



Breezy Hill Energy Project

Section 36 Application:

Planning Statement Update re Grid Connection Assessment

July 2026

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1. Introduction

1.1 Background & Scope

- 1.1.1 This Planning Statement Update has been prepared by David Bell Planning Ltd ('DBP') on behalf of Breezy Hill Energy Ltd (hereafter referred to as 'the Applicant') in relation to the proposed Breezy Hill Energy Project (hereafter referred to as the 'Proposed Development'). The application site is located in the East Ayrshire Council ('EAC') administrative area.
- 1.1.2 As the Proposed Development has a generating capacity in excess of 50 megawatts ('MW'), consent is required from Scottish Ministers under Section 36 of the Electricity Act 1989 ('the 1989 Act'). In addition, a request is being made by the Applicant that planning permission is deemed to be granted under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended ('the 1997 Act').
- 1.1.3 The application is accompanied by an Environmental Impact Assessment Report ('EIA Report') which has been undertaken in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the EIA Regulations'). The EIA Report presents information on the identification and assessment of the likely significant adverse and beneficial environmental effects of the proposal.
- 1.1.4 The Applicant has considered the need for further information to be provided to the Scottish Ministers in respect of the recent judgment: *Raeshaw Farms Limited v Scottish Ministers and Energiekontor UK Ltd* [2026] CSIH 10¹ ('Raeshaw Farms') and how it relates to the Proposed Development.
- 1.1.5 The Applicant acknowledges that a grid connection will be required from the Proposed Development to connect it to the national grid. Giving consideration to the '*Wingfield factors*²' and taking a precautionary approach, the Applicant acknowledges that the Scottish Ministers may rationally conclude that the wind farm and the grid connection could be one project for the purposes of EIA. Given that grid connection works were not considered in the Breezy Hill Energy Project EIA Report 2025, further proportionate environmental assessment material is required to include such works.
- 1.1.6 The Applicant has prepared Supplementary Environmental Information ('SEI') which presents a proportionate assessment of the likely significant effects of the Proposed Development together with its grid connection (as currently proposed) having regard to the technical and environmental information currently available. Firstly, on the basis that it assumes that both the Proposed Development and the route to the grid connection point comprise a single EIA project, in the absence of a position from the Scottish Ministers as to whether they consider these to be a single EIA project or two. Secondly, in that it considers the entirety of the defined EIA project on that basis and "*at the earliest possible stage in all the technical planning and decision-making processes*", as rehearsed as a requirement by reference to EU Directive 2011/92/EU in Raeshaw Farms.
- 1.1.7 It is the Transmission Operators ('TO') responsibility to design, consent, build and operate the grid connection from the wind farm to the transmission substation.

1.2 Description of the Grid Connection

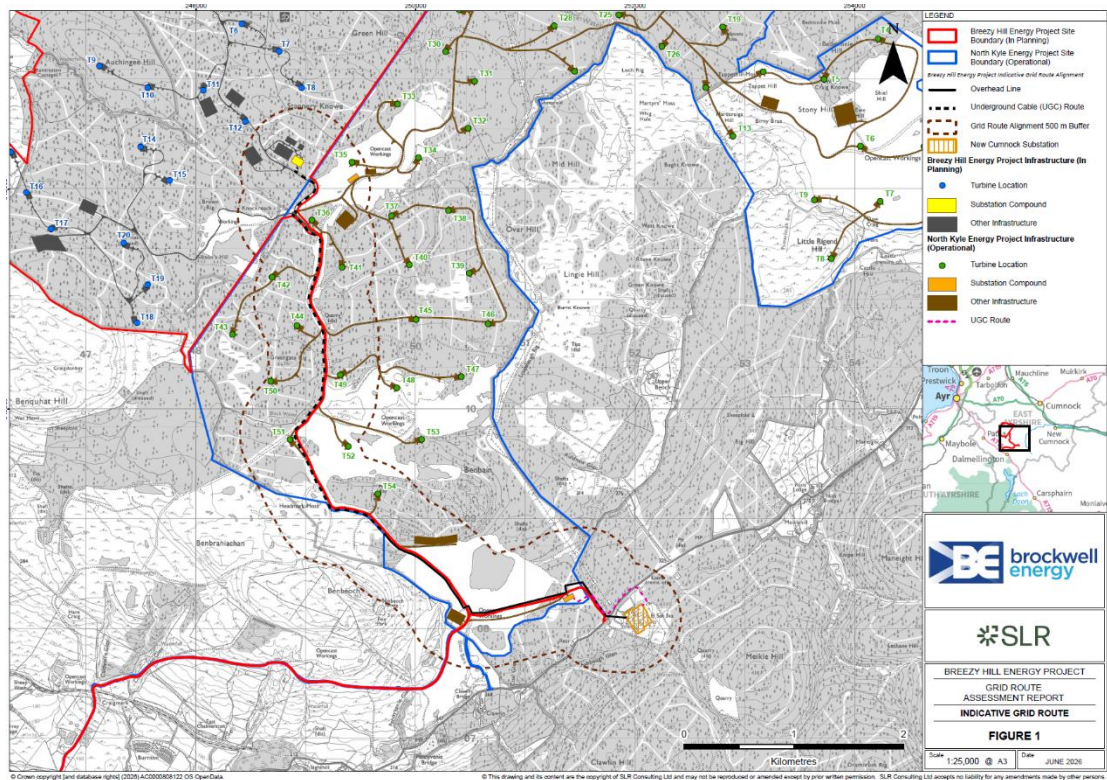
- 1.2.1 It is noted in the SEI that the Proposed Development will require a grid connection from the on-site substation to the New Cumnock electricity substation, which is expected to comprise an underground cable ('UGC') and overhead line ('OHL'). These works would require consent under Section 37 of the Electricity Act 1989. The Section 37 consenting process is entirely separate to the Section 36 consent currently being sought for the Proposed Development.

¹ Raeshaw Farms Ltd v Scottish Ministers and Energiekontor UK Ltd, 17th February 2026.

² The Wingfield factors, namely: Common ownership, Simultaneous Determinations, Functional Interdependence and Stand-alone projects.

- 1.2.2 The Section 37 consent application would be made by the TO, Scottish Power Energy Networks ('SPEN') who is responsible for the transmission and distribution of electricity in the area in which the Proposed Development is located.
- 1.2.3 It is stated in the SEI that the Proposed Development would most likely be connected to the Clawfin collector, which would connect into the New Cumnock North substation, to the south of the site from an on-site substation. The potential grid connection is described in section 2.2 of the SEI, which should be referred to for its detail.
- 1.2.4 In summary, the approximate distance of the full grid connection is approximately 7 km, with the separate lengths of the UGC and OHL estimated to be approximately 4.7 km and 2.8 km, respectively.
- 1.2.5 Whilst the final connection route and technology would be confirmed in due course, the assessment presented in the SEI has considered a realistic route corridor for a 132kV grid connection to ensure that the potential for significant environmental effects is appropriately considered proportionate to the information available at this stage.
- 1.2.6 The parameters used to assess the likelihood of significant environmental effects set out in the SEI include:
- > UGC and OHL connection methods;
 - > An indicative grid connection corridor;
 - > Assessment of the construction/installation and operational phases of the grid connection; and
 - > The potential for in-combination and cumulative effects.
- 1.2.7 The indicative grid route is shown in **Figure 1.1** below.

Figure 1.1: Indicative Grid Route



1.3 Scope of this Planning Statement Update

- 1.3.1 The purpose of this Planning Statement Update is therefore to examine the grid connection corridor alongside the Proposed Development, and to review the conclusions reached in the overall planning balance, taking account of the findings of the Grid Connection Corridor Assessment presented in the SEI.
- 1.3.2 The Planning Statement Update has considered whether the introduction of the grid connection would alter the planning balance and overall conclusions reached in respect of the Section 36 application for the Proposed Development. This Planning Statement Update is structured as follows:
- > **Chapter 2** provides an update to the renewable energy legislative and policy framework. The original Planning Statement and its first Update (May and December 2025) have addressed this topic, however there are some matters to update.
 - > **Chapter 3** considers the likely potential environmental effects of the grid connection and whether the conclusions reached in the assessment would alter the planning balance and overall conclusion reached in the Applicant's Planning Statement documentation. Updated conclusions on the overall accordance of the Proposed Development with the Development Plan and material considerations are set out.

2. The Renewable Energy Legislative & Policy Framework: Update

2.1 Introduction

2.1.1 The Planning Statement and its update (2025) that was submitted with the Section 36 application addressed the renewable energy policy and legislative framework.

2.1.2 This Planning Statement Update provides an update on that policy framework, with an emphasis on new policy and legislative provisions which have emerged since December 2025. Relevant updates are:

2.1.3 At the UK level – the Energy Secretary’s Statement on Energy Security (2026).

2.1.4 At the Scottish Government level:

- > Climate Change Committee (‘CCC’) Report to Scottish Parliament - Progress in reducing emissions in Scotland (February 2026); and
- > The Climate Change Plan (2026); and

Government Statement on Energy Security (March 2026)

2.1.5 The Energy Secretary (The Right Hon Ed Miliband MP) issued a statement on 15 March 2026 outlining a package of measures to go “further and faster” in the pursuit of national energy security, as a response to events in the Middle East. The Energy Secretary announced various energy interventions to boost the UK’s energy security, including relating to solar deployment and stated an intention to bring forward the Government’s next annual renewables option to July 2026. The Energy Secretary stated:

“Global events demonstrate there is not a moment to waste in our drive for clean power because there can be no energy security while we are so dependent on fossil fuels... everything we are doing is about one purpose: fighting the corner of the British people by taking back control of our energy”.

Climate Report to Scottish Parliament - Progress in reducing emissions in Scotland (February 2026)

2.1.6 The CCC produced a report to the Scottish Parliament entitled ‘Progress in reducing emissions in Scotland’³ in February 2026 (‘CCC 2026 Report’). The CCC assessment of the Scottish Government’s progress in reducing emissions found that there are ‘credible plans’ and ‘plans with only some risks’ in place for 91% of the emissions reduction needed to achieve Scotland’s First Carbon Budget (2026 to 2030). Action in several areas has improved in the last two years. Achievements include a rise in the roll-out of electric vehicles and related charging infrastructure, as well as the highest rates of peatland restoration seen to date.

2.1.7 The CCC 2026 Report acknowledges the progress made stating that “*the Scottish Government and Scottish Parliament have made rapid progress in legislating the levels of the four carbon budgets, covering the period 2026 to 2045.*” This was secured through the Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 (‘2025 Regulations’).

2.1.8 In relation to energy supply the CCC 2026 Report states that (page 20):

³ CCC (2026) Progress in reducing emissions in Scotland.

“deployment of variable renewable electricity generation is continuing to increase in Scotland, with 1.1 GW of offshore and 1.3 GW of onshore wind capacity deployed in 2024. Remaining emissions in electricity generation come predominantly from the Peterhead gas-fired power station. Reducing emissions further relies on the continued roll-out of wind and solar generation and of network capacity to accommodate it.”

2.1.9 The CCC 2026 Report states that *“Scotland will need to continue its strong progress in rolling out renewable electricity generation and ensure development of electricity networks can keep pace. The Scottish Government should act to accelerate planning and consenting for transmission infrastructure to achieve this.”* (Page 22)

2.1.10 At Page 77 this is discussed in further detail and it notes that *“To achieve the Scottish Government’s target of 20 GW of onshore wind by 2030, nearly 10 GW needs to be installed in the next five years, which would be a doubling of capacity. This equates to a rate of deployment approximately two and a half times higher than the average annual deployment in 2023 and 2024.”*

2.1.11 The CCC 2026 Report acknowledges the progress in emission reductions relating to the energy supply noting that *“around two-thirds of the emissions reductions seen since the introduction of the Act in 2009 have been in the energy supply sector. Electricity supply in Scotland is now almost fully decarbonised”.* (Page 58)

2.1.12 However, it goes on to state that *“further expanding low-carbon generation and supporting transmission network infrastructure in Scotland remains critical to enable decarbonisation of other sectors and to supply low-carbon electricity to the rest of the UK.”* (Page 58)

2.1.13 The CCC call on the Scottish Government to enable *“rapid expansion of renewable energy and ensure timely planning approval of the transmission infrastructure required to move power from generation sites to where it will be used”.* (Page 108)

2.1.14 As part of the priority recommendations the CCC note that *“constraints on the transmission network mean that a significant proportion of Scotland’s renewable electricity cannot be exported and is curtailed.”* (Page 123)

2.1.15 The CCC 2026 Report identified positive progress over the last year in securing emissions reduction but identifies more to do, including continued deployment of renewable energy infrastructure and the acceleration of the transmission infrastructure needed to support the route to net zero by 2045.

Scotland’s Climate Change Plan (2026)

2.1.16 The Scottish Government published ‘Scotland’s Climate Change Plan – 2026-2040’ (‘CCP’) on 25 March 2026. The CCP covers the period 2026 to 2040 and aligns with three five-year “carbon budget” periods: 2026-30, 2031-35 and 2036-40.

2.1.17 The CCP sets out the policies and proposals the Scottish Government will take forward to enable the carbon budgets set out in legislation to be met. The carbon budgets have been set in line with the levels proposed by the CCC in May 2025, referred to above, and provide a clear pathway towards Scotland achieving net zero by 2045.

2.1.18 The carbon budgets are:

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

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

- 2.1.20 The CCP notes that the key driver of the transition to date has been the transformation in the way energy is generated - from coal and gas to a thriving renewables sector. It acknowledges the opportunity the transition to net zero provides in terms of growing the economy, noting that the net zero transition can support significant economic opportunities for Scotland.
- 2.1.21 The CCP sets out sectoral policies relating to a range of sectors, which are prescribed in legislation, including energy supply, agriculture and transport, amongst others. Key policies and actions have been set out for each sector to meet the carbon budgets.
- 2.1.22 Annex 2 of the CCP contains the Sectoral Annexes which support the CCP. Energy supply is one of the key areas of focus. At page 84, the document sets out the vision for Scotland stating that:
- “By 2035, we will have expanded our renewable capacity significantly to meet the increasing demand as other sectors decarbonise. We already have an ambition to have delivered 20GW of onshore wind by 2030 and in January 2026, we published the ‘Offshore Wind Policy Statement 2020 update: Scotland’s Offshore Wind Ambition’. This set out an increased offshore wind ambition for Scotland of up to 40GW of new offshore wind capacity by 2040.”*
- 2.1.23 It adds that as we transition to net zero and reduce reliance on fossil fuel generation *“energy storage will play a larger role in ensuring a secure and resilient electricity system by providing a reliable and flexible electricity supply.”* (page 84, Annex 2)
- 2.1.24 One of the actions identified to achieve the vision of emissions reduction for the energy generation sector means *“moving to an electricity system in which the residual amount of unabated gas is displaced by low carbon and renewable sources. To deliver this target, whilst ensuring a safe and secure supply, **we must grow our renewables capacity**, including from offshore and **onshore wind**, and solar.”* (Page 89, Annex 2) (emphasis added).
- 2.1.25 The publication of the CCP demonstrates the continued commitment and needs case for delivering additional renewable energy capacity.

2.2 Conclusions on the Renewable Energy Policy & Legislative Framework

- 2.2.1 It is considered that the Proposed Development is very strongly supported by the climate change and renewable energy policy and legislative framework. The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper, and it is essential that rapid progress is made otherwise the legally binding target in Scotland of net zero by 2045 will not be met.
- 2.2.2 It is clear from the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This expected substantial increase in electricity demand is also highlighted in the Onshore Wind Policy Statement (2022).
- 2.2.3 The change from annual Scottish emission reduction targets to a system of carbon budgets has served to show that Scotland is not on track to attain net zero by 2045, and it strengthens the case for rapidly approving schemes that can contribute to this goal. The overall target of net zero remains unchanged in the move to carbon budgets.
- 2.2.4 Decisions through the planning and wider consenting system must be responsive to this position. Decision makers can do this by affording substantial weight to the energy policy objectives, articulated above, in the planning balance in a given case.
- 2.2.5 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance, and the contribution of the Proposed Development to meeting net zero and low carbon energy targets. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in order to attain net zero.

3. Conclusions & The Planning Balance

3.1 Summary of Key Findings of the Grid Assessment

- 3.1.1 The Grid Connection Corridor Assessment provides an overview of the indicative grid connection type, indicative route and the likelihood for it to give rise to any significant environmental effects, alone or in-combination with the Proposed Development. The assessment that can be done at this stage is restricted by data limitations and uncertainties which are transparently recognised.
- 3.1.2 The assessment set out in the SEI includes consideration of:
- > landscape and visual amenity;
 - > ecology and ornithology;
 - > cultural heritage; hydrology,
 - > hydrogeology and geology;
 - > traffic and transport;
 - > noise; and
 - > other issues.
- 3.1.3 The SEI concludes that based on the information available at this preliminary stage, it is not considered that the construction and operation of the indicative grid connection route will result in significant short-term (during construction) or long-term (during operation) effects if the final grid connection route follows careful routeing and design, as well as the implementation of standard good practice and mitigation measures.
- 3.1.4 Overall, the Appraisal confirms that through careful route refinement, micro-siting, standard mitigation measures, and adherence to established best-practice construction and environmental management measures, potential significant environmental effects can be effectively avoided.
- 3.1.5 It is noted in the SEI that the findings of the assessment could be subject to change depending on the fixed and final grid connection route that would be subject to SPEN's statutory environmental duties as TO under the 1989 Act. Further detailed assessment would be undertaken at that time, supported by more advanced design information, to ensure that the final grid connection solution is environmentally responsible, technically robust, and in alignment with relevant planning and regulatory requirements.

3.2 Development Plan Policy Considerations

- 3.2.1 The Planning Statement documentation which supports the Section 36 application provided a detailed assessment of the Proposed Development against the relevant planning policy, namely the statutory Development Plan, made up of National Planning Policy 4 ('NPF4') (2023) and the East Ayrshire Local Development Plan (2024) ('LDP') and associated Supplementary Guidance.
- 3.2.2 As previously noted, the grid connection application for consent will be subject to a separate consenting process under the relevant legislation at a later date. Nevertheless, the Development Plan will be a relevant consideration in the determination of that application, alongside other matters.

- 3.2.3 The lead Development Plan policy for the consideration of any future consent application for the grid connection would be NPF4 Policy 11 (Energy). Additional policies which may be relevant include the following NPF4 policies:
- > Policy 1: Tackling the Climate and Nature Crises;
 - > Policy 3: Biodiversity;
 - > Policy 4: Natural Places;
 - > Policy 5: Soils;
 - > Policy 6: Forestry, Woodland and Trees;
 - > Policy 7: Historic Assets and Places; and
 - > Policy 11: Energy; and
 - > Policy 22: Flood Risk and Water Management
- 3.2.4 From a review of the key findings of the Grid Connection Corridor Assessment, it is considered that there are likely to be no significant effects arising from the grid connection in combination with the Proposed Development, or cumulatively with other developments that would give rise to a policy conflict with Policy 11, or indeed the other policies of potential relevance to the grid connection.
- 3.2.5 The relevant policies of the LDP and Supplementary Guidance have been considered in terms of accordance with the Proposed Development. Again, given the outcome of the Grid Connection Corridor Assessment, there are considered to be no impacts predicted which are likely to give rise to a conflict with any policy of the LDP.

3.3 Updated Planning Balance

- 3.3.1 This Planning Statement Update is intended to assist the decision maker in the consideration of the Proposed Development. It should be read alongside the submitted Planning Statements (2025).
- 3.3.2 The Applicant has prepared a Grid Connection Corridor Assessment by way of SEI to set out the potential likely environmental effects associated with the grid connection route identified.
- 3.3.3 As such, based on the information before Scottish Ministers, they are in a position to conclude what likely adverse effects – or disbenefits - would arise from the associated grid connection and weigh those against the considerable benefits of the Proposed Development (acknowledging these will only be realised if consent is obtained for the associated grid connection) and supportive planning policy, as set out within the Planning Statement documentation. On that basis, Scottish Ministers can properly undertake the exercise of weighing the benefits and disbenefits in the planning balance.
- 3.3.4 Consideration of the environmental effects of the grid connection, its associated benefits and disbenefits is a relevant consideration in the determination of the Section 36 application for the Proposed Development. Both projects together must be delivered in order to realise the benefits.
- 3.3.5 However, it is reasonable to conclude, based on the information that has been made available, that appropriate mitigation will be secured where adverse effects have been identified, and that ultimately consent will only be granted for the grid connection if the impacts of it are acceptable. It is also reasonable to conclude that the impacts of the Proposed Development will only come forward if consent for the grid connection is granted. On that basis, it is considered that only limited weight should be afforded to these matters in the determination of the Proposed Development.
- 3.3.6 NPF4 requires that the decision-maker must identify and weigh the adverse effects of a proposed development. However, increased weight is to be given to the benefits of a

development in the planning balance owing to the seriousness and importance of energy policy related considerations and the contribution of the Proposed Development to meeting climate change targets – as required by NPF4 Policy 11 (Energy) and 1 (Tackling the climate and nature crises).

- 3.3.7 These benefits are balanced with the identified adverse effects of the Proposed Development (and associated grid connection) in the overall planning balance in considering whether Section 36 consent for the Proposed Development should be granted.

3.4 Overall Conclusion

- 3.4.1 It is considered that the conclusions as set out in Planning Statement documentation are not changed as a result of the updated considerations set out within this Planning Statement Update. As such:
- > The Proposed Development delivers important renewable energy capacity to meet national renewable energy and emission reduction and renewable energy generation targets and would contribute to the attainment of net zero for Scotland by 2045 and the UK by 2050.
 - > The assessment as set out in the SEI has not identified any likely significant effects arising from the proposed grid connection, nor any likely significant in-combination effects from the grid connection and the Proposed Development.
 - > The Proposed Development is in accordance with the relevant policies of the Development Plan and with the plan when read as a whole.
 - > Other relevant considerations, including the energy policy related updates provided in this report, further support the position that the Proposed Development should be granted Section 36 consent.
- 3.4.2 The conclusion is that the Proposed Development would be consistent with all relevant national planning and energy policies including the Development Plan. While there is no statutory duty on the Applicant at the present time under Part 3 of Schedule 9 of the Electricity Act 1989, the Applicant has through the EIA process, had full regard to the matters set out therein.

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