-based solutions have been integrated and made best use of.'*	NPF4 defines nature-based solutions as '…*actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously providing human wellbeing and biodiversity benefits'.* The Proposed Development proposes a range of measures to deliver biodiversity enhancement, which are set out in **TA 7.7 (EIAR Volume 4)** (see comments in (iv) below for target improvement areas). Target species/habitats are:- • Restore and enhance peatland habitat and improve bog conditions; • Restore acid grassland habitats; and • Enhance the mosaic of curlew breeding and foraging habitats. It is expected that these proposals would be subject to further detailed work and development, should consent be granted and this will be secured through an appropriately worded planning condition. At this stage, it is considered that the measures outlined above are consistent with the objectives of this criterion and will deliver significant biodiversity enhancement as per the conclusions of **Chapter 7 (EIAR Volume 1)**.
Policy 3(b)(iii) '*An assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements'.*	The design of the Proposed Development has sought to implement the mitigation hierarchy (NPF4 definition, page 153) and avoid features of biodiversity importance wherever possible. Where adverse effects were identified, mitigation and/or enhancement measures are identified which are detailed in the 'Mitigation' sections of **Chapters 6 and 7 (EIAR Volume 1)**. Following implementation of these measures, both chapters conclude no

Criteria	Commentary
	significant residual effects will arise upon any receptor or designation.
Policy 3(b)(iv) '*Significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate'.*	The OBEMP in **TA 7.7 (EIAR Volume 4)** sets out the range of measures the Applicant is proposing undertake to deliver significant biodiversity enhancement. These measures go beyond mitigating the effects of the Proposed Development. A key focus of the OBEMP is: • The restoration and enhancement of approximately 268 ha of priority peatland blanket bog and modified bog habitats; • The removal and control of 116.09 ha of dense bracken; and • 32.85 ha of wetland habitat enhancement for benefits to waders. **Chapter 7 (EIAR Volume 1)** concludes that these measures will ensure that habitat losses are offset through an increase in peatland habitat quality and that there will be an overall biodiversity net gain. The measures proposed will deliver significant biodiversity enhancements on the Site, which the OBEMP quantifies as delivering a net gain in biodiversity units (BU) of just over 20%. Should consent be granted, the OBEMP would be finalised in consultation with relevant stakeholders and landowners post consent and prior to the commencement of development and it will include a monitoring programme to assess the effectiveness of the agreed measures.
Policy 3(b)(v) '*Local community benefits of the biodiversity and/or nature networks have been considered'.*	The focus of the Applicant's enhancement measures has been on securing biodiversity and nature conservation benefits. Throughout the public consultation events no specific queries or requests for enhanced access through the Site have been made or specific biodiversity improvement projects for the wider community. That is not to say that such projects could not come forward at some point in the future and should consent be granted, the Applicant would work with local communities to ensure, for example, that the community benefit fund is used in a way that meets with local community expectations. This may involve further consideration of the biodiversity proposals.

6.2.65. Overall and based on the findings of the EIAR, the Proposed Development is considered to align with the Outcomes of NPF4 Policy 3 and will result in biodiversity enhancement.

Policy 4: Natural Places

6.2.66. This policy sets the basis for assessing applications that affect European natural heritage designations, such as SPAs, as well as proposals affecting National Parks and NSAs and also local level natural heritage and landscape designations. The Policy Intent is to '*protect, restore and enhance natural assets making best use of nature-based solutions'*. There are two Policy Outcomes namely (i) '*natural places are protected and restored'* and (ii) '*natural assets are managed in a sustainable way that maintains and grows their essential benefits and services*'.

6.2.67. Part (a) states that proposals that have an 'unacceptable' impact on the natural environment will not be supported. Parts (b), (c) and (d) relate to European, national and local level designations. The location of these designations are shown on **Figure 7.1 (EIAR Volume 2)**.

6.2.68. Potential impacts upon European natural heritage sites such as SPAs and SACs and national heritage sites such as SSSIs were considered in **Chapter 7 (EIAR Volume 1)**. Within **Chapter 7 (EIAR Volume 1)** the following natural heritage designations were considered:-

- Dalveich Meadow SSSI – 0.3 km west from the Site;
- Coille Chriche SSSI – 1 km south from the Site;
- Edinample Meadow SSSI – 2.1 km southwest from the Site;
- Edinchip Wood SSSI – 3.3 km southwest from the Site;
- Cambusurich Wood SSSI – 3.7 km north from the Site; and
- River Tay SAC – 4.3 km north from the Site.

6.2.69. In respect of the identified SSSI's, agreement was reached with NatureScot to scope these designated sites out of the assessment due to them being unlikely to have connectivity to the Proposed Development.

6.2.70. The River Tay SAC was scoped into the assessment at the scoping stage. No part of the Proposed Development is located within the River Tay catchment so the Proposed Development is not hydrologically connected to the SAC. As such, the River Tay SAC is not at risk from the Proposed Development, and the risk of any likely significant effect upon the SAC is excluded. **Chapter 7 (EIAR Volume 1)** confirms that neither an appropriate assessment nor EIA assessment is required.

6.2.71. **Chapter 6 (EIAR Volume 1)** confirms that the potential for effects upon qualifying features of ornithological designated sites, such as SACs, were scoped out of the assessment due to no connectivity between the nearest designations and the Proposed Development.

6.2.72. Part (c) also relates to national level landscape designations, specifically National Parks and NSAs. The policy states that proposals will only be supported where the objectives of the designation and overall integrity of the area will not be compromised, or any significant adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

6.2.73. Thera are no national landscape designations covering the Site with the exception of a small area adjacent to the A85 to allow access which falls within the Loch Lomond and Trossachs National Park. The majority of the Site (including wind turbine locations) is outwith national landscape designations. There are national level designations within the LVIA study area, as shown on **Figure 5.4 (EIAR Volume 2)** and as discussed earlier.

6.2.74. A preliminary assessment of all landscape designations is set out in **Chapter 5 (EIAR Volume 1)** alongside a detailed assessment of the impacts of the Proposed Development upon the SLQs of these national landscape designations.

6.2.75. The SLQs of the Loch Lomond and Trossachs National Park within the Study Area are defined as follows:-

- A world-renowned landscape famed for its rural beauty;
- Wild and rugged highlands contrasting with pastoral lowlands;

- Water in its many forms;
- The rich variety of woodlands;
- Settlements nestled within a vast natural backdrop;
- Famous through-routes;
- Tranquillity; and
- The easily accessible landscape splendour.

6.2.76. Further SLQs provided specifically for four landscape areas that form subdivisions of LLTNP include: Argyll Forest, Loch Lomond, Breadalbane and The Trossachs. The majority of theoretical visibility of the Proposed Development is found within the 'Breadalbane' area which includes the following SLQs:

- Steep mountains and long glens;
- Crossroads within remote mountain ranges;
- A landscape of distinctive glens and straths;
- The narrow Strathyre and Loch Lubnaig ribbon;
- Beautiful Balquhidder;
- Wide and straight Loch Earn;
- The rocky pass of Glen Ogle;
- Killin and the Falls of Dochart;
- Expansive Glen Dochart;
- Wide Strath Fillan; and
- Sinuous Glen Falloch.

6.2.77. Following an initial appraisal, the assessment in **Chapter 5 (EIAR Volume 1)** identified likely significant effects upon the following SLQs of the LLTNP:-

- Wild and rugged highlands contrasting with pastoral lowlands (SLQ 2);
- Tranquillity (SLQ 7); and
- Steep mountains and long glens (Breadalbane - SLQ 9).

6.2.78. The zone of theoretical visibility (ZTV) indicates that theoretical visibility of the Proposed Development from the LLTNP is restricted to limited parts, with the vast majority of LLTNP having no visibility of the Proposed Development. This ensures that effects would be localised, and very extensive areas would remain unaffected.

6.2.79. The assessment in **Chapter 5 (EIAR Volume 1)** found that SLQ 7 would experience no greater than a moderate level of effect which would not be considered significant. The Proposed Development would have a significant effect on SLQs 2 and 9. Significant effects on SLQ2 and SLQ9 would not apply to the full extent of the LLTNP but to the elevated north-east edges of the Breadalbane area only. Identification of significant effects upon these SLQs does not, however, imply a significant effect on the overall 'integrity' of the LLTNP. The assessment in **Chapter 5 (EIAR Volume 1)** notes that the Proposed Development is located outside the LLTNP and as such there would be no direct effects on the physical attributes of the SLQs and the effects on SLQs would be perceived only. It considers that in the context of the 19 relevant SLQs of the LLTNP, the Proposed Development would have a very limited effect on the LLTNP.

6.2.80. The assessment in **Chapter 5 (EIAR Volume 1)** concludes that in relation to the LLTNP that the '*objectives*

of designation and the overall integrity of the areas will not be compromised' consistent with the test set out in Part (c)(i) of Policy 4.

6.2.81. In terms of Part (ii) of the Policy, it is considered that the renewable energy benefits of the Proposed Development (which benefits from National Development status) clearly outweigh the identified significant effects upon the two SLQs.

6.2.82. The SLQs of the Loch Rannoch and Glen Lyon NSA are defined as follows:-

- Epitome of the mountain grandeur of Highland Perthshire;
- A clear linkage of land use and landform;
- A combination of natural and cultural beauty;
- The great diversity of woodland;
- Secluded side glens and ancient shielings;
- The wild summits;
- Peacefulness and tranquillity;
- Rich, varied cultural features;
- The long, narrow and sinuous Glen Lyon;
- The great expanse of Loch Rannoch;
- The long, symmetric mass of Schiehallion; and
- The dominance of Ben Lawers.

6.2.83. The assessment in **Chapter 5 (EIAR Volume 1)** on this NSA focuses on the southern edge of the NSA as this is the only part where there is potential for significant effects on SLQs to arise. Following an initial appraisal, the assessment in **Chapter 5 (EIAR Volume 1)** identified likely significant effects upon the following three SLQs:-

- Secluded side glens and ancient shielings (SLQ 5);
- The wild summits (SLQ 6); and
- The dominance of Ben Lawers (SLQ 12).

6.2.84. The ZTV indicates that theoretical visibility of the Proposed Development from the NSA is restricted to an area largely limited to the Ben Lawers and Tarmachan ridge, with the vast majority of NSA to the north having no visibility of the Proposed Development. This ensures that effects would be localised and very extensive areas would remain unaffected by the Proposed Development.

6.2.85. The assessment found that SLQ 5 and SLQ 6 would experience no greater than a moderate level of effect which would not be considered significant. The Proposed Development would however have a significant effect on SLQ 12.

6.2.86. This does not, however, imply a significant effect on the overall 'integrity' of the NSA. The Proposed Development is located outside the NSA and as such there would be no direct effects on the physical attributes of the SLQs and the effects on NSA SLQs would be perceived only. In the context of the 12 SLQs of the NSA, the assessment in **Chapter 5 (EIAR Volume 1)** considered that the identification of a significant effect upon one SLQ represents a very limited effect.

6.2.87. The assessment in **Chapter 5 (EIAR Volume 1)** concludes that in relation to the Loch Rannoch and Glen Lyon NSA the '*objectives of designation and the overall integrity of the areas will not be compromised'* consistent with the test set out in Part (c)(i) of Policy 4.

6.2.88. In terms of Part (ii) of the Policy, it is considered that the renewable energy benefits of the Proposed Development (which benefits from National Development status) clearly outweigh the identified significant effects upon this single SLQ.

6.2.89. The second NSA taken forward for assessment is the River Earn (Comrie to St. Fillans) NSA, whose SLQs are defined as follows:-

- A harmonious combination of highland and lowland;
- An enclosed and unified strath;
- The sinuous river at the heart of the NSA;
- Rocky hillocks rising out of the level floodplain;
- Diverse tree cover of woods and forests;
- A managed, ordered landscape;
- The spectacular De'ils Cauldron and Dunmore Hill; and
- The viewpoint of Dundurn, St Fillans Hill.

6.2.90. The extent of theoretical visibility is limited to elevated parts of this NSA; however, this is a very small NSA and as such all of the designated area was considered within the assessment in **Chapter 5 (EIAR Volume 1)**.

6.2.91. The two SLQs found to experience potentially significant effects are SLQ 1 'A harmonious combination of highland and lowland' and SLQ 8 'The viewpoint of Dundurn, St Fillans Hill'. Further assessment concluded that the effects would be moderate and not significant for both SLQs leading to the conclusion that *'the objectives of designation and integrity of the areas will not be compromised*'.

6.2.92. In terms of Part (ii) of the Policy, it is considered that the renewable energy benefits of the Proposed Development (which benefits from National Development status) clearly outweigh the identified significant effects upon the two SLQs.

6.2.93. Part (d) deals with local nature conservation sites and local landscape areas. This part of Policy 4 sets two considerations for decision makers when assessing proposals that affect local nature conservation sites and local landscape designations. The policy states that such proposals will only be supported where:-

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

6.2.94. Glen Beich is a potential Local Nature Conservation Site (pLNCS) located within the Site and its qualifying interest is ancient woodland. **Chapter 7 (EIAR Volume 1)** confirms no woodland removal is proposed nor will any fragmentation occur to any AWI site as a result of the Proposed Development. Effects on AWI are therefore considered to be negligible and as such were scoped out of further assessment. Work in the

vicinity of AWI will be subject to the use of non-working buffers and root protection zones that will be set out in the CEMP. An Outline CEMP is provided in **TA 2.1 (EIAR Volume 4)**.

6.2.95. The nearest locally designated landscape is the Creag Gharbh LLA which partly covers the western extent of the Site and is located adjacent to the northern boundary of the Site and the turbine array. Loch Tay LLA is located approximately 7 km north from the Proposed Development.

6.2.96. The assessment of Creag Gharbh LLA in **Chapter 5 (EIAR Volume 1)** found that there would be significant effects due to the introduction of wind energy development into the landscape where there is none currently experienced within the immediate context of this LLA. Taking account of the Cumulative Assessment (Scoping Scenario), the cumulative effect is considered to be significant due to the closer proximity of the Proposed Development which intensifies the cumulative effect experienced.

6.2.97. The assessment of Loch Tay LLA in **Chapter 5 (EIAR Volume 1)** found that there would be no significant effects on the LLA resulting from the introduction of the Proposed Development.

6.2.98. While the LVIA considers that the Proposed Development would give rise to significant effects upon the Creag Gharbh LLA, this does not equate to a conflict with Policy 4 nor does it mean the Proposed Development is unacceptable. Policy 4(d)(ii) allows decision makers to still approve developments which may have a significant effect on the integrity of a local landscape designation where these effects are clearly outweighed by social, environmental or economic benefits of at least local importance.

6.2.99. The fact that the Proposed Development falls into the category of National Development 3 means that its benefits can justifiably be described as of at least local importance. The Reporters considered this issue in the Glendye Wind Farm case in relation to impacts upon an Aberdeenshire local landscape designation. In assessing that proposal against this part of Policy 4(b), the Reporters noted in paragraph 10.7 of their report that:-

'We are of the view that this national development status logically offers benefits of more than local importance'.

6.2.100. These finding support the above comment in respect of the Creag Gharbh LLA against NPF4 Policy 4(d)(ii).

6.2.101. Part (f) relates to protected species and states that the level of protection required by legislation must be factored into the planning and design of development and potential impacts must be fully considered prior to the determination of any application. As demonstrated in **Chapters 6 and 7 (EIAR Volume 1)** subject to mitigation, no significant adverse effects on any protected species are identified.

Policy 5: Soils

6.2.102. The Policy Intent is to '*protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development'*. One of the Policy Outcomes seeks that '*valued soils are protected and restored'*.

6.2.103. Part (a) notes that proposals should be designed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils. Part (c)(ii) notes that proposals for the generation of energy from renewable sources that optimise the contribution of the area to GHG emissions reduction targets are one of the identified land uses potentially permitted on areas of peatland, carbon-rich

soils and priority peatland.

6.2.104. Part (d) sets out a requirement for a detailed site specific assessment to help understand the presence of peat and carbon-rich soils on site and to enable the likely effects of a development proposal on these resources to be considered. It continues and states that this should inform careful project design and that impacts should first be avoided and then minimised through best practice. The requirement for a peat management plan is also noted.

6.2.105. To inform the design process the Applicant undertook extensive peat probing across the Site, the results of which are set out in **TA 8.2 (EIAR Volume 4)**. In addition, **Figure 8.4 (EIAR Volume 2)**, shows the mapped presence of Class 1 and 2 nationally important priority peatlands within the Site boundary. This Figure shows that the northern extent and parts of the central southern boundary of the Site is underlain by Class 1 peatlands which are considered nationally important carbon-rich soils, areas of deep peat and priority peatland habitats. The remainder of the Proposed Development is underlain by Class 3 and Class 5 peatlands and underlain by mineral soil which is not considered priority peatland and where no or occasional peatland habitats are recorded.

6.2.106. As **Chapter 8 (EIAR Volume 1)** confirms, the potential presence of peat within the Site formed a key consideration in the design of the Proposed Development. Informed by the extensive programme of peat probing undertaken across the Site, typically the design has avoided areas of deeper peat (>1 m) and where possible limited development to areas of peat less than 1m or where peat is absent. Table C 'Peat Balance Assessment' in **TA 8.2 (EIAR Volume 4)** calculates that the total volume of peat predicted to be excavated of 212,778m^3, does not exceed the intended total peat reuse volume of 233,115m^3, therefore no excess peat is required to be disposed off-site as a consequence of the Proposed Development.

6.2.107. As a result of mitigation by design and following the adoption of further good practice measures, to be developed in a CEMP post consent, **Chapter 8 (EIAR Volume 1)** concludes that no significant residual effects on soils and peat will arise. In addition, **Chapter 7 (EIAR Volume 1)** concludes that the BEMP will deliver benefits to peatland habitats. The outline proposals will ensure that habitat losses are offset through an increase in peatland habitat quality and that there will be an overall net gain. The measures proposed would fully compensate for any loss during construction and then provide significant net biodiversity enhancement over and above the pre-development baseline values (a net gain of 20%).

6.2.108. With regard to Policy 5 (d)(iii), the results of the carbon calculator (see **TA 8.8 (EIAR Volume 4)**) indicate that the Proposed Development is expected to pay back its debt from manufacture, construction, impacts on habitat and decommissioning within 0.9 years if it replaced fossil fuel-mix electricity generation. This figure increases to 1.9 years when compared to a grid-mix scenario.

6.2.109. As noted in **TA 8.8 (EIAR Volume 4)**, the Proposed Development would be expected to result in a saving of approximately 117,721 tonnes of carbon dioxide (tCO2) per annum when compared to a fossil fuel mix. Over the course of the 50-year operational life this equates to approximately 5.88 million tonnes, when replacing fossil fuel-mix electricity generation and once CO_2 emissions associated with construction of the Proposed Development are factored.

6.2.110. Overall, the Applicant's approach to site design, combined with the implementation of mitigation measures during the construction and decommissioning phases, means that the Proposed Development can be

positively considered against the Outcome of Policy 5.

Policy 6: Forestry, Woodland and Trees

6.2.111. The Intent of Policy 6 is to '*protect and expand forests, woodland and trees'*. One of the Policy Outcomes is '*Existing woodland and trees are protected, and cover is expanded'*.

6.2.112. The majority of the Site is an area of heathland and moorland or rough hill pasture. The southern edge of the Site has areas of arable land, forests and woodland. On the western border of the Site is an area of AWI.

6.2.113. As indicated, there is a small area of AWI within the Site, present along Glen Beich to the south along the new access track, however the AWI has been avoided and no mature/semi-mature trees are expected to be lost here as a result of the Proposed Development and indeed no woodland felling of any type of required.

6.2.114. Overall, the Proposed Development complies with Policy 6.

Policy 7: Historic Assets and Places

6.2.115. This policy sets out the framework for assessing the impact of development proposals on a wide range of cultural heritage receptors. The Intent is *'to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places'*. Policy Outcomes include that '*the historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change'*.

6.2.116. As required by part (a), a historic environment assessment has been undertaken and the conclusions are presented in **Chapter 10 'Cultural Heritage' (EIAR Volume 1)** and accompanying EIAR Technical Appendices.

6.2.117. As discussed in the earlier commentary on NPF4 Policy 11, the assessment presented in **Chapter 10 (EIAR Volume 1)** considers the potential for direct impacts upon archaeology and cultural heritage as well as indirect impacts upon setting of historic environment assets. For the purposes of the assessment Inner and Outer Study Areas were adopted, as shown on **Figures 10.1 and 10.2 (EIAR Volume 2)** respectively.

6.2.118. The assessment reports that 12 potential direct impacts on heritage assets have been identified, arising from the construction of the Proposed Development. In addition, 17 other heritage assets lie within the micrositing allowance and could be affected by any micrositing of the proposed layout. Without mitigation, 11 of these construction impacts are assessed as significant in EIA terms. The remaining impacts are assessed as not significant.

6.2.119. The assessment considers that the Proposed Development may have indirect effects on the setting of cultural heritage assets in both the Inner Study Area and the Outer Study Area. There is potential for the turbines to be present in views toward and from Scheduled Monuments, Listed Buildings, and Inventory Gardens and Designed Landscapes in the vicinity of the Proposed Development. A number of these assets were taken forward for assessment of operational phase effects as discussed in Table 10.3 of **Chapter 10 (EIAR Volume 1)**, supported by EIAR Technical Appendices 10.2 and 10.3 and accompanying cultural

heritage visualisations, as set out in **Figures 10.3 – 10.7 (EIAR Volume 3)**.

6.2.120. Given the potential visibility of the Proposed Development from Scheduled Monuments, Listed Buildings, and Inventory Gardens and Designed Landscapes several parts of Policy 7 are relevant including (h) which deals with Scheduled Monuments; (i) which deals with Gardens and Designed Landscapes and (o) which deals with non-designated assets. These policies deal with direct and indirect impacts upon the assets in question.

6.2.121. Mitigation measures have been set out within Section 10.5 of **Chapter 10 (EIAR Volume 1)** that would avoid, reduce, or offset the predicted effects and residual effects of no more than minor significance upon any cultural heritage resource are predicted for all phases of the Proposed Development.

6.2.122. These effects are not significant in EIA terms there are no conflicts with NPF4 Policy 7 in respect of any cultural heritage receptors.

Policy 22: Flood Risk and Water Management

6.2.123. The Intent of Policy 22 is to '*strengthen resilience to flood risk by promoting avoidance as a first principle and reducing vulnerability of existing and future development to flooding'*. Part (a) notes that development in flood risk areas will only be supported in certain circumstance and Part (c) states, inter alia, that development proposals should not increase the risk of surface water flooding, that rain and surface water should be managed by sustainable urban drainage systems.

6.2.124. As noted in the earlier commentary on NPF4 Policy 11, a detailed flood risk and drainage impact assessment was scoped out of the assessment in **Chapter 8 (EIAR Volume 1).** A comprehensive suite of embedded mitigation and best practice measures has been incorporated into the design of the Proposed Development, and a range of good practice measures will be adopted during construction to further minimise the potential for significant effects upon hydrology and flood risk. These measures are set out in an OCEMP, submitted as **TA 2.1 (EIAR Volume 4)** and would be developed into a detailed CEMP to be submitted for approval prior to the commencement of development. The approach to site design and further mitigation to be set out in the CEMP is consistent with the approach advocated in Policy 22.

Policy 23: Health and Safety

6.2.125. The Intent of Policy 23 is *'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'*. There are three Policy Outcomes including that *'safe places protect human health and the environment'*.

6.2.126. Part (d) confirms that *'development proposals that are likely to have significant adverse effects on air quality will not be supported'*, while part (e) states that *' development proposals that are likely to raise unacceptable noise issues will not be supported'*.

6.2.127. The assessment in **Chapter 9 (EIAR Volume 1)** considered potential noise effects associated with construction, operation and decommissioning of the Proposed Development. The assessment noted that noise and vibration during the construction and decommissioning phases may well be audible and/or perceptible to people residing in the area, but the levels would be below established noise limits. It is acknowledged that the upgrade of public roads and their use thereof, is expected to occur in close proximity

to residential properties. A range of mitigation measures are proposed to ensure these activities do not give rise to significant effects, such as limits on working periods, following best practice etc. Further detail on these measures would be set out in a CEMP, the requirement for which can be controlled through condition. An OCEMP is submitted as **TA 2.1 (EIAR Volume 4)**. With mitigation in place, no significant noise effects are predicted through the construction or decommissioning phases.

6.2.128. The operational noise assessment considered noise arising from operation of the wind turbines in line with ETSU-R-97[32]. The assessment notes that the layout of the wind turbines was carefully designed to ensure that there is an adequate separation distance between the proposed turbines and the nearest residential property (mitigation by design). The assessment concludes that the Proposed Development operating in isolation and cumulatively with the proposed Glen Lednock Wind Farm meets the requirements of ETSU-R-97. As a result, no additional mitigation is required.

6.2.129. More generally, the Applicant is committed to adopting good practice measures during construction and will implement these through a CEMP, thereby controlling and reducing any effects that these activities may have on health. The CEMP will also set out a range of measures that the Applicant's contractor will adopt on site during construction to avoid wider environmental impacts, for example through waste storage and collection, water management, pollution prevention and incidence response measures. An OCEMP is submitted as **TA 2.1 (EIAR Volume 4)** and provides an overview of the types of issues that will be covered in a detailed CEMP.

6.2.130. Overall, no conflicts arise with regards to Policy 23.

Policy 25: Community Wealth Building

6.2.131. The Intent of Policy 25 seeks *'To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels'.* Policy Outcomes include *'support local employment and supply chains'* and *'support community ownership and management of buildings and land'*.

6.2.132. Part (a) of the Policy states that proposals that contribute to local or regional community wealth building strategies will be supported and part (b) states that development proposals linked to community ownership of land and buildings will be supported.

6.2.133. As already discussed in relation to Policy 11 (c), the Proposed Development will give rise to local economic benefits during the construction and operational periods. The Applicant is committed to contributing to a community benefit fund and should consent be granted, the Applicant would work with local communities to ensure the most appropriate structures are set up to ensure the fund is used in a manner that meets local community expectations.

6.2.134. In light of all these factors, **Chapter 12 'Socio-economics, Tourism and Recreation' (EIAR Volume 1)** concludes that the Proposed Development will support local economic development and enable the community to support projects and address the priorities of the area. The Community Benefit Fund will be

[32] The Assessment and Rating of Noise from Wind Farms', The Working Group on Noise from Wind Turbines, ETSU Report for the DTI, ETSU-R-97, September 1996. Available at: https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU_Full_copy__Searchable_.pdf

distributed to support projects across the communities living in proximity of the Proposed Development, as well as wider regional funding, supporting projects across Perth and Kinross and potentially Stirling.

6.2.135. The Economic and Community Impact Assessment sets out the Applicant's approach for the Proposed Development to Community Wealth Building within Section 8 of this standalone report. This is based on five key pillars (1) spending; (2) workforce and skills; (3) ownership; (4) financial power; and (5) land and property.

6.2.136. The Applicant is committed to maximising the use of local suppliers throughout the development and operational phases of all its projects, including for the Proposed Development. The Applicant plans to engage in early and open discussions with the supply chain, and potential businesses within Perth and Kinross and Stirling to share project plans for the Proposed Development. This approach aims to identify opportunities for local involvement and support any required investment ahead of construction.

6.2.137. The Applicant is familiar with the local workforce and has an understanding of the local labour market capacity from experience on nearby windfarms. Ongoing local community engagement is expected to help identify areas of development and workforce opportunities specific to the Proposed Development.

6.2.138. The Applicant is committed to open discussions about community ownership, should there be interest in pursuing it for the Proposed Development.

6.2.139. The local community fund can be used for various projects, tailored to the specific needs of local communities. The Applicant plans to engage with community bodies to establish effective governance, administration, and arrangements for the Proposed Development. Whilst the split of the community benefit fund for the Proposed Development is not yet defined, a portion of the funding is expected to be allocated to a regional fund.

6.2.140. The Applicant plans to implement a Biodiversity Net Gain approach, which aims to leave the natural environment in a measurably better state after development. This involves assessing and comparing the biodiversity value of a site before and after construction to ensure a positive impact.

6.2.141. As such, it is considered the Proposed Development can draw support from Policy 25 and would contribute to the Policy Outcomes.

NPF4 Part 3 - Annex A 'Outcomes'

6.2.142. Part 3, Annex A confirms that NPF4 is required by law to contribute to six Outcomes. These Outcomes are set out in Section 3 of the Town and Country Planning (Scotland) Act 1997 (as amended), having been amended by Section 2 of the Planning (Scotland) Act 2019. The six Outcomes are:-

(a) meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people,
(b) improving the health and wellbeing of people living in Scotland,
(c) increasing the population of rural areas of Scotland,
(d) improving equality and eliminating discrimination,
(e) meeting any targets relating to the reduction of emissions of GHGs, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act, and

(f) securing positive effects for biodiversity.

6.2.143. The Proposed Development can contribute positively to Outcomes (e) and (f) through the generation of a significant amount of renewable electricity while delivering biodiversity improvements, with details set out in the OBEMP. This helps deliver wider targets for lower greenhouse gas emissions, more renewable energy generation and more secure energy supplies. These are material factors in support of the case for granting consent.

NPF4 Part 3 - Annex B 'National Developments Statements of Need'

6.2.144. This part of NPF4 identifies eighteen national developments which are described as *'significant developments of national importance that will help to deliver our spatial strategy'*.

6.2.145. Of relevance to the Proposed Development is National Development 3 'Strategic Renewable Electricity Generation and Transmission Infrastructure'. NPF4 confirms that this class of national development *'supports renewable electricity generation, repowering, and expansion of the electricity grid'*. It incorporates three types of development, including *'on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity'*. The Proposed Development therefore falls within National Development 3.

6.2.146. Within the commentary under National Development 3, NPF4 states that *'a large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets'*. Under the commentary on 'Need', NPF4 states that *'additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy…'* (emphasis added).

6.2.147. NPF4 also confirms that proposals within this national development category will *'improve security of supply*' (page 7). While not every national development will be granted permission, the fact that the Proposed Development falls within this category is significant in the evolution of national planning policy. Its inclusion in NPF4 is a clear sign that the Scottish Government clearly sees this type and scale of development as being 'of national importance' and necessary to help deliver the national spatial strategy (NPF4, page 97).

6.2.148. The national development status of the Proposed Development must be accorded considerable weight in consideration of the application, as has been applied in some recent cases where Reporters and Scottish Ministers have recognised the importance of National Development 3 to achievement of the legally binding net-zero targets. These cases include the aforementioned Glendye Wind Farm and also Shepherds Rig Wind Farm in the Reporter's Supplementary Report into this latter project, they stated in paragraph 3.13 that:-

'delivery of renewable energy, a national development, would clearly be a significant benefit, and one which gains significant weight from NPF4 policy 1 in relation to the climate crisis'.

6.2.149. The National Development status of the Proposed Development should be afforded a similar amount of weight in the final planning balance in this case.

NPF4 Part 3 – Annex C 'Spatial Planning Priorities'

6.2.150. The National Spatial Strategy is supported by commentary on five Regional Spatial Strategies, each of which will contribute in their own different ways to achievement of the National Spatial Strategy.

6.2.151. The Perth and Kinross area falls within the area defined as 'North'. On page 26 NPF4 notes that:-

'*This part of Scotland can continue to make a strong contribution towards meeting our ambition for a net zero and nature positive country by demonstrating how natural assets can be managed and used to secure a more sustainable future.'*

6.2.152. NPF4 also recognises that '*Land and sea assets will play an internationally significant role in renewable energy generation and carbon sequestration'*.

6.2.153. One of the 'Priorities' for this area is to '*stimulate investment in natural and engineered solutions to climate change and nature restoration*'. The Proposed Development can contribute towards achievement of this Priority, while making a positive contribution to wider national efforts to combat the climate emergency and nature crisis.

6.3. Perth and Kinross Local Development Plan 2 (PKCLDP) (2019)

6.3.1. PKCLDP Policy 33 'Renewable and Low Carbon Energy' Part A 'New Proposals for Renewable and Low-Carbon Energy' is the 'lead' policy for the assessment of onshore wind farm proposals. It is acknowledged that the Proposed Development requires to be assessed 'in the round' against all policies in the LDP, however PKCLDP Policy 33 is the key topic specific policy against which to assess the Proposed Development, noting also its criteria are wide ranging. Notwithstanding, other LDP policies are also briefly referenced.

Policy 33 'Renewable and Low Carbon Energy'

6.3.2. A detailed assessment has already been carried out against NPF4 and inevitability there is some overlap between the aims and objectives of some PKCLDP policies and the previously discussed NPF4 policies. To avoid unnecessary duplication, where PKCLDP policies raise matters already discussed in relation to NPF4, cross reference will be made to the earlier national policy appraisal.

6.3.3. Policy 33 states that the Council will support renewable energy developments where it can be demonstrated that there would be no 'unacceptable' environmental impacts, including individually and cumulatively. Policy 33 includes a number of criteria against which all renewable energy applications require to be assessed. These criteria do not raise any new matters not previously discussed in relation to NPF4 policies, especially Policy 11, but for completeness these criteria are listed below in Table 4 with a corresponding comment to where the earlier NPF4 appraisal deals with the same topic.

Table 4 – Policy 33 Assessment Criteria

Policy Criteria	Where assessed previously	Significant/Beneficial EIA Effect?
(a) The individual or cumulative effects of developments and associated transport/electricity infrastructure on:		
biodiversity and natural heritage	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(ix); and NPF4 Policy 3.	No significant effects.
woodland and forestry	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(x); and NPF4 Policy 6.	No significant effects.
landscape character, Local Landscape Areas, Wild Land Areas and National Scenic Areas	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(ii); and NPF4 Policy 4.	Some significant effects on Local Landscape Areas and the SLQs of identified NSAs.
visual amenity	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(ii); and NPF4 Policy 4.	Some significant visual effects upon viewpoints as noted in the LVIA.
the historic environment and cultural heritage	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(vii); and NPF4 Policy 7	No significant direct or indirect (setting) effects.
hydrology, the water environment and flood risk	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(viii).	No significant effects.
air quality, including any effects on greenhouse gas emissions and impacts from construction	NPF4 Policy 23	No significant effects.
aviation, defence and seismological recording	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(iv).	No significant effects.
telecommunications and broadcasting infrastructure	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(v).	No significant effects.
residential amenity of the surrounding area (including noise and shadow flicker)	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(i).	No significant effects.
hazardous installations (including pipelines)	Not applicable.	Not applicable.
(b) The contribution of the proposed development towards meeting carbon reduction and renewable energy generation targets	NPF4 Policy 1 and Policy 5.	Positive contribution to attainment of renewable energy and GHG reduction targets
(c) The net economic impact of the proposal, including local and community socio-economic	NPF4 Policy 11(c) and Policy 25	Considered in the Economic and Community Impact Report with positive

Policy Criteria	Where assessed previously	Significant/Beneficial EIA Effect?
benefits such as employment and supply chain opportunities		effects identified for community wealth building
(d) The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally. (Applications with impacts on the Strategic Trunk Road Network will be subject to discussion and agreement with Transport Scotland)	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(vi).	No significant effects.
(e) Construction and service tracks and borrow pits associated with any development	NPF4 Policy 5 and NPF4 Policy 11 (e)(viii).	No significant effects
(f) Effects on soil including: • carbon rich soils, deep peat and priority peatland habitats; or • prime agricultural land.	NPF4 Policy 5	Positive effects on peatland habitats through the measures detailed in the OBEMP.
(g) The effects on public access, recreation and tourism interests including core paths, scenic corridors (the A9 trunk road as identified in NPF3) and other established routes for public walking, riding or cycling	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(iii).	No significant effects.
(h) Decommissioning including any conditions/bonds considered necessary for site restoration	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(xi).	No significant effects. Matters to be covered by conditions.
(i) Opportunities for energy storage	NPF4 Policy 1	Positive effect with the inclusion of a BESS facility
(j) Cross-boundary impacts including any impacts on the qualities of the Cairngorms and Loch Lomond & The Trossachs National Parks	NPF4 Policy 11 (e) – See Table 2, assessment against 11(e)(ii); and NPF4 Policy 4.	Significant effects on the SLQs of Loch Lomond and Trossachs National Park but the objectives of designation and the overall integrity of the National Park will not be compromised.

6.3.4. As this assessment confirms, for the most part the Proposed Development will not give rise to any significant environmental effects in EIA terms. Significant residual landscape and visual effects will arise but these are considered to be relatively localised. Where significant effects upon some of the SLQs of national landscape designations are noted (for the Loch Lomond and Trossachs National Park, Loch Rannoch and Glen Lyon NSA and the River Earn (Comrie to St Fillans) NSA) these are localised and will not affect the overall integrity of these areas. Some significant effects upon Creag Gharbh LLA are expected but for the reasons discussed in relation to NPF4 Policy 4 they are outweighed by the benefits of the Proposed Development.

6.3.5. Policy 33D relates to the Spatial Framework for Wind Energy which was prepared under SPP. Following the adoption of NPF4, the Spatial Framework for Wind Energy is no longer applicable to decisions on wind energy proposals and this part of Policy 33 is not relevant to consideration of the Proposed Development.

6.3.6. Overall, the significant residual effects identified in the EIAR are not considered to be unusual for a commercial scale wind farm. The key test set by Policy 33 is to consider whether such effects are considered to be 'unacceptable' in the planning balance, when all other factors are considered.

6.3.7. In this case, the identified residual effects are considered to be acceptable for the following reasons;

- NPF4 now requires as a matter of national planning policy that decision makers give '*significant weight'* to the renewable energy benefits of a scheme in the planning balance. This adds more weight to the case for the Proposed Development;
- Also, within NPF4, the Proposed Development benefits from National Development status. This type and scale of development is considered by the Scottish Government to be *'of national importance'* and necessary to help deliver the national spatial strategy;
- The OWPS describes onshore wind as *'mission critical'* for meeting climate targets and also recognises that to ensure climate change targets are met, taller and more efficient turbines will be required and that *'this will change the landscape';*
- While recognising that community benefits are not material planning considerations, it is worth noting that a range of other benefits will accrue from the Proposed Development including:
  - a community benefit payment of £5,000/MW/annum;
  - a range of community wealth building benefits including the offer of community ownership, should there be interest in pursuing it;
  - a commitment to prioritise local companies in the provision of contracts during the development and construction, and operational phases.
- A range of biodiversity benefits will flow from the Proposed Development across a combined area of approximately 420 ha which would accrue from the various programmes set out in the OBEMP. The measures proposed in the OBEMP will deliver significant biodiversity enhancements on the Site, which the OBEMP quantifies as delivering a net gain in BU of just over 20%.; and
- The Scottish Government recognises in its September 2024 Programme for Government that *'tackling the climate crisis emergency'* is one of four key priorities. This represents a clear statement of intent that provides further in principle support to the Proposed Development.

Other PKCLDP Policies

6.3.8. This section considers other relevant PKCLDP policies. In many cases, the topic areas are already largely contained within the 'lead' wind energy policy and/or the earlier NPF4 appraisal, and so only brief commentary is provided. Policies are grouped together under topic headings.

Siting and Design

- *Policy 1 'Placemaking'*
- *Policy 2 'Design Statements'*

6.3.9. These are general planning policies that relate to all forms of development and are not specific to renewable energy generally or wind farms specifically. The policies seek to ensure, *inter alia*, that development proposals respect site topography; that they should be compatible with surrounding land uses; that they should integrate into the landscape and minimise detrimental effects on the environment.

6.3.10. The design of the Proposed Development has been subject to a detailed and iterative design process that is set out in the Design and Access Statement submitted with the application. That Statement explains how the layout of the Proposed Development was influenced by a range of factors including planning policy and guidance, site topography and designations, professional judgement and taking account of advances in wind turbine technology. Comparative wirelines were produced for each of the design iterations with the objectives (from a landscape and visual perspective) for the Proposed Development being:-

- The design and layout of the turbines should express the function of the Proposed Development as an energy generator as clearly as possible by avoiding complexity and visual confusion (particularly from key viewpoints);
- The turbine layout should relate to the landscape character of the Site and its surroundings, including potentially affected designated landscapes;
- The turbine layout should relate to the scale of the landscape in which it is located;
- To space turbines evenly over the Site area avoiding a random appearance with limited instances of visual stacking and outlying turbines (particularly from key viewpoints);
- To respond to the various other environmental and technical constraints identified within the Site; and
- The design and layout of the turbines should be viewed as a visually balanced composition of turbines against the landscape, skyline and in association with other cumulative windfarm developments.

6.3.11. Other factors influenced the design of the Proposed Development as summarised in Appendix 2 of the Design and Access Statement. The final 12 turbine layout has been designed to respond to the character and scale of the landscape, in addition to other environmental and technical constraints. The associated infrastructure has also been sited sympathetically so as to limit its influence on the surrounding landscape.

6.3.12. It is recognised that some significant (in EIA terms) landscape and visual effects will arise from the Proposed Development. The acceptability of these is a matter of planning judgement that brings in other factors too, and this is discussed in Section 7. In terms of these PKCLDP policies, however, it is considered

that the Applicant's approach to site design, with clearly set out design objectives which seek to minimise visual effects, is consistent with the key aims of these policies.

Cultural Heritage

- *Policy 26 'Scheduled Monuments and Archaeology'*
- *Policy 27 'Listed Buildings'*
- *Policy 29 'Gardens and Designed Landscapes'*
- *Policy 31 'Other Historical Environmental Assets'*

6.3.13. These polices provide the general basis for the consideration of all development proposals which may have an effect on the historic built environment, whether designated or undesignated.

6.3.14. As noted in the NPF4 discussions on Policies 11(e)(vii) and 7, the assessment of the effects of the Proposed Development upon all cultural heritage assets identified 12 potential direct impacts on heritage assets arising from the construction of the Proposed Development. In addition, 17 other heritage assets lie within the micrositing allowance and could be affected by any micrositing of the proposed layout. Without mitigation, 11 of these construction impacts are assessed as significant in EIA terms. The remaining impacts are assessed as not significant.

6.3.15. Mitigation measures have been set out within Section 10.5 of **Chapter 10 (EIAR Volume 1)** that would avoid, reduce, or offset the predicted construction effects and residual effects of no more than minor significance (not significant in EIA terms).

6.3.16. The assessment considers that the Proposed Development may have indirect effects on the setting of cultural heritage assets in both the Inner Study Area and the Outer Study Area. There is potential for the turbines to be present in views toward and from Scheduled Monuments, Listed Buildings, and Inventory Gardens and Designed Landscapes in the vicinity of the Proposed Development. A number of these assets were taken forward for assessment of operational phase effects as discussed in Table 10.3 of EIAR **Chapter 10 (EIAR Volume 1)**, supported by EIAR Technical Appendices 10.2 and 10.3 and accompanying cultural heritage visualisations, as set out in **Figures 10.3 – 10.7 (EIAR Volume 2)**.

6.3.17. The assessment of operational phase effects finds there will be no significant effects on the settings of these heritage assets and therefore there are no conflicts with the PKCLDP cultural heritage policies detailed above.

Flooding, Water Quality and Drainage

- *Policy 52 'New Development and Flooding'*
- *Policy 53 'Water Environment and Drainage'*

6.3.18. Policy 52 aims to ensure that flood risk is not increased elsewhere as a result of a development. The policy provides criteria for the differing levels of flood risk which states that a low-medium flood risk will be suitable for most forms of development subject to a Flood Risk Assessment. There will be a general presumption against proposals on land within a medium-high flood risk area or where the proposal may lead to increased flooding elsewhere.

6.3.19. With regards to Policy 53, development at any location and scale for any project should where practical, improve the water environment in accordance with the Water Framework Directive 2000/60/EC. Minimum buffers between watercourses and the development should be applied in keeping with the Flood Risk Supplementary Guidance.

6.3.20. As noted in the earlier commentary on NPF4 Policy 11, a detailed flood risk and drainage impact assessment was scoped out of the assessment in **Chapter 8 (EIAR Volume 1)**. A simple screening of potential flooding sources (fluvial, coastal, groundwater, infrastructure etc.) is presented in the **Chapter 8 (EIAR Volume 1)**, Section 8.4 and summarised in Table 8.6.

6.3.21. A comprehensive suite of embedded mitigation and best practice measures has been incorporated into the design of the Proposed Development, referred to as 'embedded mitigation' and summarised in Section 8.4 of **Chapter 8 (EIAR Volume 1)**. In addition, it is proposed that a range of good practice measures will be adopted during construction to further minimise the potential for significant effects upon hydrology and the water environment. These measures are set out in an OCEMP, submitted as **TA 2.1 (EIAR Volume 4)**. Should consent be granted, it is expected a detailed CEMP would be submitted for approval prior to the commencement of development.

6.3.22. Based upon the findings of the relevant EIAR chapters, there are no conflicts with policies 52 or 53.

Landscape

- *Policy 15 'Public Access'*
- *Policy 38 'Environment and Conservation'*
- *Policy 39 'Landscape'*

6.3.23. Policy 15 states development proposals which would have an adverse impact on the integrity of any core path, disused railway, asserted right of way or other well-used route and connectivity proposal will not be permitted.

6.3.24. There are no Core Paths within the Site of the Proposed Development. The closest Core Path to the Proposed Development is STFI/101 (Tarken Lodge LL&TTNP) - Allt an Fhionn - Glen Tarken) which links St Fillans to the uplands to the south of the Site through the wooded northern shores of Lochearnhead.

6.3.25. Long distance walking routes within 20 km include the Scottish National Trail and the Rob Roy Way. The Rob Roy Way is included in the further assessment due to close proximity to the Proposed Development while the Scottish National Trail has limited theoretical visibility and was not take forward for detailed assessment.

6.3.26. As discussed under NPF4 Policy 11, some significant visual effects will arise upon stretches of the identified Core Path and Rob Roy Way. It is not considered that the extent of these effects will adversely impact the integrity of these routes.

6.3.27. With reference to Policy 38 (b), there are no national landscape designations covering the Site with the exception of a small area adjacent to the A85 to allow access which falls within the Loch Lomond and Trossachs National Park. The majority of the Site (including wind turbine locations) is outwith national landscape designations.

6.3.28. Further to the assessment under NPF4 Policies 4 and 11, the Proposed Development will have some effects on a small number of the SLQs of the National Park and two NSAs, notwithstanding those effects identified would not be of such a scale to undermine the overall integrity of these national landscape designations. The Proposed Development can therefore be positively considered against Policy 38.

6.3.29. Policy 39 requires development to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes.

6.3.30. The Proposed Development turbine layout has been designed to minimise effects on the surrounding straths and glens in the Study Area used in **Chapter 5 (EIAR Volume 1)**, and as a result, the extent of visibility in these lower lying parts of the Study Area is minimal. This has led to a marked reduction in landscape and visual effects across the lower lying parts of the Study Area, including within the straths and glens of nearby designated areas (including the National Park and NSAs).

6.3.31. As discussed within the commentary on NPF4 Policy 4, the nearest locally designated landscape is the Creag Gharbh LLA which partly covers the western extent of the Site and is located adjacent to the northern boundary of the Site and the main turbine array. Loch Tay LLA is located approximately 7 km north from the Proposed Development.

6.3.32. The assessment of Creag Gharbh LLA in **Chapter 5 (EIAR Volume 1)** found that there would be significant effects due to the introduction of wind energy development into the landscape where there is none currently experienced within the immediate context of this LLA. Taking account of the Cumulative Assessment (Scoping Scenario), the cumulative effect is considered to be significant due to the closer proximity of the Proposed Development which intensifies the cumulative effect experienced. No significant effects are anticipated for the Loch Tay LLA.

6.3.33. Policy 39 does not seek to prohibit development where there would be significant adverse effects upon a LLA and it makes it clear that where such impacts would arise upon a LLA, development may be permitted where impacts are *'clearly outweighed by social and economic benefits that are more than of local significance to Perth and Kinross'*. In this case, the National Development status of the Proposed Development clearly shows that the benefits will be of more than local importance and this allows for a positive assessment against Policy 39.

Ecology and Ornithology

- *Policy 38 'Environment and Conservation'*
- *Policy 41 'Biodiversity'*

6.3.34. Collectively these policies provide the basis for assessing the impacts of proposals upon habitats, species and designations at the international, national and local levels. PKCLDP notes that the level of protection depends on the species concerned, with European Protected Species receiving the highest level of protection.

6.3.35. An assessment of impacts upon these various receptors is set out in **Chapters 6 and 7 (EIAR Volume 1)** and the associated Technical Appendices. As discussed in the earlier NPF4 assessment (Policies 4 and 11), there are not likely to be any significant residual effects on ecology as a result of the Proposed

Development following the implementation of mitigation measures as set out in the chapter.

6.3.36. **Chapter 6 (EIAR Volume 1)** considered potential impacts upon birds, including qualifying interests of SPAs. That chapter confirms that the Site does not form part of any statutory designated site for nature conservation with qualifying ornithological interests or lie within potential connectivity distances to any SPA.

6.3.37. Likely significant effects during construction and operation have been assessed within **Chapter 6 (EIAR Volume 1)**. These relate to disturbance or direct habitat loss for the following species: black grouse, golden eagle, merlin, red kite and curlew. Collison mortality risks are predicted as being low or negligible for all species.

6.3.38. The implementation of appropriate mitigation as detailed in Section 6.5 of **Chapter 6 (EIAR Volume 1)** ensures the residual effects on all bird species and through all stages of the Proposed Development are not considered to be significant in EIA terms.

6.3.39. Mitigation and enhancement measures for the loss of habitats is set out in the OBEMP. The initial measures set out here would be expanded post consent and would be developed further in liaison with stakeholders, and to include monitoring of works to ensure defined objectives are achieved. The measures set out in the OBEMP go beyond mitigating the effects of the Proposed Development and will deliver a net gain in peatland habitat and will be of benefit to the breeding bird community. Taking these findings into account, the Proposed Development can be positively considered against the suite of PKCLDP policies.

Soils and Peat

- *Policy 51 'Soils'*

6.3.40. The Council seeks to protect soils from erosion and compaction. Proposals on areas of good quality soils will only be supported where they a) minimise impacts on soil resources; b) implement appropriate soil management measures, particularly for valuable soils such as good-quality agricultural soils, and soils with a high organic content; c) adopt best practice when moving, storing and reinstating soils; d) consider opportunities to reuse soils necessarily excavated from the Site.

6.3.41. The policy itself states that the Council is committed to ensuring that development avoids disturbance and the loss of carbon rich soils including peatland. Development that would have a significant adverse effect on soil resources and functions or peat structure will not be supported, unless it can meet certain criteria.

6.3.42. A policy assessment in relation to soils and peat has been undertaken in relation NPF4 Policy 5. That assessment demonstrates that the design of the Proposed Development has avoided areas of deeper peat (>1m) and where possible limited development to areas of peat less than 1m or where peat is absent. While some peat will be disturbed, no excess peat requires to be disposed off-site. The assessment in **Chapter 8 (EIAR Volume 1)** concludes that no significant residual effects on soils and peat will arise. In addition, the BEMP will deliver benefits to peatland habitats extending to approximately 268 ha. Overall, the Proposed Development is considered to be consistent with Policy 51.

Residential Amenity

- *Policy 55 'Nuisance from Artificial Light and Light Pollution'*

- *Policy 56 'Noise Pollution'*

6.3.43. Policy 55 states that consent will not be granted for proposals where the lighting would result in obtrusive and/or intrusive effects. The assessment in **Chapter 5 (EIAR Volume 1)** considers the visual effects associated with the agreed lighting strategy. At night the four turbines that are proposed to have visible aviation lighting would not in themselves be visible during times of darkness, albeit the lights would be visible. The other eight turbines would also not be visible during the hours of darkness and they would not be fitted with any visible aviation lighting. Nevertheless, the assessment of night time effects for the Proposed Development has predicted significant effects for some of the viewpoints considered in the LVIA. This is largely due to the appearance of lighting on an upland horizon which has a currently dark baseline characteristic and the high sensitivity of the receptors experiencing this lighting.

6.3.44. The lighting assessment considered potential visibility associated with 2,000 candela (cd) and 200 cd lighting. Significant effects resulting from the visible aviation lighting have been found at viewpoints 2, 6, 7, 8 and 20 for the 2000 cd scenario, however, when considered for 200cd in clear visibility for these viewpoints, the effects are considered to be not significant. Significant effects have been found for viewpoint 1 in both the 2000 and 200 cd scenarios largely due to the close proximity of this viewpoint.

6.3.45. Policy 56 focuses on noise which was discussed under NPF4 Policy 11 (e)(i) and considered within **Chapter 9 (EIAR Volume 1)**. The assessment noted that noise and vibration during the construction and decommissioning phases may well be audible and/or perceptible to people residing in the area, but the levels would be below established noise limits. It is acknowledged that the upgrade of public roads and their use thereof, is expected to occur in close proximity to residential properties. A range of mitigation measures are proposed to ensure these activities do not give rise to significant effects, such as limits on working periods, following best practice etc. Further detail on these measures would be set out in a CEMP, the requirement for which can be controlled through condition. An OCEMP is submitted as **TA 2.1 (EIAR Volume 4)**. With mitigation in place, no significant noise effects are predicted through the construction or decommissioning phases.

6.3.46. The operational noise assessment considered noise arising from operation of the wind turbines in line with ETSU-R-9733. The assessment notes that the layout of the wind turbines was carefully designed to ensure that there is an adequate separation distance between the proposed turbines and the nearest residential property (mitigation by design). The assessment concludes that the Proposed Development operating in isolation and cumulatively with the proposed Glen Lednock Wind Farm meets the requirements of ETSU-R-97. As a result, no additional mitigation is required.

Transport

- *Policy 60 'Transport Standards and Accessibility Requirements'*

6.3.47. In respect of Policy 60 and the associated transport matters covered within the PKCLDP, discussion on this is detailed under NPF4 Policy 11 (e)(vi). The assessment of the Proposed Development in the EIAR

[33] The Assessment and Rating of Noise from Wind Farms', The Working Group on Noise from Wind Turbines, ETSU Report for the DTI, ETSU-R-97, September 1996. Available at: https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU_Full_copy__Searchable_.pdf

does not predict any significant effects on traffic or access following mitigation measures, such as implementation of a CTMP, which is likely to comprise standard best practice measures to be implemented during construction works. Traffic levels during the operational phase of the Proposed Development were scoped out of the EIAR given these are likely to be insignificant as expected traffic flows will be up to two vehicle movements per week. Overall, there are no conflicts with Policy 60.

Aviation

- *Policy 61 'Airfield Safeguarding'*

6.3.48. Policy 61 relates to the impact of development on the operation of aircraft from Dundee and Perth Airports and unlicensed airfields. Applicants for planning consent within the safeguarding zones of the airfields may be required to provide an independent assessment of the impact of the safe operation of the existing facility, prepared by a suitably qualified person.

6.3.49. The Proposed Development will not impact on the operation of aircraft from the identified airports/airfields detailed within Policy 61. A policy assessment against other aviation and defence interests is provided under NPF4 Policy 11 and contained within **Chapter 13 (EIAR Volume 1)**. The Proposed Development will require the implementation of mitigation measures to avoid impacts upon aviation interests, e.g. a Radar Mitigation Scheme. Following the implementation of mitigation measures the Proposed Development will not have an adverse residual effect upon aviation or defence interests.

Renewable and Low Carbon Energy Supplementary Guidance (2019) (Draft)

6.3.50. This draft supplementary guidance was prepared to support Policy 33 of PKCLDP and contains detailed advice on how applicants should address the criteria of Policy 33. The draft guidance covers a range of renewable and low carbon electricity and heat generation technologies including wind.

6.3.51. It pre-dates adoption of NPF4 and therefore it includes an Onshore Wind Spatial Framework map on page 9, as was required at the time by SPP. That Framework indicates Group 1, Group 2 and Group 3 areas, as follows:

- Group 1: Areas where wind farms will not be acceptable;
- Group 2: Areas of significant protection; and
- Group 3: Areas with potential for wind farm development.

6.3.52. It is important to note that NPF4 no longer continues with the Spatial Framework approach for onshore wind farms. While there is reference to the Spatial Framework in the draft supplementary guidance, an assessment of the Proposed Development should not seek to apply the Spatial framework as this is no longer supported by national planning policy.

6.3.53. The Perth and Kinross website[34] notes that:

'*following adoption of the NPF4 as part of the Development Plan in 2023, the policy framework for the consideration of development proposals in the Perth and Kinross Council area has changed. This includes*

[34] https://www.pkc.gov.uk/ldp2renewables

an updated national planning policy in relation to energy - Policy 11 - as well as wider updates across the national planning policy framework. The updated policy includes a significant shift in the support of renewable energy infrastructure to support net zero. The current draft supplementary guidance is therefore to be reviewed and updated in 2024/2025 to reflect the updated policy position and to provide further guidance on the types of proposals that are being progressed in the Council area'.

6.3.54. Progression of the updated guidance will be monitored and updates to this Statement will be undertaken as required.

6.4. Stirling Local Development Plan (SCLDP) (2018)

6.4.1. It is important to note that no wind turbine forming part of the Proposed Development is located within the Stirling Council administrative area. As **Figure 2.1 (EIAR Volume 2)** shows, within the Stirling Council area there are four borrow pit search areas, one construction compound and 14.6 km of access tracks. Notwithstanding the fact that there are no wind turbines within the Stirling Council part of the Site, the following paragraphs provide a summary of all potentially relevant SCLDP policies to the Proposed Development, including the lead wind energy policy.

6.4.2. The SCLDP was adopted in October 2018. The primary policy relating to the Proposed Development is Policy PP12: 'Renewable Energy', Policy 12.1 which deals with 'Wind Energy Developments'. Policy 12.1 is set within the previous overarching national planning policy context set by SPP and which has now been superseded by NPF4. It makes references to the Spatial Framework for Onshore Wind, which is no longer relevant following the adoption of NPF4.

6.4.3. Part (c) of Policy 12.1 notes that proposals will be assessed against a range of criteria including landscape and visual impacts, cumulative effects, hydrology and flood risk, historic environment impacts etc. These matters have previously been discussed in relation to NPF4 and are not repeated here to avoid unnecessary duplication but no unacceptable impacts upon any receptor have been identified, albeit there are some residual significant landscape and visual effects upon some receptors.

6.4.4. Policy 4.2: 'Protection of Carbon Rich Soils' seeks to ensure that the role of carbon-rich soils in storing carbon will be maintained when considering development proposals. In relation to renewable energy developments, particularly relating to wind, the Council will require developers to follow best practice for minimising carbon emissions and disturbance of peat. These matters have previously discussed in relation to NPF4 Policy 5. Overall, the Applicant's approach to site design, combined with the implementation of mitigation measures during the construction and decommissioning phases, means that the Proposed Development can be positively considered against the Policy 4.2.

6.4.5. Policy 5: 'Flood Risk Management' outlines the Council will take a precautionary approach to flood risk from all sources. The policy sets out criteria for minimising and avoiding flood risk. Flooding matters are covered within **Chapter 8 (EIAR Volume 1)** and discussed under NPF4 Policy 11 (e). Published mapping confirms the Site is not located in an area identified as being at flood risk. Accordingly, a detailed flood risk and drainage impact assessment was scoped out of the assessment in **Chapter 8 (EIAR Volume 1)**. A simple screening of potential flooding sources (fluvial, coastal, groundwater, infrastructure etc.) is presented in the **Chapter 8 (EIAR Volume 1)**, Section 8.4 and summarised in Table 8.6.

6.4.6. Overall, **Chapter 8 (EIAR Volume 1)** concludes that residual effects on hydrogeology, hydrology and geology receptors (including flood risk) following the implementation of mitigation measures are all not significant, see EIAR Table 8.6. This includes an assessment of those infrastructure elements located within Stirling.

6.4.7. Policy 7.1: 'Archaeology and Historic Building Recording' states there will be a presumption against development that would have an adverse effect on a scheduled monument or on the integrity of its setting except in exceptional circumstances. As demonstrated within the assessments against NPF4 Policy 11 (e) and Policy 7, the Proposed Development will not have any significant effects (either direct or indirect) on cultural heritage assets following the implementation of mitigation measures during the construction phase to minimise the potential for direct effects where necessary.

6.4.8. Policy 8.1: 'Biodiversity Duty' notes that all development proposals will be assessed for their impact on biodiversity. These matters have been set out within the discussion on NPF4 Policy 3 and Policy 11 (e). The assessment concludes there are not likely to be any significant residual effects on ecology or ornithology as a result of the Proposed Development assuming that mitigation measures referred set out in the EIAR are adopted. In addition, the enhancement measures set out in the OBEMP will deliver significant biodiversity enhancements on the Site, which the OBEMP quantifies as delivering a net gain in BU of just over 20%.

7. Conclusions

7.1.1. As an application for S36 consent and deemed planning permission, the Development Plan does not have primacy in this case. The Development Plan is an important material consideration, but the principal issue to be considered in determining this application is for Scottish Ministers to have regard to Schedule 9 of the Electricity Act.

7.1.2. Schedule 9 refers to the requirement for Scottish Ministers to *'have regard to the desirability'* of preserving natural beauty, of conserving flora, fauna etc. when determining S36 applications. Scottish Ministers have no duty to ensure these environmental qualities are preserved, but to have regard to the desirability of doing so. Schedule 9 does not, therefore, set strict development management tests.

7.1.3. In arriving at conclusions on the Proposed Development overall, Scottish Ministers can give weight to a range of matters such as national planning policy set out in NPF4, the extent to which it aligns with the objectives of the OWPS 2022, the socio-economic benefits of the Proposed Development and the contribution that it would make towards attainment of GHG reduction and renewable energy generation targets.

7.1.4. The Scottish Government has legislated to achieve net-zero GHG emissions by 2045. To achieve these legally binding targets will require a significant change in the way we generate electricity. While a range of renewable energy technologies will all play an important part in achieving these targets, the OWPS describes the deployment of onshore wind as *'mission critical for meeting our climate targets'*. The need for more onshore wind is not in doubt and the documents referenced in Section 5 of this Planning Statement demonstrate the Scottish Government's strength of commitment to tackling the climate emergency and the nature crisis. Indeed, these are the two key themes that run through NPF4 in particular and also the OWPS and Draft Scottish Energy Strategy and Just Transition Plan.

7.1.5. In response, the Proposed Development comprises renewable energy generation, energy storage and biodiversity enhancement proposals which will contribute directly to these objectives. A suite of socio-economic measures are also proposed, which will ensure the Proposed Development maximises socio-economic benefits during the construction and operational periods. These measures are discussed in detail under NPF4 Policy 25 and are based on five key pillars (1) spending; (2) workforce and skills; (3) ownership; (4) financial power; and (5) land and property. It is considered that through these measures significant opportunities for community wealth building exist through the delivery of the Proposed Development.

7.1.6. It is clear therefore that the Proposed Development would help meet the Scottish Government's net zero GHG emission target by 2045 while also leading to demonstrable biodiversity improvements. The inclusion of a BESS facility will facilitate the creation of a more flexible energy system, helping the development of more 'home grown' energy and ultimately moving towards a more secure energy supply in the future.

7.1.7. The results of the carbon calculator indicate that the Proposed Development is expected to pay back its debt from manufacture, construction, impacts on habitat and decommissioning within 0.9 years if it replaced fossil fuel-mix electricity generation. This figure increases to 1.9 years when compared to a grid-mix scenario.

7.1.8. The Proposed Development would be expected to result in a saving of approximately 117,721 tCO_2 per annum when compared to a fossil fuel mix. Over the course of the 50-year operational life this equates to approximately 5.88 million tonnes, when replacing fossil fuel-mix electricity generation and once CO_2 emissions associated with construction of the Proposed Development are factored.

7.1.9. The Applicant has adopted an iterative and detailed approach to site design, applying the mitigation hierarchy with the objective of avoiding significant environmental effects from arising where possible. Where this has not been possible, the design process has sought to reduce these to non-significant levels through mitigation and to then consider opportunities for compensation and enhancement.

7.1.10. The EIAR submitted with the application concludes that there will be no significant residual effects following the application of mitigation, except for some significant landscape and visual effects. Identified effects upon cultural heritage, ecological, ornithological, geological and hydrological receptors can all be mitigated to non-significant effects. There will be no significant effects upon residential properties arising from noise, shadow flicker or visual effects on account primarily of the significant separation distance between residential properties and the nearest wind turbine.

7.1.11. As the LVIA in **Chapter 5 (EIAR Volume 1)** concludes, significant landscape and visual effects are considered to be localised. Despite significant effects upon some of the SLQs related to the Loch Lomond and Trossachs National Park, Glen Lyon NSA and the River Earn (Comrie to St. Fillans) NSA these would not compromise the overall integrity of these designations and undermine the understanding or appreciation of the underlying landscapes. Identified significant effects upon the Creag Gharbh LLA are considered to be outweighed by the benefits of the Proposed Development, which are demonstrably of more than local importance, courtesy of the Proposed Development's National Development status.

7.1.12. While acknowledging these residual landscape and visual effects, the LVIA concludes that when compared with other wind farm developments of this scale the level of limitation of effects on lower lying areas of the surrounding landscape is notable and illustrates the positive influence of the landscape and visual design mitigation embedded in the Proposed Development design strategy and that significant effects on landscape character and visual amenity are relatively localised in nature.

7.1.13. There are no significant effects upon any national level natural heritage designations, species or habitats that cannot be overcome by mitigation. While some of this mitigation would be delivered through good practice construction, the OBEMP sets out the framework to deliver biodiversity enhancement that goes beyond compensating for identified environmental effects. The OBEMP will deliver restoration and enhancement of approximately 268 ha of blanket bog and will also be of benefit to the breeding bird community through the enhancement of approximately 32 ha of wetland habitat.

7.1.14. NPF4 Policy 1 requires that decision makers must also give 'significant weight' to the extent to which a proposal helps address the nature crises. As discussed, the Applicant's OBEMP sets out a range of measures to enhance biodiversity and these measures find favour in NPF4 Policy 3. The metric used in the OBEMP calculates that the measures proposed will deliver significant biodiversity enhancements on the Site, delivering a net gain in biodiversity units of just over 20% over and above the baseline and pre-development value of the Site.

7.1.15. Turning to the PKCLDP, the lead wind energy policy (Policy 33) confirms that proposals will be supported

where identified impacts are not 'unacceptable'. Identified environmental impacts are not considered unusual for a commercial scale wind farm development. Having regard to the full range of material factors and applying 'significant weight' to the renewable energy benefits of the Proposed Development as well as recognising biodiversity enhancement proposals, it is considered that the planning balance in this case reveals identified environmental effects to be acceptable.

7.1.16. Taking account of these various matters, it is considered that the Proposed Development is the **right development in the right place** and it is therefore respectfully requested that S36 consent and deemed planning permission is granted.

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