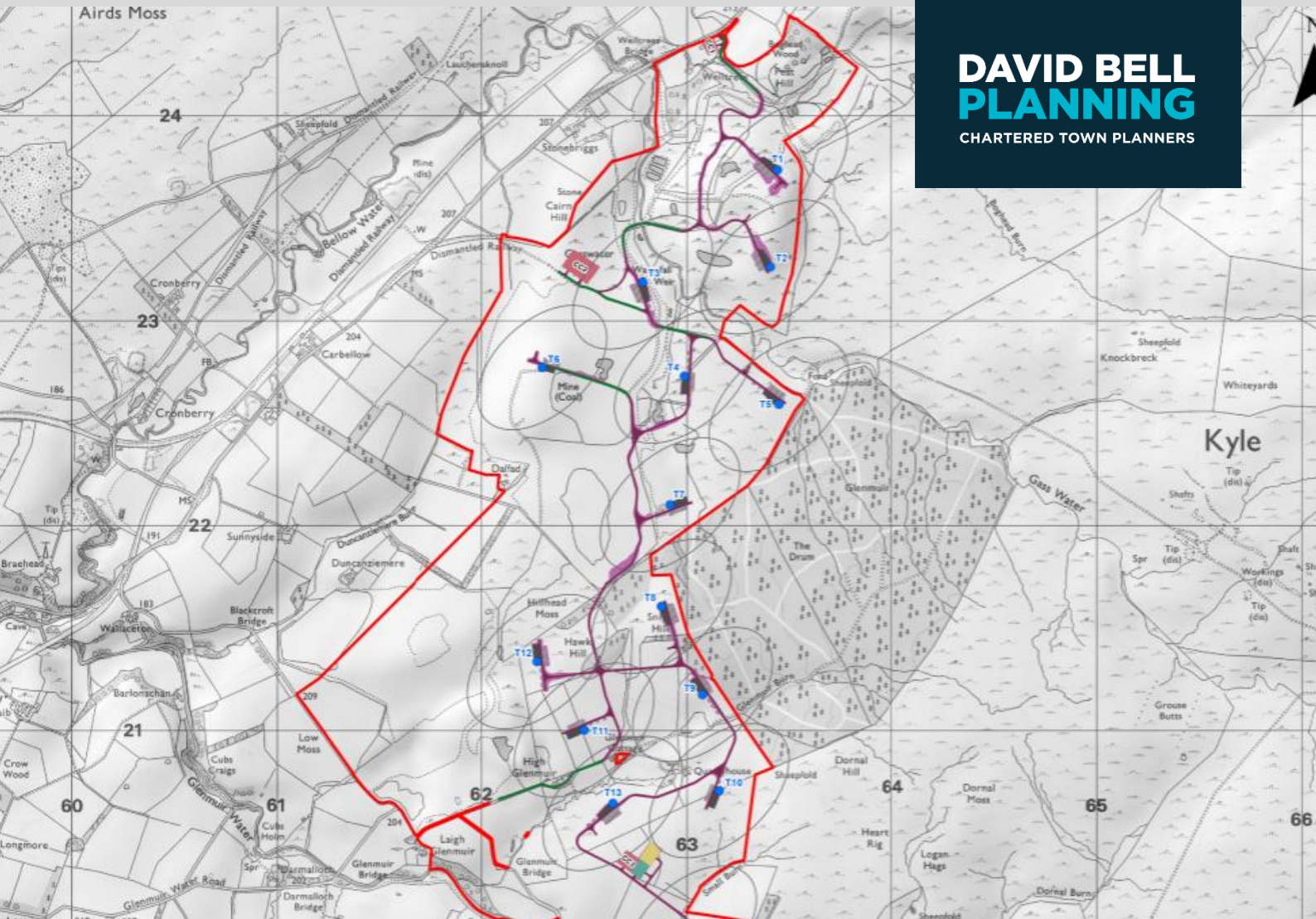




Dalfad Wind Farm

Section 36 Application:

Planning Statement

September 2026

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1. Introduction

1.1 Background

- 1.1.1 This Planning Statement has been prepared by David Bell Planning Ltd ('DBP') on behalf of Brockwell Energy Limited ('the Applicant' or 'BEL') in relation to the proposed Dalfad Wind Farm ('the Proposed Development') located approximately 4 km north-east of Cumnock and 28 km east of Ayr within East Ayrshire Council ('EAC' or 'the Council') administrative area. The approximate centre of the Site is located at British National Grid reference NS 62781 21809.
- 1.1.2 The Proposed Development will comprise up to 14 turbines resulting in an overall generating capacity of approximately 80 megawatts ('MW'). A 40 MW battery energy storage system ('BESS') will also be included, meaning the Proposed Development will have a maximum total capacity of around 120 MW.
- 1.1.3 This Planning Statement supports a Section 36 application submitted under the Electricity Act 1989 ('the 1989 Act') for consent to construct and operate the Proposed Development. In addition, the Applicant is also seeking deemed planning permission under Section 57 of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act').
- 1.1.4 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 positive and negative environmental effects of the Proposed Development.
- 1.1.5 This Planning Statement is supplementary to, and should be read in conjunction with, the EIA Report. It presents an assessment of the Proposed Development against relevant policy with due regard given to the provisions of the statutory Development Plan made up of both National Planning Framework 4 ('NPF4') and the Local Development Plan ('LDP') for the Council area, national energy and planning policy, and other relevant considerations.

1.2 The Applicant

- 1.2.1 The Applicant is a renewable energy development company based in Scotland, with headquarters in Edinburgh. BEL's main business areas are development of onshore wind, solar and battery energy storage systems. BEL is the developer of the North Kyle Energy Project in East Ayrshire and the proposed Breezy Hill Energy Project, for which an application for consent was recently submitted to the ECU. BEL has also developed two energy-from-waste facilities; one at Earl's Gate Energy Centre, Grangemouth, and one at Westfield, Fife. Since 2018, the Applicant has successfully delivered over £1 billion of projects across the UK.

1.3 The Statutory Framework

- 1.3.1 An application under Section 36 of the 1989 Act for consent for the construction of an electricity generating station whose capacity exceeds 50 MW is significantly different from an application for planning permission for a generating station whose capacity is 50 MW or less.
- 1.3.2 Section 25 of the 1997 Act does not apply to the determination of applications under Section 36 of the 1989 Act, as confirmed in the case of *William Grant & Sons Distillers Ltd v Scottish Ministers* [2012] CSOH 98 (paragraphs 17 and 18).
- 1.3.3 Schedule 8 of the 1989 Act references consents under Section 36 and 37 of the Act. In addition, there are certain environmental duties in relation to preservation of amenity and fisheries provisions in Schedule 9, paragraph 3 that apply to the Scottish Ministers as decision maker.

- 1.3.4 The Applicant does not currently hold a generation licence or exemption under the 1989 Act and therefore the statutory duties set out in paragraph 3(1) of Schedule 9 to the 1989 Act do not currently apply to the Applicant when formulating proposals for consent under Section 36 of the 1989 Act. The Applicant has however, through the EIA process, had full regard to and has addressed the matters set out in paragraph 3(1)(a) of Schedule 9 in formulating the Proposed Development.
- 1.3.5 The EIA Report identifies how various factors were taken into account in the formulation of the application. In addition, each EIA Report chapter includes assessment of the likely significant effects ('LSE') and also, where appropriate, the identification of appropriate mitigation. This includes both embedded mitigation which is integral to the design, construction and operation of the Proposed Development and also additional specific measures which have been identified, along with proposed monitoring as appropriate.
- 1.3.6 In accordance with paragraph 3(2) of Schedule 9 to the 1989 Act, the Scottish Ministers are obliged to have regard to the desirability of the matters mentioned in paragraph 3(1)(a). The Applicant has provided sufficient information to enable the Scottish Ministers to address their duties under sub-paragraph 3(1)(a) of Schedule 9 to the 1989 Act. The duty on the Ministers is to have regard to the matters specified in Schedule 9 which is not a development management test.
- 1.3.7 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a relevant consideration which should be taken into account in the round with all other relevant considerations. It is important to note, however, that Section 25 of the 1997 Act is not engaged as there is no 'primacy' of the Development Plan in determining an application made under the 1989 Act.

1.4 Site Location and Description

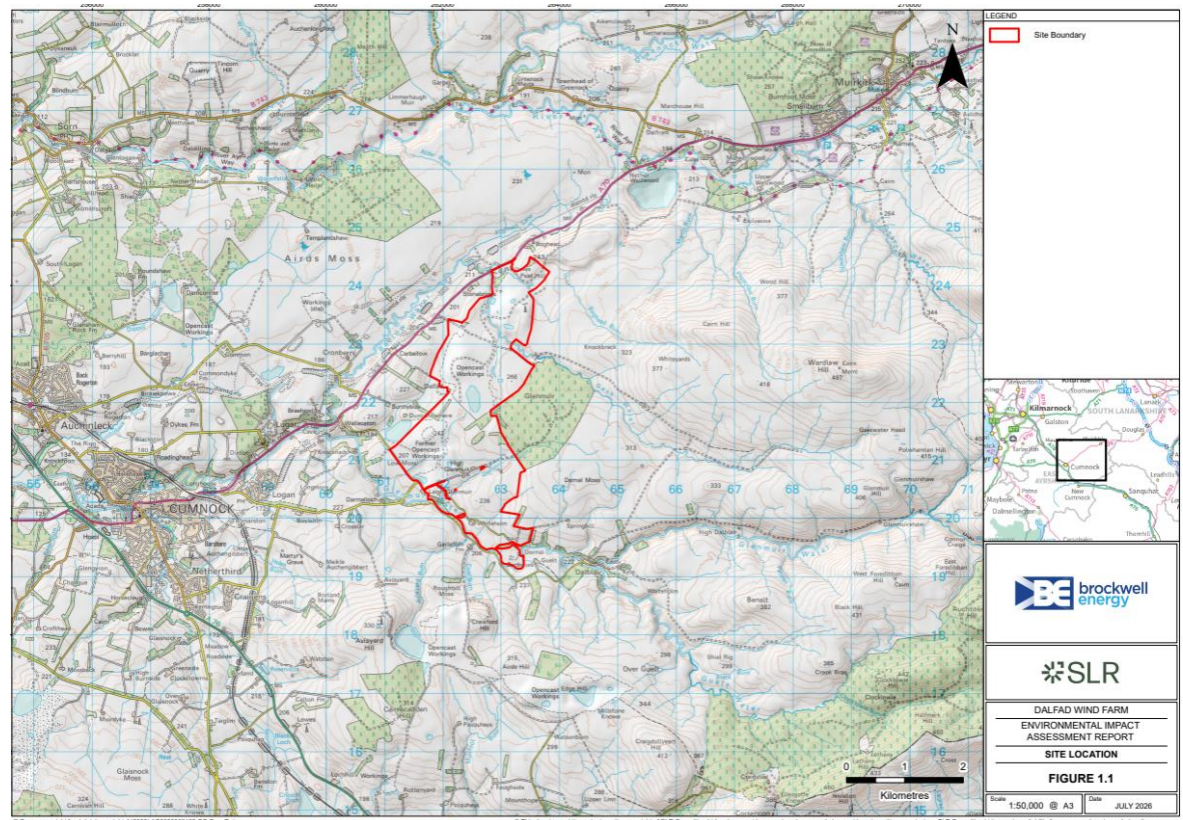
- 1.4.1 Located approximately 4 km north-east of Cumnock and 28 km east of Ayr, the Site falls within the EAC administrative area, as shown on Figure 1.1 of the EIA Report and reproduced at **Figure 1.1** of this Planning Statement.
- 1.4.2 The Site is situated in a predominantly rural environment, characterised by agricultural land, forestry and former coal mining sites with several remaining open mining voids in the local area, one of which is located within the Site. The northern section of the Site includes the former Dalfad Coal Mine and part of the former Duncanziemere Coal Mine. The coal in these areas was formerly mined using both opencast and underground methods.
- 1.4.3 Whilst the mining companies abandoned the Dalfad and Duncanziemere mining operations on the Site in 2013, leaving the sites derelict, the EAC worked with the landowners to undertake restoration work to "Make Safe, Make Good, Make New"¹.
- 1.4.4 In 2021, the Dalfad Coal Mine was identified by the EAC in their report entitled "Opencast Coal Mining in East Ayrshire – Completion of Restoration and Recovery Activity"² as being fully restored. Aftercare of the Dalfad Coal Mine is being carried out by the landowner and is being monitored by EAC. Whilst EAC's works have ensured a safe site and restoration works have been delivered by EAC and the current site owners, there remains significant opportunity to improve the restoration and ecology of the Site.

¹ East Ayrshire Council, 2013. "Opencast Mining in East Ayrshire –Steps to Recovery, Council". Available at <https://www.east-ayrshire.gov.uk/CouncilAndGovernment/About-the-Council/MinutesAgendasAndReports/OpencastCoalUpdate.aspx>

² East Ayrshire Council, 2021. Report by the Chief Governance Officer and Head of Economic Growth. "Opencast Coal Mining in East Ayrshire – Completion of Restoration and Recovery Activity". Available at <https://www.east-ayrshire.gov.uk/CouncilAndGovernment/About-the-Council/MinutesAgendasAndReports/OpencastCoalUpdate.aspx>

- 1.4.5 The Duncanziemere Coal Mine has undergone limited restoration works in association with the extraction of remaining coal reserves, but the mine was identified by the EAC in their 2021 report as undergoing ‘aftercare’. The Duncanziemere Coal Mine is still considered brownfield and in need of restoration betterment.
- 1.4.6 An area of plantation conifer forestry is immediately adjacent to the east, and there are several small areas of new conifer plantations within the Site. There are a number of small and isolated areas of ancient woodland located within 5 km of the Site, six within the Site boundary and one immediately adjacent to the southeast of the Site.
- 1.4.7 There are a number of residential and commercial properties located within 5 km of the Site, with most being along the route of the A70 (which runs north-east to south-west) to the west of the Site.
- 1.4.8 The settlement of Cronberry is located approximately 1.5 km to the west of the Site and Lugar is approximately 3 km west of the Site. Muirkirk is approximately 6.5 km to the northeast of the Site. Access to the Site will be gained from the A70 via an existing access point to the former Dalfad Coal Mine.

Figure 1.1: Site Location Plan



1.5 The Proposed Development: Summary

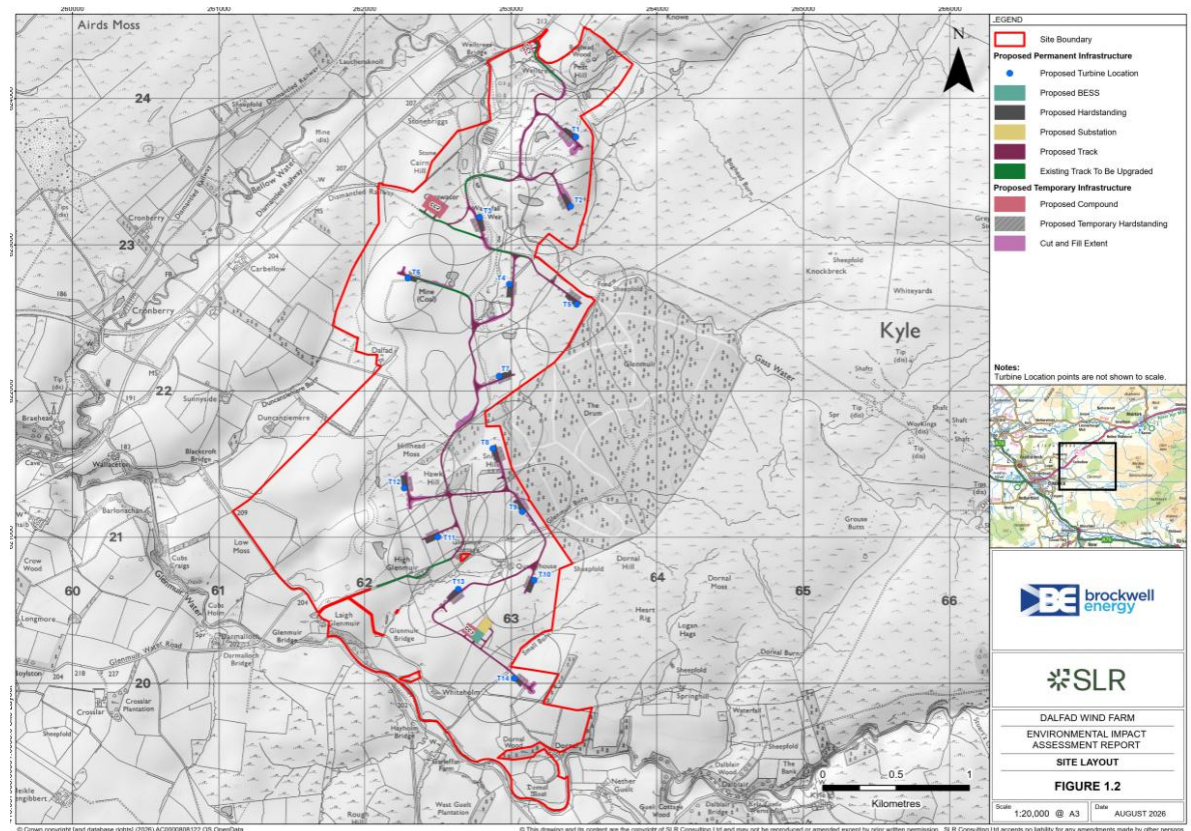
- 1.5.1 A detailed description of the Proposed Development is contained in **Chapter 2 Project Description**, within the EIA Report. In summary the Proposed Development comprises the following development elements:

- > Up to 14, three-bladed horizontal axis turbines, nine of which will be up to 200 m to tip, with the remaining five being up to 149.9m to tip, capable of generating approximately 80 MW;
- > A BESS of up to 40 MW capacity;

- > Turbine foundations;
- > Crane hardstands;
- > A vehicular site entrance;
- > Internal access track network;
- > Watercourse crossings;
- > Transformers and underground cables; and
- > Onsite substation / switchgear building.
- > Temporary infrastructure required for construction will include:
 - Three construction compounds;
 - Crane assist pads;
 - Blade laydown supports;
 - Boom supports;
 - Laydown areas; and
 - A concrete batching plant.

- 1.5.2 Aviation lighting will be required. A reduced Aviation Lighting Scheme is proposed such that only some of the turbines be lit with either infrared ('IR') lighting or a combination of IR and visible lighting. Further details are set out in **Technical Appendix 1.5: Aviation and Radar** of the EIA Report.
- 1.5.3 The Proposed Development will provide various enhancement measures, including:
- > Biodiversity restoration and enhancements as detailed within **Technical Appendix 6.6 Outline Biodiversity Enhancement and Management Plan (OBEMP)** of the EIA Report; and
 - > Recreation and Access enhancements; which will likely include the establishment of a Heritage Trail.
- 1.5.4 The Proposed Development layout is illustrated in **Figure 1.2** of the EIA Report and reproduced below at **Figure 1.2**.

Figure 1.2: Site Layout Plan



Micrositing

- 1.5.5 The Applicant proposes a micrositing allowance of up to 100 m in all directions within the Site boundary in respect of each turbine and the associated infrastructure, to address any potential difficulties which may arise in the event that pre-construction surveys identify unsuitable ground conditions or environmental constraints that could be avoided.
- 1.5.6 The technical assessments as set out within the EIA Report have therefore considered the potential for micrositing up to 100 m in any direction. During construction, the need for any micrositing would be assessed and agreed with the relevant personnel on site, e.g. Ecological Clerk of Works ('ECoW') or Environmental Manager, as appropriate.

BESS Fire Risk Management

- 1.5.7 The BESS will be equipped with a fire water tank to enable firefighting should any of the batteries or other equipment catch fire during operation. The BESS compound will also have a drainage capture facility (sump or attenuation dam) which would capture any water used for fire fighting and would not allow the fire fighting water to enter the receiving environment.
- 1.5.8 A secondary vehicular access has been provided for in the design of the BESS, the intention of which is to enable firefighters to access the site without passing through smoke and vapour clouds, should this be necessary.
- 1.5.9 Further detail on battery safety and fire risk management can be found in **Technical Appendix 2.3: Battery Safety Management Plan** of the EIA Report.

Construction

- 1.5.10 The Proposed Development will be constructed over a period of approximately 18 to 24 months and is anticipated to commence in 2030.

1.5.11 Normal construction hours will be between 07:00 and 19:00 Monday to Friday and 07:00 and 13:00 on Saturdays and bank holidays. It must, however, be noted that out of necessity due to weather conditions and health and safety requirements, some generally quiet activities, for example Abnormal Indivisible Load (AIL) deliveries (which are controlled by Police Scotland) and the lifting of the turbine components, may occur outside the specified hours stated. Any construction outwith these hours will be in line with the noise limits as assessed in Chapter 9: Noise and advance warning of any works outwith the agreed working hours will be provided to EAC and local residents.

1.5.12 A Construction Environmental Management Plan ('CEMP') will be developed prior to the commencement of construction and will be a live document that is kept up to date and implemented throughout the construction phase. An Outline CEMP is provided at **Technical Appendix 11.1**.

Operational Life

1.5.13 Consent is being sought for the Proposed Development for an operational life of 40 years from the date of commissioning of the wind turbines.

Decommissioning

1.5.14 At the end of the Proposed Development's operational lifespan of 40 years, it will be decommissioned, unless further consent is sought for life extension or repowering. The environmental effects of decommissioning are considered to be similar to those during construction, excluding the loss of habitat which will have already occurred under construction.

1.5.15 Prior to decommissioning, a Decommissioning Environmental Management Plan (DEMP) will be produced to reflect then current legislation and policy and will be agreed with the relevant statutory authorities. This would be secured by condition.

1.6 Grid Connection and AIL Route

1.6.1 The Proposed Development will require a grid connection from the on-site substation to the Grid Supply Point ('GSP') which will be subject to a separate consenting regime (to the Section 36 wind farm consent being sought) likely to be under Section 37 of the 1989 Act, led by the Transmission Operator at a later date. Scottish Power Energy Networks ('SPEN') is responsible for the transmission and distribution of electricity in this part of Scotland and the grid connection works and any applications would be made by them in due course.

1.6.2 In response to matters raised at EIA Scoping by EAC and the Energy Consents Unit ('ECU'), the Applicant as part of the EIA, has undertaken an assessment of the LSE of the connection of the Proposed Development to the grid. In respect of this, an indicative grid connection corridor has been identified. It has been assumed that the Dalfad Wind Farm will be connected to the consented Glenmuckloch Substation, which will be located approximately 8 km to the southeast of the Site, and it has been assumed that the grid connection will be via a 132 kV overhead line.

1.6.3 The grid connection route, land assembly, specification, construction methodology, mitigation measures and other details are not confirmed at this stage and are not in the control of the Applicant. However, the EIA Report includes a proportionate assessment of LSE of the grid connection, including in-combination effects with the Proposed Development, based on reasonable assumptions that can be made at this time. Section 3.3 of Chapter 3 of the EIA Report sets out the rationale behind the assumed grid connection corridor.

1.6.4 Figure 2.13 of the EIA Report presents the indicative grid connection routeing corridor that has been assessed in the EIA Report. Reasonable assumptions have been applied to the assumed grid connection, enabling the potential for LSE to be identified and assessed, based on available information. This detail is set out in **Chapter 2** of the EIA Report. A discussion of

the approach to assessment of the potential effects of an assumed grid connection is included in **Technical Appendix 1.1** of the EIA Report.

- 1.6.5 Additionally, the Applicant has assessed works that may be necessary to accommodate AIL outwith the adopted road to create overrun areas to accommodate the AIL vehicles on the proposed delivery route. These works do not fall within the boundary of the application for S36 consent nor do they form part of the Section 36 application, but the effects of these works have been considered where appropriate within the EIA Report. A discussion of the approach to assessment of the potential effects of the relevant section of the AIL route is included in **Technical Appendix 1.1** of the EIA Report.
- 1.6.6 The Applicant has provided a proportionate assessment of the likely significant environmental effects of a reasonably foreseeable grid connection and the AIL route works, based on information available at the time of writing.
- 1.6.7 The connection to the UK grid from the generating station will be managed and owned by SPEN in its statutory role as the licensed transmission owner responsible for electricity transmission infrastructure in this region. Until the Proposed Development receives a connection offer by SPEN, the exact connection date, grid connection point and route connecting the Proposed Development to the grid network will not be known.
- 1.6.8 As such, the Applicant has made informed assumptions when undertaking the assessment in relation to the indicative grid connection route in terms of identifying the route and form of connection. This has been developed on the basis of knowledge of the electricity infrastructure in the area, the environmental constraints in the area and informed professional judgement including an understanding of the application guidance followed when determining potential electricity transmission/distribution line routes.
- 1.6.9 As such, the grid route and associated environmental effects are subject to change and do not represent a fixed proposal and the precise route and design solution will be progressed by SPEN.
- 1.6.10 It should be noted that SPEN operate within a statutory and licence framework under the 1989 Act that places a duty upon them to develop and maintain an efficient, coordinated and economical system of electricity transmission in addition to having regard to environmental impacts and the mitigation of effects of their assets. In this context, SPEN is dutybound to weigh the network efficiency and economics of connections alongside the environmental factors. Information is not available to the Applicant at this time to inform of the network efficiency and economic factors of the options set out.
- 1.6.11 The assessment of effects in relation to the indicative grid connection route and AIL route works examines effects in relation to relevant environmental topic areas, aligned to those considered as part of the EIA.
- 1.6.12 The information submitted with this Section 36 application provides a proportionate assessment of LSE of the grid connection, including in-combination effects with the Proposed Development, in an appropriate manner, in light of the circumstances, in accordance with the EIA Regulations. Sufficient information is before the decision maker to allow a consideration of the LSE of the Proposed Development and the associated grid connection.

1.7 Structure of Statement

- 1.7.1 This Planning Statement is structured as follows:
- > Section 2 sets out the up-to-date position with regard to the renewable energy policy and emissions reduction legislative and policy framework and includes reference to the Onshore Wind Policy Statement and the Scottish Government's draft Energy Strategy and Just Transition Plan;
 - > Section 3 describes the benefits of the Proposed Development;

- > Section 4 appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- > Section 5 appraises the Proposed Development against the relevant provisions of the LDP and related guidance; and
- > Section 6 examines the planning balance and presents overall conclusions.

2. Renewable Energy Policy Framework

2.1 Introduction

- 2.1.1 This section refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK, and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas ('GHG') emissions reduction law is based. This underpins what can be termed the need case for renewable energy from which the Proposed Development can draw a high level of support.
- 2.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These taken together provide very strong support for the Proposed Development in principle.
- 2.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.
- 2.1.4 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out below. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

2.2 International Commitments

The Paris Agreement (2015)

- 2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference ('COP21'). It entered into force in November 2016. The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2.0C above pre-industrial levels and to pursue efforts to limit global warming to 1.50C.
- 2.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's ('CCC') advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into legislative provisions and targets for both 2045 (Scotland) and 2050 (UK). This is referred to below.
- 2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

UN Emissions Gap Report (2025)

- 2.2.4 The UN Emissions Gap Report (November 2025) entitled "Off Target" provides the annual independent science-based assessment of the gap between the pledged GHG reductions,

and the reductions required to align with the long-term temperature goal of the Paris Agreement.

- 2.2.5 The Executive Summary Report comments on the background of GHG emission increases and the new Nationally Determined Contributions ('NDCs') submitted ahead of COP30 in Brazil as follows (page xii):

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

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

- 2.2.7 The report adds: *"accelerated mitigation action provides benefits and opportunities. In many cases, mitigation aligns with economic growth, job creation, energy security and achievement of other pressing development needs and the sustainable development goals. The required technologies are available, and wind and solar energy development continue to exceed expectations, lowering deployment costs and driving market expansion. Yet deployment remains insufficient, and accelerated emission reductions require overcoming policy, governance, institutional and technical barriers....."*

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

2.3 UK Climate Change & Energy Legislation and Policy

The Climate Emergency

- 2.3.1 A critical part of the response to the challenge of climate change was the climate emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the Climate Change Committee ('CCC')), and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new emissions reduction law).

The Climate Change Act 2008 & Carbon Budgets

- 2.3.2 The Climate Change Act 2008 (the '2008 Act') provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.
- 2.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.
- 2.3.4 The CCC has produced seven, four yearly carbon budgets, covering 2008 – 2042. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in Table 2.1 below. Essentially, they are five yearly caps on emissions.

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

Table 2.1 Carbon Budgets and Progress³

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

- 2.3.6 The Sixth Carbon Budget (‘CB6’) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK *“decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement”* (CB6, page 13).

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

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

- 2.3.8 Following the CB6, the UK Government announced on 20 April 2021 that it would set the world’s most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)⁵) to reduce emissions by 78% by 2035 compared to 1990 levels. This brought forward the UK’s previous commitment of an 80% reduction by 2050 by 15 years.

- 2.3.9 The Seventh Carbon Budget (‘CB7’) was published by the CCC in February 2025. The CCC’s recommended level for CB7, namely a limit on the UK’s GHG emissions over the five-year

³ Source: CCC

⁴ Confirmed by CCC in ‘Final Statement for the Third Carbon Budget’ May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions

⁵ The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

period 2038 to 2042, is 535 MtCO₂e including emissions from international aviation and shipping.

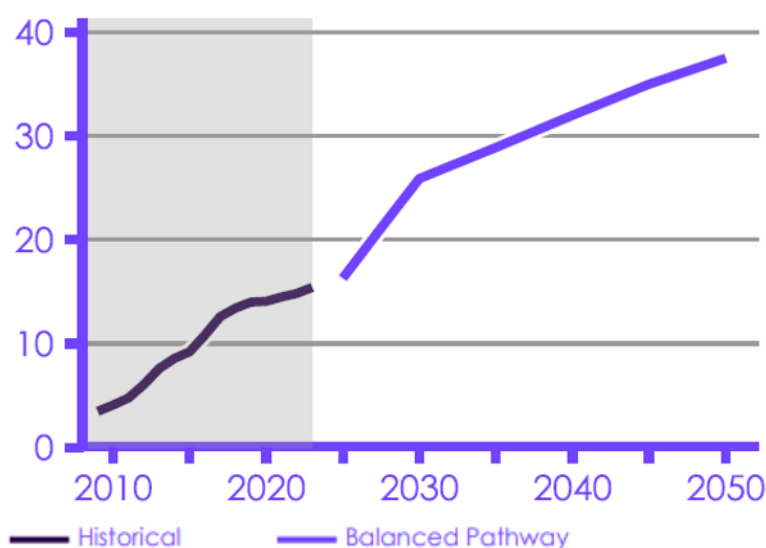
2.3.10 Page 12 of the CB7 states:

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

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

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

Figure 2.1 Onshore Wind Operational Capacity (GW) in CCC ‘Balance Pathway’



2.3.13 The report notes that this will require recent annual installation rates to treble this decade, requiring installation rates comparable to the annual roll-out rates previously sustained during the mid-2010s.

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

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

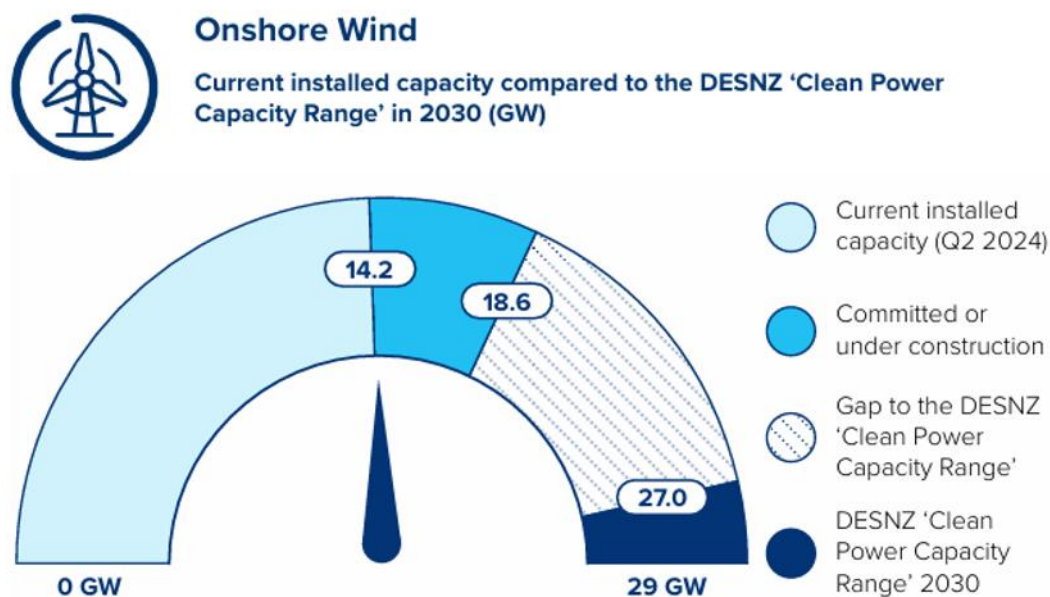
The UK Battery Strategy (2023)

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

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

- 2.3.18 The UK Battery Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. It is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:
- > Design and develop batteries for the future;
 - > Strengthen the resilience of UK manufacturing supply chains; and
 - > Enable the development of a sustainable battery industry.
- 2.3.19 In the Foreword to the document (page 3), the Minister of State for Industry and Economic Security at the Department for Business and Trade states that:
- "Batteries will play an essential role in our energy transition and our ability to successfully achieve Net Zero by 2050."*
- 2.3.20 Batteries are seen as key to the net zero transition as they enable more flexible use of energy such as maximising use of intermittent low carbon generation.
- Labour Government & Commitment to Renewables (2024)**
- 2.3.21 The UK Government changed at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero.
- 2.3.22 Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important material consideration.
- 2.3.23 The Department for Energy Security and Net Zero ('DESNZ') issued a Statement on 8 July 2024 which included references to doubling UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.
- UK Government: Clean Power 2030 Action Plan (2024)**
- 2.3.24 The Clean Power 2030 Action Plan was published by DESNZ in December 2024. It sets out (page 9) that Britain needs to install *"clean sources of power at a pace never previously achieved"*.
- 2.3.25 It further adds (page 10):
- "clean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals".*
- 2.3.26 The Action Plan sets out that by 2030 there should be 27-29 GW of onshore wind operational within the UK. At the time of the publication of the CP2030, there was 14.2 GW of installed onshore wind capacity in the UK, illustrated below in **Figure 2.2**. **Figure 2.2** illustrates the gap between onshore wind installed capacity at the time of writing compared to the DESNZ requirement to 2030.

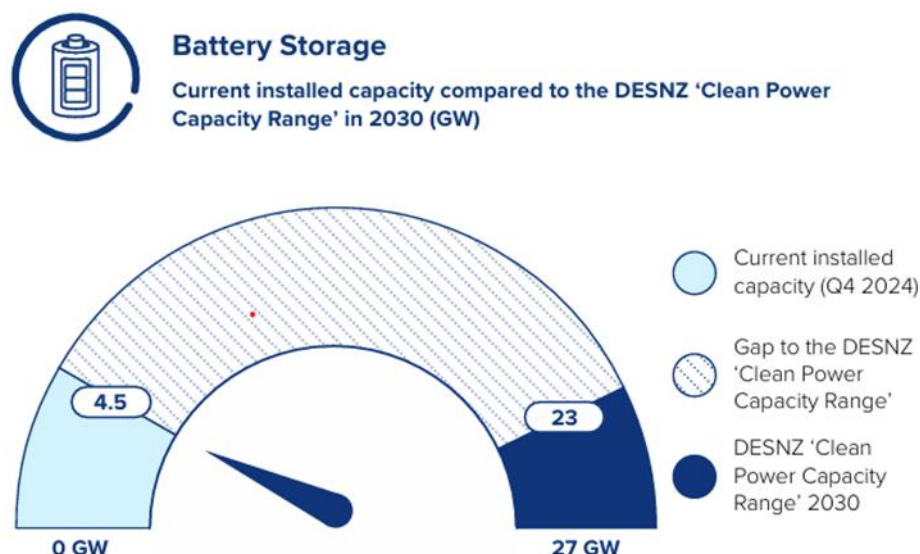
Figure 2.2: Onshore Wind & 'Gap' to reach 2030 UK Target



- 2.3.27 Renewable UK's Onshore Wind Report⁶ indicates that at September 2025 the UK had 15.8 GW of onshore wind capacity in operation.
- 2.3.28 The document adds that *"Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors... The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity"*.
- 2.3.29 Page 74 of the Action Plan states that *"Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace"*.
- 2.3.30 The Action Plan (Connections Reform Annex) also sets out technology capacity ranges that the National Energy System Operator ('NESO') proposes to use as an indication of what is required by 2035 and references onshore wind as having a range of 31-32 GW by 2035. It is important to note that the capacity figures referenced in the Action Plan are not caps.
- 2.3.31 In terms of battery energy storage, **Figure 2.3** shows the gap between current installed capacity compared to the DESNZ requirement to 2030. 22.5 GW is required to reach the clean power capacity range in 2030.

⁶ Renewable UK (2025) Onshore wind pipeline report 2025. Available at: <https://www.renewableuk.com/energypulse/reports/uk-onshore-wind-pipeline-report-2025/>

Figure 2.3 Battery Storage: Current installed capacity to reach 2030 targets



- 2.3.32 At the time of the publication of Clean Power 2030, there was 4.5 GW of battery storage in Great Britain, and based on National Energy System Operator ('NESO') and DESNZ BESS growth scenarios for 2030 it is expected that 23 to 27 GW of battery storage will be needed by 2030 to support clean power. Updated figures published by Renewable UK in September 2025⁷, state that the UK has more than 6.8 GW of operational battery storage. There is therefore a very significant level of increase required. It is stated that *"Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity"*. (page 96)

The Onshore Wind Taskforce Strategy (July 2025)

- 2.3.33 DESNZ published the Onshore Wind Taskforce Strategy ('OWTS') in July 2025, which sets out over 40 actions, primarily Government commitments to resolve key blocks to onshore wind within the UK. The OWTS's overall aims are to boost onshore wind deployment and to deliver economic benefits for local communities, businesses and the consumer.
- 2.3.34 The Ministerial Foreword by the Secretary of State for Energy Security and Net Zero states:
- "As one of the cheapest and fastest to build sources of power we have, onshore wind will play a critical role in boosting our energy independence with clean power by 2030. The reality is that every turbine we build helps protect families, businesses and the public finances from future fossil fuel shocks.*
- That's why in our first 72 hours in office, we lifted the onshore wind band in England - in place for nine years under the previous Government. And it's why last July we established the Onshore Wind Taskforce to bring Government, industry and trade unions together to explore how we can radically accelerate deployment of this critical technology.*
- The Onshore Wind Taskforce strategy is the outcome of that work. It sets out more than 40 steps Government and industry will take to help deliver up to 29GW of onshore wind by 2030.*

⁷ Renewable UK (2025) Stacking up the storage: where the UK battery market stands in 2025 Available at: <https://www.renewableuk.com/energypulse/blog/stacking-up-the-storage-where-the-uk-battery-market-stands-in-2025/>

That includes driving ambitious reforms to planning, grid connections, and routes to market, while building the supply chains and skilled workforce we need.”

2.3.35 In addition, within the foreword the statement by the Head of Clean Power 2030 within DESNZ states (page 5) inter alia:

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

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

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

2.3.36 As noted above, whilst 2030 is a key target date, it remains a milestone en route to attaining net zero, generation capacity figures are not caps and there will still be a requirement for new generation capacity post 2030.

2.3.37 The various commitments and actions within the strategy cover:

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

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

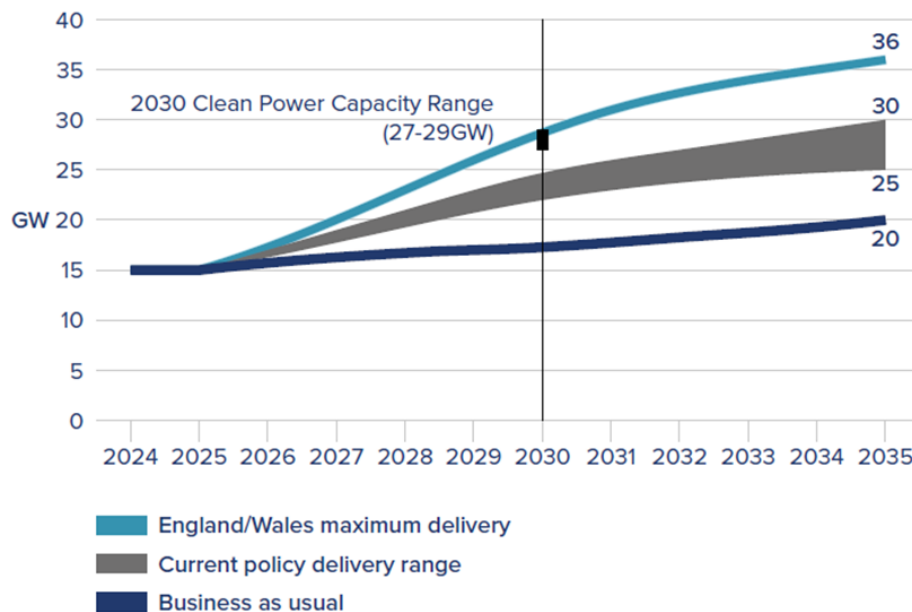
“All routes to achieving this mission are reliant on mass deployment of renewable electricity technologies, including onshore wind. The Clean Power Plan stated that to decarbonise the power sector by 2030, 27 to 29GW onshore wind will be needed within GB. That is a significant increase above the current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

2.3.39 It is explained that the delivery of up to 29 GW of onshore wind by 2030 would involve around 10-12 GW more than would have been deployed under historic growth rates, with England contributing around 2 GW by 2030. Scotland already has a commitment to deliver a minimum of 20GW by 2030, these figures demonstrate that in order to meet the 29GW required across the UK, Scotland will need to deliver the bulk.

2.3.40 The OWTS also emphasises the significant economic opportunity that further onshore wind deployment will deliver (pages 10 and 11). It states that meeting the onshore wind 2030 targets together with the actions within the strategy, could deliver up to 45,000 direct and indirect jobs in Great Britain and result in £70 million per year of extra investment in community benefits.

- 2.3.41 At page 18 of the OWTS, reference is made to illustrative deployment scenarios which it states emphasises “the challenge in meeting the 2030 clean power range in GB which will require significant deployment in Scotland, England and Wales.” This is illustrated in **Figure 2.4** below (reproduction of Figure 5 from the OWTS).

Figure 2.4 Clean Power Deployment Scenarios (Onshore Wind)



- 2.3.42 The scenarios as illustrated in **Figure 2.4** include:
- > Business as usual - under this scenario onshore wind only reaches in the region of 17 GW by 2030 and 20 GW by 2035.
 - > Current policy delivery range - this assumes the “seamless implementation” of the reform announced as part of the Clean Power 2030 Action Plan and the actions set out in the Onshore Wind Taskforce Strategy. In this scenario up to around 25 GW is installed by 2030 and 30 GW by 2035.
 - > England / Wales maximum delivery - this is set out as the most optimistic scenario and shows the potential of increasing onshore wind deployment through strengthened policies in England and Wales. Under this scenario onshore wind deployment in the UK could reach levels consistent with the 2030 Clean Power range but also increases to in excess of 35 GW by 2035.

- 2.3.43 The OWTS addresses implementation and states (page 71) that the Government is committed to delivering the level of onshore wind needed by 2030 and it is clear that Scotland will be required to deliver the bulk of this capacity.

Government Statement on Energy Security (March 2026)

- 2.3.44 The former 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, and stated an intention to bring forward the Government’s next annual renewables auction, Allocation Round (AR) 8, to July 2026. The former 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”.

- 2.3.45 AR8 of the Contracts for Difference (CfD) scheme opened to applications on 20 July 2026, matching the Energy Secretary’s earlier commitment.

Climate Change Committee Report to UK Parliament (June 2026)

- 2.3.46 The CCC published its report ‘Progress in reducing emissions – 2026 Report to Parliament’⁸ (the ‘CCC 2026 Report’) in June 2026. The opening remarks of the Executive Summary note overall, that:

“the UK Government is not moving fast enough to reduce greenhouse gas (GHG) emissions and to protect households and businesses from volatile fossil fuel prices. The war in Iran has led to the second global fossil fuel price shock in just four years. In this uncertain geopolitical context, many countries are responding with plans to provide secure, homegrown energy by rapidly reducing dependency on fossil fuels. To do this in the UK, the Government needs a more ambitious plan to electrify the UK. This requires continued progress towards low-carbon electricity and an accelerated roll-out of electric vehicles (EVs), heat pumps, and industrial electrification.” (Page 10)

- 2.3.47 Positive action on low carbon electricity is acknowledged but more is required in order to meet Government targets for 2030 and 2050.

- 2.3.48 The 2026 Report references the UK Government’s report ‘Carbon Budget and Growth Delivery Plan’ (‘CBGDP’) published in October 2025, which sets out its policies and plans for meeting carbon budgets. The CCC advise:

“There is now a significant gap between the CBGDP’s projected emissions reductions and the UK’s 2030 Nationally Determined Contribution (NDC) under the Paris Agreement, a commitment to reduce emissions by at least 68% compared to 1990 levels. Increasing ambition and achieving the 2030 NDC would put the UK on track to achieve its future carbon budgets and Net Zero by 2050 and send a strong international signal of commitment to delivery.”

- 2.3.49 The 2026 Report makes recommendations across a range of sectors to address the predicted shortcomings of the Government’s current plan. A key matter is the need to increase the rate at which low carbon electricity can be rolled out.

- 2.3.50 The 2026 Report examines the progress made across the key sectors including electricity supply. It states (page 21) that *“There has been positive progress in the electricity supply sector over the past year, with record amounts of renewable generation contracted. Important steps have been taken to remove planning barriers and reform the grid connections process. The UK is firmly on a path to a very low carbon electricity system by the start of the Sixth Carbon Budget period. However, there are policy risks to decarbonising electricity supply rapidly enough to achieve the 2030 NDC. These include ensuring sufficient renewable capacity and timely and cost-effective transmission network build.”*

- 2.3.51 In relation to onshore wind, it is noted that 0.3 GW of new onshore wind capacity was added in 2025, bringing total UK capacity to 16.4 GW. In terms of the indicators for achieving the Government’s targets and net zero by 2050, the report highlights in relation to onshore wind that *“Achieving government ambitions of 27–29 GW in Great Britain by 2030 will require average annual deployment of 2.1–2.5 GW up to the end of the decade. This is significantly higher than recent levels and exceeds the historical peak of 1.8 GW in 2017.” (Page 95)*

⁸ CCC (2026) ‘Progress in reducing emissions – 2026 Report to Parliament’ Available at: <https://www.theccc.org.uk/wp-content/uploads/2026/06/Progress-in-reducing-emissions-2026-report-to-Parliament-4789075r42yrdoubcy2dgh012hdcu-ueib782939edih2e.pdf>

2.3.52 The 2026 Report goes on to note that onshore wind typically has delivery times of around two to four years, which is notably shorter than offshore wind. There is potential for upcoming CfD allocation rounds to expand the pipeline for 2030, but significantly more onshore wind capacity will be needed to achieve future targets.

2.3.53 The Report acknowledges the Government support for deployment of renewables in particular as part of CfD AR 7 which delivered record offshore wind and solar PV capacity, alongside a large volume of onshore wind projects. The CCC note that this *“has improved our confidence in delivering the necessary emissions reduction in electricity supply. However, further capacity will need to be secured in upcoming allocation rounds to meet Government targets.”* (Page 134)

2.4 Scotland Climate Change & Emissions Reduction Legislation and Advice

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

2.4.1 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve “net zero” by 2045. It is clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.

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

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

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

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

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

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

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

2.4.7 This CCC Report was published in May 2025, and it sets out the CCC’s advice on the level of Scotland’s four proposed carbon budgets, covering the period 2026 to 2045. It recommended that the Scottish Government set carbon budgets.

- 2.4.8 The report states (page 9) that getting to net zero by 2045 will require immediate action, at pace and scale and adds that decisions on the exact pathway and policies are for the Scottish Government.
- 2.4.9 The Report explains that progress to date has largely come from electricity decarbonisation, reflecting Scotland's abundant renewable resources. It goes on to state (page 9) that:
- “Action will increasingly be required in predominantly devolved policy areas to hit the Net Zero 2045 target and the proposed carbon budgets. Now that the framework for climate action has been reset, the Scottish Government has the opportunity to use its powers to match its ambitions with action.”*
- 2.4.10 The Report identifies priority actions, which over the period of the first two carbon budgets will be the remaining decarbonisation of electricity generation as well as further electrification of key technologies, particularly the roll-out of EVs and heat pumps.
- 2.4.11 The Report identifies the sources of future emissions reductions and notes that in the next decade, over the next two carbon budgets, they are predominantly met from electrification of key technologies across the economy and measures to reduce demand for high-carbon activities.
- 2.4.12 Specifically in relation to electricity and low carbon supply the Executive Summary explains (page 12) that in the Balanced Pathway set out by the CCC:
- “the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035, **increasing to 66 GW by 2045**. This provides 98% of electricity generation in Scotland in 2035 and caters for increasing demand in Scotland and the rest of Great Britain (GB). Grid storage, use of storable fuels on the GB-wide network, and smart demand flexibility ensure a reliable supply of electricity even in adverse weather years. These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process. To deliver clean electricity, the planning process to approve large electricity infrastructure projects in Scotland needs to be urgently improved.”* (Emphasis added)
- 2.4.13 Scotland currently has approximately 18.1 GW⁹ of renewables operating capacity, a 3.2% increase compared to 17.6 GW at the end of the first quarter of 2025. Therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 47.9 GW to be deployed. This would equate to approximately 2.5 GW of operating capacity coming online each year over the next 19 years.
- 2.4.14 The Report sets out in more detail the key actions to deliver the Balanced Pathway in electricity supply. At page 94 it refers to the key action for the Scottish Government which is to *“Urgently improve the planning process to approve large electricity infrastructure projects in Scotland, such as transmission lines and onshore wind farms.”* citing that it can currently take up to four years to approve large electricity infrastructure projects in Scotland.
- 2.4.15 Following the CCC's recommendations, the **Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 ('2025 Regulations')** came into force on the 10th October 2025. These Regulations reinforce the Scottish Government's commitment to achieving the climate targets. The 2025 Regulations amend the 2009 Act to include the Scottish carbon budgets for the five-year periods to 2045 and align with the recommendations of the CCC in May 2025.

⁹ Scottish Government (June 2026) Energy Statistics for Scotland – Q1 2026
<https://www.gov.scot/publications/energy-statistics-for-scotland-q1-2026/>

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

- 2.4.16 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland'¹⁰ 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.
- 2.4.17 The CCC 2026 Report welcomed the publication by the Scottish Government of its draft Climate Change Plan in November 2025 "setting out – for the first time – policies and plans with quantified emissions reductions attached to policy outcomes across all sectors of the economy and providing an emissions pathway that achieves the carbon budgets." (Page 10)
- 2.4.18 In relation to energy supply the CCC 2026 Report states that (page 20):
"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. The draft CCP sets out plans to replace Peterhead with a CCS-enabled gas plant."
- 2.4.19 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)
- 2.4.20 At Page 77 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."
- 2.4.21 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)
- 2.4.22 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)
- 2.4.23 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)
- 2.4.24 The CCC 2026 Report identified positive progress over the last year in securing emissions reduction but identifies a lot 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.

¹⁰ CCC (2026) Progress in reducing emissions in Scotland.

2.5 Scotland: Climate Change and Renewable Energy Policy

2.5.1 The sections which follow address the key Scottish Government climate change and energy policy and related documents. These are:

- > The Scottish Energy Strategy (2017);
- > The Onshore Wind Policy Statement (2022);
- > The Draft Energy Strategy and Just Transition Plan (2023);
- > The Green Industrial Strategy (2024); and
- > The Climate Change Plan (2026).

The Scottish Energy Strategy (2017)

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

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

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

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

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

The Onshore Wind Policy Statement (2022)

2.5.6 The Scottish Government published an updated Onshore Wind Policy Statement (OWPS) on 21 December 2022. It replaced the version published in November 2017.

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

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

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

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

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

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

Increasing the Rate of Deployment & Forecast Increase in Electricity Demand

- 2.5.10 Chapter 1 "Ambitions and Aspirations" (page 5) refers to current deployment of onshore wind in Scotland and states:

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

- 2.5.11 It is explained that National Grid's Future Energy Scenarios¹¹ project concludes that Scotland's peak demand for electricity will at least double within the next two decades and that this will require a substantial increase in installed capacity across all renewable technologies.

Onshore Wind Target & Development Pipeline

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

- 2.5.13 Updated figures on deployment and pipeline are provided by the Scottish Government in the Energy Statistics for Scotland which are released quarterly. The most recent statistics were published in June 2026 for Q1 of 2026¹². Figure 2 from the statistics illustrates that Scotland had 10.7 GW of installed onshore wind capacity as of the end of March 2026.

- 2.5.14 In terms of development pipeline, Figure 4 (reproduced below as **Figure 2.5**) illustrates that 18.7 GW of onshore capacity was at Application stage; Awaiting construction or Under construction. The majority of capacity, 10.7 GW, was at Application stage, with 5.9 GW Consented / Awaiting construction, and 2.1 GW Under construction.

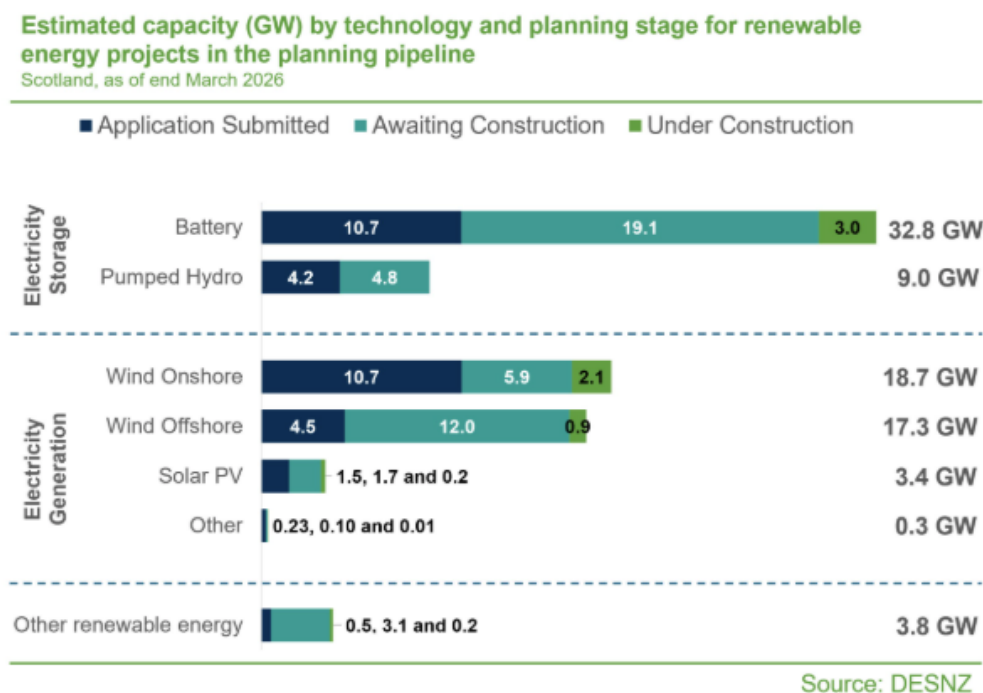
- 2.5.15 This means that 12.8 GW of onshore wind is committed (i.e. operational and under construction). There are no guarantees that the 5.9 GW of consented projects will all be built out for various reasons. Although other schemes are likely to be consented, it is important to reiterate that the **20 GW is not a cap** and is a **minimum** target, not forgetting the wider generation and emission reduction targets beyond 2030 that still need to be met.

- 2.5.16 It is also noted that in order to achieve a competitive element in terms of pricing benefits, there will be much more generation needed beyond the targets set out.

¹¹ National Grid has set out a range of different, credible ways to decarbonise the energy system with regard to attaining Net Zero for the UK by 2050.

¹² Scottish Government (2026) Energy Statistics for Scotland – Q1 2026 Available at: <https://www.gov.scot/publications/energy-statistics-for-scotland-q1-2026/>

Figure 2.5 Estimated Capacity (GW) by technology and planning stage for renewable energy projects in pipeline as of end March 2026



Source – [Renewable Energy Planning Database](#) (accessed 29th June 2026)

2.5.17

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

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

Government commitment to 20GW of Onshore Wind by 2030

2.5.18

Section 1.2 of the OWPS refers to the Deployment Ambition to 2030. Reference is made to the CCC's position as set out in their exploratory scenarios for emissions to 2050 and also as referred to within the Sixth Carbon Budget.

2.5.19

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

2.5.20

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

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

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

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

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

2.5.21 This statement is followed by reference to the "Legislative Context", in particular the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the related net zero greenhouse gas emissions targets. The OWPS states (paragraph 1.4.1) *"meeting these targets will require decisive and meaningful action across all sectors"*.

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

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

2.5.24 Based on current installed capacity, there is a shortfall of 2.2 GW of onshore wind resource required to be met by 2030. The Proposed Development and its contribution must be considered in the context of the scale and urgency of the stated Scottish Government policy position.

Delivering the Government's 20 GW Ambition for Onshore Wind

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

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

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

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

2.5.28 The Vision Statement states (page 67) that:

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

Balancing Environmental Considerations and Benefits

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

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

2.5.30 Section 3.3 addresses peat and carbon rich soils. It highlights that approximately 75% of Scotland's peatlands are degraded through drainage, extraction and other actions. (NatureScot's National Peatland Plan¹³ notes that estimates point to as much as 80% of the UK's peatland landscape having been damaged. Most of which is in Scotland, and it is estimated that 70% of Scotland's blanket bog and 90% of raised bog area has been damaged to some degree.) Section 3.3 explains that reversing degradation through peatland restoration is central to mitigating and adapting to the linked climate and nature crises.

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

2.5.32 The document goes on to explain that the onshore wind sector has made remarkable advances over the past decade in mitigation and restoration solutions for peatland. It states that the identification of the condition of existing peatland is a vital part of the wind farm design process and bespoke management plans have an important role. It adds that *“by assessing the net carbon impacts of proposed developments on carbon rich soils and peatlands we will ensure that planning and consenting regimes result in the right projects in the right places, with all applications considered on a case-by-case basis within the relevant planning regime.”* (paragraph 3.3.13) The OBEMP does not currently include a peatland restoration proposal due to the small, fragmented, and limited nature of the peatland on-site. Although much of the remnant peatland on-site is modified and degraded due to a range of anthropogenic impacts, there are limited restoration options present, for example many of the drains already appear to have been blocked. However, peatland restoration options may become feasible in the future and at the time of BEMP finalisation. Options for viable peatland restoration will be considered and explored again at the time of BEMP finalisation.

2.5.33 Section 3.5 addresses biodiversity and paragraph 3.5.6 states that *“as the rate of onshore wind deployment increases in the coming years, we see a great opportunity for wind energy developments to further contribute significantly to our biodiversity ambition. By proactively managing intact habitats and the species they support, restoring degraded areas and*

¹³ NatureScot (2015) Scotland's National Peatland Plan: Working for our future
<https://www.nature.scot/doc/scotlands-national-peatland-plan-working-our-future>

improving connectivity between nature rich areas, onshore wind projects will contribute to our climate change targets and help address the biodiversity crisis". (paragraph 3.5.6)

- 2.5.34 Landscape and Visual Amenity is addressed at Section 3.6 with direct cross references to NPF4. Paragraph 3.6.1 states (original emphasis):
- "Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."*
- 2.5.35 As referenced below, NPF4 policy 11 expressly recognises that significant landscape and visual impacts are to be expected and the OWPS emphasises that as a result there will be changes in Scotland's landscape.
- 2.5.36 Paragraph 3.6.2 of the OWPS, in cross-referencing NPF4, makes it clear that outside of National Parks and National Scenic Areas *"the criteria for assessing proposals have been updated, including stronger weight being afforded to the contribution of the development to the climate emergency, as well as community benefits"*.
- 2.5.37 There is therefore express direction of greater weight attaching to the benefits of the development in terms of how it contributes to tackling the climate emergency. The removal of the Spatial Framework for onshore wind farms, as previously required by Scottish Planning Policy (SPP), also gives rise to fewer locational constraints.
- 2.5.38 Paragraph 3.6.5 makes reference to Landscape Sensitivity Studies and makes it clear that these should not be used in isolation to determine matters of acceptability but can be a useful tool in assessing specific sensitivities within an area. It should be noted that the term is now landscape sensitivity, in comparison with SPP paragraph 162 which encouraged Landscape Capacity Studies. This reflects NatureScot's 2022 guidance¹⁴.
- 2.5.39 Paragraph 3.6.3 also makes reference to the NPF4 Policy 11 criteria with regard to energy development stating that *"where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable"*.
- 2.5.40 Section 3.7 relates to noise and makes reference to the 'The Assessment and Rating of Noise from Wind Farms' (Final Report, Sept 1996, DTI), ('ETSU-R-97') which provides the framework for the measurement of wind turbine noise. All applicants are required to follow the framework and use it to assess and rate noise from wind energy developments.
- 2.5.41 On June 18, 2026, ETSU-R-97 was superseded by the Assessment and Rating of Wind Turbine Noise Guidance ('ARWTNG'). This has been taken account of in the EIA and it is noted that the approach set out by ARWTNG is not materially different from ETSU-R-97.

OWPS Conclusions

- 2.5.42 Page 49 of the OWPS sets out overall conclusions and these include inter alia the following key points:
- > Deployment of onshore wind is *"mission critical for meeting our climate targets"*.
 - > As an affordable and reliable source of electricity generation, *"we must continue to maximise our natural resource and deliver net zero in a way that is fully aligned with, and continues to protect our natural heritage and native flora and fauna"*.
 - > A renewed commitment to this technology will ensure we keep *"leading the way in onshore wind deployment and support within the UK"*.

¹⁴ NatureScot, Landscape Sensitivity Assessment Guidance, paragraph 8 (2022).

- > The Scottish Government has established “a clear expectation of delivery with our ambition for a **minimum installed capacity of 20GW** of onshore wind in Scotland by 2030 and providing a vehicle for that delivery through the creation of [the] Onshore Wind Strategic Leadership Group” (emphasis added).

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

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

The Onshore Wind Sector Deal

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

2.5.46 The Foreword sets out that:

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

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

2.5.47 It further adds that:

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

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

- > Supply chain, skills and the circular economy;
- > Community and benefits;
- > Land use and the environment;
- > Planning;
- > Legislative and regulatory actions; and
- > Technical actions.

2.5.49 In terms of land use and the environment, the Sector Deal sets out that NPF4 Policy 1 makes it clear that significant weight needs to be given to the global climate and nature crisis and

that “New onshore wind projects in Scotland will enhance biodiversity and optimise land use and environmental benefits” (page 11).

2.5.50 It further adds that:

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

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

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

The Draft Energy Strategy and Just Transition Plan

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

2.5.53 The Ministerial Foreword states:

“The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition...”

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

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

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

2.5.54 The Foreword adds that the draft Strategy sets out key ambitions for Scotland’s energy future including:

- > More than 20 GW of additional renewable electricity on and offshore by 2030.
- > Accelerated decarbonisation of domestic industry, transport and heat.
- > Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- > Energy security through development of our own resources and additional energy storage.

- > A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

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

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

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

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

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

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

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

Recognition of the role of Battery Storage

2.5.57 With regard to the potential of battery storage the draft strategy recognises:

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

2.5.58 Furthermore, it adds:

"Utility scale battery storage offers fast responding, dispatchable power when required. As of September 2021, only 124 MW of the total 864 MW of energy storage was provided by Battery Energy Storage Systems (BESS) capacity installed in Scotland. However, there is a further 2.1GW that has secured planning permission. Typically, these systems use lithium-ion technology, and only contain energy to dispatch full power continuously for a short number of hours. They also provide a number of ancillary services required to maintain stability within the electricity networks". (Page 130).

2.5.59 The Draft Strategy reiterates the support for energy storage set out in NPF4 (page 130).

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

Green Industrial Strategy

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

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

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

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

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

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

2.5.65 Actions include, inter alia:

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

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

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

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

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

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

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

The onshore wind workforce is highly skilled and opportunities in installation, consulting, operations and maintenance are anticipated to rise in response to growth ambitions. Specialised engineering consultancy services such as wind farm design and financial due

diligence related to onshore developments are expected to grow and offer additional export potential. There is commercial opportunity in circular supply chains related to the UK wind industry. Scotland's established, and now ageing onshore wind assets may also offer opportunities for innovative solutions in remanufacturing, recycling, and decommissioning end of life assets."

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

Scotland's Climate Change Plan (2026)

- 2.5.69 The Scottish Government published 'Scotland's Climate Change Plan – 2026-2040' ('CCP') on 24 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. 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, and provide a clear pathway towards Scotland achieving net zero by 2045.
- 2.5.70 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.
- 2.5.71 The CCP 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.
- 2.5.72 The CCP makes reference to the average reductions in GHG emissions (compared to 1990 baseline) set out in legislation for each five-year period:
- > 57% lower than baseline levels for 2026-2030;
 - > 69% lower than baseline levels for 2031-2035;
 - > 80% lower than baseline levels for 2036-2040; and
 - > 94% lower than baseline levels for 2041-2045.
- 2.5.73 These budgets provide a "pathway" toward net zero by 2045, and the CCP is designed to ensure policies are in place to meet them.
- 2.5.74 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. The CCP outlines the emissions pathway for each sector covered by the Plan, some of the key actions which will be taken to achieve it and the economic opportunities and benefits this action will support.
- 2.5.75 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."*

- 2.5.76 It continues that as we transition to net zero and reduce reliance on fossil fuel generation *“energy storage will play a larger role in ensuring a secure and resilient electricity system by providing a reliable and flexible electricity supply.”* (page 84, Annex 2)
- 2.5.77 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)
- 2.5.78 The publication of the CCP demonstrates the continued commitment and needs case for delivering additional renewable energy capacity.

2.6 Conclusions on the Renewable Energy Policy & Legislative Framework

- 2.6.1 It is considered that the Proposed Development is very strongly supported by the climate change and renewable energy policy and legislative framework.
- 2.6.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper, and it is essential that rapid progress is made otherwise the legally binding target in Scotland of net zero by 2045 will not be met.
- 2.6.3 It is clear from 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 OWPS.
- 2.6.4 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.
- 2.6.5 Decisions through the planning and wider consenting system must be responsive to this position. Decision makers can do this by affording substantial weight to the energy policy objectives, articulated above, in the planning balance in a given case.
- 2.6.6 In terms of the energy policy considerations, it is helpful to reference the recent position of the Scottish Ministers with regard to a Section 36 wind farm decision. Section 36 consent was granted by the Scottish Ministers on 09 May 2025 for the Chrathaich Wind Farm. From paragraph 90 et seq of the Decision Letter, the Scottish Ministers in commenting on the acceptability of the development stated:

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

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

The Scottish Ministers are satisfied that the deployment of this amount of renewable energy the proposed Development could generate is entirely consistent with the Scottish Government’s policy on the promotion of renewable energy and its target date for net zero emissions of all greenhouse gases by 2045.”

- 2.6.7 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread', which ties a number of related policy matters together: namely the urgent challenge and imperative of attaining and sustaining net zero and the need to substantially increase renewable capacity, notably onshore wind.
- 2.6.8 The OWPS, draft Energy Strategy, Clean Power 2030 and the recently published Climate Change Plan form part of the strengthened policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.
- 2.6.9 The Scottish Government commitment to achieve a **minimum** of 20 GW of onshore wind by 2030 has been referenced. The Proposed Development and its contribution must be considered in the context of the scale and urgency of the stated Scottish Government policy position. As explained, new generation will still be required post 2030 and the overall key net zero target dates remain 2045 for Scotland and 2050 for the UK.
- 2.6.10 As explained above, the CCC in their May 2025 Report to the Scottish Government explain that in the CCC Balanced Pathway the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035, increasing to 66 GW by 2045. Scotland currently has approximately 18 GW of renewables operating capacity and therefore will require an additional 48 GW to be deployed by 2045.
- 2.6.11 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance, 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. The Benefits of the Proposed Development

3.1 The Benefits: Summary

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

Renewable Energy Generation

- > With an estimated installed capacity of up to 80 MW of onshore wind energy, the Proposed Development would make a valuable contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Scottish Government renewable energy and net zero targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the climate emergency.
- > The Proposed Development will also include an approximately 40 MW capacity of BESS. BESS supports local distribution and national transmission electricity networks by balancing supply and demand. The BESS will import the renewable energy from the wind farm when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low. BESS such as that proposed, offers a sustainable alternative to carbon-intensive energy sources to supply and maintain the grid, reduces the energy network's reliance on fossil fuels, and ultimately contributes to achieving the UK and Scottish Governments' GHG emissions reduction targets.
- > The UK legally binding target of net zero GHG emissions by 2050 and the Scottish Government target of net zero by the earlier date of 2045 are major challenges, as explained in the previous chapter. The Scottish Government has made it clear that onshore wind plays a vital and indeed "mission critical" role in the attainment of future targets in relation to helping to combat the crisis of global heating.
- > The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development's delivery of renewable energy capacity in the near term will have a disproportionately higher benefit than the same capacity delivered later.
- > Based on an estimated capacity factor of 39%, the generation expected from the Proposed Development is in the region of 274,000 megawatt hours ('MWh') per year. The Proposed Development is therefore expected to generate enough electricity to power the domestic electricity needs of approximately 84,400 average UK households per annum.

Emissions Savings

- > The CO₂ emission savings for the operational lifetime (40 years) would provide a net benefit with regards to reducing the impacts of climate change.
- > The carbon balance calculations establish that the Proposed Development could result in the saving of approximately 4.9 million tonnes CO₂ (tCO₂) when compared against a fossil fuel mix electricity generation or 1.95 million tonnes tCO₂ when compared to a grid mix of electricity generation.
- > When taking into consideration the potential renewable energy generation, displacement and savings of carbon and carbon losses, the Proposed Development is expected, to payback the carbon cost in 1.1 years compared to a fossil fuel mix of electricity

generation and 2.8 years compared to grid mix electricity generation. The Carbon Calculator is provided at **Technical Appendix 2.2** of the EIA Report.

Security of Supply

- > The importance of energy security has been referenced. There is a requirement for both the scale and the urgency to deliver new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.
- > With this context, the attractiveness of onshore wind, as a proven technology which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear.
- > The Proposed Development, if consented, would provide a valuable contribution to security of supply for the wider region, Scotland and for the wider Great Britain (GB) area. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the Proposed Development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.
- > BESS will play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. BESS imports renewable energy when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low (e.g. still, cloudy days).
- > The inclusion of BESS will allow the storage of excess energy generated during peak wind periods. This enhances the flexibility and reliability of the Proposed Development by ensuring a steady supply of power even when wind generation is low. The increased storage capacity helps to balance supply and demand, enhancing the overall grid stability.
- > Co-location of BESS with wind generation can reduce curtailment and improve dispatchability, enabling stored energy to be released when required, improving flexibility, reducing curtailment, and supporting system balancing.
- > Furthermore, the BESS also has the potential to supply the grid with essential energy security functions including:
 - **Voltage support services:** Batteries can supply the network with quickly dischargeable energy during low voltage periods or blackouts; to date these scenarios have typically been managed by reliance on quickly dispatchable fossil fuel energy generators (typically gas peaking plants); and
 - **Grid stabilisation services (inertia):** Inertia is incredibly important for the stable operation of the electricity system; it is a by-product of coal and gas-fired generators, however renewables like wind and solar are not able to provide inertia. As older thermal plants come off the system and renewable energy generation becomes the dominant source of energy nationally, we need to find new ways to provide grid stability. BESS are able to provide these stability services.

Socio-Economic Benefits

- > The Proposed Development would offer a range of socio-economic benefits which support jobs during construction and operation, across the Scottish economy. Key benefits are set out in the **Socio-Economic, Tourism and Recreation Report**, and are summarised here.

- > The Proposed Development, if consented, could generate the following during the development and construction phase:
 - £14.4m Gross Value Added ('GVA') and support up to 158 jobs in East Ayrshire; and
 - £51.6m GVA and support up to 553 jobs in Scotland.
- > During its operations and maintenance, each year the Project could generate:
 - £1.81m GVA and support up to 27 jobs in East Ayrshire; and
 - £2.51m GVA and support up to 36 jobs in Scotland
- > Worker expenditure during construction: c.£600,000 benefiting local accommodation, food and retail services.
- > Local Supply Chain Opportunities:
 - Balance of Plant works: It is estimated that approximately £19.0m of capital expenditure will accrue to East Ayrshire, with £57.1m accruing to Scotland as a whole.
 - Supply chain activation: 'Meet the Buyer' events and a preference for local bids within range.
- > Non-domestic rates: Estimated £1.5-2.5m per annum, £60-100 million over 40 years to East Ayrshire Council.
- > Working with Ayrshire College, Skills Development Scotland (SDS), Developing the Young Workforce (DYW) Ayrshire, Ayrshire Chamber of Commerce, and Powering Futures to align training with project and wider renewable industry needs.
- > Creating pathways into renewables for local people, supporting retention and attraction of working-age residents in East Ayrshire.

Community Benefits

- > A Community Benefit Fund equating to £5,000 per MW/year (based on wind capacity of 80MW, or £400,000 annually, index-linked), totalling £16 million over 40 years.
- > Brockwell Energy was instrumental in helping create the 9CCG (Nine Community Council Group) in 2023, which will govern the distribution of community benefit funds. The nine community councils represented are: Auchinleck, Cumnock, Netherthird, Cronberry, Logan & Lugar, New Cumnock, Dalmellington, Patna, Drongan, Rankinston & Stair, and Ochiltree & Skares.
- > The 9CCG has already funded multiple projects, including local football club refurbishments, solar panel installation, community gardens, and support for the Cumnock and District Men's Shed.
- > The proposed Community Benefit Fund is voluntary and it is acknowledged are not considered as part of the planning balance.

Biodiversity Enhancement

- > As noted, **Technical Appendix 6.6 OBEMP** has been included within the EIA Report detailing biodiversity enhancement measures. The measures include native broadleaved woodland creation and enhancement, species-rich native mixed scrub creation, creation of mixed grassland mosaic, and species rich grassland creation. The measures set out in the OBEMP are discussed further in Section 4 in relation to the Proposed Development's accordance with Policy 3.

4. Appraisal against NPF4

4.1 Introduction

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

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

Development Management

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

"(a) the National Planning Framework,

*(b) any strategic development plan for the time being applicable to the area, together with—
(i) the Scottish Ministers' notice of approval of that plan, and (ii) any supplementary guidance issued in connection with that plan, and*

(c) any local development plan for the time being applicable to the area."

4.1.4 Therefore, at the time of writing this Planning Statement, the statutory Development Plan applying to the site consists of NPF4, the East Ayrshire Local Development Plan ('EAC LDP2') (2024).

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

How NPF4 is to be used

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

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

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

"It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals¹⁵. NPF4 includes a long-term spatial strategy to 2045."

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

¹⁵ The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include inter alia 'affordable and clean energy' and 'climate action'.

- 4.1.9 NPF4 contains a Spatial Strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan¹⁶ ('IIP').
- 4.1.10 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Proposed Development, *"meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity"*.
- 4.2 The National Spatial Strategy – Delivery of Sustainable Places**
- 4.2.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):
- "The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change."*
- 4.2.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework¹⁷.
- 4.2.3 The Spatial Strategy is aimed at supporting the delivery of:
- > 'Sustainable Places': "where we reduce emissions, restore and better connect biodiversity";
 - > 'Liveable Places': "where we can all live better, healthier lives"; and
 - > 'Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".
- 4.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, inter alia:
- "Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030...Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment."*
- 4.2.5 The National Spatial Strategy in relation to 'sustainable places' is described (page 7 of NPF4) as follows:
- "Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment."*
- Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place."*
- Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency,*

¹⁶The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive net zero emissions economy

¹⁷ The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

development that is accessible by sustainable travel, and expansion of renewable energy generation."

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

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

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

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

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

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

4.3 National Developments

Overview

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

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

4.3.2 It adds that:

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

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

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

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

4.3.4 Page 103 of NPF4 describes National Development 3 ('ND3') and states:

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

A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity

generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

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

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

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

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

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

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

4.3.8 The Proposed Development would therefore have national development status, and it would make a valuable contribution to the delivery of the National Spatial Strategy.

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

4.4 National Planning Policy

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

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

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

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

- > Policy 1: Tackling the climate and nature crises;
- > Policy 3: Biodiversity;
- > Policy 4: Natural places;
- > Policy 5: Soils;

- > Policy 6: Forestry, woodland and trees;
- > Policy 7: Historic assets and places; and
- > Policy 11: Energy.

4.4.4 In terms of “liveable places”, the most relevant policies to the Proposed Development include:

- > Policy 22: Flood risk and water management.

4.4.5 These policies are addressed in turn below.

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

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

4.4.7 The Letter adds:

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

4.5 NPF4 Policy 1: Tackling the Climate and Nature Crises

Policy 1 & Principles

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

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

4.5.3 This is a radical departure from the usual approach to policy and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed in favour of the Proposed Development given it would be consistent with the intent of Policy 1, would make a positive contribution by helping to attain the outcome of net zero, and would also deliver biodiversity enhancement helping to address the nature crisis.

4.5.4 The Chief Planner’s Letter refers to Policy 1. It states:

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

4.5.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight to Policy 1, but it is for the decision maker to decide if it is for or against the proposal. The Proposed Development’s contribution to the climate emergency and nature crisis is positive and therefore the significant weight in this case is in favour of the proposal.

4.5.6 The term “Tackling” the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with

regard to Policy 1 that the policy gives significant weight *“to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions”*.

The application of Policy 1

- 4.5.7 Given the nature of the Proposed Development, it would make a valuable contribution in relation to renewable energy generation and greenhouse gas reduction targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The specific emissions and carbon saving benefits are set out below in the context of NPF4 Policy 11 which requires the contribution that a development would make to targets to be taken into account.
- 4.5.8 **Chapter 8: Geology, Hydrology, Hydrogeology and Peat** considers the carbon balance in detail and presents the results of the Carbon Calculator used to determine the overall contribution of the Proposed Development to a reduction in carbon emissions.
- 4.5.9 Taking into consideration the carbon emissions of the production, transportation and construction of the various wind farm components and anticipated environmental effects of the construction and operation and decommissioning of the Proposed Development, it is expected that there would be savings of over 4.9 million tonnes of CO₂ over the project lifespan compared to equivalent generation from fossil fuels.
- 4.5.10 The Proposed Development would make a material contribution to reducing Scotland's CO₂ emissions, contribute directly to efforts to reduce the extent and rate of global climate change while also generating economic and social benefits.
- 4.5.11 The point is made later in this section that it is important to recognise the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a valuable contribution of renewable energy, to facilitate the earliest possible decarbonisation of the energy system and the achievement of net zero no later than 2045. The purpose of achieving net zero is also to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.
- 4.5.12 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development.

4.6 NPF4 Policy 11: Energy

Policy 11 & Principles

- 4.6.1 For the consideration of wind energy development, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:
- “to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.”*
- 4.6.2 Policy Outcomes are identified as: *“expansion of renewable, low carbon and zero emission technologies”*.
- 4.6.3 Policy 11 is in the following terms:
- “a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:*
- i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;*
 - ii. enabling works, such as grid transmission and distribution infrastructure;*

- iii. energy storage, such as battery storage and pumped storage hydro;*
- iv. small scale renewable energy generation technology;*
- v. solar arrays;*
- vi. proposals associated with negative emissions technologies and carbon capture; and*
- vii. proposals including co-location of these technologies.*
- b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.*
- c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.*
- e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:*
 - i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
 - ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
 - iii. public access, including impact on long distance walking and cycling routes and scenic routes;*
 - iv. impacts on aviation and defence interests including seismological recording;*
 - v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
 - vi. impacts on road traffic and on adjacent trunk roads, including during construction;*
 - vii. impacts on historic environment;*
 - viii. effects on hydrology, the water environment and flood risk;*
 - ix. biodiversity including impacts on birds;*
 - x. impacts on trees, woods and forests;*
 - xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
 - xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
 - xiii. cumulative impacts.*

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

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

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

The application of Policy 11

- 4.6.4 **Paragraph a) of Policy 11** states a position of express “support” for wind farm development.
- 4.6.5 The intent and desired outcome of the policy is clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development would help to deliver.
- 4.6.6 The wording of Policy 11 Paragraphs (a)(i) (iii) and (vii) make it clear that the policy supports new wind farms, energy storage, such as battery storage and co-location of these technologies.
- 4.6.7 **Paragraph b) of Policy 11** does not apply to the Proposed Development as it is not within a National Park or National Scenic Area.
- 4.6.8 **Paragraph c) of Policy 11** requires developments to “maximise net economic impact”. The socio-economic effects that would arise have been summarised in Section 3 above and set out in the Socio-economic, Tourism and Recreation Statement which accompanies the application. This report demonstrates how the project will maximise net economic benefits for local communities, East Ayrshire and Scotland, in line with NPF4 Policy 11(c).
- 4.6.9 The assessment confirms that Dalfad Wind Farm is a catalyst for community wealth, skills development, and long-term resilience in East Ayrshire. The Proposed Development is a symbol of the just transition from fossil fuel extraction to renewable energy generation on the site of former opencast mines. Furthermore, through committed local spend, meaningful community benefits, and collaborative delivery, the project will ensure that East Ayrshire retains and grows value from its renewable energy assets, supporting the regeneration of former coalfield communities.
- 4.6.10 The approach set out in the Statement demonstrates how the Applicant would maximise the net-economic benefits of the Proposed Development, in accordance with Policy 11. There is considered to be accordance with this aspect of Policy 11.
- 4.6.11 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations “*will be assessed in relation to Policy 4*”.
- 4.6.12 Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such (international, national and local) designations is examined further below with specific regard to the provisions of NPF4 Policy 4.
- 4.6.13 **Paragraph e) of Policy 11** states that project design and mitigation “*will demonstrate how*” impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below. The Applicant has, through project design and mitigation, addressed impacts on the matters set out at Policy 11 (e). This has been set out within Chapter 3: Design Evolution and Alternatives of the EIA Report, and within relevant topic specific chapters of the EIA Report where relevant. It is considered that appropriate “*design mitigation*” has been applied. Furthermore, it is important to note that the second part of Policy 11(e) states that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets, when considering the aforementioned impacts.
- (i) Impacts on Communities and Individual Dwellings - Residential Visual Amenity**
- 4.6.14 As set out in Chapter 4 of the EIA Report (Landscape and Visual Impact Effects – ‘LVIA’), a detailed Residential Visual Amenity Assessment (‘RVAA’) was undertaken and is contained in **Technical Appendix 4.4** of the EIA Report. Individual properties situated within a 2 km

radius of the nearest turbines of the Proposed Development have been assessed with respect to Residential Visual Amenity Threshold ('RVAT').

4.6.15 There are 32 individual and groups of residential properties within the 2 km RVAA study area, of which six would experience large magnitude impacts – Dalvene Cottage, Westbriggs, Sunnybrae, Duncanziemere, Glenview Cottage and Low Garleffan Farm. The RVAA concludes that in each case, the set back and sense of separation, and/or localised screening provided by the intervening landscape would be sufficient that the turbines would not be experienced as overwhelming or overbearing and the RVAT would not be exceeded.

4.6.16 Settlements more generally are considered below with reference to the main visual impact assessment undertaken and reported in the EIA Report.

(i) Impacts on Communities and Individual Dwellings - Noise and Shadow Flicker

4.6.17 Noise is addressed in **Chapter 9 Noise** of the EIA Report. Noise impacts during the construction phase will be controlled through the production and implementation of a Construction Environmental Management Plan ('CEMP') (an outline CEMP is provided in **Appendix 11.1** to the EIA Report) and a Construction Traffic Management Plan (in terms of construction traffic noise). With implementation of good-practice controls through the CEMP and CTMP, residual construction noise and construction traffic noise would be not significant.

4.6.18 Operational wind turbine noise has been assessed individually and cumulatively in accordance with ARWTN. A total of 23 properties were assessed. It is noted that a further existing residential property, High Glenmuir, will be taken out of residential use as part of the Proposed Development prior to construction works and will remain unoccupied for the duration of the Proposed Development operation. This property is therefore not included within the assessment.

4.6.19 The assessment identifies that unrestricted operation of the Proposed Development would exceed the derived Site Specific Noise Limits (SSNLs) at three noise receptors, Laigh Glenmuir (R7), Glenview Cottage (R8) and Low Garleffan (R10) under some wind-speed conditions. Additional measures are therefore required to ensure that operational wind turbine noise remains within the limits necessary. Receptors R9 and R11 are confirmed to be financially involved. At receptors whose occupiers are financially involved with the Proposed Development, the LLV may be increased.

4.6.20 It is noted within the assessment that a qualifying financial involvement arrangement at R8 Glenview Cottage would materially reduce the extent of noise-reduced operation required to comply with the applicable criteria. Similar arrangements for R7 and R10 would also reduce requirements for noise-reduced operation, but to a lesser extent. The same would also apply for R3, R12, R13, and R21 if The Drum appeal is successful. No such arrangements are currently committed or relied upon in the assessment. These receptors have therefore been treated as non-financially involved when deriving the SSNLs and identifying the required noise-reduced operation.

4.6.21 Additional mitigation in the form of a noise curtailment strategy has been identified and would be secured by condition. Where financial involvement is not secured for any one of R7, R8 and R10 (for the scenario that The Drum appeal is unsuccessful), residual mitigation requirements would remain. In these circumstances, noise-reduced operational modes would be applied to selected turbines under the wind-speed conditions for which the predicted noise levels exceed the SSNLs. The extent of mitigation depends on the outcome of the appeal by The Drum against their planning application refusal. If this appeal is successful, mitigation requirements would also be applicable at R3, R12, R13 and R21, although the requirements would remain dominated by those at R7, R8 and R10, absent financial involvement.

4.6.22 The assessment notes that detailed operating requirements depend on the final turbine model, its warranted sound power levels and the noise-reduced operating modes available. However, an indicative noise curtailment strategy has been developed based on candidate

turbines which is presented in **Technical Appendix 9.4** of the EIA Report. The indicative strategy demonstrates that the required limits can be achieved using commercially available noise-reduced operating modes.

- 4.6.23 The assessment concludes that following implementation of a noise curtailment strategy, predicted operational wind turbine noise would comply with the daytime and night-time SSNLs at all assessed receptors, and the applicable total noise assessment criteria would not be exceeded as a result of the Proposed Development. The residual operational wind turbine noise effect would be a minor adverse effect (not significant).
- 4.6.24 Operational noise from the BESS and substation has been assessed using a limits-led acoustic design approach requiring the combined BS 4142 rating level to remain no more than 35 dB at any noise-sensitive receptor during the relevant assessment period. Subject to compliance with these requirements, the residual operational BESS and substation noise effect would be a minor adverse effect (not significant).
- 4.6.25 A review of potential cumulative developments has also been undertaken. Residual cumulative construction noise, construction traffic noise and fixed-plant noise effects would each be minor adverse effects and not significant.
- 4.6.26 Potential shadow flicker effects associated with the Proposed Development have been considered within **Technical Appendix 1.7** of the EIA Report. The theoretical maximum of shadow flicker occurrence per year has been calculated for receptors located within 10 rotor diameters of the turbines those that are also within 130° either side of north (the zone of potential shadow flicker). In response to this consultation feedback, the assessment was extended beyond the standard study area and modelling undertaken until no further receptors could conceivably be predicted to experience shadow flicker effects.
- 4.6.27 The assessment considered residential properties located within and beyond the standard shadow flicker study area in response to consultation feedback received from East Ayrshire Council. A total of 35 residential receptors were assessed.
- 4.6.28 Shadow flicker modelling identified that 31 of those receptors could potentially experience shadow flicker effects under the conservative assessment assumptions adopted. Predicted effects ranged from less than one hour per year to approximately 52 hours per year under the realistic assessment scenario. It is noted that only one property was predicted to could theoretically experience effects for 52 hours per year, with one other property at 45 hours per year. The majority of all properties were predicted to experience well below 30 hours per year.
- 4.6.29 The assessment demonstrates that shadow flicker effects are highly dependent on a combination of turbine operation, sunshine conditions, receptor orientation and occupancy. The modelling includes a number of conservative assumptions and does not take account of local screening from vegetation, blinds or curtains, or true window orientation relative to the turbines, which in reality will further reduce the potential time receptors could experience shadow flicker over the course of the year. This model also still assumes that each building façade of all receptors is a window ('greenhouse' approach) and that receptors are occupied at all times of the day that shadow flicker is predicted.
- 4.6.30 As such in reality, actual shadow flicker experienced in practice is expected to be lower than predicted.
- 4.6.31 The cumulative assessment identified limited additional shadow flicker contributions from the proposed Glen Water and The Drum Wind Farms at some receptors.
- 4.6.32 In accordance with East Ayrshire Council's requirements, a Wind Farm Shadow Flicker Protocol would be prepared and agreed with the Council prior to operation of the Proposed Development. The protocol would include procedures for investigating complaints and implementing mitigation measures, including selective turbine shutdown where necessary. Subject to implementation of the protocol, shadow flicker effects would be appropriately

managed (i.e. reduced or eliminated) throughout the operational life of the Proposed Development.

(ii) Landscape and Visual Considerations

4.6.33 Before examining the landscape and visual effects of the Proposed Development, paragraph e(ii) of NPF4 Policy 11 makes it clear and recognises that significant landscape and visual impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable. The LVIA (as contained within Chapter 4 of the EIA Report) should be referred to for its detail, but summary points are referenced below.

Design Approach

4.6.34 The design of the Proposed Development has evolved in parallel with, and informed by the assessment process, as described in **Chapter 3: Design Evolution and Alternatives** of the EIA Report. Potential landscape and visual effects have been prominent amongst the environmental considerations that have influenced the final layout of the Proposed Development.

4.6.35 The final Proposed Development layout has been informed by a robust design iteration process, considering potential environmental, landscape and visual impacts and their effects, physical constraints, safe and efficient operation of the development, and health and safety considerations. This iterative design process was environmentally led and was primarily influenced by:

- > Residential amenity of residential properties in relatively close proximity to the Site;
- > Presence of peat deeper than 0.5 m in parts of the Site;
- > Hydrology, e.g. proximity to watercourses;
- > Ecology, e.g. consideration of valuable habitats and protected species;
- > Ornithology, e.g. potential for adverse impacts to breeding and wintering birds;
- > Implications of existing telecommunications and utilities infrastructure; and
- > Potential impacts to aviation including operational procedures at Glasgow Prestwick airport.

4.6.36 In response to landscape and visual matters including residential amenity matters, the proposals were altered through this process. Changes included the removal of several turbines from the Initial Layout due to proximity to residential developments. The initial layout included 17 turbines, of which all would be 200m to tip. However, through the iterative design process, the heights of Turbines T01, T03, T06, T13 and T14 have been reduced to 149.9 m to reduce potential visual impacts and residential amenity impacts on sensitive receptors within the study area.

4.6.37 Turbines have been located largely out of the more sensitive Upland River Valley LCT 10 where feasible whilst taking account of other potential impacts and constraints. Turbine locations and tip heights have also been selected to take account of the views from the settlements to the northwest of the Site, and potential effects on residential visual amenity from nearby homes.

4.6.38 It has been demonstrated through the EIA that the Applicant has clearly demonstrated a process of appropriate design mitigation as required by Policy 11e (ii).

Landscape Character

- 4.6.39 The Proposed Development would be located within Landscape Character Type ('LCT') 18a East Ayrshire Plateau Moorlands. There would be direct physical change resulting from the introduction of the proposed turbines and ancillary development, with associated vegetation loss.
- 4.6.40 **Significant adverse effects** are identified for two LCTs:
- > LCT 18a East Ayrshire Plateau Moorlands (includes Site and 4.1 km north); and
 - > LCT 10 Upland River Valley (includes part of Site and 2.3 km north and 4.5 km south).
- 4.6.41 The assessment concludes in relation to LCT 18a East Ayrshire Plateau Moorlands that changes to landscape character would be small between 4-6 km to the east and north of the Site, decreasing to negligible beyond. Taking account of these changes to character within a localised extent of the LCT, the magnitude of impact would be large/medium and effects would be major/moderate, adverse and **significant**.
- 4.6.42 The assessment notes in relation to LCT 10 Upland River Valley that there would be large scale changes to character within the Site and within 1 km of the turbines where they would be perceived as nearby along the valley skyline. With greater distance, the turbines would be seen looking across or along the valleys, and changes to character would reduce to Medium scale and less where settlement becomes a more dominant characteristic. At distances of between 3-5.8km (as illustrated in VP12,13 & 14) the turbines would generally be perceived as part of a larger landscape to the south beyond the valley and changes to character would be small scale west of Smallburn and Muirkirk. Beyond these settlements to the east, reducing visibility of the Proposed Development with distance, and views of closer wind farms to the east and south would mean that changes to character would be negligible scale. The assessment concludes overall that the changes to character within this LCT would arise for a wide extent of the character type. The magnitude of impact would be large/medium and effects would be major/moderate, adverse and **significant**.
- 4.6.43 The LVIA concludes that **significant effects** are predicted on the landscape character of the site and some parts of its surroundings up to approximately 5 km away from the nearest turbine. Where effects on landscape character have been predicted as **significant** these are considered to be localised in the context of NPF4.
- Designated Landscapes
- 4.6.44 The site is not subject to any landscape designations.
- 4.6.45 There are three non-statutory Local Landscape Areas ('LLAs') scoped into the LVIA, namely:
- > LLA2 Uplands and Moorlands (0.1 km, east);
 - > LLA1 River Ayr Valley (3.1 km, northwest); and
 - > Ayr Valley LLA (14.9 km, west).
- 4.6.46 The assessment concludes that significant effects are predicted on one designated landscape, the Uplands and Moorlands LLA which is located 0.1 km to the east of the Proposed Development.
- 4.6.47 The assessment has examined the impact of the Proposed Development on the special qualities of the designation and concludes that the most notable changes to the special qualities of the LLA would be large and medium scale changes to the moorland character within 4 km, and small scale changes to 6 km (affecting a localised area); and Large/medium scale changes for an intermediate extent of views towards the moorland backdrop provided by the LLA to lower-lying and settled areas. Taking account of these, and the more limited changes to recreational enjoyment and perceptions of wildness; the magnitude of impact would be large/medium and effects would be major/moderate, adverse and **significant**. It is

concluded that the overall integrity of the LLA would be maintained as a result of the Proposed Development.

4.6.48 No significant adverse effects are predicted on the remaining LLAs considered.

Visual Effects

4.6.49 Two types of visual receptors were considered within the assessment:

- > Groups – Based around settlements or rural areas and representing effects on the community within public spaces including streets and local recreational routes in that place.
- > Routes – Users of longer distance transport and recreational routes through the study area.

4.6.50 The assessment concludes that significant visual effects are predicted for the following visual receptors. Where significant effects are predicted at night, this has also been specifically noted:

- > Glenmuir and Bellow Water Valleys which includes residents and local road users along the valleys to the southwest and northwest of the Site at distances of 0.3km, South and 0.7km, North.
- > Cronberry which includes residents and local road users, at distances of 2.2 km, North west – both day and night.
- > Rural area between Cronberry, Auchinleck and Cumnock residents and local road users along the local roads between the A70 and Auchinleck at distances of 1.8 km, West.
- > B743 and rural area between Sorn and A70 which include residents of the properties along this route and local road users at distances of 3.6 km, North.
- > A70 - users of this single carriageway main road at distances of 0.7 km North West.

4.6.51 No significant effects are predicted for the remaining visual receptors assessed some of which are located at distances between 4-10 km.

4.6.52 Significant visual effects are limited to locations within approximately 4 km, illustrating the localised extent of visual effects predicted. Overall, it is considered that the **significant visual effects** would be wholly localised in spatial extent.

Cumulative Effects

4.6.53 The LVIA considers the cumulative effect that may arise when the Proposed Development is added to various scenarios of other wind farms. The cumulative assessment concludes that significant effects are predicted as follows:

- > Glenmuir and Bellow Water Valleys (with The Drum, or both The Drum and Glen Water);
- > Glenmuir and Bellow Water Valleys (with Glen Water) – both day and night;
- > Cronberry (with The Drum, or both The Drum and Glen Water); and
- > Cronberry (with Glen Water wind farm).

Summary of Landscape and Visual Appraisal

4.6.54 The landscape and visual impacts are judged to be localised. As such the extent and nature of effects is considered to be acceptable when considered against the policy criteria in NPF4 which specifically states, “Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable”. The design iteration of the Proposed Development has been a key factor in the containment of effects, with a

reductions in turbine numbers and turbine tip height implemented through the design process. These revisions to the Proposed Development have been incorporated specifically to address and mitigate landscape and visual concerns. In short, the impacts of the Proposed Development are considered to be localised **and** appropriate design mitigation has been applied as demonstrated above and in the EIA Report. The predicted effects are considered to be acceptable.

- 4.6.55 It is fully accepted that each development needs to be considered on its respective merits, but it is important that there is consistency in decision making with regard to this particular aspect of NPF4 policy 11 e) and its application.
- 4.6.56 In the case of the Proposed Development, significant adverse landscape effects are limited in extent to within 5 km and visual effects are limited to approximately 4 km. Furthermore, there are no significant adverse effects on any national landscape designations.
- 4.6.57 Overall, it is considered that the design iteration of the Proposed Development has achieved a layout that mitigates potential landscape and visual issues while working within environmental and technical parameters, resulting in the containment of significant landscape and visual effects to a localised area, in accordance with NPF4 Policy 11.

(iii) Public Access

- 4.6.58 There is one right of way which extends partly into the Site at Duncanziemere.. There are few Core Paths within 5 km of the Site, with the closest being short routes through the edges of Cumnock, and the long-distance River Ayr Way which follows the river approximately 3 km to the north of the Site.
- 4.6.59 Once the Proposed Development is operational, the wind farm tracks will be opened to the public to increase access to the countryside. Recreation and access benefits are also discussed in the Socio-Economic and Community Benefit Impact Report submitted as part of the application for Section 36 consent, alongside this EIA Report.
- 4.6.60 It is proposed that a network of walking and cycling routes be developed and provided with shelters, viewpoints and interpretive elements for visitors to enjoy. These structures would be constructed from durable, natural materials suited to the exposed setting and integrate into the landscape. An example of the proposed recreational access routes and visitor spots was provided during the public exhibition held in June 2026 and is available on the Application website . These access and recreation plans are preliminary and the Applicant is open to further input from the local communities. An Outdoor Access Management Plan will be agreed with the EAC prior to the commencement of construction.
- 4.6.61 It is also proposed that a heritage trail be developed in conjunction with the outdoor access management plan at the Proposed Development to enable recreational visitors to understand and gain an appreciation of the history of the Site.
- 4.6.62 The Proposed Development will not result in adverse effects on public access. Beneficial effects are predicted in respect of the new access routes and proposed Heritage Trail.

(iv) Aviation and Defence Interests and (v) Telecommunications & Broadcasting

- 4.6.63 The EIA Report assesses impacts to aviation and defence matters within **Technical Appendix 1.5** of the EIA Report.
- 4.6.64 There are two Primary Surveillance Radar ('PSR') sites (NATS Lowther Hill and Glasgow Prestwick Airport ('GPA') located, and considered, within the Proposed Development aviation study area (and radar installations out to the limit of their range). Additionally, the assessment considers impacts on Ministry of Defence interests in terms of potential impact to low flying aircraft operating in the development area and Instrument Flight Procedures ('IFP') at GPA as well as the impact from turbines causing Interference on Very High Frequency (VHF) Communication and Navigation Systems (Carrier to Interference (C/I) Ratio.

- 4.6.65 No significant adverse effects are predicted in relation to low flying. Some significant effects are predicted relating to IFPs, PSRs and VHF C/I, prior to mitigation. Mitigation has been proposed and consultation with the GPA and NATS is ongoing.
- 4.6.66 The assessment concludes that there would be no residual significant adverse effects in relation to IFPs, PSR and VHF C/I subject to proposed mitigation.
- 4.6.67 In terms of impacts on Telecommunications links, there are no telecommunications fixed links within or near the Site, with the exception of Vodafone which has a fixed link which crosses the Site. A 100 m avoidance buffer was established around the path of the fixed link and this was treated as a hard constraint throughout the design evolution of the Proposed Development. Therefore, there is predicted to be no adverse effects in relation to the operation of this fixed link.

(vi) Impacts on Road Traffic and Trunk Roads

- 4.6.68 **Chapter 10 Access, Traffic and Transport**, of the EIA Report addresses impacts relating to construction traffic and transport.
- 4.6.69 The assessment has considered the potential effects on users of the transport network arising from the Proposed Development and has identified that vehicle movements would peak during months six and seven of construction.
- 4.6.70 Embedded mitigation includes the provision of a Construction Traffic Management Plan ('CTMP') which would be secured by way of condition.
- 4.6.71 The effects of vehicle movements, and of the Abnormal Indivisible Load Vehicles (AILVs) delivering the wind turbine components, have been assessed and found to be not significant. Also, no significant effects are expected when the Proposed Development is considered in combination with other planned developments.
- 4.6.72 The number of vehicle movements during the operation and decommissioning of the Proposed Development would be lower than those during construction and hence no significant effects are expected on users of the transport network during those phases.

(vii) Historic Environment

- 4.6.73 **Chapter 5: Archaeology and Cultural Heritage** of the EIA Report provides an assessment of the potential for direct and indirect physical impacts on known and unknown archaeological remains within the Site, in addition to impacts on the settings of scoped in designated heritage assets within a 10 km study area.
- 4.6.74 Detailed setting assessments were undertaken for Kyle Castle (SM3311), Cairn Tables (SM4631), Dumfries House Inventory Garden and Designed Landscape (GDL00149), Dumfries House (LB14413), Dovecote at Dumfries House (LB14416), Avenue Bridge (LB14414), The Temple (LB96) and Sorn Castle (LB14273).
- 4.6.75 With regard to construction effects, no significant direct impacts on known heritage assets have been identified within the primary Site.
- 4.6.76 With regard to operational effects, the assessment identified a minor significance of effect on the setting of Kyle Castle (SM3311), Cairn Tables (SM4631) and Sorn Castle (LB14273). A nil significance of effect has been identified for Dumfries House Inventory Garden and Designed Landscape (GDL00149), Dumfries House (LB14413), The Temple (LB96), the Dovecote (LB14416) and Avenue Bridge (LB14414).
- 4.6.77 In all cases, the key aspects of setting that contribute to the understanding, appreciation and experience of these assets would remain unimpacted and the resulting effects are considered not significant in EIA terms. Similarly, no significant cumulative effects are predicted.

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

4.6.79 In summary however, overall, no likely significant effects have been identified in relation to designated or undesignated heritage assets as a result of the Proposed Development.

(viii) Hydrology, the Water Environment and Flood Risk

4.6.80 **Chapter 8: Hydrology, Geology and Hydrogeology** of the EIA Report addresses the potential impacts of the Proposed Development on hydrological interests.

4.6.81 The following designated sites are within the Study Area:

- > Muirkirk Uplands Site of Scientific Interest (SSSI) which is located along the eastern boundary of the Site and 500 m north of the Site, on the opposite side of the Bellow Water to the Site.
- > Muirkirk and North Lowther Uplands Special Protection Area (SPA), located along the eastern boundary of the Site and 500 m north of the Site; and
- > Airds Moss Special Area of Conservation (SAC) which is located approximately 500m north of the Site on the opposite side of the Bellow Water to the Site.

4.6.82 The SPA is designated for features which are not sensitive to changes in the geological or water environment – however the SPA is considered below under Policy 11 (ix).

4.6.83 The SAC is located within a different surface water catchment to the Proposed Development. The water which sustains the SAC will therefore not be impacted by the Proposed Development.

4.6.84 As such only Muirkirk Uplands SSSI was taken forward to detailed assessment due to potential impacts from the Proposed Development as it is located downstream of the Site (Turbines T1 and T2) and therefore is hydrologically connected to the Proposed Development. Mitigation measures are proposed such as capture drains or cross drains would be used to capture the ‘clean’ water upgradient of the turbine before discharging this water immediately downgradient of the turbine at an appropriate rate thereby maintaining existing surface water flow paths toward the SSSI. Additional drainage systems will be deployed as required to ensure runoff from the construction areas are contained and treated before discharge.

4.6.85 With the implementation of recommended good practice measures which will be outlined in the final CEMP, the magnitude of impact is assessed as negligible. The resultant significance of effect is assessed as negligible and not significant during construction. During operation no permanent groundwater control will be required and therefore existing water flow paths will be maintained. Drainage measures adopted during construction will remain in place. No significant effects are predicted on the Muirkirk Uplands SSSI during operation.

4.6.86 A Private Water Supply Risk Assessment (EIA Report Technical Appendix 8.5) confirms that neither of the yield nor quality of water at the PWS supplies within the Study Area are considered to be at risk from the Proposed Development. No development is proposed within 250 m of the PWS sources and the Applicant is committed to maintaining this buffer in the proposed micro siting allowance. The Applicant is committed to ensuring that any assumptions used to complete the PWS risk assessment are confirmed prior to the commencement of works and if required the PWS risk assessment updated.

4.6.87 None of the water catchments which drain the Site have been designated as a Drinking Water Protected Area (‘DWPA’).

4.6.88 It is concluded from a review of potential Groundwater Dependent Terrestrial Ecosystems (‘GWDTEs’) that the potential GWDTE habitats are not sustained by groundwater. However, safeguards to maintain these habitats, and sustain the surface water flows and preserve

water quality to these habitats, will be implemented during construction and operation of the Proposed Development.

- 4.6.89 Matters relating to impacts on peatland are dealt with below under NPF4 Policy 5. In summary, the design has sought to avoid the deepest areas of peat, and the assessment concludes no significant effect in relation to impacts on peat.

(ix) Biodiversity including impacts on birds

- 4.6.90 **Chapter 6: Ecology and Chapter 7: Ornithology** of the EIA Report address potential effects on Important Ecological Features ('IEFs') and Important Ornithological Features ('IOFs') respectively associated with the construction and operation of the Proposed Development.

Ecology

- 4.6.91 There are no statutory designated sites with ecological (non-avian) qualifying interests within or overlapping with the Site. There are two statutory designated sites with ecological (non-avian) qualifying interests within 5 km of the Site: Muirkirk Uplands SSSI abuts the Site boundary in the north-east of the Site; and Airds Moss SAC is 0.46 km north/north-west of the Site.
- 4.6.92 Chapter 6 of the EIA Report notes that given the distance between the Airds Moss SAC and the Site, along with the absence of hydrological connectivity between the Site and the SAC, and in cognisance of the respective blanket bog qualifying feature, it is considered unlikely that the Proposed Development will have a significant effect on the qualifying interest, either directly or indirectly. An appropriate assessment is therefore not required, and Airds Moss SAC was scoped out of detailed assessment, as has been noted to be acceptable by NatureScot in their formal scoping consultation.
- 4.6.93 In relation to Muirkirk Uplands SSSI, chapter 6 explains that given the location and set-back distances, no direct permanent or temporary impacts are predicted to occur as a result of the Proposed Development. A small portion of the proposed infrastructure associated with T1 and T2 has potential hydrological connectivity with the SSSI. The location of all other infrastructure is either hydrologically separate to the SSSI or the respective hydrological flow paths flow away from the SSSI. The existing habitat between the SSSI and the Proposed Development in these locations where there is potential hydrological connectivity comprises former mining areas that have revegetated with ephemeral or grassland vegetation in the case of T1, or a mosaic of wet heath, blanket bog and flush in the case of T2. Given the set-back distances from the SSSI and the limited areas of potential connectivity, and in cognisance of the standard mitigation described within the EIA Report at Chapter 6, the likelihood of any indirect potential pollution events or effects on qualifying habitats of interest is low and it is considered the potential for significant effects is unlikely. Consequently, Muirkirk Uplands SSSI was scoped out of the detailed ecological assessment.
- 4.6.94 There are six areas of ancient woodland within the Site; two stands in the far north, two in the west and two in the far south. Five of these are classified as Long-Established (of plantation origin) and one as Ancient (of semi-natural origin). There is no overlap between Proposed Development infrastructure and areas of ancient woodland, the closest distance between ancient/long-established woodland and proposed infrastructure is 74m. As no ancient woodland would be lost or impacted due to the Proposed Development, effects were scoped out of the assessment.
- 4.6.95 There are two local nature conservation sites (LNCS) that overlap with the Site, i.e. Low Moss LNCS and Glenmuir Water - Lugar to Kyle Castle LNCS. Both of these LNCS are distant to Proposed Development infrastructure and given the lack of relevant connectivity with the interest features these LNCS were scoped out of detailed assessment.
- 4.6.96 Habitats surveys indicate that much of the Site, i.e. Study Area, is comprised of improved grassland (24.3 %) and marsh/marshy grassland (21.3 %). The next most common

habitat/feature type is unrestored mine (8.5 %). The remainder of the Site and Study Area is made up of a wide range of other habitat types, which are typically small, scattered and often fragmented in extent. The habitat types that have subsequently been scoped in to the assessment of effects due to their presence, extent, nature conservation value and conservation importance (sensitivity) are blanket bog and wet modified bog. The blanket bog within the Site is generally in a relatively degraded and modified condition through primarily historical practices with ongoing legacy effects.

- 4.6.97 The assessment concludes that effects during construction on blanket bog and wet modified bog would be minor adverse and not significant under the EIA Regulations.
- 4.6.98 In relation to protected species those included for detailed assessment include the following species of bats: commuting/ foraging of high collision risk species: common pipistrelle, soprano pipistrelle, *Nyctalus* spp. and Nathusius' pipistrelle. The assessment concludes that the effect in relation to collision risk on all high collision risk bat species recorded at the Site is considered minor adverse and not significant in the context of the EIA Regulations.
- 4.6.99 In relation to other protected species, Chapter 6 sets out a range of embedded and standard mitigation including Species Protection Plan which will set out measures to safeguard protected species known or likely to be in the area.
- 4.6.100 Based on survey findings and with consideration of the additional desk study and baseline data collected combined with the iterative design, embedded and standard mitigation measures and project assumptions described above, several potential effects on IEFs can be scoped out of further assessment based on the professional judgement of the EIA team, experience from other relevant projects and policy guidance or standards and due to a lack of potential significant effect at a relevant species population or habitat extent scale.
- 4.6.101 In relation to cumulative effects on IEFs, it is considered that there will be no significant effects.
- 4.6.102 An outline BEMP has been included as **Technical Appendix 6.6** detailing biodiversity enhancement measures. These are further described below with regard to NPF4 Policy 3 (Biodiversity).

Ornithology

- 4.6.103 There are no statutory designations within the Site, however the Proposed Development is within 20 km of one SPA and two SSSIs. Muirkirk and North Lowther Uplands SPA (underpinned by the Muirkirk Uplands SSSI and North Lowther Uplands SSSI) is adjacent to the Site and designated for non-breeding hen harrier, breeding golden plover, hen harrier, merlin, peregrine falcon, short-eared owl and a breeding bird assemblage.
- 4.6.104 Chapter 7 of the EIA Report includes information relating to the qualifying species of the SPA and the potential effects of the Proposed Development to allow the competent authority to undertake an appropriate assessment.
- 4.6.105 In considering the continued availability of the potential roosting location/other adjacent suitable roosting habitat, the distance from the potential roost to the nearest area of construction, what is known regarding hen harrier roosting behaviour, and the inclusion of specific restrictions for roosting hen harrier in the BDMP, there is considered to be no adverse effect on the integrity of the non-breeding hen harrier population of the Muirkirk and North Lowther Uplands SPA as a result of the Proposed Development.
- 4.6.106 In terms of operational effects, considering the continued availability of the potential roosting location/other adjacent suitable roosting habitat, the distance from the potential roost to the nearest operational turbine, what is known regarding hen harrier roosting behaviour/their tolerance to wind farms, and the extension of the BDMP for the operational phase, there is considered to be no adverse effect on the integrity of the non-breeding hen harrier population of the Muirkirk and North Lowther Uplands SPA as a result of the Proposed Development.

Furthermore, the risk of collision for non-breeding hen harrier associated with the SPA population is anticipated to be negligible and is considered to result in no adverse effect on the integrity of the Muirkirk and North Lowther Uplands SPA.

- 4.6.107 As set out in Chapter 3 and within Chapter 7 of the EIA Report, an iterative design process incorporated embedded design mitigation pertaining to ornithological interests.
- 4.6.108 A Bird Disturbance Management Plan (BDMP) will be implemented during construction of the Proposed Development and will form part of the CEMP.
- 4.6.109 The assessment has examined the effects of disturbance to breeding or roosting behaviour for hen harrier, peregrine falcon, red kite, curlew and lapwing during construction and notes that no significant adverse effects are predicted subject to the mitigation measures proposed including the BDMP and CEMP.
- 4.6.110 Operational effects including disturbance to breeding or roosting behaviour for hen harrier, peregrine falcon, red kite, curlew and lapwing; collision mortality risk – red kite; and collision mortality risk for hen harrier, peregrine falcon, curlew and lapwing have been assessed and it is concluded that there would be no significant adverse effects.
- 4.6.111 In relation to cumulative effects on IOFs, it is considered that there will be no significant effects.
- 4.6.112 Biodiversity enhancement measures specific to IOF are set out in the OBEMP.
- 4.6.113 Following the adoption of additional specific mitigation measures and enhancement measures, the residual effects upon assessed IOFs remain no more than negligible or minor adverse and, therefore, not significant in the context of the EIA Regulations.

(x) Trees, woods and forests

- 4.6.114 A Forestry Technical Appendix which describes the existing forestry and woodland baseline, quantifies potential impacts on forestry assets and provides recommendations for the development of forestry impact mitigation is provided at **Technical Appendix 1.4**.
- 4.6.115 As noted above, no areas of Ancient Woodland are directly or indirectly impacted by the Proposed Development. Construction of the Proposed Development will result in some loss of trees, 4.8ha, however this is assessed to be not significant due to the scale/extent and quality of affected woodland.
- 4.6.116 The Applicant is committed to undertake compensatory planting to mitigate the impact on woodland within the Proposed Development Footprint, complying with the Scottish Government Policy on the Control of Woodland Removal. Any plans for compensatory planting will be agreed with Scottish Forestry prior to the commencement of construction.

(xi) Decommissioning and (xii) site restoration plans

- 4.6.117 The assessment of effects for each environmental topic takes into account the environmental impacts of the construction and operational phases of the Proposed Development. It is generally assumed that the significance of impacts of decommissioning would be no greater, or less than the impacts of construction.
- 4.6.118 Prior to decommissioning, a Decommissioning Environmental Management Plan (DEMP) will be produced to reflect then current legislation and policy and will be agreed with the relevant statutory authorities.
- 4.6.119 Following commissioning of the Proposed Development, the construction site would be reinstated. Reinstatement would form part of the contractual obligations for the appointed contractor and would include reinstatement and landscaping, removal of temporary site offices, reseeding verges and areas around turbine bases.

xiii) cumulative impacts

4.6.120 Cumulative matters have been assessed above through each of the individual topic areas.

Balancing the Contribution of a Development and Conclusions on Policy 11

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

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

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

4.6.124 In terms of contribution to targets, the Proposed Development's contribution has been set out in Section 3 above.

4.7 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

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

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

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

4.7.4 **Paragraph b)** states that:

"Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria."

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

4.7.6 **Paragraph b) iv)** of the policy sets out a requirement that *"significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the*

development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate.”

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

Current Guidance Position

- 4.7.8 The **letter from the Chief Planner issued on 8 February 2023** refers to the application of Policy 3 where specific supporting guidance / parameters for assessment are not yet available to aid assessments. It confirms that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and reiterates that research has been commissioned to explore options for developing a biodiversity metric or other tool for use in Scotland.
- 4.7.9 The Scottish Government published ‘**Planning Guidance: Biodiversity**’ (Biodiversity Guidance) in December 2025 Paragraph 1.1 states that it:
- “Sets out the Scottish Minister’s expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome improving biodiversity.”*
- 4.7.10 The Biodiversity Guidance refers to ‘key terms’ and with regard to ‘enhancement’, states at Paragraph 1.10:
- “The terms ‘enhance’ and ‘enhancement’ are widely used in NPF4. In order for biodiversity to be ‘enhanced’ it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver”.*
- 4.7.11 The Biodiversity Guidance addresses development planning and, in terms of development proposals, references ‘core principles.’ At Paragraph 3.1 the guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal.
- 4.7.12 The principles set out are as follows:
- > Apply the mitigation hierarchy;
 - > Consider biodiversity from the outset;
 - > Provide synergies and connectivity for nature;
 - > Integrate nature to deliver multiple benefits;
 - > Prioritise on-site enhancement before off-site delivery;
 - > Take a place-based and inclusive approach;
 - > Ensure long term enhancement is secured; and
 - > Additionality (ensuring that enhancement delivered is additional to any measures which would have been likely to happen in the absence of the development).
- 4.7.13 These core principles have been applied as appropriate with regard to the Proposed Development.

- 4.7.14 Page 17 of the Biodiversity Guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and at Section 4.6 key points in the guidance include the following:
- > It is set out that NPF4 does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised; and
 - > Assessments can be qualitative or quantitative (for example through use of a metric).

- 4.7.15 Section 4.12 of the Biodiversity Guidance states:

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

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

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

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

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

- 4.7.18 NatureScot launched a consultation on the Scottish Planning Biodiversity Metric (SPBM) in August 2026¹⁸, prior to refining the metric for its release in Spring 2027.

- 4.7.19 NatureScot have also published a Research Report¹⁹ which was a review of habitat classifications for their potential use in a Scottish planning biodiversity metric in early 2026. This report reviews and makes recommendations for systems of vegetation classification to be used to provide data for a Scottish planning biodiversity metric (“the Scottish metric”).

The application of Policy 3

- 4.7.20 In terms of environmental benefit, it can be concluded that there will be permanent biodiversity enhancement delivered through the Applicant’s proposed habitat restoration/enhancement and species conservation management measures, offered as part of the Proposed Development.

¹⁸ <https://www.nature.scot/doc/scottish-planning-biodiversity-metric-consultation>

¹⁹ NatureScot (2026) NatureScot Research Report 1391 - A review of habitat classifications for their potential use in a Scottish planning biodiversity metric Available at: <https://www.nature.scot/doc/naturescot-research-report-1391-review-habitat-classifications-their-potential-use-scottish-planning#summary>

- 4.7.21 NPF4 policy 3b does not specify or require a particular assessment approach or methodology to demonstrate the delivery of significant biodiversity enhancements, although the policy is clear that best practice assessment methods should be used. NatureScot have been clear that the assessment approach in Scotland may be qualitative or quantitative (for example through use of a metric). As noted above, as the metric is only at an initial consultation version it is subject to change. The approach applied to the Proposed Development has used qualitative methods to demonstrate significant biodiversity enhancement to demonstrate compliance with Policy 3b, an approach endorsed by NatureScot.
- 4.7.22 As referenced previously, an OBEMP is provided in support of the Section 36 application and is contained in **Technical Appendix 6.6** of the EIA Report. The OBEMP proposes a Biodiversity Enhancement Area (BEA) comprising four overarching HMAs; A – D inclusive, see **Figure 6.13** of the EIA Report. The aims and objective of the OBEMP are set out within and are summarised as follows:
- > Aim 1: Native Broadleaved Woodland Creation / Enhancement which would be delivered within Habitat Management Area ('HMA') A: the objective within this area is to enhance, create, expand, and connect areas of native broadleaved woodland, riparian woodland and ancient woodland, and increase tree species diversity and in doing so to increase and enhance faunal diversity within and around the Site.
 - > Aim 2: Species-Rich Native Mixed Scrub Creation would be delivered within HMA B: the objective within this area is to create and enhance areas of species-rich native mixed scrub and increase floral diversity.
 - > Aim 3: Mixed Grassland Mosaic would be delivered within HMA C: the objective within this area is to create a mixed grassland mosaic habitat and create/enhance suitable nesting, chick-rearing and foraging habitat for the local breeding wader assemblage.
 - > Aim 4: Species-Rich Grassland Creation would be delivered within HMA D: the objectives within this area is to create a species-rich lowland neutral grassland/meadow habitat and increase floral diversity through the creation of a wildflower meadow and increase floral diversity.
- 4.7.23 Although some minor and not significant losses of blanket bog and wet modified bog are predicted due to the Proposed Development the OBEMP does not currently include a peatland restoration proposal or associated HMA. This is due to the small, fragmented, and limited nature of the peatland on-site. Although much of the remnant peatland on-site is modified and degraded due to a range of anthropogenic impacts, there are limited restoration options present, for example many of the drains already appear to have been blocked. However, peatland restoration options may become feasible in the future and options for viable peatland restoration will be considered and explored again at the time of BEMP finalisation.
- 4.7.24 It is noted that the Site is adjacent to, and has a small degree of overlap with, the former Powharnal opencast mine (located to the north-east of the Proposed Development). Restoration of the abandoned and unrestored Powharnal site has been undertaken via the Powharnal Mitigation Management Plan (PMMP) under EAC planning consent 17/1053/PP and which has been deemed to be concluded. The OBEMP has considered the Site's current baseline condition in cognisance of the relevant details of the PMMP and associated residual plan in order to complement and augment the measures undertaken locally. Further details are set out in the OBEMP, but in summary the OBEMP has been designed to complement and augment the measures undertaken to date and which are ongoing. The approach is considered to strengthen nature networks in the area.
- 4.7.25 A scheme of monitoring will establish whether the proposed management prescriptions are achieving the various aims and objectives, and in turn will inform adaptive management to ensure the aims and objectives are achieved through the life of the BEMP.

4.7.26 The enhancement proposals would result in the site, from a biodiversity perspective, being in a *“demonstrably better state”* than without intervention, consistent with the provisions of Policy 3.

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

4.8 NPF4 Policy 4: Natural Places

Policy 4 and Principles

4.8.1 The policy has an intent to protect, restore and enhance natural assets making best use of nature-based solutions. Policy outcomes are stated as being natural places are protected and restored, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.

Application of Policy 4

4.8.2 **Policy 4, Paragraph a)** of the policy states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported. The impact of the Proposed Development on the natural environment including designated sites has been considered above under Policy 11 where relevant and within the EIA Report.

4.8.3 The assessment has concluded that there would be no significant adverse effects on the natural environment including designated sites as a result of the Proposed Development.

4.8.4 **Policy 4 paragraph b)** refers to development proposals which are likely to have a significant effect on a European designated site and sets out in such circumstances the requirement for Appropriate Assessment.

4.8.5 European sites have been considered and assessed, as noted under Policy 11 (ix). Consideration of Habitats Regulations implications and the potential for adverse effects on qualifying features of the relevant SPA are considered within Chapter 7 of the EIA Report. Sufficient information is provided to allow Scottish Ministers to undertake an Appropriate Assessment. In summary, no adverse effects are predicted on the integrity of the Airds Moss SAC or on their qualifying features.

4.8.6 **Policy 4, Paragraph c)** deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park, or a National Scenic Area (NSA) should be addressed.

4.8.7 The Site is not subject to any national landscape designations and there are no nationally important landscapes within the study area.

4.8.8 **Policy 4, Paragraph d)** deals with local landscape designations. Policy 4, Paragraph d) is as follows:

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

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

- 4.8.9 The first limb of the policy refers to significant effects on the *“integrity”* of the area or *“the qualities for which it has been identified”*.
- 4.8.10 The policy set out in the second limb of NPF4 Policy 4, Paragraph d) provides that development proposals that affect a site designated as a local landscape area will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:
- > this policy provision, reflects the wider NPF4 policy that adverse effects must be balanced against the benefits of a proposed development;
 - > the second limb is independent of the first (“or”) and is to be applied where a decision-maker concludes that a proposed development will have significant adverse effects on the integrity of a local designation;
 - > NPF4, Policy 4, Paragraph d) includes a balancing mechanism (*“clearly outweighed by social, environmental or economic benefits”*) and sets out the threshold to be used (*“of at least local importance”*).
- 4.8.11 There are three non-statutory LLAs considered for detailed assessment. The assessment concludes that while significant adverse effects are predicted on the Uplands and Moorlands LLA which is located 0.1 km to the east of the Proposed Development these would be limited to localised effects on its character and on views towards the LLA. For the other special qualities there would only be small scale localised changes and the overall integrity of the LLA would be maintained as a result of the Proposed Development.
- 4.8.12 No significant adverse effects are predicted on the remaining LLAs considered.
- 4.8.13 **Policy 4, Paragraph e)** addresses the precautionary principle which will be applied in accordance with relevant legislation and guidance.
- 4.8.14 **Policy 4, Paragraph f)** sets out that *“development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. 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”*.
- 4.8.15 Protected species have been discussed above under Policy 11. No significant adverse effects are predicted for protected species subject to the committed embedded and additional mitigation proposed including Species Protection Plans and BDMP.
- 4.8.16 **Policy 4, Paragraph g)** of the policy deals with Wild Land Areas and states that:
- “Development proposals in areas identified as wild land in the NatureScot Wild Land Areas map will only be supported where the proposal:*
- i. will support meeting renewable energy targets; or*
 - ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.*
- All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.”*

- 4.8.17 Policy 4(g) relates to development within wild land areas. The Proposed Development would not be located within a wild land area. Policy 4(g) of NPF4 is clear that *“effects of development outwith wild land areas will not be a significant consideration”*.

Conclusions on Policy 4

- 4.8.18 Designated sites relating to the nature conservation have been assessed above under Policy 11 and no significant effects are predicted.
- 4.8.19 The Proposed Development will not impact any Nationally designated landscape areas or wild land areas.
- 4.8.20 Effects in relation to local landscape designations have been addressed. While significant adverse effects are predicted in relation to one LLA (Uplands and Moorlands LLA), the objectives of the designation and the overall integrity of the area would not be compromised.
- 4.8.21 Furthermore, studies to identify potentially impacted protected species (including birds) were undertaken and detailed assessment of relevant species was also undertaken as necessary, as set out in the EIA Report and no significant adverse effects are predicted.
- 4.8.22 Given the above position, it is considered that the Proposed Development is in accordance with Policy 4.

4.9 NPF4 Policy 5: Soils

Policy 5 and Principles

- 4.9.1 The policy intent for Policy 5 is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position that was in the former SPP; however, a key difference, as set out in paragraph c(ii), is that renewable energy proposals are one of the types of development expressly envisaged to be acceptable in principle on peatlands, reflecting the net benefits in carbon emissions reduction and peatland restoration potential which can be gained.
- 4.9.2 **Paragraph a)** states that *“development proposals will only be supported if they are designed and constructed:*
- i. in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and*
 - ii. in a manner that protects soil from damage, including from compaction and erosion, and that minimises soil sealing.”*
- 4.9.3 **Paragraph b)** relates to prime agricultural land and is not relevant.
- 4.9.4 **Paragraph c)** states *“Development proposals on peatland, carbon rich soils and priority peatland habitat will only be supported for:*
- i. Essential infrastructure and there is a specific locational need and no other suitable site;*
 - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;*
 - iii. Small-scale development directly linked to a rural business, farm or croft;*
 - iv. Supporting a fragile community in a rural or island area; or*
 - v. Restoration of peatland habitats.”*
- 4.9.5 **Paragraph d)** states: *“Where development on peatland, carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment will be required to identify:*

- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
- ii. the likely effects of the development on peatland, including on soil disturbance; and
- iii. the likely net effects of the development on climate emissions and loss of carbon.

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A Peat Management Plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/or enhancing the site into a functioning peatland system capable of achieving carbon sequestration."

The application of Policy 5

- 4.9.6 **Chapter 8 Geology, Hydrology, Hydrogeology and Peat** of the EIA Report assesses the potential impacts of the Proposed Development on soils and peat. This is supported by Technical Appendix 8.1: Peat Landslide and Hazard Risk Assessment (PLHRA); Technical Appendix 8.2: Outline Peat Management Plan (PMP); and Technical Appendix 8.3: Peat Condition Assessment (PCA) which provide the necessary detailed site specific assessment required under Policy 5 (d).
- 4.9.7 The Site has an extensive history of mining. The northern section of the Site includes the former Dalfad Coal Mine and part of the former Duncanziemere Coal Mine. The coal in these areas was formerly mined using both opencast and underground methods.
- 4.9.8 Nevertheless, peat and peaty soils have been recorded within the Site which could be degraded during construction of the Proposed Development and these have been subject to detailed assessment.
- 4.9.9 In summary, site surveys have confirmed:
- > The majority of the Site recorded a peat depth ≤ 0.5 m (approximately 78% of all peat probes recorded) with an average thickness of peat across the Proposed Development of 0.4 m;
 - > Peat is generally absent across the Site, with some localised deposits recorded across the northern and central area of the Site. A maximum depth of 6.3 m was recorded within the centre of the Site; and
 - > The condition of the peat (where present) at the Site has been classified as artificially drained or modified.
- 4.9.10 The presence of peat within the Site was one of the key considerations in designing the layout of the Proposed Development. Informed by detailed peat depth surveys undertaken across the Site, the majority of the Proposed Development avoids peat entirely, with limited encroachment on peat areas. No areas of near natural peat are present.
- 4.9.11 The Proposed Development has generally been limited to areas of peat < 0.5 m deep, where peat is absent or where it has been degraded / previously modified. Existing tracks have been used where possible to reduce the amount of peat excavations required.
- 4.9.12 The design has sought to avoid the deepest areas of peat, and the disturbance of peat and carbon-rich soils as a result of construction of the Proposed Development can be minimised. With the implementation of recommended best practice measures to be outlined in the final CEMP, the magnitude of impact on deposits of carbon-rich soil and peat is assessed as negligible and thus the significance of effect is negligible and not significant.
- 4.9.13 Policy 5 is supportive of development proposals on peatland, carbon rich soils and priority peatland habitat in certain circumstances including development for the generation of energy

from renewable sources that optimise the contribution of the area to greenhouse gas emissions reductions targets. The Proposed Development falls into this category. The appropriate assessments and information have been provided as required by Policy 5 (d) within the EIA Report and the above noted Technical Appendices.

4.9.14 The Proposed Development is considered to be in accordance with Policy 5.

4.10 NPF4 Policy 6: Forestry, Woodland and Trees

Policy 6 and Principles

4.10.1 The policy intent is to protect and expand forests, woodland and trees. It states that development proposals that enhance, expand and improve woodland and tree cover will be supported.

4.10.2 Paragraph b) states that *“development proposals will not be supported where they will result in:*

“i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;

ii. Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

iv Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.”

4.10.3 Paragraph c) states that:

“Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered”.

The application of Policy 6

4.10.4 As noted above, there are areas of Ancient and Native woodland present within the Proposed Development Area, however careful consideration and avoidance of these during the design of the Proposed Development results in no direct or indirect impacts as a result of the Proposed Development. A description of the design evolution and the key constraints that were taken into consideration during design (including ancient and native woodlands) is set out in **Chapter 3** of the EIA Report.

4.10.5 As explained in detail above under policy 11 (x), **Technical Appendix 1.4 Forestry**, of the EIA Report sets out the baseline forest environment and extent of proposed felling required to facilitate the Proposed Development, and this detail is not repeated here. The net loss of forestry to facilitate the construction and operation of the Proposed Development is 4.8 ha.

4.10.6 Compensatory planting is proposed in line with the Control of Woodland Removal Policy (CoWRP) to mitigate tree removal.

4.10.7 The Proposed Development Footprint does not result in any adverse effects on ancient or native woodland and a positive effect on ancient and native woodland is expected with the implementation of the BEMP.

4.10.8 The Proposed Development is considered to be in accordance with Policy 6.

4.11 NPF4 Policy 7: Historic Assets and Places

Policy 7 and Principles

- 4.11.1 The intent of the policy is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:
- 4.11.2 **Paragraph a)** states that *“development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impact of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.”*
- 4.11.3 **Paragraph c)** states that *“...development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest”*.
- 4.11.4 **Paragraph d)** states that *“development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced. ...”*.
- 4.11.5 **Paragraph h)** states that *“development proposals affecting Scheduled Monuments will only be supported where:*
- i) direct impacts on the Scheduled Monument are avoided;*
 - ii) significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or*
 - iii) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised.”*
- 4.11.6 **Paragraph i)** states that *“development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site or its setting”*.
- 4.11.7 **Paragraph l)** states that *“Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.”*
- 4.11.8 **Paragraph o)** states that *“non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact. Historic buildings may also have archaeological significance which is not understood and may require assessment.”*.
- The application of Policy 7**
- 4.11.9 **Chapter 5 Archaeology and Cultural Heritage** of the EIA Report addresses the presence of cultural heritage assets which may be affected by the Proposed Development.
- 4.11.10 Eight designated assets were taken forward for detailed assessment based on sensitivity to visual change within their setting and through consultation scoping responses. These have been referred to above under Policy 11 (vii).
- 4.11.11 For each of the above heritage assets, minor adverse setting effects at worst are considered for three of these assets: Kyle Castle (SM3311); Cairn Tables, two cairns (SM4631); and Sorn Castle (LB14273). For the remaining assets: Dumfries House Inventory Garden and

Designed Landscape (GDL00149); Dumfries House (LB14413) Dovecote, Dumfries House (LB14416); Avenue Bridge, Dumfries House (LB14414) and The Temple, Dumfries House (LB96), the effects are predicted as nil: all of which are not significant in EIA terms.

- 4.11.12 In terms of effects upon the setting of heritage assets, namely scheduled monument and GDLs, it is considered that only those effects identified as 'significant' in EIA terms will have the potential to significantly adversely impact upon integrity of setting. Where no EIA significant effect is found it is considered that there would be no significant impact upon the integrity of an asset's setting. As such, it is concluded in relation to the two scheduled monuments and one GDL, that there would be no significant impact on the integrity of the setting of the assets in accordance with Policy 7 (h) and (i).
- 4.11.13 In terms of the listed buildings, the Proposed Development would have a nil impact on the setting of the assets listed. As such it is considered that the Proposed Development would preserve the character, and special architectural or historic interest of the assets in accordance with Policy 7(d).
- 4.11.14 Potential cumulative effects have also been considered and assessed. Whilst cumulative development has the potential to increase the influence of modern wind energy infrastructure within the wider settings of assessed assets, the Proposed Development would generally be experienced as a coherent extension to existing or proposed turbine groupings. Consequently, the significance of effect identified for the Proposed Development in isolation would not increase for any assessed asset. All cumulative effects are therefore considered not significant in EIA terms
- 4.11.15 In summary, no significant effects in relation to the setting of any heritage assets have been identified. The Proposed Development is considered to be in accordance with Policy 7.

4.12 NPF4 Policy 22: Flood Risk and Water Management

- 4.12.1 The intent of Policy 22 is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. **Paragraph c)** is the most relevant part of the policy for the Proposed Development, which states that development proposals should not increase the risk of surface water flooding to others, or itself be at risk. In addition, all rain and surface water should be managed through Sustainable Urban Drainage Systems ('SUDs').

Application of Policy 22

- 4.12.2 As set out above, effects on hydrology, the water environment and flood risk are an assessment criterion within NPF4 Policy 11 (Energy). **Chapter 8: Geology, Hydrology, Hydrogeology and Peat** of the EIA Report addresses hydrology matters in detail including flood risk and sustainable drainage.
- 4.12.3 A review of SEPA's Flood Map indicates there is risk of surface water and small watercourse flooding onsite. Flood extents generally coincide with existing watercourse corridors or comprise of shallow (<0.3 m deep) surface water flow paths towards the existing watercourses. Smaller isolated deeper areas of flood risk are noted across the Site associated with topographic lows within the Site and from previous mining activities. Except for very small areas of the proposed access tracks no development is proposed within areas of surface water flooding deeper than >0.3 m deep.
- 4.12.4 As part of the standard mitigation the applicant will incorporate the use of Sustainable Drainage Systems to manage surface water runoff rates and volumes and potential localised surface water flood risk. These will be incorporated to the detailed drainage design which will be developed further as part of the final CEMP and would be agreed with EAC and SEPA prior to construction

4.12.5 Subject to adoption of a detailed drainage design, which incorporates the use of SuDS and an appropriate management of the drainage system no increase in flooding is expected as a result of the Proposed Development.

4.12.6 The assessment concludes that there are no issues arising with regard to potential flood risk subject to appropriate mitigation measures. The Proposed Development is therefore considered to be in accordance with Policy 22.

4.13 Conclusions on NPF4 Appraisal

4.13.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria and in relation to all other relevant NPF4 policies.

4.13.2 A key point within Policy 11 (Energy) is that any identified impacts must be weighed against a proposed development's specific contribution to meeting targets – which attracts significant positive weight in this case.

4.13.3 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crises). The term "*tackling*" the respective crises in Policy 1 is important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.13.4 The Proposed Development will deliver significant biodiversity enhancement, through the measure outlined in the OBEMP.

4.13.5 **Significant adverse effects** predicted are limited to landscape and visual matters.

4.13.6 In relation to the landscape and visual effects, NPF4 Policy 11 e) ii. is clear that significant landscape and visual impacts are to be expected for some forms of renewable energy. These have been explained and are considered to be localised and appropriate design mitigation has been applied from the outset of the Proposed Development such that those effects which remain are considered acceptable.

4.13.7 Overall, the Proposed Development is considered to be one that would make a valuable contribution to the NPF4 Spatial Strategy and would help deliver a 'sustainable place'. The Proposed Development is somewhat unique in that it will also result in the reuse of two former coal mining sites, illustrating the evolution of previously used brownfield land, bringing them into sustainable use with long term benefits, which have been set out. Further, it is considered that the Proposed Development would accord with relevant policies of NPF4, and with NPF4 when read as a whole.

5. Appraisal against the Local Development Plan

5.1 Introduction

- 5.1.1 The other element of the statutory Development Plan covering the site comprises the EAC LDP 2 adopted in July 2024.
- 5.1.2 The EAC LDP 2 was adopted just over a year after NPF4 came into force. There has therefore been an opportunity to ensure that its provisions are consistent with the policy framework as contained within NPF4. Indeed, the Direction Letter to EAC from the Scottish Government with regard to the adoption of the LDP2 makes it clear that the Scottish Ministers had delayed the notification to EAC on the matter of adoption to ensure that the LDP2 took account of NPF4. The Scottish Minister's letter in that regard is dated 25 March 2024 and it contains a number of modifications to the LDP2 in order to align its provisions with those of NPF4.
- 5.1.3 The renewable energy policies in the LDP2 for the EAC area are supported by Supplementary Guidance ('SG') entitled 'Energy and EV Charging' (2024) which forms part of the statutory Development Plan.
- 5.1.4 Other relevant SG includes the Local Landscape Areas SG (2024); and non-statutory planning guidance East Ayrshire Landscape Wind Capacity Study (2018)
- 5.1.5 Relevant policies from the LDP are referenced below. This Chapter does not present a further detailed appraisal of the Proposed Development as that has been covered in Chapter 4 above against the policy provisions of NPF4 and the LDP policy provisions are already broadly encompassed by the policy framework in NPF4.

5.2 The adopted EAC LDP2

Aims and Policy Approach in the EAC LDP

- 5.2.1 The LDP contains a vision (page 19) and this includes that *"East Ayrshire will be a net zero place with a thriving and diverse environment...."*
- 5.2.2 LDP also contains various aims, and these include *"reducing the effects of climate change and contribute to net zero targets"*.
- 5.2.3 Chapter 8 of the LDP is entitled 'Energy, Resources and Resilience'. Section 8.1 is entitled 'Supporting Renewable Energy'. Paragraph 248 of the LDP states that:

"The generation and use of renewable energy is one of the key enablers to achieving net zero carbon emissions and tackling climate change. The transition to cleaner, greener energy is already happening, but this must continue to enable the necessary shift in how we heat our homes, how we power our transport and how we provide energy for industry".
- 5.2.4 Paragraph 250 states:

"The LDP supports all forms of renewable energy and aims to ensure East Ayrshire plays its part in tackling the climate emergency and reducing greenhouse gas emissions. This includes support for wind energy development, recognising it as an essential part of the current and future energy mix. The positive policy framework will mean East Ayrshire's full potential for electricity and heat from renewable sources is achieved. Renewable energy developments will be assessed by balancing their contribution to energy targets and reducing carbon emissions, against any environmental, community and cumulative impact."

Development will be supported where any such impacts can be sufficiently minimised and mitigated”.

The Renewable Energy Policy in the EAC LDP

5.2.5

The lead policy in the EAC LDP is Policy RE1 ‘Renewable Energy’. The policy states:

“Proposals for the generation, storage and utilisation of renewable energy, including proposals for the co-location of these technologies, in the form of new build development, infrastructure or retrofit projects are encouraged and will be supported in standalone locations and as integral parts of new and existing developments, where they are acceptable when assessed against all relevant criteria set out in the Renewable Energy Assessment Criteria table below.

The criteria will be considered in terms of the impact of the development itself and the cumulative impacts arising when the proposed development is considered alongside other developments.

Areas identified for wind farms are expected to be suitable for use in perpetuity.

To maximise renewable energy generation, proposals to repower or extend existing renewable energy developments will be supported, where they are acceptable when assessed against the Renewable Energy Assessment Criteria table below. The Renewable Energy Assessment Criteria are as follows:

Climate change impact

- > *Scale of contribution to renewable energy targets.*
- > *Effect on greenhouse gas and carbon emissions.*

Environmental impacts.

- > *Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and slash/appropriate design mitigation has been applied, they will generally be considered to be acceptable.*
- > *Effects on biodiversity, including impacts on birds, with particular reference to European and other national and local designations.*
- > *Impacts on the historic environment.*
- > *Effects on hydrology, the water environment, flood risk, and groundwater dependent terrestrial ecosystems.*
- > *Impacts on trees, forests and woodlands.*
- > *Community and economic impact.*
- > *Impacts on public access, including long distance walking and cycling routes and scenic routes.*
- > *Impacts on communities and individual dwellings, including visual impact, residential amenity, noise, and shadow flicker.*
- > *Net economic impact, including employment training and business and supply chain opportunities.*

Infrastructure impact

- > *Impacts on aviation and defence interests and seismological recording.*

- > *Impacts on trunk roads and road traffic, during construction, operation and decommissioning.*
- > *Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.*

Other impacts, which include:

- > *Cumulative impact.*
- > *Grid capacity should not constrain renewable energy development."*

5.2.6 Policy RE1 is considered to largely contain the same provisions as those of NPF4 Policy 11 (Energy).

Other relevant EAC LDP Policies

5.2.7 A summary of current relevant EAC LDP policies is provided in **Table 5.1**.

Table 5.1: Relevant EAC LDP2 (2024) Policies

Policy	Policy Summary
Policy SS1 Climate Change	The policy states that when considering all development proposals, the Council will give significant weight to the global climate emergency. It states that all development should support these aspirations, where possible by: > minimising carbon emissions. > maximising carbon storage and sequestration. > mitigating the impacts of climate change, including through the delivery of net zero and low carbon infrastructure. > being designed to be adaptable to the future impacts of climate change.
Policy SS2 Overarching Policy	The policy states that development proposals are required to meet a number of criteria, insofar as they are relevant, or otherwise demonstrate how their contribution to sustainable development would outweigh any departure from the criteria. The criteria of relevance include: > contribute to the delivery of the vision and aims of the plan. > be fully compatible with surrounding established uses and have no unacceptable impacts on the environmental quality of the area.
Policy HE1 Listed Buildings	The policy states that development proposals that affect a listed building, its curtilage or its setting, will only be supported by the Council where it can be demonstrated that this is sensitive to the character, appearance and architectural or historic interest of the building and its setting.
Policy HE3 Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environment Assets	The policy states that development that would have an adverse effect on scheduled monuments or a significant adverse effect on the integrity of their settings, shall not be supported unless there are exceptional overriding circumstances.

Policy	Policy Summary
Policy HE4 Gardens and Design Landscapes	The policy states that development will not be supported where it will have significant adverse impacts upon the special historical, architectural and landscape interest of both inventory and non-inventory gardens and designed landscapes.
Policy NE1 Protecting and Enhancing Landscape and Features	The policy states that the protection and enhancement of East Ayrshire's landscape character, as identified in the Ayrshire Landscape Character Assessment, will be a key consideration in assessing the appropriateness of all development proposals in the rural area. The policy then sets out a number of requirements, and these include: > Proposals to be cited and designed to respect the nature and landscape character of the area and to minimise visual impact. > Where visual impacts are unavoidable, proposals should include adequate mitigation measures to minimise adverse impacts on the landscape. > Particular features that contribute to the value, quality and character of the landscape are conserved and enhanced, where applicable or feasible to the development. > Various landscape features are referenced including settings of settlements and buildings in the landscape, skylines, distinctive landform features and landmark hills and woodlands and other considerations, including rivers and public rights of way and foot paths. > The policy adds that the Council will not support development that would create unacceptable visual intrusion or irreparable damage to landscape character. > The policy also refers to requirements for a landscape and visual impact assessment and it adds that the Council will not support proposals where there would be an unacceptable cumulative landscape and/or visual impact.
Policy NE3 Local Landscape Areas	The policy states that within local landscape areas (LLAs) shown on the rural area map, the Council will give priority to the protection and enhancement of the landscape, in its consideration of development proposals. It adds that all proposals within an LLA must be designed to take account of landscape qualities of the area and seek to avoid adverse impacts where possible. It states that where not possible, and where there are significant social, environmental or economic benefits of local importance, which can be demonstrated and justified, measures should be taken to reduce or lastly mitigate against any potential adverse impacts. It adds that the Council will not support proposals that have unacceptable impacts on the character and visual amenity of the LLA and on the qualities that make them special.
Policy NE4 Nature Crisis	The policy states that in order to protect biodiversity and facilitate its enhancement, recovery and restoration across East Ayrshire, the Council will support development proposals that contribute to enhancement of biodiversity, including the restoration of degraded habitats, build and strengthen nature networks and improve the connection between these networks and minimise adverse impacts through careful planning and design.
Policy NE11 Soils	The policy states that development proposals on undeveloped land must be designed to avoid if possible, and if avoidance is not possible, minimise disturbance to soils. Soils should also be protected from damage, including compaction and erosion. In addition, in relation to proposed development on peatland, carbon rich soils and priority peatland habitat, the policy states that the Council will seek to

Policy	Policy Summary
	minimise adverse impacts from development on such soils, including by the release of CO2 into the atmosphere. It adds the Council will support and promote the restoration of peatland habitats, where there is potential for such habitats to become active carbon stores and help to reduce net carbon emissions.
Policy RES3 Residential Amenity	The policy states that the Council will protect and enhance the residential character and amenity of existing residential areas. The policy states that there will be a general presumption against the establishment of non-residential uses within, or in close proximity to, residential areas which are likely to have detrimental effects on local amenity and cause unacceptable disturbance to local residents.
Policy T1: Transport	The policy was referred to be the Council in its scoping response, however is deemed of limited relevance, as it largely relates to proposals of a more traditional nature which would be travel generating uses. Parts (C) and G) may be relevant which relates to the requirement for a Transport Assessment and for proposals which may affect the Strategic Transport Network which should be fully assessed to determine their impact.
Policy T4: Development and protection of core paths and other routes	Much of the policy relates to proposals for new Core Paths. It also relates to existing, and states that the Council will not be supportive of development which permanently disrupts or adversely impacts on any existing or proposed core path, other paths which form part of the local and strategic path network, including local paths, rights of way, bridle paths, or cycle paths used by the general public for recreational or other purposes. Where short term or interim disruption or adverse impacts are demonstrated to be unavoidable, the Council will require developers, as an integral part of the proposed development, to provide for the appropriate diversion (temporary or permanent) of the route in question elsewhere within the development site or to put into place appropriate measures to mitigate and overcome the adverse impact expected.
Policy FIN1: Financial Guarantees	The policy states that where necessary in terms of the scale and potential environmental impact of a proposal, and/or where restoration and aftercare are essential, the Council will require a financial guarantee for renewable energy ...projects, to ensure that all decommissioning, restoration, aftercare and mitigation requirements attached to planning consents can be met in full.

5.2.8 From a review of the relevant EAC LDP policies as set out above, it is considered that they are compatible with the policy provisions of NPF4 and that there are no conflicts or contradictions.

5.2.9 It is therefore similarly considered that the Proposed Development would be in accordance with all of the relevant policies in the EAC LDP as set out in Table 5.1 above.

5.3 Emerging EAC Local Development Plan

5.3.1 EAC are in the process of starting to prepare a new Local Development Plan (LDP3) for East Ayrshire. They are currently preparing the Evidence Report during 2026/2027 which in due course will be submitted to the Scottish Ministers for a gate check. If the evidence is found to be sufficient, the Council will proceed to work on a Proposed Plan.

5.3.2 Timescales for the adoption of LDP3 are expected in July-September 2029 as per EAC's Development Plan Scheme (2026). The LDP3 is therefore at such an early stage is not currently a relevant consideration to the determination of the application.

5.4 Conclusions on the LDP

5.4.1 The environmental and topic considerations within the EAC LDP2 policies are encompassed within the broad remit of NPF4 Policy 11 Part e). Each of the relevant development

management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and are not repeated.

5.4.2 Given the policy appraisal undertaken, it is considered that the Proposed Development would be in accordance with relevant policies of the EAC LDP2.

5.4.3 It is considered that the effects arising from the Proposed Development would be acceptable in terms of the relevant policy topics of the LDP. These policy provisions are considered to be broadly encompassed by those of NPF4 and given the appraisal set out above in Chapter 4, there would be no conflict with their terms.

6. Conclusions

6.1 The Climate Crisis & Renewable Energy Policy Framework

- 6.1.1 The urgent need for onshore wind energy generation has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Scottish Government commitments – most recently expressed in the OWPS and in NPF4.
- 6.1.2 Onshore wind energy generation was already viewed and described as “vital” to the attainment of targets in 2017. This imperative has only increased since a ‘climate emergency’ was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) ‘net zero’ publication²⁰. Furthermore, the drive to attain net zero emissions is legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act, and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.
- 6.1.3 The Scottish Government has recognised, in the OWPS, that a very substantial quantity of onshore wind energy generation is required to meet the onshore wind energy target requirement by 2030 – namely a **minimum** of 20 GW of operational capacity. Deployment of more onshore wind energy is described as being “*mission critical for meeting our climate targets*” in the OWPS.
- 6.1.4 The important benefits of the Proposed Development have been set out in the context of the current climate emergency and would help address the issue of tackling climate change, meeting very challenging net zero targets, and would contribute to improving security of supply.

6.2 The Planning Balance

- 6.2.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the climate emergency and the contribution of individual developments to tackling climate change.
- 6.2.2 The revised OWPS was published in December 2022. NPF4 came into force on 13 February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of this Section 36 application. Both should be afforded very considerable weight in decision-making.
- 6.2.3 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind energy generation in doing so, and the scale and urgency of onshore wind energy deployment required. As described in this Planning Statement:
- > The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are “*at the heart of our vision for a future Scotland*” so that “*the decisions we make today will be in the long-term interest of our country*”²¹. The policy position, and the priority afforded to combatting the climate emergency, is different to that which was set out in the former NPF3 and SPP;
 - > NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global climate emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step

²⁰ CCC, Net Zero, The UK’s contribution to stopping global warming (May, 2019).

²¹ NPF4, page 2.

change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and

- > Both NPF4 and the OWPS are clear that further onshore wind energy development, of scale and utilising modern, larger turbines, has a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions energy technologies, including onshore wind farms.

- 6.2.4 It is important to fully recognise both the scale and urgency of the challenge set out in these documents, and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030 requiring, as set out in the OWPS, that *“we must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes”²²*.
- 6.2.5 Publication of the OWPS for the first time, set an onshore wind energy generation target: a Scottish Government ambition for a **minimum** of 20 GW of installed onshore wind energy capacity by 2030. As noted, good progress has been made to reach this but it is not a cap and there is still more to do. This is also embedded in the Scottish Government’s consultative draft Energy Strategy and Just Transition Plan, together with the commitment to **“place the climate and nature at the centre of our planning system”²³** (original emphasis) in line with the NPF4.
- 6.2.6 By any measure, the identified need for delivery of this additional capacity is a massive challenge requiring an urgent and positive response, not only to meet 2030 targets but looking beyond to 2045.
- 6.2.7 As the Statement of Need in NPF4 for Strategic Renewable Electricity Generation and Transmission Infrastructure explains²⁴ *“A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets.”*
- 6.2.8 The Statement of Need relates to the attainment of Government renewable energy generation and emission reduction targets. Moreover, it relates to the importance of developing electricity supplies which are not dependent on volatile international markets and are located within the UK’s national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels is now enormous, in order to protect consumers from high and volatile energy prices.
- 6.2.9 Other policy support for development of wind farms is found in NPF4 and the OWPS as follows:
- In addition to the cross-cutting NPF4 Policy 1 (Tackling the climate and nature crises), NPF Policy 11 (Energy) directs that in considering the identified impacts of an onshore wind proposal significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
 - The OWPS expressly recognises that meeting the ambition of a **minimum** installed capacity of 20 GW of onshore wind in Scotland by 2030 will require **taller and more efficient turbines** and that *“this will change the landscape”*.
 - NPF4 Policy 11 confirms that significant landscape and visual impacts are to be expected for some forms of renewable energy. NPF4, which forms part of the Development Plan, is clear that where such impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to

²² OWPS 2022, paragraph 1.1.2.

²³ Energy Strategy and Just Transition Plan, page 55.

²⁴ NPF4, page 103.

be acceptable. Notably, policy recognises that significant landscape and visual effects are inevitable and generally acceptable. As explained above, the extent of significant landscape and visual effects that would arise from the Proposed Development are considered to be localised for a development of this scale in this type of landscape. In short, the impacts of the Proposed Development are considered to be localised and appropriate design mitigation has been applied as demonstrated in this Planning Statement and in the EIA Report. The predicted effects are considered to be acceptable.

- NPF4 Policy 11 provides in principle support for wind farm development in all locations with the exception of National Parks and NSAs. The Proposed Development is not within a National Park or National Scenic Area.
- NPF4, Policy 4, Part d) specifically relates to a proposed development that may adversely affect the integrity of a local landscape designation. It provides that development will be supported where significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. As discussed, significant effects have been reported in relation to one LLA, however the overall integrity of the LLA would not be compromised.
- In terms of cultural heritage matters, NPF4 Policy 7 (Historic assets and places) makes it clear that development affecting Scheduled Monuments will be supported if significant effects on the integrity of the setting of a monument are avoided. As discussed, there would no significant effects on integrity in relation to any heritage assets from the Proposed Development.
- In relation to biodiversity matters, NPF4 Policy 3 (Biodiversity) requires that for national and EIA development, significant biodiversity enhancements be provided. The Applicant has proposed such measures as set out in the OBEMP.
- In relation to NPF4 Policy 5 (Soils) the policy framework supports development proposals on peatland and carbon rich soil where they relate to the generation of energy from renewable sources. Such development requires to be subject to a site-specific assessment which has been undertaken in this case for the Proposed Development. As explained, the siting and design approach has sought to minimise adverse impacts on peatland and carbon rich soils.

- 6.2.10 The Applicant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the Proposed Development. In short, appropriate design mitigation has been applied. Potentially significant adverse landscape and visual effects resulting from the Proposed Development have been minimised through an iterative design process and a well-considered proposal has been established, which is considered to have acceptable effects.
- 6.2.11 The landscape and visual impacts would be localised and it is clear from NPF4 Policy 11 that such impacts are to be considered generally acceptable. The term localised has been examined in a number of recent wind farm decisions, as have been identified. The Proposed Development would result in significant adverse effects however these are considered to be limited in nature and extent (out to c.5 km for landscape effects and c. 4 km for visual effects).
- 6.2.12 NPF4 and the OWPS require 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.
- 6.2.13 It is considered that this approach is very clearly reflected and articulated in NPF4 and the OWPS (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development's

contribution towards meeting targets). Moreover, Section 3.6 of the OWPS states that the criteria for assessing proposals (in NPF4) have been updated “including **stronger weight being afforded to the contribution of the development to the climate emergency**”.

6.2.14 In considering the increased policy support for renewable development at the national level which has been introduced by NPF4, a series of Section 36 decisions²⁵ issued not long after NPF4 came into force, give a clear direction as to the way Reporters and the Scottish Ministers have approached the policy position in NPF4. The position remains that there is strong support for renewables and in particular onshore wind development and that the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority of the Scottish Ministers

6.2.15 In the Earlsburn Extension Section 36 Decision²⁶ (December 2025) at Paragraph 81 the Scottish Ministers state:

“The OWPS reaffirms the deployment of onshore wind is mission critical for meeting Scotland’s energy targets. The statement renews the commitment to onshore wind technology and sets ambition for a minimum installed capacity of 20GW of onshore wind in Scotland by 2030, while recognising the existing nature crisis, and that onshore wind farms must strike the right balance in how we care for and use the land.”

6.2.16 It is accepted that each individual application needs to be considered on its respective merits; however, it is evident from Section 36 decisions issued since NPF4 came into force, that Scottish Ministers have recognised that there has been a material and tangible shift in planning policy support for onshore wind development and that this has clear implications for the planning balance and changes the calculus regarding the scale and extent of adverse effects which may now be found acceptable.

6.2.17 In this case, the Proposed Development is National Development and essential infrastructure which will help to deliver the National Spatial Strategy set out in NPF4. The Proposed Development would make a valuable contribution to help Scotland, and the UK attain net zero, security of supply and related socio-economic objectives. Significant weight should be given to this contribution when weighing the need for the Proposed Development and its limited effects within the planning balance.

6.2.18 The effects of the Proposed Development, including how relevant effects listed in NPF4 Policy 11 Paragraph (e) have been addressed, are detailed in the supporting information to the application. In terms of Policy 11, in considering the identified impacts of the Proposed Development, significant weight must be placed on its nationally important contribution to renewable energy generation and greenhouse gas emissions reduction targets.

6.3 Consideration of the Grid Connection and AIL Route Works in the Planning Balance

6.3.1 The Applicant as part of the EIA has undertaken an assessment of the LSE of the connection of the Proposed Development to the grid.

6.3.2 As previously noted, the grid connection route, land assembly, specification, construction methodology, mitigation measures and other details are not confirmed at this stage and are not in the control of the Applicant. However, the EIA Report includes a proportionate assessment of LSE of the grid connection, including in-combination effects with the Proposed Development, based on reasonable assumptions that can be made at this time.

²⁵ In this regard see Sanquhar II (para 4.5 of Supplementary Inquiry Report), Clashindarroch II (paras 2.45, 2.51 and 2.90 of Supplementary Inquiry Report) and Shepherd’s Rig (paras 3.4 and 3.14 of Supplementary Inquiry Report).

²⁶ Scottish Ministers (2025) Earlsburn Extension Wind Farm ECU Reference: ECU00004510 <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00004510>

- 6.3.3 The assessment indicates that potential environmental effects are likely to be substantially reduced through careful route selection and design, including, where practicable, the avoidance of sensitive receptors.
- 6.3.4 Overall, no likely significant environmental effects have been identified in relation to the grid connection or the AIL route works. Any potential effects are expected to be appropriately mitigated through detailed routeing and design for each element of works.
- 6.3.5 As such, based on the information before Scottish Ministers, they are in a position to conclude what likely effects – or disbenefits – would arise from the associated grid connection and AIL route works and weigh those against the considerable benefits of the Proposed Development (acknowledging these will only be realised if consent is obtained in due course for the associated grid connection) and supportive planning policy, as set out within the Planning Statement. On that basis, Scottish Ministers can undertake the exercise of weighing the benefits and disbenefits in the planning balance.
- 6.3.6 Consideration of the potential environmental effects of the grid connection, assessed in combination with the effects of the Proposed Development, 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. However, it is reasonable to conclude, based on the information that has been made available, that appropriate mitigation will be secured where any adverse environmental effects have been identified. The assessment 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.
- 6.3.7 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).
- 6.3.8 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.
- 6.3.9 The conclusion is that the Proposed Development, taking into account the proposed grid connection and its likely environmental effects, would be consistent with all relevant national planning and energy policies and the planning balance remains in favour of granting consent for the Proposed Development.

6.4 Overall Conclusion

- 6.4.1 The policy set out in NPF4 and the OWPS and in other policy documents referred to requires a rebalancing of the consenting of onshore wind developments in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the nationally important benefits of the Proposed Development, it is considered that the benefits that would result clearly outweigh its adverse effects.
- 6.4.2 The up-to-date policy set out in NPF4, the OWPS and the draft Energy Strategy provide strong and increased support for the grant of Section 36 consent for the Proposed Development.
- 6.4.3 The conclusion is that the Proposed Development would be consistent with all relevant policies of the Development Plan - comprising NPF4, the EAC LDP2 - and with the Development Plan when read as a whole insofar as that is a relevant matter in a Section 36 application.

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