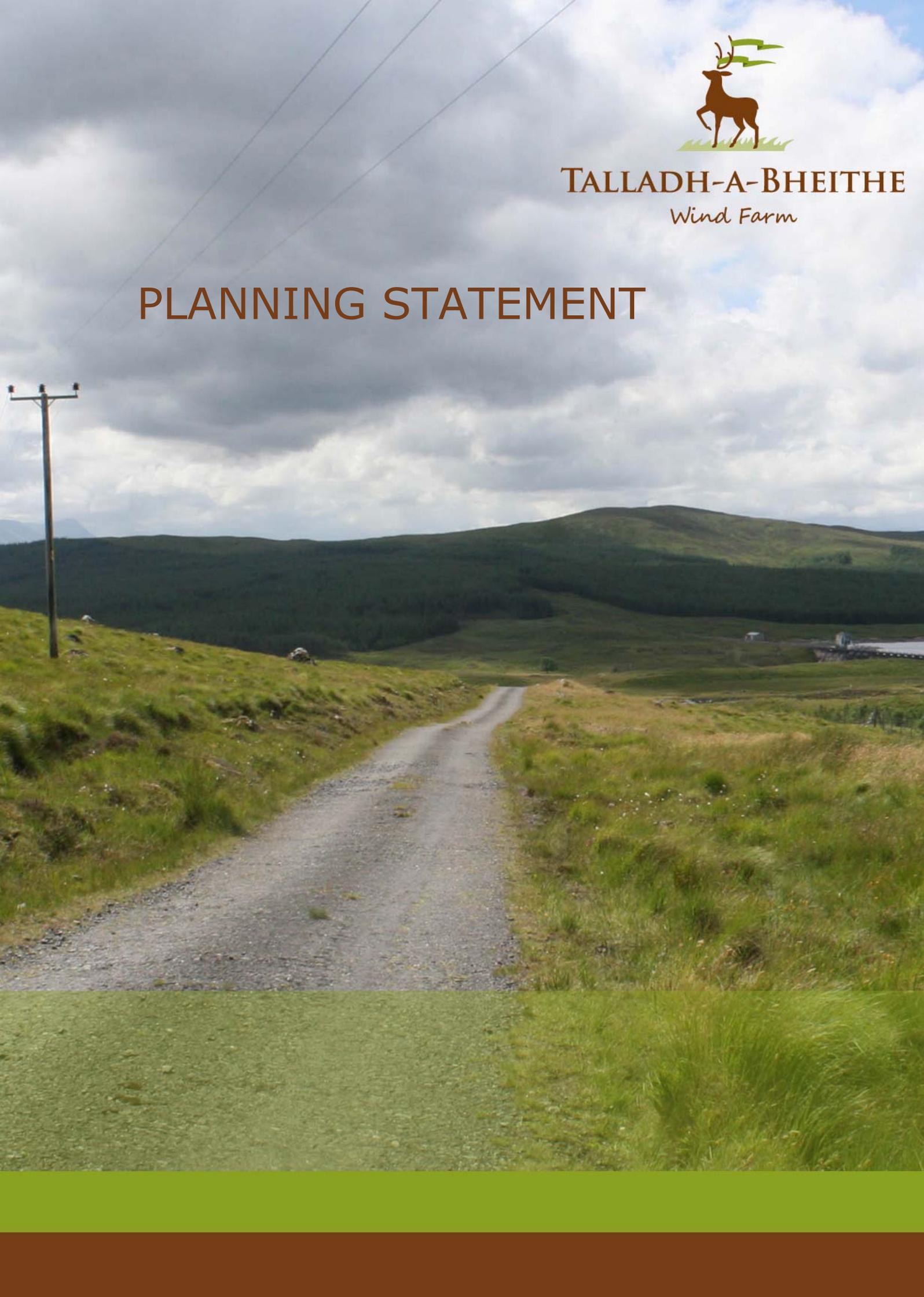




TALLADH-A-BHEITHE
Wind Farm

PLANNING STATEMENT



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1 Introduction

1.1 Background

- 1.1.1 Jones Lang LaSalle (JLL) has been commissioned by Talladh-a-Bheithe Wind Farm Limited (hereinafter referred to as “the Applicant”) to provide planning policy advice with regard to the application for the proposed Talladh-a-Bheithe Wind Farm (“the proposed development”) submitted under Section 36 of the Electricity Act 1989 as amended by the Utilities Act 2000 and the Energy Act 2004 (“the 1989 Act”).
- 1.1.2 An Environmental Impact Assessment (EIA) has been carried out for the proposed development and an Environmental Statement (ES) has been submitted to the Scottish Government in support of the application, to construct and operate a wind farm located approximately 4 km to the north-east of Bridge of Gaur.
- 1.1.3 This Planning Statement contains an assessment of the proposed development against relevant policy with due regard given to the provisions of the statutory Development Plan for the Perth and Kinross area (“the Development Plan”), national energy and planning policy and other material considerations. This report is supplementary to the ES submitted with the Section 36 application which gives a detailed description of the proposed development, and which outlines the relevant policy context. This Planning Statement should be read in conjunction with the ES, but it does not form part of the statutory environmental information submitted with the application.

1.2 Site Location and Description

- 1.2.1 The site is located approximately 4 km to the north-east of Bridge of Gaur, 25 km south of Dalwhinnie and 14 km west-north-west of Kinloch Rannoch on land which comprises part of the Talladh-a-Bheithe Estate. The proposed development is sited in an area of land which is dominated by a natural bowl in the central area of the Talladh-a-Bheithe Estate adjacent to the existing Scottish Hydro Electric and Estate access road to the east of the foot of Loch Ericht.
- 1.2.2 The site is centred at OS Grid Ref 253489,759190 within the Talladh-a-Bheithe Estate. The Estate extends from the far north western end of Loch Rannoch northwards to the Talladh-a-Bheithe Forest and the southern end of Loch Ericht. The site occupies an area of 56.9 km².
- 1.2.3 The site is characterised by open grassland and intermittent coniferous plantations and on part of which exists hydro energy infrastructure comprising power buildings, overhead power lines, large diameter pipework and roads. The Estate has been a producer of renewable hydroelectricity since the 1930’s. The Estate is partially within the Loch Rannoch and Glen Lyon National Scenic Area (NSA) and includes the Coire Bhachdaidh Site of Special Scientific Interest (SSSI).

1.3 The Proposed Development

- 1.3.1 The proposed development comprises 24 wind turbines of up to a maximum blade tip height of 125 m when vertical (up to 80 m hub height and up to 90m rotor diameter), each being around 3 MW in power rating. A number of ancillary development components are also proposed, including temporary construction compounds; borrow pits; permanent hardstandings adjacent to the wind turbines for construction, maintenance and decommissioning cranes; external transformers; access tracks; underground cables between turbines; an onsite substation and maintenance building with welfare facility and two permanent meteorological monitoring masts. The proposed site layout is shown in ES Figures 1.1 and 1.2.
- 1.3.2 The total power output of the proposed development would be around 75 MW. Based on current typical capacity factors, the annual indicative total power output for the site would be around 167,141 MW hours per annum (MWh/p.a), and displace around 149,591 tonnes of carbon dioxide annually. The proposed development would contribute towards international and national targets for the generation of renewable energy and reduction in greenhouse gas emissions (further information is provided on this topic in Chapter 5).

1.3.3 The electricity produced at the site will be exported to the national grid. The likely point of connection to the transmission network is at the Rannoch Power Station sub-station and thereafter utilising the existing overhead line to the recently upgraded Tummel Bridge substation approximately 30km to the east of the site. The final detail of this requires to be confirmed with the transmission licence holder. The grid connection will be subject to a separate consent, which is likely to be progressed by the transmission licence holder.

The Wind Turbines

1.3.4 The proposed final locations of the turbines have been defined in order to enable the EIA to describe fully the proposed development for which permission is being sought. The British National Grid coordinates denoting where each of the turbines are proposed to be located are listed in Table 3.1 of the ES.

1.3.5 Each of the turbines comprises the following components:

- blades;
- tower;
- nacelle;
- hub; and
- transformer.

1.3.6 Each turbine will be mounted on a tapered tubular steel tower and consist of a nacelle containing the gearbox, generator and associated equipment, to which are attached a hub and rotor assembly including 3 blades.

Crane Hardstandings

1.3.7 To enable the construction of the turbines, a crane hardstanding area and turning circle at each turbine location will be required to accommodate assembly cranes and construction vehicles. This will comprise a crushed stone hardstanding area measuring, at the widest point, approximately 45 m long by 25 m wide with a typical thickness of approximately 500 mm (refer to ES Table 3.2), but subject to the specifications required by the selected crane operator and following detailed ground investigations prior to construction.

1.3.8 The crane hardstandings will remain in place during the lifetime of the proposed development to facilitate maintenance works.

1.3.9 The crane hardstandings are illustrated as part of the site layout on Figures 4.5 and 4.6 of the ES.

Access

1.3.10 It is intended that the wind turbines will be transported to the Talladh-a-Bheithe Estate utilising a range of different methods. This includes the option to deliver components by ship to Corpach near Fort William and thereafter transported via rail to Rannoch Station. Upon arrival at Rannoch Station, abnormal load vehicles will collect the turbine components and deliver these sections to the site via the A846.

1.3.11 The site access proposal involves the enhancement of the current estate access with the A846 at the south western edge of the site. The site access will replace the existing access and be constructed in the form of a priority junction with the B846 adjacent to Ericht Cottage, which lies approximately 7 miles east of Rannoch Railway Station. Construction vehicles will access the site via the same location, however, will route to the site via the A9 in the east.

1.3.12 From the site access junction with the B846, the existing Estate and SSE track will be upgraded as required to enable access to be gained to the site and each of the proposed turbine locations. This access will be maintained following completion of the construction phase and used as the main site entrance for maintenance access and continued access to Loch Ericht.

- 1.3.13 In addition to rail transport there is also the option to use an access route from Dalwhinnie to the north of the site. Larger component parts including turbine blades, which cannot be transported by rail, will be loaded onto barges on Loch Ericht and transported to the site from the head of the Loch at Dalwhinnie. This route can also be used for other construction materials and equipment. The component parts will be transported to the head of Loch Ericht by abnormal load vehicles via the A9 and the A889. Currently access to the head of the loch is available via two locations, the existing railway bridge and the level crossing via Ben Alder Road. Dependent on the final choice of turbine, these routes are potentially constrained in terms of geometry and suitability to accommodate larger loads. Where this is the case, the components will require to be hoisted over the railway line which will involve the use of cranes and the construction of crane pads. The final location of the proposed lifting and laydown areas will be selected in future on the basis of detailed technical, environmental and commercial investigations. The two routes to the head of Loch Ericht described above will however be suitable to accommodate construction traffic associated with the delivery of cranes and material for construction of set-down areas and access tracks.
- 1.3.14 It should be noted that the Applicant has already progressed discussions with the railway operators in respect of agreeing acceptance in principle for the use of the railway to transport materials to Rannoch Station and also to lift components over the railway at Dalwhinnie.

Watercourse Crossings

- 1.3.15 Seven watercourse crossings are required for the access tracks. Five crossings were identified on the OS 1:50,000 scale digital mapping and therefore require authorisation under CAR (known as regulated crossings).
- 1.3.16 The remaining two watercourse crossings were identified during a site visit. These crossings do not require authorisation under CAR. Some of the crossings are very minor headwater channels and it is expected that a range of other small natural ephemeral channels, artificial drainage channels and flushes will be encountered during the detailed design stage prior to construction.
- 1.3.17 It is proposed that the final location and construction methodology for the watercourse crossings will be agreed post consent through the CMP.

Drainage

- 1.3.18 Surface or sub-surface water flow within the vicinity of the access tracks and hardstanding areas will be routed into drainage channels or will flow across the hardstanding areas. The drainage channels will be situated on the upstream side of the infrastructure and run in parallel with them. These channels will pass under the hard areas, via small diameter carrier drains, to the downstream side where the run-off will percolate to the riparian zone.

Electrical Connection

- 1.3.19 The electrical power produced by the individual turbines will be fed to an onsite substation via underground cables. The substation is located between turbines 2 and 3 towards the west of the site, as this is the closest point within the site to the most likely grid connection point at Rannoch Power Station. The proposed location for the substation is shown in Figures 1.2 and 4.1 of the ES.
- 1.3.20 The cables will be laid in trenches, typically approximately 0.5 m deep and 2 m wide, laid on a sand bed and backfilled using suitably graded material. The trenches will also carry earthing and communication cables for the operation of the proposed development. Cabling will mainly be located adjacent to the access tracks.
- 1.3.21 The connection from the onsite substation to the grid will be subject to the appropriate consents being obtained by Scottish Hydro Electric Transmission Ltd.

Meteorological Monitoring Mast

- 1.3.22 Up to two permanent onsite meteorological monitoring masts will be required to monitor wind speeds for the operational life of the proposed development. It is expected that the masts will be of a height no greater than 80m (the hub height of the proposed turbines).

1.3.23 The final locations and heights of the meteorological masts will be determined in consultation with Perth and Kinross Council ("PKC") and the wind turbine manufacturer prior to construction of the proposed development. It is proposed that these details and any requirements for aviation lighting will be addressed through an appropriately worded condition of consent.

Temporary Construction Compounds

1.3.24 One secure, temporary construction and material storage compound will be required during the construction period. The location and proposed layout of this compound is shown on Figures 1.2, 4.1 and 4.9 of the ES. It will consist of welfare facilities and a compound storage area.

1.3.25 The compound will be a rectangular area of approximately 100 m x 50 m. The compound will be constructed from crushed stone to a depth of approximately 500mm (refer to Chapter 2 of the ES).

1.3.26 The compound and site office areas will be constructed and restored using the same methodologies as the site access tracks.

1.3.27 The detailed location, size and engineering properties of the construction compound will be confirmed prior to the start of construction, after the turbine supplier and model have been confirmed. It is proposed that there will be a micro-siting allowance of 50 m in all directions for the construction compounds in order to allow operational flexibility. It is proposed that the final positioning will be addressed through an appropriately worded condition.

Borrow Pit

1.3.28 There will be up to four on-site borrow pits and Figure 4.1 of the ES shows search area locations for the borrow pits. It is anticipated that the final location will be agreed with PKC post consent and secured by an appropriately worded condition of consent.

1.4 Approach

1.4.1 The Applicant has submitted the application for consent for the proposed development to The Scottish Ministers under Section 36 of the 1989 Act. As part of the application process, the Applicant is also seeking that The Scottish Ministers issue a Direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 that Deemed Planning Permission be granted for the proposed development.

1.4.2 This Planning Statement explains the relationship of the proposed development to the policy framework as set out within national energy policy, national planning policy, the Development Plan and the extent to which other relevant considerations apply, and the weight to be attributed to them.

1.4.3 Consideration is given to the predicted significant environmental effects of the proposed development with reference to the overall aims and objectives national policy and the Development Plan.

1.4.4 The application for consent has also been prepared in accordance with the Scottish Government Energy Consents and Deployment Unit Good Practice Guidance (January 2013). The application for consent is supported by the following documentation:

- An Environmental Statement (Volume 1: Non-technical summary, Volume 2: Main Text, Volume 3: Appendices and Volumes 4 & 5: Figures);
- A Pre-application Consultation Report;
- A Planning Statement; and
- Application cover letter and checklist.

1.5 The Electricity Act 1989

1.5.1 A decision on the Application under the 1989 Act is the principal decision to be made in this case. In the event that a decision is taken to grant s.36 consent, then it is unlikely that the deemed planning permission under s.57

of the 1997 Act would be withheld. Circumstances cannot be envisaged where deemed planning permission would not follow on from a grant of s.36 consent.

1.5.2 Paragraph 3 of Schedule 9 to the Electricity Act 1989 is relevant. Paragraph 3 states:

(1) "In formulating any relevant proposals, a licence holder or a person authorised by an exemption to generate, distribute, supply or participate in the transmission of electricity

(a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeology interest; and

(b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

(2) In considering any relevant proposals for which his consent is required under section 36 or 37 of this Act, the [Scottish Ministers] shall have regard to:

- the desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) above; and

- the extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of that sub-paragraph."

1.6 The Role of the Development Plan

1.6.1 In considering the overall legal framework within which the proposed development requires to be assessed, it is submitted that the statutory Development Plan is a consideration which should be taken into account in the round with all other relevant considerations; however section 25 (s.25) of the Town & Country Planning (Scotland) Act 1997 is not engaged.

1.6.2 Chapter 2 of the Beaulieu Denny Section 37 Inquiry Report¹, Volume 1 entitled 'Statutory Context' sets out the Reporters' findings and related conclusions in relation to the 1989 and 1997 Acts. The Reporters make it clear at paragraph 2.6.8 of the Report that:

"it is our understanding that section 57(3) does not operate to extend section 25 to a decision to make a direction under section 57(2). The decision to make a direction under section 57(2) is separate from a decision to grant consent under section 37 of Electricity Act 1989. When making such a decision the Scottish Ministers would be expected to take into account all relevant matters. As with any planning decision the development plan will be a relevant matter, but it will be one of a number of important material considerations to be taken into account".

1.6.3 The Reporters went on at paragraph 2.6.9 to state that the determination of the Beaulieu Denny application under section 37 of the Electricity Act 1989 and any deemed permission under section 57(2) of the 1997 Act:

"will involve a range of considerations, including the terms of Schedule 9 of the 1989 Act and other relevant statutory provisions, national policies, the relevant provisions of the development plans, the technical and economic justification for the scheme, and its potential environmental effects".

1.6.4 In setting out these conclusions, the Reporters stated (paragraph 2.6.10) that:

¹ Public Inquiry into the Section 37 Applications for the proposed Beaulieu to Denny 400kV steel tower double circuit overhead electricity transmission line, DPEA Ref: IEC/1/36. <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qJ2654>

"we note that our position regarding the role of the development plan in a decision under section 37 of The Electricity Act is consistent with the approach adopted by the decision maker in the Northern Ireland inter-connection case²".

- 1.6.5 In the Beaully Denny Report, Volume 3, Chapter 10 entitled 'Development Plan and other Relevant Planning Policies' the Reporters set out their findings and related conclusions at paragraph 10.5.1 *et seq* and state at paragraph 10.5.1 that:

"our position on the relevance or otherwise of this case to the Town and Country Planning (Scotland) Act 1997 set out in chapter 2 (statutory context)..... we regard the development plan as one of a number of important material considerations to be taken into account in the determination of the application, but we do not consider that Section 25 would apply to any deemed planning permission under Section 57 (2) of the 1997 Act". (underlining added).

- 1.6.6 Furthermore, in the Baillie Wind Farm Section 36 decision (August 2009)³, the Reporter stated that:

"The Scottish Ministers are also not required by statute to apply Section 25 of the Planning Act to their determination as to whether to direct the planning permission shall be deemed to be granted". (underlining added).

- 1.6.7 This approach to dealing with the status of the Development Plan in Electricity Act cases has been consistently taken by both Reporters and Ministers, including a clear reference in the Dorenell⁴ section 36 decision.
- 1.6.8 The Dorenell decision was subject to Judicial Review proceedings in respect of which the court's judgement was issued in June 2012. The judge concluded that s.25 of the 1997 Act does not apply to an Electricity Act Application. Reference is made to the Opinion of Lord Malcolm in the decision of the Outer House, Court of Session dated 13th June 2012⁵.
- 1.6.9 The relationship of the Development Plan to Electricity Act determinations has been set out above and from the Harestanes (2007)⁶, Baillie (2008), Blackcraig Hill (2011)⁷ and Dorenell (2011) decisions it is also clear that Reporters give considerable weight to renewable energy policy and the benefits of renewable energy development in determinations. This is considered in more detail within Chapter 2.

² Report of the Public Local Inquiry into the Scotland – Northern Ireland Inter-Connector Inquiry Reporters Unit, the Scottish Office (date of Inquiry 1994 – March 1995), as referred to in the planning evidence presented by Jones Lang LaSalle on behalf of SHETL at the Beaully Denny Public Inquiry – 'Strategic' Session, Precognition of David Bell of Jones Lang LaSalle.

³ Report of the Public Inquiry into the Section 36 Application for the proposed Baillie Wind Farm, (August 2009) DPEA Ref: IEC/3/105/3 <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qJ490>

⁴ See the Dorenell s.36 Inquiry Report at paragraph 7.3, page 58 for the full reference the Reporter made to the matter of section 25 of the 1997 Act and the reasoning underpinning his conclusion that the section did not apply to the application for section 36 consent. The Reporter did not accept the case presented to the Inquiry by Mr Kelly. (<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qJ11044>)

⁵ [2012] CSOH 98 (<http://www.scotcourts.gov.uk/opinions/2012CSOH98.html>)

⁶ Report of the Public Inquiry into the Section 36 Application for the proposed Harestanes Wind Farm, (September 2007) DPEA Ref: IEC/3/77 <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qJ7840>

⁷ Report of the Public Inquiry into the Section 36 Application for the proposed Blackcraig Hill Wind Farm, (March 2011) DPEA Ref: IEC/3/153 <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qJ7839>

1.6.10 The Applicant has sought to develop a project that takes full account of these obligations. The ES demonstrates that due regard to the above matters and appropriate mitigation has been considered in detail.

1.7 Structure of Planning Statement

1.7.1 Chapter 1 as set out above, provides an introduction to the development and to the approach taken to the preparation of this Planning Statement.

1.7.2 Chapter 2 provides a summary and assessment of the relevant European, UK and Scottish Government renewables energy policies and renewable energy generation targets.

1.7.3 Chapter 3 provides an assessment of the proposed development in the context of the aims and objectives of the Development Plan.

1.7.4 Chapter 4 provides an assessment of the proposed development against the relevant terms of the Perth and Kinross Development Plan.

1.7.5 Chapter 5 refers to relevant material considerations, including SPP, the Scottish Governments Web Based Renewables Guidance, and the benefits of the development; and

1.7.6 Chapter 6 presents overall conclusions on the extent to which support for the proposed development can be drawn from relevant policy and material considerations.

2 Renewable Energy Policy Framework

2.1 Introduction

2.1.1 This section of the Planning Statement explains the need case for the proposed development in terms of international, national and Scottish Government renewable energy policy.

2.1.2 This Planning Statement provides a summary of the relevant renewable energy policy framework. This policy information constitutes an important material consideration and one which should be afforded significant weight in the planning balance in favour of the proposed development. Reference is made below to:

- European energy policy;
- UK energy policy; and
- Scottish Government Policy and Renewable Energy Generation Targets.

2.2 European Energy Policy

Key EU Policy Targets

2.2.1 In January 2008 the European Commission published a '20-20-20' targets package. This included proposals for:

- A reduction in the EU's greenhouse gas emissions of at least 20% below 1990 levels;
- Increasing the proportion of final EU energy consumption from renewable sources to 20%; and
- A 20% reduction in primary energy use compared with projected levels, to be achieved by improving energy efficiency.

2.2.2 Targets are to be achieved by 2020, as set out in the Renewable Energy Directive from the European Commission, which was published in its final form in March 2009.

2.2.3 The 20% is split between Member States. For the UK, the European Commission's obligations include 16% reduction in UK greenhouse gas emissions by 2020 and for 15% of all energy consumed in the UK to come from renewable sources by 2020.

Evolving European Policy

2.2.4 On the 22 January 2014 the European Commission (EC) unveiled its proposals for EU 2030 Energy and Climate Change Policy. In summary the proposals contain provisions for *inter alia*:

- A binding greenhouse gas reduction target of 40% below the 1990 level by 2030;
- A renewables target, on an EU wide binding basis of at least 27%⁸ of energy consumption by 2030.

2.2.5 The press release from the European Commission dated 22 January 2014 sets out that "*these are the pillars of the new EU framework on climate and energy for 2030*" and it adds that "*renewable energy will play a key role in the transition towards a competitive, secure and sustainable energy system*".

2.2.6 Page 3 of EC press release adds that the proposals also include a new governance system and that the 2030 framework will require National Plans for competitive, secure and sustainable energy. These are intended to be prepared by member states under a common approach which will "*ensure stronger investor certainty and greater transparency, and will enhance co-hearing, EU co-ordination and surveillance*".

⁸ The Statement by the EU President adds that the 27% target "*is a function of the 40% target, because we can't reach the greenhouse gas target without a collective effort on renewables*".

2.2.7 On 22 January 2014 the EC also issued a statement by President Barroso (President of the EC) on the 2030 Energy and Climate Change Framework and this stated that:

"We also set a binding 2030 target for renewables at European Union level. The goal is at least 27% of energy consumption. It is a function of the 40% target because we can't reach the greenhouse gas target without a collection effort on renewables. Having such a European Union renewables objective is also a very important signal to investors who need long term certainty to make investments, and also a clear signal in terms of our security of supply."

2.2.8 The UK Minister for Energy and Climate Change, Ed Davey issued a press release on the same date and stated *"a 40% GHG for Europe is a good start which the UK fought hard for, and will lead to massive investment in low carbon energy, including many more renewables"*.

2.2.9 In the sections below, UK and Scottish Government policy is referred to.

2.3 United Kingdom Energy Policy

2.3.1 The UK Government retains control of the overall direction of energy policy including the attainment of UK national targets on renewable energy generation. Since devolution in 1999, some energy policy issues have been devolved to Scotland, such as energy efficiency and renewable energy (including consents for generating plants covered by the Electricity Act 1989). Encouraging more electricity generation from renewable sources is an important element of both the UK and Scottish Climate Change Programmes.

2.3.2 In light of the significant increase in renewable energy required by the EU Directive, the UK Government published a strategy in July 2009 in order to implement the obligations contained within the Directive and to enable a significant increase in the contribution that renewable energy makes to energy generation in the UK.

UK Renewable Energy Strategy (2009)

2.3.3 The UK Renewable Energy Strategy (UKRES) states that the UK needs to radically increase the use of renewable electricity. The document sets out the means by which the UK can meet the legally binding target of 15% of energy consumption from renewable sources by 2020. This will mean a very substantial increase in the share of renewables in about a decade.

2.3.4 The Strategy states that the UK needs to *"radically increase our use of renewable electricity...."*. The document sets out the means by which the UK can meet the legally binding target of 15% of energy consumption⁹ from renewable sources by 2020. This will mean a 7-fold increase in the share of renewables in little more than a decade (page 8).

2.3.5 In the UKRES, a 'lead scenario' is presented which suggests that more than 30% of electricity should be generated from renewables by 2020, which would be up from approximately 5.5% in 2009¹⁰. The majority of this is expected to come from wind power, both on and offshore.

2.3.6 A key element of the new strategy is that it sets out the EU requirement that progress will be reported to the EU every two years, in terms of the achievement of delivery against the trajectory set for the 2020 target. The purpose of the milestone reporting is to ensure that a trajectory is maintained towards 2020.

2.3.7 Under the Directive, the UK has interim targets to achieve the following shares for renewables in the energy mix:

- 4% in 2011 – 2012;

⁹ Renewable energy accounted for 4.1% of energy consumption in 2012, as measured using the 2009 Renewable Energy Directive (RED) methodology, an increase from the 2010 position of 3.9% (Source: DECC, Digest of UK Energy Statistics (DUKES) July 2013). The 4.1% figure is also referred to in the UK Renewable Energy Roadmap Update (November, 2013), p7 .

¹⁰ The contribution of all renewables to UK electricity generation was 11.3% in 2012. (Source: DECC, Digest of UK Energy Statistics (DUKES) July 2013).

- 5.4% in 2013 – 2014;
- 7.5% in 2015 – 2016; and
- 10.2% in 2017 – 2018.

2.3.8 The UKRES states (paragraph 2.38) that the earliest interim target (2011 – 2012) “*will be most challenging*”.

2.3.9 The UKRES refers explicitly to economic and employment opportunities: these are highlighted and the aspiration is for the UK to be at the forefront of global competition in the low carbon economy. The Government estimates that the Strategy will deliver a range of benefits including:-

- Putting the UK on a path towards *decarbonising* the production of energy in the UK, alongside nuclear and carbon capture and storage.
- Contributing to the *security of energy supplies* in the UK through reducing demand for fossil fuels of around 10% and gas imports by between 20 – 30% against forecast use in 2020.
- Bring outstanding *business opportunities* and enable the UK to restructure into a low carbon economy, providing around £100 billion of investment opportunities and contribute to the creation of up to 500,000 more jobs in the UK renewable energy sector.
- The strategy is expected to deliver significant *environmental benefits*, in particular by contributing to global action against climate change. It recognises that there will also be some pressures on the local environments and natural heritage from new infrastructure provision.

2.3.10 The document makes it clear that the UKRES is an integral part of the Government’s overall UK Low Carbon Transition Plan and that the Devolved Administrations have a leadership role to undertake. The Strategy was published by the UK Government: the policies to meet the 2020 targets will be taken forward in England, Scotland and Wales, Great Britain or on a UK-wide basis as appropriate, and in accordance with each devolution arrangement. The document makes it clear that each of the Devolved Administrations is setting out its own plan to increase renewable energy use and that “*the UK Government and the Devolved Administrations are working together to ensure that our plans are aligned*”.

UK Low Carbon Transition Plan (2009)

2.3.11 Along with the UKRES, the UK Government published the UK Low Carbon Transition Plan as a White Paper in July 2009. The plan seeks to deliver greenhouse gas emission cuts of 18% on 2008 levels by 2020 (and over a third reduction on 1990 levels), and emphasises that the UK will need to drive major changes to the way energy is used and supplied.

2.3.12 It seeks to ensure that the UK will generate 40% of electricity from low carbon sources by 2020, with policies to produce approximately 30% of UK electricity from renewables by 2020, by substantially increasing the requirement for electricity suppliers to sell renewable electricity.

2.3.13 The White Paper explains that the UK Government has put in place the world’s first legally binding target to cut emissions by 80% by 2050 and it has set five year “*carbon budgets*” to 2022 to ‘keep the UK on track’ and which provide a clear pathway for reducing emissions in the future (page 6). The White Paper for the first time sets out how these budgets will be met.

2.3.14 The White Paper explains that carbon budgets are a limit on the total quantity of greenhouse gas emissions over a five-year period. They are intended to reflect the fact that the UK’s overall contribution to reducing global greenhouse gas emissions is determined by emissions into the atmosphere over time, not by meeting specific targets in specific years. The carbon budgets will provide an opportunity for scrutiny by reporting each year on progress and will ensure that the policy framework for the UK is guided by an evidence base.

2.3.15 Overall, the White Paper sets out the specific proposals and policies for meeting the UK’s carbon budgets. The White Paper also makes the point that the introduction of carbon budgets introduces a new imperative: they are legally binding and must be met.

The UK Renewable Energy Road Map (July 2011)

- 2.3.16 The Department of Energy and Climate Change (DECC) issued the 'UK Renewable Energy Roadmap' in July 2011, alongside the Government's Electricity Market Reform White Paper. The foreword explains that the document is "the UK's first Renewable Energy Roadmap" and that it "sets out our shared approach to unlocking our renewable energy potential".
- 2.3.17 The introduction explains that the goal is to ensure that 15% of UK energy demand is met from renewable sources by 2020. At 1.3 it explains that the ambition extends beyond 2020 and there is reference to the recent advice from the Committee on Climate Change (CCC) which has concluded that there is scope for penetration of renewable energy to meet 30 – 45% renewable energy consumed in the UK by 2030.
- 2.3.18 The Roadmap sets out a delivery plan to achieve the UK's renewable energy target over the next decade, based upon potential deployment levels and current constraints. In the main, the "actions to address barriers" summarise policy measures already being undertaken, with some new ones. The foreword states that the actions are intended to "accelerate renewable energy in the UK" (page 4).

Deployment

- 2.3.19 DECC's modelling is based upon work conducted by AEA Technology to complete a bottom up analysis, based upon existing reports and limited stakeholder engagement, which considers build rates, technology costs and policy implications for the deployment of each technology. It concludes that 15% of projected UK energy can be delivered by 2020 (234TWh), from a mixture of electricity generation, heat installations and over 5% of transport fuels from renewables. Paragraph 2.17 states that the UK's total energy consumption from renewable energy was 3.3% in 2010 and that:
- "there will need to be more than a fourfold increase in our renewable energy consumption by 2020 if 15% of our energy needs are to be met from renewable sources. Consumption of renewable energy will need to rise by 17% per annum to meet that goal"* (page 20).
- 2.3.20 AEA Technology forecast 29GW of renewable electricity capacity in operation by 2020 (paragraph 2.20).
- 2.3.21 Various uncertainties in deployment by 2020 are highlighted, such as cost of technologies (especially for marine technologies, page 19), the level of renewable energy deployment and future demand. Although the pipeline of new capacity is considered to be healthy (paragraph 2.20), the analysis indicates that: *"we cannot be certain that all the projects in the pipeline will be consented or commissioned, or that they will progress quickly enough to contribute"*.
- 2.3.22 Onshore wind is recognised as the biggest single contributor to the development pipeline (paragraph 2.22). The conclusions from the analysis state that there is still an urgent need for new projects to progress (page 26).

Onshore Wind

- 2.3.23 The Roadmap focuses on the eight technologies that have the greatest potential to help the UK meet the 2020 target in a cost-effective and sustainable way, or offer great potential for the decades that follow.
- 2.3.24 In terms of onshore wind: the 'central range' for the deployment of onshore wind indicates that this technology could contribute up to 13GW by 2020. This level of capacity would equate to an annual growth rate of some 13%.
- 2.3.25 The Roadmap is a comprehensive expression of Government policy on renewable energy and the strategy for its deployment. In this regard, it should be afforded significant weight.

The Annual Energy Statement 2013

- 2.3.26 The Annual Energy Statement ("the Statement") was published in 29 October 2013. This fulfils the commitment in the Coalition's Programme for the Government to present an annual statement of energy policy to Parliament.

It sets out that the Government's energy policies are being delivered in a way that maximises the opportunity for economic development, providing a significant opportunity to promote investment and to support employment. It adds at paragraph 3.1 that upgrading the UK's energy infrastructure and shifting to a low carbon economy are essential in helping to make the economy more secure and prosperous. It adds that the Government's National Infrastructure Plan (2013) and the more detailed policies that give its effect, and electricity market reform (EMR), set the conditions to support industrial growth across key sectors of the economy including energy.

2.3.27 At paragraph 1.27 the Annual Energy Statement, with reference to international action to tackle climate change states that:

"the Government in encouraging EU Leadership to ensure, as a community, the EU is 'walking the walk' on the international stage. This includes continuing to press for a move to a 30% EU emissions reduction target for 2020 and the adoption of an ambitious emissions reduction target for 2030 delivered in a flexible, technology neutral way and supported by global agreement in 2015".

2.3.28 Section 3.5 of the Statement refers to recent data which shows that the UK continues to be an attractive designation for renewable energy investment, with the UK being the fourth most attractive in terms of the onshore wind index. It adds at section 3.6 that public support is vital to securing a stable investment climate for renewable projects and that *"DECC's latest public attitudes tracker shows that 76% of the public support renewable energy"* (Attitudes Tracker of September 2013).

2.3.29 The Statement confirms at paragraph 3.28 that in terms of renewable energy, the UK is now at 4.1% in terms of progress against the UK target to source 15% of energy from renewable sources by 2020. It adds that recent statistics show renewables share of electricity generation is now up to 15% and that moving forward, support for large scale renewable power generation investments will be through Contracts for Difference (CfDs).

2.3.30 In terms of international action, section 4.14 of the Statement states:-

"the Government believes that the EU should not stop at a 20% emissions reduction target for 2020 but should go further, adopting a 30% cut in emissions by 2020 (against 1990) levels".

2.3.31 The statement adds that the Government's view is that the EU should:-

- Adopt an ambitious emissions reduction target for 2030;
- Offer to increase the target up to 50% in the context of a global comprehensive agreement on climate change.

UK Renewable Energy Roadmap Update 2013

2.3.32 An Update to the UK Renewable Energy Road Map was published by DECC on 6th November 2013. The introduction to the document (page 11) states:

"The Government strongly supports renewable energy as part of a diverse, low carbon and secure energy mix. Alongside gas ... renewable energy offers the UK a wide range of benefits from an economic growth, energy security and climate change perspective".

2.3.33 It further adds, *"the Coalition has consistently made clear that it is committed to achieving the UK's legally binding target of 15% of renewables by 2020 in the most cost effective way ..."*.

2.3.34 Paragraph 5 states that the Update provides analysis on achievements and changes that have taken place in 2013 in the sector and it also sets out specific information on policy around technology deployment and project pipelines.

2.3.35 In terms of progress, paragraph 9 notes that the share of renewable electricity generation was up from 9.7% in Q2 of 2012 to 15.5% in Q2 of 2013. Paragraph 13 notes that the UK has made very good progress against the 15% target introduced in the 2009 EU Renewable Energy Directive and that 4.1% of UK energy consumption in 2012 came from renewable sources. It notes that this 2012 figure is greater than the first interim target of 4.04% as set out in the Directive.

- 2.3.36 Paragraph 21 addresses deployment of renewable energy to 2020 and paragraph 24 refers to the 2011 Roadmap and the illustrative central ranges for expected deployment that were set out in that document.
- 2.3.37 The update refers to progress in Scotland on page 16 and states that renewable electricity in Scotland accounted for around 33% of the total UK renewables output during the period June 2012 to June 2013. It adds that in the context of the Scottish Government's renewable electricity target, renewable generation during 2012 represented approximately 39% of its electricity demand, compared to 36% the year before.
- 2.3.38 Paragraph 17 states that renewable energy generation in the devolved Administrations is important to making progress towards the UK target.
- 2.3.39 The Update specifically addresses economic growth, jobs and investment. Paragraph 40 states that DECC analysis suggests that reforms of the electricity market could help achieve the additional £100-£110 billion investment that is required in the electricity sector between now and 2020. It adds that *"we expect renewables to play a key part in this growth"*.
- 2.3.40 Paragraph 47 states that in addition to the economic opportunities associated with the development of renewable energy infrastructure, further jobs and investment are created through the development of associated supply chains.
- 2.3.41 Onshore wind is referred on page 44. Paragraph 114 states that *"onshore wind is one of the most cost effective and proven renewable energy technologies and has an important part to play in a responsible and balanced UK energy policy"*.
- 2.3.42 It adds that *"during 2013 the Government announced that it will continue to provide a stable long term investment framework for the sector under both the RO and CfDs"*.
- 2.3.43 Page 47 makes reference to the deployment pipeline at a UK level of onshore wind and the information shows that in terms of operational figures for capacity as at 30th June 2013, capacity amounted to 7GW operational with 1.3GW under construction and 5.2GW awaiting construction.
- 2.3.44 In summary, the Update confirms onshore wind continues to have an important part to play in UK energy policy and a long term investment framework underpins that commitment. As with the 2012 Update, the document emphasises the economic benefits presented by renewable energy.

2.4 Scottish Government Policy and Renewable Energy Generation Targets

- 2.4.1 In recent years there has been a large number of Scottish Government policy documents (as well as statute) on the topic of climate change and renewable energy. In this section only the most recent of these documents are briefly referred to, with key policy objectives and targets highlighted:
- The 2020 Routemap for Renewable Energy in Scotland (2011);
 - The Electricity Generation Policy Statement (2013); and
 - The 'Renewable Energy' Report by Audit Scotland (2013); and
 - The 2020 Routemap for Renewable Energy in Scotland – Update (2013).

The 2020 Routemap for Renewable Energy in Scotland

- 2.4.2 The Scottish Government published the 2020 Routemap in July 2011. The Executive Summary states that *"The Routemap for Renewable Energy in Scotland 2011 is an update and extension to the Scottish Renewables Action Plan 2009... This updated and expanded Routemap reflects the challenge of our new target to meet an equivalent of 100% demand for electricity from renewable energy by 2020"* (page 3). The Routemap is therefore an important Scottish Government policy document.
- 2.4.3 The Executive Summary concludes by stating that *"Across all scales of renewable generation, from householder to community to large-scale commercial schemes, the Scottish Government is working to make Scotland the*

renewables powerhouse of Europe. The benefits are not only in terms of energy generation and future security of supply, but can underpin our economic recovery over the next decade and beyond.

This Routemap for Renewable Energy in Scotland sets out how we can meet our challenging targets in harmony with the local environment and make a wider contribution to emission reductions through the displacement of fossil fuel generation" (page 8).

- 2.4.4 Chapter 1 of the Routemap is entitled 'Scotland's renewables ambition and paths to delivery'. It is noted that the new renewables target of 100% equates to the equivalent of c.16 GW of installed capacity which *"is based on the fundamental wealth of renewables resource available, our analysis of deployment trajectories on the onshore side...and our concerted efforts to ensure a supportive policy framework for growth"* (page 17).
- 2.4.5 The Routemap also provides an increase in the Scottish Governments overall renewable energy target to 30% by 2020.
- 2.4.6 The Routemap specifically recognises the 'scale of the challenge' that requires to be addressed to meet the revised 2020 targets. It is noted that meeting the challenge *"will be heavily dependent on regulatory processes, which we will seek to influence but over which we do not currently have control"* (page 19).
- 2.4.7 The Routemap provides a 'synopsis of the main challenges' that require to be addressed to meet the 2020 renewables targets, one of which is *'consents and planning'*. With respect to consents and planning, the Routemap identifies that a *"Further increase in consenting/deployment rates [is] required..."* (page 19).
- 2.4.8 Chapter 1 of the Routemap also provides an analysis of past deployment trajectories for onshore renewables (the amount of renewables that has been deployed over recent years). The analysis considers deployment rates from October 2005 to October 2011 and provides four deployment 'scenario' projections up to October 2021, which are based on different deployment assumptions.
- 2.4.9 The Routemap illustrates that the scenarios considered will not meet the 2020 target of 100% Scottish electricity consumption being met from renewable sources by 2020. Importantly, the Routemap states that *"The successful delivery of the capacity required to deliver the equivalent of 100% of Scottish electricity consumption will demand a significant and sustained improvement over the deployment levels seen historically"* (page 26).
- 2.4.10 Chapter 2 of the Routemap is entitled 'Crosscutting Challenges' and notes that there are a number of cross cutting challenges that require to be faced by all sectors that make up the renewables industry if the 2020 targets are to be realised. One of the 'Crosscutting Challenges' identified is 'Planning and Consents'.
- 2.4.11 The Routemap states that in order to meet the 2020 target of 100% renewables *"a further increase in consenting and deployment rates will be required...This will be achieved by driving excellence in planning and consenting processes..."* (page 40).
- 2.4.12 In order to increase the rate of deployment of renewables the Routemap sets out a number of priorities for the planning and consenting systems, which include:
- Further streamlining the consenting process;
 - Simplifying planning advice;
 - Overcoming barriers to deployment, particularly aviation/radar issues but also including all relevant environmental issues;
 - promoting community engagement in the design and siting of development proposals;
 - Developing the agenda and advice on cumulative impact and environmental issues;
 - Promoting community benefit; and
 - Driving best practice.

2.4.13 Chapter 3 of the Routemap provides a specific routemap for 'Onshore Wind' and is entitled 'Sectoral Routemaps'. The introduction notes that:

"The Government is committed to the continued expansion of portfolio of onshore wind farms to help meet renewables targets, with a robust planning system providing spatial guidance, a clear policy framework and together with a timely and efficient processing of Section 36 Electricity Act and planning applications... Onshore wind turbines can make a very large contribution to the progress to Scotland's renewable electricity target, and help establish Scotland's reputation as rapidly becoming the green powerhouse of Europe thanks to its underlying political commitment to make it happen" (page 66).

2.4.14 Under the heading 'Key Actions', the Routemap also identifies that the planning system *"must continue to balance environmental sensitivities with the need to make progress on renewables targets"* (page 70). This is a very important policy statement as it highlights that decision makers should be balancing the environmental effects of a development against the contribution that the development would make to achieve the 2020 targets.

2.4.15 Under the heading 'Onshore Wind – Ambitions and Targets,' the Routemap acknowledges the importance of the contribution that onshore wind can provide. It notes that:

"Onshore wind is a mature and relatively low cost renewable technology with a large supply chain already established. It is capable of being deployed at a high rate. Onshore wind turbines can make a very large contribution to the progress Scotland's renewable electricity target..." (Page 71)

2.4.16 This section also acknowledges the potential for community ownership:

"Onshore wind also presents a prime opportunity for communities and the rural sector to generate local revenue and sustain local economies, and could be a key contributor to the target for 500 MW of renewables in community ownership by 2020." (Page 71)

2.4.17 Section 2.9 of the Routemap addresses Community Engagement and notes the importance of promoting a low carbon society which requires buy in from the general public and communities in terms of renewables projects and initiatives.

2.4.18 The role of community benefits and initiatives is also referenced, noting the following:

"The Scottish Government is committed to ensure that community benefits from renewables are maximised, including from commercial developments." (Page 62)

2.4.19 The approach to the progression of the proposed development has had community interests at its heart, as demonstrated in the Pre-Application Consultation Report, which documents the extent to which the Applicants have engaged with community interests and the commitment to develop an appropriate Community Ownership and Benefit package, Further detail on the proposed approach in this regard is provided in section 5.6 of this report.

2.4.20 The Routemap provides conclusions within Chapter 4 and states that:

"This Routemap sets out a comprehensive path of actions to deliver on Scotland's ambition to be the green powerhouse of Europe. By setting Europe's most ambitious target for renewable electricity and putting in place the measures required to deliver it we are creating a competitive advantage for Scotland which will secure a prosperous and sustainable low carbon economy for the future" (page 115).

Electricity Generation Policy Statement (2013)

2.4.21 The Scottish Government published an initial draft Electricity Generation Policy Statement (EGPS) in November 2010, to support the Climate Change Report on Proposals and Policies (RPP). A further revision of the EGPS was published in draft in March 2012 for consultation. The final version of the EGPS was published on 28 June 2013.

- 2.4.22 The EGPS states at paragraph 1 of the Executive Summary that electricity generation and the economic and environmental benefits which could arise from a shift from fossil fuel generation to a portfolio comprising renewable and cleaner thermal generation are matters of considerable importance to the Scottish Government.
- 2.4.23 The EGPS is a relatively recent policy statement issued by the Scottish Government covering renewable energy. It examines the way Scotland generates electricity and considers the changes necessary to meet the various targets set by the Scottish Government.
- 2.4.24 Paragraph 2 states that the report is built upon a sustainable, low carbon vision of Scotland's energy future and it states *"the need for a rapid expansion of renewable electricity across Scotland..."* The report takes account of the changing policy context in Scotland, the UK and the EU since the National Planning Framework was published in June 2009.
- 2.4.25 Paragraph 8 states that the report will assist the Scottish Government to comply with further statutory requirements under the Climate Change Scotland Act 2009. It also reiterates in paragraph 9 that the Government is committed to securing the transition to a low carbon economy, which is one of the six 'strategic priorities' laid out in the refreshed Government Economic Strategy.
- 2.4.26 The report summarises the Scottish Government's targets and these are set out as:-
- Delivering the equivalent of at least 100% of gross electricity consumption from renewables by 2020 as part of a wider, balanced electricity mix;
 - Enabling local and community ownership of at least 500 MW of renewable energy by 2020;
 - Lowering final energy consumption by 12%;
 - Seeking increased interconnection and transmission upgrades capable of supporting projected growth and renewable capacity.
- 2.4.27 The report highlights that these targets underpin the Government's vision of a stable and desirable future generation mix for Scotland, built around the following key principles (paragraph 4):
- A secure source of electricity supply;
 - At an affordable cost to consumers;
 - Which can be largely de-carbonised by 2030;
 - And which achieves the greatest possible economic benefit and competitive advantage for Scotland including opportunities for community ownership and community benefits.
- 2.4.28 In terms of economic benefit, the report states that it is expected that there would be, over the decade to 2020, from renewables alone, a provision of up to 40,000 jobs and £30 Billion of investment to the Scottish economy and a transformational opportunity for local ownership and benefits.
- 2.4.29 Paragraph 14 states that the 2020 target:
- "is a challenge – to the energy supply sector, to our renewable industry and innovators and to Scotland's communities; it is both a statement of intent and a rallying call, embodying our firm belief that Scotland can and must exploit its huge renewables potential to the fullest possible extent – to help meet demand here and in Europe. It is as much about the value and importance of the journey as it is about the destination".*
- 2.4.30 Paragraph 17 states that the Government estimates that the 100% target will require around 14-16GW of installed capacity to be deployed.
- 2.4.31 Page 11 of the report explains that the UK target is to produce 15% of all energy from renewable sources and an estimated 30% of electricity from renewable sources by 2020 and that this:

"will require connection to Scotland's vast energy resource and we will continue to work to connect Scotland to an ever more integrated UK and EU market".

2.4.32 The report cross refers to the 2020 Routemap for renewable energy in Scotland. Paragraph 32 reiterates the EU context and states that Scotland has the potential to make a *"major contribution to the EU's overall renewables target"*.

'Renewable Energy' Report by Audit Scotland (September 2013)

2.4.33 In September 2013, Audit Scotland published a report on renewable energy, setting out an analysis of the Scottish Government's policy on renewable energy, progress to meeting targets, funding barriers and leadership. The report notes that in terms of strategy *"the Scottish Government has a clear and consistent strategy for developing renewable energy"*.

2.4.34 In terms of the progress towards meeting the Scottish Government's renewable energy generation targets, the report identifies that *"Meeting the renewable electricity target by 2020 relies on the continued expansion of wind technology... To meet the 2020 target, average annual increases in installed capacity need to double"* (page 24).

2020 Routemap for Renewable Energy in Scotland – Update (2013)

2.4.35 The Routemap Update was published on 19 December 2013. The Ministerial Forward states that *"Renewable energy is a central element of a strategy for a successful Scotland. Scotland's vast renewable energy resources create major job and investment opportunities and – as part of wider common balanced energy mix – will deliver secure, low carbon and cost effective energy supplies"*. (Page 3)

2.4.36 The Update within the section entitled 'Deployment Update' states that in 2012, 40.3% of gross electricity consumption was achieved from renewable sources. As of September 2013, it is noted that Scotland had 6.5GW of installed renewable electricity generation capacity and an additional 4.6GW of capacity either under construction or subject to extant development consents. The 2020 target is the equivalent of 16GW of capacity therefore there remains a significant shortfall against this.

2.4.37 The next section of the Routemap Update is entitled "Update on Cross Cutting Challenges". It states that support for onshore wind remains strong and its importance to stimulating offshore renewables development is noted at paragraph 2.8 that *"onshore wind development – in the right places - remains crucial to developing the grid and supply chain infrastructure as well as the investor confidence, which will stimulate off shore renewables development"*.

2.5 Progress to 2015 and 2020 Targets

2.5.1 As noted above, the '2020 Routemap for Renewable Energy in Scotland' published in 2011 states that the 2020 target of delivering the equivalent of 100% of Scottish electricity consumption will demand a significant and sustained improvement over the deployment levels seen historically.

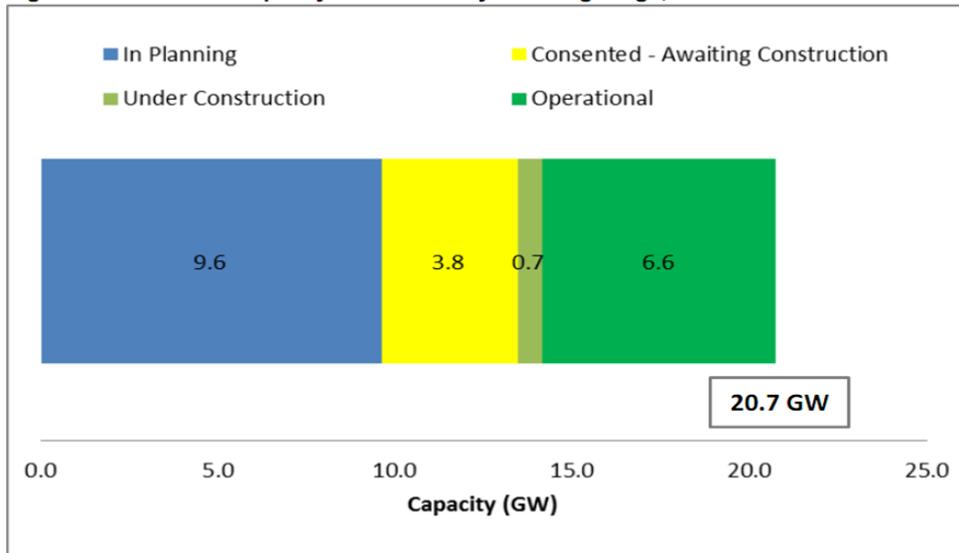
2.5.2 The Scottish Government's related target is to achieve 30% of total Scottish energy use from renewable sources by 2020.

2.5.3 The target 2020 100% target equates to 16GW of installed renewables capacity. The 2020 'Routemap Update' was published in October 2012 and referred to a new interim pre-2020 target that renewable electricity generation should account for the equivalent of 50% of Scottish demand by 2015. It added that *"the vast majority of this new target will still be met by hydro and onshore wind"*.

2.5.4 The '2020 Routemap for Renewable Energy in Scotland – Update' was published in December 2013. It stated that in 2012 renewable sources delivered 40.3% of gross electricity consumption (page 5). It adds at paragraph 2.8 that *"onshore wind development – in the right places – remains crucial to developing the grid and supply chain infrastructure, as well as the investor confidence, which will stimulate offshore renewables development. Public attitudes also continue to be generally positive."*

2.5.4.1 Figures released from DECC, show that as at December 2013, Scotland had 6.6 GW of installed renewable electricity generation capacity operational, with 4.5GW either under construction or consented. This equates to 11.1GW of future overall capacity. Figure 1 below illustrates Scotland's renewable capacity by stage in the planning process.

Figure 1: Renewable Capacity in Scotland by Planning Stage, December 2013



Sources:

1) DECC, Energy Trends, March 2014

<https://www.gov.uk/government/organisations/department-of-energy-climate-change/series/energy-trends>

2) DECC, Renewable Energy Planning Database, January 2014

<https://restats.decc.gov.uk/cms/planning-database/>

2.5.5 It therefore remains the case that in light of the latest data released from DECC in March 2014, there remains a significant shortfall against the Scottish 2015 and 2020 renewable electricity generation targets. The proposed development would make a valuable contribution to these unmet targets.

2.5.6 There also, as explained above, remains a significant shortfall against the UK target for 2020 in terms of electricity generation from renewable sources.

2.6 Conclusion on Renewable Energy Policy

2.6.1 The EU, UK and Scottish Government renewable energy policy documents, and associated renewable energy and climate change targets all provide considerable support in favour of renewable energy development. Such targets and policies provide the basis of the need case for the proposed development.

2.6.2 The proposed development would aid the realisation of policy objectives and would make a valuable contribution to the respective unmet EU, UK and the Scottish 2015 and 2020 targets.

2.6.3 The proposed development would also fulfil, and be able to draw support through complying with best practice in the delivery of renewable energy projects, as defined through UK and Scottish Government policy. This includes the provision of Community Benefit funds, and the commitment to explore and develop a suitable community ownership model.

2.6.4 Government policy on renewable energy is a material consideration to which significant weight should be attached.

2.6.5 It is clear that Government policy on renewable energy is part of a well-established pattern with the commitment to a low carbon future spanning successive Governments. The renewable energy policy background forms part of a broad international picture of ever more ambitious policy targets designed to tackle climate change through the promotion of renewable energy, amongst other means. Long-term strategies have been put in place to

further those aims and, so far as Scotland and the UK are concerned, generating power using wind energy is an important component, which enjoys strong policy support.

- 2.6.6 There is therefore a strong policy drive at a European, UK and Scottish level to continue to develop renewable energy. International and national commitments have been made to address the effects of climate change and to achieve greater security in the domestic supply of energy.
- 2.6.7 The proposed development would make a direct and valuable contribution to Government policy objectives and unmet targets thereby implementing Government policy, which encourages more electricity generation from renewable sources. This matter should be afforded substantial weight in the planning balance in the determination of this application.

3 The Development Plan : Aims and Objectives

3.1 Introduction

- 3.1.1 This chapter outlines the relevant aims and objectives of the Development Plan, which in turn sets the context for the individual Development Plan policies to be addressed. The proposed development is assessed against the relevant aims and objectives of the Development Plan below.
- 3.1.2 The proposed development site is covered by a Strategic Development Plan (“SDP”) and a Local Development Plan (“LDP”). Together, the SDP and the LDP constitute the Development Plan. The Development Plan for the proposed development is therefore:
- The TAYplan Strategic Development Plan 2012 – 2032; and
 - The Perth and Kinross Local Development Plan 2014.

3.2 The TAYplan Strategic Development Plan 2012-2032

- 3.2.1 TAYplan covers the Dundee City, Angus, Perth & Kinross (including the newly designated part of the Cairngorm National Park) and North Fife regions. The Plan sets out the policies for where development should be over the next 20 years, at its heart are *“sustainable economic growth and a better quality of life through a stronger and more resilient economy, better quality places, reduced resource consumption and better resilience to climate change and peak oil”*. (p.3)
- 3.2.2 The plan highlights the region’s significant potential to support growth in the renewable energy industry, particularly through the growth of Dundee and Montrose ports to support offshore renewable energy. An important aspect of the plan is the mitigation of and adaptation to climate change. A shift to a low carbon and zero waste economy is crucial to achieving this and can be done by using the land and resources more efficiently.
- 3.2.3 TAYplan sets out a vision and various objectives in order to achieve this vision. The vision for the area as set out in the plan states that *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”*. (p.6)

The following objectives are considered relevant to the proposed development:

- Strengthen the economic base to support the renewable energy and low carbon technology sectors, the further and higher education sector including commercialisation and research, the region’s ports, food research, forestry, life sciences, digital media and tourism;
- Protect and enhance the quality of the TAYplan area’s built and water environments, landscape, biodiversity and natural resources;
- Promote and enhance places and landscapes as economic drivers and tourist destinations; and, support the region’s town centres as accessible business and service locations;
- Support the switch to a low carbon and zero waste economy by providing for appropriate infrastructure and improvements in our resilience to climate change and other potential risks
- Support an advanced, thriving and diverse economy occupying a competitive position within European and World Markets;
- Promote prosperous and sustainable rural communities that support local services, including the provision of additional housing and related development proportionate to local need, available infrastructure and environmental capacity; and
- Ensure that new development makes best use of existing networks of infrastructure, movement corridors and ecosystems.

3.2.4 This vision and the SDP objectives will dictate how the region will be in 2032 and what needs to occur to bring about the changes. The Plan includes a number of policies which will help achieve the vision for the area. Those of most relevance to the proposed development are set out below.

3.2.5 **Policy 2 “Shaping better quality places”** states:

“A. Ensure that climate change resilience is built into the natural and built environments through:

- i. a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; including the undeveloped coast. To ensure flood risk is not exacerbated, mitigation and management measures; such as those envisaged by Scottish Planning Policy, should be promoted;*
- ii. reducing surface runoff including through use of sustainable drainage systems;*
- iii. protecting and utilising the water and carbon storage capacity of soils, such as peatlands, and woodland/other vegetation; and,*
- iv. Identifying, retaining and enhancing existing green infrastructure and spaces whilst making the best use of their multiple roles.*

B. Integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure to optimise its coverage and capability.

C. Ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/ appraisals and travel plans where appropriate, including necessary on and offsite infrastructure.

D. ensure that waste management solutions are incorporated into development to allow users/occupants to contribute to the aims of the Scottish Government’s Zero Waste Plan.

E. ensure that high resource efficiency is incorporated within development through the orientation and design of buildings, the choice of materials and the use of low and zero carbon energy generating technologies to reduce carbon emissions and energy consumption to meet the Scottish Government’s standards.

F. ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government’s Designing Places and Designing Streets and provide additional green infrastructure where necessary.”*

3.2.6 This policy requires new development to be fit for place, supporting more sustainable ways of life for people and businesses. This Plan requires all types of new development within the TAYplan region to be fit for place and be capable of supporting more sustainable ways of life for the people and businesses that use them. Policy 2 seeks to help achieve this objective.

3.2.7 A key focus for Policy 2 is ensuring that new development helps to mitigate and adapt to climate change and becomes integral part of its surroundings rather than exclusive from them.

Policy 3 “Managing TAYplan’s Assets”

3.2.8 This policy states that Local Development Plans should identify land to ensure responsible management and safeguarding of TAYplan’s assets. Such assets include employment land, greenbelts, natural and historic assets, transport and finite resources. Many elements of this policy are not directly relevant to the proposed development. The policy aims to support the growth of emerging sectors of the economy in a way that does not place unacceptable burdens on environmental capacity and increase exposure of users or inhabitants to risks. This can be achieved by directing development to specific locations.

Policy 6 “Energy and Waste / Resource Management Infrastructure”

3.2.9 This is the most relevant policy against which the development should be assessed. The policy ensures that energy and waste / resource management infrastructure is situated in the most appropriate locations. The policy identifies how the region will deliver a low / zero carbon future and contribute to meeting Scottish Government energy and waste targets:

"A. Local Development Plans should identify areas that are suitable for different forms of renewable heat and electricity infrastructure and for waste/resource management infrastructure or criteria to support this; including, where appropriate, land for process industries (e.g. the co-location/proximity of surplus heat producers with heat users).

B. Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focused within or close to the Dundee and/or Perth Core Areas (identified in Policy 1).

C. Local Development Plans and development proposals should ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified, at a minimum, on the basis of these considerations:

- The specific land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones where appropriate;*
- Waste/resource management proposals are justified against the Scottish Government's Zero Waste Plan and support the delivery of the waste/resource management hierarchy;*
- Proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate;*
- Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on of-site properties;*
- Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;*
- Impacts of associated new grid connections and distribution or access infrastructure;*
- Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure;*
- Impacts upon neighbouring planning authorities (both within and outwith TAYplan); and,*
- Consistency with the National Planning Framework and its Action Programme."*

Policy 8 "Delivering the Strategic Development Plan"

3.2.10 This policy sets out requirements for developer contributions. It is important that developer contributions ensure that the additional burdens placed on infrastructure and services as a result of a development are mitigated by the developer.

3.2.11 The TAYplan vision sets objectives that conform to the principles of sustainable development, and these are used to develop LDP policies in order to facilitate decision making.

3.2.12 **Policy 8 "Delivering the Strategic Development Plan"** states:

"To ensure that quality is designed-in to development and places developer contributions shall be sought for new development:

to mitigate any adverse impact on infrastructure, services and amenities brought about by development including contributions towards schools, affordable housing, transport infrastructure and facilities (including for road, rail, walking, cycling and public transport), and other community facilities in accordance with the Scottish Government Circular 1/2010."

3.3 Perth & Kinross Local Development Plan

3.3.1 The Perth and Kinross Local Development Plan was adopted on 03 February 2014 and is the current LDP covering the application site.

3.3.2 The application site is within the Highland Perthshire area and is not covered by any specific development allocations.

3.3.3 The spatial strategy for Highland Perthshire (Section 6.1 of the LDP) identifies that this area covers approximately 1,000 sq. miles which represents half of the land area of Perth and Kinross. In relation to 'Use of Resources' the LDP Strategy states:

"In order to address potential energy scarcity issues in the future, development needs to be located and designed in a way that maximises energy efficiency. The benefit of development which delivers more secure and diverse energy supplies will also need to be recognised". (p.18)

3.3.4 This Planning Statement considers the relevant Local Development Plan policies in the context of the TAYplan objectives as set out within the Development Plan.

3.4 Conclusion

3.4.1 In conclusion, the strategic themes and aims of the Development Plan recognise that sustainability is at the heart of the overall vision for Perth and Kinross and the SDP and the LDP recognise both the role of renewable energy and specifically wind power in contributing to these aims and objectives. The LDP builds upon the broader aims, objective and policies to develop more specific and detailed policies for the assessment of development proposals. These policies set out a range of criteria for consideration of any possible significant detrimental impact, including landscape, infrastructure and cumulative effects.

3.4.2 It is considered that the proposed development would not prejudice these aims. In a number of respects, the proposed development, as a renewable energy proposal, promotes sustainable principles, making optimal use of renewable energy sources, which have associated beneficial effects on the environment, the economy and community.

3.4.3 The development is considered to complement the aims and objectives of the Development Plan

4 Policy Context and Assessment

4.1 Introduction

4.1.1 In considering the overall legal framework within which the proposed development requires to be assessed, s.25 of the Town & Country Planning (Scotland) Act 1997 (as amended) is engaged. This states that:

“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

4.1.2 This chapter provides an assessment of the proposed development against the relevant policies within the statutory Development Plan. The statutory Development Plan applicable to the application site is comprised of the following documents:

- The TAYplan Strategic Development Plan 2012 – 2032; and
- The Perth and Kinross Local Development Plan 2014.

4.1.3 The potentially relevant policies of the Development Plan to the EIA process are identified in Chapter 6 of the ES. The key relevant Development Plan policies with which to assess the proposed development are considered below. They are considered on an individual basis in terms of the Strategic Development Plan and the Local Development Plan, and are assessed under the following policy topics:

- Renewable Energy and Sustainability;
- Landscape and Visual;
- Ecology & Ornithology;
- Geology, Hydrogeology and Hydrology;
- Noise;
- Cultural Heritage;
- Access, Recreation, Tourism and Socio-Economics; and
- General Policies.

4.2 Renewable Energy & Sustainability Policy

4.2.1 The renewable energy and sustainability policies of the Development Plan that are considered relevant to the proposed development are set out in Table 4.1 below.

Table 4.1: Renewable Energy & Sustainability Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies	Policy 6 Energy and Waste / Resource Management Infrastructure	Policy ER1 Renewable and Low Carbon Energy Generation

TAYplan Strategic Development Plan

4.2.2 In terms of renewable energy, Policy 6 Energy and Waste / Resource Management Infrastructure is the SDP policy applicable to the proposed development.

4.2.3 **Policy 6 “Energy and Waste / Resource Management”** states:-

"A. Local Development Plans should identify areas that are suitable for different forms of renewable heat and electricity infrastructure and for waste/resource management infrastructure or criteria to support this; including, where appropriate, land for process industries (e.g. the co-location/proximity of surplus heat producers with heat users).

B. Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas (identified in Policy 1).

C. Local Development Plans and development proposals should ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified, at a minimum, on the basis of these considerations:

- The specific land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones where appropriate;*
- Waste/resource management proposals are justified against the Scottish Government's Zero Waste Plan and support the delivery of the waste/resource management hierarchy;*
- Proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate;*
- Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on of-site properties;*
- Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;*
- Impacts of associated new grid connections and distribution or access infrastructure;*
- Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure;*
- Impacts upon neighbouring planning authorities (both within and outwith TAYplan); and,*
- Consistency with the National Planning Framework and its Action Programme."*

4.2.4 This policy is the most relevant SDP policy in terms of the determination of the application for the proposed development. This is a broad policy which covers energy and waste development proposals. The section of the policy relating to waste is not applicable here and is not therefore addressed.

4.2.5 The supporting text for this policy shows broad support for renewable energy proposals and the policy is reliant on the LDP to set out the areas which are suitable for energy developments.

4.2.6 LDP's and development proposals should ensure that development proposals for energy are justified on the basis of a number of considerations. Each one is examined in turn below:

- *Land take requirements and safety exclusion zones:* the development is located on land which comprises part of the Talladh-a-Bheithe Estate. The landscape is characterised by open grassland and intermittent coniferous and on part of which exists hydro energy infrastructure comprising power buildings, overhead power lines,

large diameter pipework and roads. An area of land known as Garragher plantation is proposed to be clear felled with the equivalent compensatory planting proposed within the Estate boundaries. The ES has assessed the effect the development will have on the land take and it is considered that the predicted effects are localised and not significant.

- The second criteria in this policy is not relevant to the proposed development.
- *Proximity to resources:* As outlined above, the development has been assessed through the EIA in terms of the potential effects on a variety of resources. The site has been assessed for its suitability for a wind farm development. Average wind speed data was collected and deemed to exceed the pre-determined level and was therefore deemed suitable for development. The development is suitably located to allow connection to nearby grid connection.
- *Effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties.* The ES has assessed the effect the development will have on each of these topics in detail at Chapter 11 (Geology, Hydrogeology & Hydrology), Chapter 12 (Noise), Chapter 13 (Electromagnetic Interference, Aviation and Shadow Flicker) and Chapter 17 (Carbon Balance Assessment). No significant effects are predicted in relation to these topic areas.
- *Landscapes, the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures.* The EIA process has carried out detailed assessments on the potential effect the development may have on each of these topics at Chapter 7 (Landscape and Visual Impact Assessment), Chapter 8 (Ecology), Chapter 10 (Historic Environment), Chapter 11 (Geology, Hydrogeology & Hydrology), and Chapter 15 (Socio-Economic Assessment). There are significant effects predicted at fourteen assessment viewpoints, however, it should be noted that there would be no significant visual effect on any residential receptors or settlements in the vicinity of the site. It has been assessed that there would also be significant effects on landscape character and visual amenity within parts of the Loch Rannoch and Glen Lyon NSA. It is not considered however that the proposals would have significant harm to the special qualities of the NSA. No significant effects are predicted in relation to the remainder of the topic areas.
- *Impacts of associated new grid connections and distribution or access infrastructure:* The grid connection is not part of this application. The electrical power produced by the individual turbines will be fed to an onsite substation via underground cables. The substation is located on the access track between turbines 2 and 3 towards the west of the site, as this is the closest point within the site to the most likely grid connection point at Rannoch Power Station. The ES considered the impact on Transport infrastructure at Chapter 14. It is considered that any potential effects will be not significant.
- *Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure:* The cumulative effect of the development has been assessed within the various Chapters of the ES.
- *Impacts upon neighbouring planning authorities (both within and outwith TAYplan):* The development has been appropriately assessed in terms of the effects on the landscape within a 35km radius of the site and significant effects are deemed to be limited.
 - *Loch Lomond and the Trossachs National Park:* The ZTV indicates no visibility from any part of Loch Lomond and the Trossachs National Park within the study area. Therefore there would be no effect on this National Park as a result of the proposed development.
 - *Cairngorms National Park:* There is extremely limited visibility of the proposed turbines over the area of The Cairngorms National Park as a whole. It is acknowledged that from one isolated summit at the edge of the National Park there would be a significant visual effect, however, given the very small number of locations from which the turbines would be visible and the distance from the site, it is

considered that there would not be a significant effect on the landscape character of this area or on the special qualities of the National Park.

- *The Highland Council:* The Highland Council (THC) has been consulted on transportation matters as the proposed access options will utilise routes in this council area. The Transport Statement (TS) reports that the proposed access options can be integrated into the local transportation network with minimal impact on the local environment.
- *Consistency with the National Planning Framework and its Action Programme:* The development is assessed against the National Planning Framework in Chapter 5 of this Planning Statement.

4.2.7 Assessing the development against the above considerations it is considered acceptable with regard to Policy 6.

Perth and Kinross Local Development Plan

4.2.8 **Policy ER1 “Renewable and Low Carbon Energy Generation”** states:-

“Policy ER1A: New proposals

Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy will be supported subject to the following factors being taken into account:

(a) The individual or cumulative effects on biodiversity, landscape character, visual integrity, the historic environment, cultural heritage, tranquil qualities, wildness qualities, water resources, aviation, telecommunications and the residential amenity of the surrounding area.

(b) The contribution of the proposed development towards meeting carbon reduction targets.

(c) The effects on the elements listed in criterion (a) of the connection to the electricity distribution or transmission system.

(d) The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally.

(e) The hill tracks and borrow pits associated with any development.

(f) The effects on carbon rich soils.

(g) Any positive or negative effects they may have on the local or Perth & Kinross economy including tourism and recreation interests either individually or cumulatively.

(h) In the case of large-scale onshore wind energy developments, their fit with the spatial framework for wind energy developments.

Proposals for the development of renewable and low carbon sources of energy by a community will be supported provided it has been demonstrated that the factors (a) - (h) itemised above have been fully considered.

Policy ER1B: Extensions of Existing Facilities

Proposals for the extension of existing renewable energy facilities will be assessed against the same factors and material considerations as apply to proposals for new facilities.

In all cases the Council will require the removal of the development and associated equipment and the restoration of the site whenever the consent expires or the project ceases to operate for a specific period.

Note: Supplementary Guidance will provide a spatial framework for large-scale wind energy developments, and further explain the locational, technological, environmental, and design requirements for developers to consider in making their applications for a range of other renewable and low carbon energy generating developments, including: small-scale wind energy developments and single turbines, hydro-schemes, woody biomass, landfill gas, energy from waste, anaerobic digestion, energy storage, large photovoltaic arrays, and micro-generation.”

4.2.9 This is the most relevant policy in the LDP against which the proposed development requires to be assessed. The policy provides support for wind farms where access implications are acceptable and where the proposed development does not have an unacceptable adverse impact on biodiversity, landscape character, visual integrity, the historic environment, cultural heritage, tranquil qualities, wildness qualities, water resources, aviation, telecommunications and the residential amenity of the surrounding area. The policy also supports wind farms subject to other factors relating to transport, effects on the local / Perth and Kinross Council economy, and subject to the proposal fit with the spatial framework for wind energy developments.

4.2.10 The policy is multi criteria based and each of the criteria is considered in turn below. The policy states that proposal will be supported subject to the 'factors' listed to be 'taken into account'.

- *(a) Biodiversity, landscape character, visual integrity, the historic environment, cultural heritage, tranquil qualities, wildness qualities, water resources, aviation, telecommunications and the residential amenity of the surrounding area.* The ES has assessed the impact of the proposed development on these receptors and a summary of this assessment is outlined below.

Biodiversity

The predicted impacts upon biodiversity matters have been considered in detail in the relevant chapters of the ES, specifically Chapter 8 – Ecology, Chapter 9 – Ornithology, and Chapter 11 – Geology, Hydrogeology and Hydrology. Measures have been implemented which would mitigate the potential adverse effects of the proposed development such that in the final position results in there being no significant effects in relation to these topics during both construction and operational phases of the proposed development. The proposed development can therefore be considered to be in accordance with this criterion of Policy ER1.

Landscape character

It has been assessed that there would be significant effects on landscape character and visual amenity within parts of the Loch Rannoch and Glen Lyon NSA. Whilst it is accepted that there would be some significant landscape and visual effects associated with the proposed development this is not unexpected in relation to an onshore wind farm proposal. The landscape and visual effects of the proposed development would be reversed on decommissioning and such impacts should be considered lesser than those which are permanent and irreversible. It is not considered however that the proposals would have significant harm to the special qualities of the NSA.

Visual integrity

There are significant effects predicted at fourteen assessment viewpoints, however, Chapter 7 of the ES – LVIA, notes that there would be no significant visual effect on any residential receptors or settlements in the vicinity of the site.

The historic environment and cultural heritage

The Cultural Heritage chapter of the ES has identified that the proposed development would result in one potential residual construction impact which would affect the alignment of a trackway. This impact has been considered non-significant and proposed mitigation would offset this predicted impact. This mitigation relates to proposed archaeological recording and recovery of archaeological data. The proposed development is found to be acceptable with regard to the potential impact it would have on sites of historic or archaeological interest in the area.

Tranquil and wildness qualities

The entirety of the Talladh-a-Bheithe site lies within the proposed Core Area 14 (Rannoch – Nevis – Mamores – Alder). This is an increase to the extent of the Search Area for Wild Land which only covers the northernmost part of the estate, an area which it is not proposed to contain any of the proposed turbines or development infrastructure. It is reported within the ES that should human artefacts have been considered

robustly and field survey work been undertaken to ground test the proposed Core Areas of Wild Land on site, it is clear that areas such as the southern extent of the Talladh-a-Bheithe estate would have been excluded from the proposed Core Area of Wild Land.

Water resources

The effects on the site hydrological, hydrogeological and geological environment are not considered significant.

Aviation

Chapter 13 of the ES presents an assessment regarding the potential impacts from the proposed development upon aviation and it has been concluded that the proposed development will not adversely affect aviation interests.

Telecommunications

As outlined within Chapter 13 of the ES it has been shown that there is no communication infrastructure or links that would be impacted by the proposed development. Similarly, the scoping responses did not raise any issues to be addressed in the ES from the perspective of telecommunications. It is considered unlikely that the proposed development would have an impact on private communication network infrastructure. It is also considered unlikely that the proposed development will materially affect radio and television broadcast signals.

Residential amenity of the surrounding area

There are no residential properties within 3km of the proposed turbines and it is not considered that there would be the potential for a significant visual effect on any individual residential property within 5km of the proposed development.

- *(b)Carbon reduction targets.* The proposed development would aid the realisation of policy objectives and would make a valuable contribution to the respective unmet EU, UK and the Scottish 2015 and 2020 targets.
- *(c)Connection to the electricity distribution or transmission system.* The proposed development is located in a suitable location which would allow a connection to the grid.
- *(d)Transport implications.* Transport has been a key consideration in the development of the approach to the proposed development. A key priority in devising the transportation strategy has been to seek to minimise construction traffic movements and associated disturbance on the local road network. The detailed approach to transportation is provided in Chapter 14 of the ES and the Transport Statement which is provided as Appendix 14.1. This indicates the options available for the transport of abnormal loads by rail and barge to the site, and minimising localised inputs. In addition to this the TS and Chapter 14 promotes an approach whereby prior to mobilisation, a Traffic Management Plan ("TMP") would be produced setting out the details of the proposed traffic movements along the access route for construction vehicles and for the delivery of abnormal loads (turbine components). It is not considered that there will be significant effects in relation to transport implications as a result of implementation of the proposed approach and the mitigation measures contained within the proposed TMP.
- *(e)Hill tracks and borrow pits.* Approximately 12.8 km of access tracks would be required to provide access throughout the wind farm. The width of the corridor for the site tracks, including drainage swales, cable trenches, earthworks etc. would be approximately 20m. The new track construction would use best practice guidelines and methodology developed from other wind farm sites. Two types of track construction, cut and floating, and would be used as appropriate on varying ground conditions. The sections of track which would be cut and the sections which would be floating would be identified following planning permission in the detailed design stage and agreed as part of the Construction Method Statement. It is expected that four

borrow pits will provide stone for upgrades to the estate access road and site tracks. On this basis it is not considered that there will be significant effects as a result of hill tracks or borrow pits.

- *(f) Effects on carbon rich soils.* Any effect on carbon rich soils would be mitigated where possible and it is considered that a balance would be achieved in terms of carbon payback over the lifetime of the proposed development.
- *(g) Effects on the economy including tourism.* In terms of the potential impacts the proposed development could have on economic, social or physical aspects of sustainable, the wide purpose of renewables and wind farm development requires to be considered. It is part of the Scottish and UK Government's response to addressing climate change impacts, which as a whole will bring significant long term environmental benefits. The Applicant proposes a community benefit fund over the lifetime of the development and in addition is offering community ownership structures to the local community. This in itself could result in significant economic and social benefit to the local residents over the lifetime of the proposed development. In terms of physical aspects of sustainable development, the carbon payback period of the proposed development is predicted to be within 1.6 years. It is considered that the access implications of the proposed development are acceptable and indeed have been proposed with the specific purpose of minimising the impact on the local road network. The proposed development also meets the policy requirements of achieving sustainable development outcomes. Chapter 15 provides an assessment of the proposed development from the perspective of socio-economic and tourism interests. This concludes that there is the potential for a major beneficial effect on the local economy as a whole, albeit there are also minor adverse effects on local walking routes and the tourism sector in the local area as a whole, more by nature of the scale of existing activity as opposed to the magnitude of the effects.
- *(h) Fit within spatial framework for wind energy developments.* There is currently no active spatial framework from PKC applicable to the site. Notwithstanding this position, it is considered that the detailed assessments and design development undertaken by the Applicant has demonstrated that the site is suitable for wind energy development.

4.2.11 Considering the content of Policy ER1 as a whole, it is proposed that the proposed development has sought to strike an appropriate balance in terms of the potential environmental effects, and the benefits attributable to the proposals. The proposed development is in accordance with the relevant criteria in each case.

Conclusion

4.2.12 In terms of renewable energy policy, the proposed development can draw significant support from the key Development Plan wind energy policies (Policy 6 Energy and Waste / Resource Management and Policy ER1 Renewable and Low Carbon Energy Generation) as assessed above.

4.3 Design & Placemaking Policy

4.3.1 This section of the assessment address design and placemaking related policies. Table 4.2 below highlights the policies within the Development Plan which are relevant

Table 4.2 Design & Placemaking Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies	Policy 2 Shaping better quality places	Policy PM1 Placemaking
		Policy PM2 Design Statement

TAYplan Strategic Development Plan

- 4.3.2 There are no specific policies which deal specifically with 'design' or 'placemaking' within TAYplan, however, Policy 2 Shaping Better Places Part 'B' seeks to integrate new development with existing infrastructure and Part 'C' seeks to ensure integration of transport and land use. In addition, Part 'F' seeks to ensure that development and its connections incorporate and enhance natural and historic assets.
- 4.3.3 It is considered that there are no significant policy conflicts with the criteria noted above which make up Policy 2. In addition, natural and historic assets are considered in detail later on in this chapter.

Perth and Kinross Local Development Plan

- 4.3.4 Policy "PM1 Placemaking" states:-

"Policy PM1A

Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

Policy PM1B

All proposals should meet all the following placemaking criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.*
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- (h) Incorporate green infrastructure into new developments and make connections where possible to green networks.*

Policy PM1C

For larger developments (more than 200 houses or 10 ha) the main aim is to create a sustainable neighbourhood with its own sense of identity. Neighbourhoods should seek to meet the key needs of the residents or businesses within or adjacent to the neighbourhood, ie local shopping, recreation, recycling etc. In most cases this will best be achieved by the development of a masterplan.

Note: The Placemaking Guide for Perth and Kinross will form the basis of Supplementary Guidance, and further guidance is contained within the Scottish Government publication 'Designing Streets: A Policy Statement for Scotland'."

4.3.5 Policy PM1 advises that development must contribute successfully to the quality of the surrounding built and natural environment whilst respecting the character and amenity of the place. It is not considered that Policy PM1 is directly relevant to the proposed development, nonetheless, it is considered that the proposal accords with the aims of Part 'A' of Policy PM1 in that the proposed development is sustainable by its very nature. In addition, the proposed development would utilise wind energy which is a renewable resource and it will be possible to return the site to its previous land use condition at the end of the economic life time of the project, thus contributing positively to the environment.

4.3.6 Policy PM2 "Design Statements" states:-

"Design statements will normally need to accompany a planning application if the development:

(a) comprises five or more dwellings; or

(b) is a non-residential use greater than 0.5 ha in area; or

(c) affects the character and/or appearance of a Conservation Area, Historic Garden, Designed Landscape, or the setting of a Listed Building or Scheduled Monument.

A design statement may also be required to accompany a Planning Application for other forms of development where design sensitivity is considered a critical issue. If applicants are uncertain as to whether a design statement is expected, or on the level of scope and detail that will be appropriate, then the views of the Council should be sought.

Note: Further guidance can be found in Planning Advice Note (PAN) 68 Design Statements."

4.3.7 Policy PM2 relates to design of developments. The application is not a planning application and as such does not trigger the requirement to prepare a design statement. In any case the fact that the proposed development is an infrastructure project, and with limited built form, does not fit well with the requirement to prepare a design statement. The approach to the proposed development is presented as a result of the detailed design iteration process which is described in full in Chapter 2 of the ES. This outlines the stages in reaching the final site design and layout of the key components of the development.

Conclusion

4.3.8 In conclusion, there are no significant policy conflicts with regards to the proposed development and its assessment against policies PM1 and PM2.

4.4 Landscape and Visual Policy

4.4.1 This section of the Planning Statement addresses landscape and visual related Development Plan policies. The landscape and visual effects associated with the proposed development are identified in Chapter 7 of the ES.

4.4.2 Table 4.3 below highlights the relevant landscape and visual related policies contained within the Development Plan.

Table 4.3: Landscape and Visual Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies	Policy 2 Shaping better quality places	Policy ER6 Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes
	Policy 3 Managing TAYplan's Assets	

TAYplan Strategic Development Plan

4.4.3 **Policy 2** is a detailed policy. Not all of the sections within Policy 2 are relevant to the development of a wind farm. Part 'F' of the policy relates to effects on landscape. For this reason only that section of the policy is provided here. The policy states that:-

"F. Ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets and provide additional green infrastructure where necessary."*

4.4.4 The individual topic based ES chapters provide the assessment of the proposed development with respect to the potential impact upon designations, however, the key nature conservation, landscape and visual related designations are described below.

- The Cairngorms National Park (approximately 10km to the north east of the site);
- The Loch Lomond and the Trosachs National Park (approximately 30km to the south of the site);
- Loch Rannoch and Glen Lyon NSA (Southern portion of the site is within the designation although no wind turbines would be constructed within it);
- Ben Nevis and Glen Coe NSA (approximately 12km from the site);
- Loch Tummel NSA (approximately 25 km from the site);
- Coire Bhachdaidh SSSI (Approximately 250m to the west of the site);
- River Spey SAC (320 m east of Dalwhinnie site);
- River Tay SAC (5km to the southwest of the site);
- Rannoch Lochs SPA (5km to the south west of the site);
- Rannoch Lochs SSSI (Lochan Loin nan Donnlaich)(5km to the south west of the site);
- Black Wood of Rannoch SSSI (5km to south of the site);
- Ben Alder and Aonach Beag SPA (5.5km to the north west of the site);
- Ben Alder and Aonach Beag SSSI (5.5km to the north west of the site);
- Drumochter Hills Special Protection Area SPA (5.8km to the north of the site); and
- Drumochter Hills Site of Special Scientific Interest (5.8km to the north of the site).

4.4.5 The ES reports that there would be no significant effects on existing landscape features during the construction, operational or decommissioning phases of the development.

4.4.6 Beyond a short distance from the site the ground level components of the development would not be prominent. Therefore impacts on landscape character as experienced in the wider landscape arise principally in relation to the introduction of turbines into the landscape and the resultant impact on the perceptual experience of landscape character.

4.4.7 It has been assessed that there would be a significant effect on part of 7 landscape character units which cover the 35km study area surrounding the site. It is however acknowledged, that a much greater proportion of the landscape would not experience a significant effect on landscape character.

4.4.8 In conclusion, it is found that the proposed development will not damage or undermine the key environmental features of the landscape within which it is located, primarily due to relative containment of the visual effects of

the site and the limited predicted effects on designated landscapes within the study area. On this basis the proposed development is found to be in accordance with the general objectives of the policy.

Perth and Kinross Council Local Development Plan

4.4.9 Policy ER6 “Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area’s Landscapes” states:-

“Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross’s landscapes. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. They will need to demonstrate that either in the case of individual developments, or when cumulatively considered alongside other existing or proposed developments:

(a) they do not erode local distinctiveness, diversity and quality of Perth and Kinross’s landscape character areas, the historic and cultural dimension of the area’s landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;

(b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;

(c) they safeguard the tranquil qualities of the area’s landscapes;

(d) they safeguard the relative wildness of the area’s landscapes;

(e) they provide high quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape’s qualities;

(f) they incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape;

and

(g) they conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

Note: Until it is possible to assess the acceptability of development proposals against Perth and Kinross-wide Supplementary Guidance on Landscape, priority will be given to safeguarding and enhancing the landscape of National Scenic Areas. The Tayside Landscape Character Assessment will be used for assessing development proposals, along with other material considerations.”

4.4.10 Policy ER6 seeks to ensure that proposals take into account the distinctive characteristics and features of Perth and Kinross’s landscapes and that they do not erode the historic and cultural dimensions of the area’s landscapes, visual integrity, identity or scenic quality of views, viewpoints or landmarks. The policy is multi criteria based and each of the criteria are considered in turn below:

- *(a) landscape character areas, the historic and cultural dimension of the area’s landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;* The ES reports that there would be no significant effects on existing landscape features during the construction, operational or decommissioning phases of the development. As noted above the ES reports that there would be a significant effect on part of 7 landscape character units which cover the 35km study area surrounding the site, however a much greater proportion of the landscape would not experience a significant effect on landscape character.
- *(b) safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;* It has been assessed that there would be a significant visual effect at fourteen out of the twenty five assessment viewpoints. Whilst it is acknowledged that there would be a significant effect on

many of the assessment viewpoints included in the LVIA, it should be noted that these viewpoints were specifically selected to represent the locations within the study area which would have the greatest visibility of the proposals and therefore the greatest potential for significant effects. This position needs to be balanced against the large number of locations and viewpoints which lie outwith the ZTV of the proposed development.

- *(c) tranquil qualities;* The proposed development is located within an Estate in which the landscape is characterised by open grassland and intermittent coniferous and on part of which exists hydro energy infrastructure comprising power buildings, overhead power lines, large diameter pipework and roads. The Estate has been a producer of renewable hydroelectricity since the 1930's. The proposed development can be considered as a next step in the activity of the Estate in terms of the contribution to renewable energy development. The proposed development, by nature of its restricted lifespan, and reversible nature needs to be considered in this context.
- *(d) wildness;* The northern extent of the Talladh-a-Bheithe Estate, where no turbines are to be sited, lies within a 'Search Area for Wild Land'. The entirety of the Talladh-a-Bheithe site lies within the proposed Core Area 14 'Rannoch – Nevis – Mamores – Alder' however the status of these proposed Core Areas has not been confirmed at this point. It is noted however, that this area of landscape does not have the same characteristics of wild land as the central section of the proposed Core Area to the west of Ben Alder and to the east of Ben Nevis. The Applicant has made representations to the Wild Land consultation process (see ES Appendix 7.4) and remains of the view that the site does not constitute wild land. It is, however acknowledged in Chapter 7 of the ES that the assessment of effects on visual amenity landscape character did identify some significant effects within this area.
- *(e) landscape design;* The Applicant has developed the detail of the proposed development through an extensive and rigorous design iteration process as summarised in Chapter 2 of the ES. Landscape design has been central to this process through the input provided by landscape professionals and the approach developed in consultation with key stakeholders including SNH, PKC and the community. Whilst it is accepted that the proposed development will give rise to some significant effects from a landscape and visual perspective, the approach has sought to minimise the effects where possible, and to avoid significant effects on residential receptors.
- *(f) protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape;* The ES, through the relevant topic chapters has considered the potential for significant environmental effects in relation to each of the elements referred to in this criterion. In the case of all elements apart from visual amenity, the ES concludes that there are no significant effects anticipated. Significant effects on visual amenity are anticipated, however these relate to viewpoints selected to highlight the worst case scenario, and highest visibility of the proposals. There are no significant visual effects reported in terms of residential receptors, settlements, major roads, or railways in the vicinity of the site.
- *(g) night sky;* The proposed development will not result in any effects that have the potential to impact on the experience of the night sky in this area of PKC. Aviation warning lights may be required, however these can utilise infra-red luminaires to avoid any direct effect in terms of this matter.

4.4.11 The policy notes that priority is to be given to safeguarding and enhancing the landscape of NSA's. The LVIA has assessed the potential effects on the Loch Rannoch and Glen Lyon NSA which includes the southern portion of the Estate, but not any of the proposed turbines. It has been assessed that there would be significant effects on landscape character and visual amenity within parts of the Loch Rannoch and Glen Lyon National Scenic Area (NSA). It is not considered however that the proposals would have significant harm to the special qualities of the NSA. The mountain grandeur, wild summits and natural beauty within the NSA would not be directly affected by the proposed development, which lies beyond the NSA boundary with the nearest turbine over 1.8km away, and would remain appreciable following construction of the development.

Conclusion

4.4.12 Whilst it is accepted that there would be some significant landscape and visual effects associated with the proposed development this is not unexpected in relation to an onshore wind farm proposal. The approach to the proposed development has sought to minimise the extent of landscape and visual effects, and the conclusions of the LVIA are clear in that the assessment has been undertaken on the basis of selecting viewpoints that illustrate the worst case scenario, and many areas, and a much greater proportion of the landscape would not experience significant effects. The landscape and visual effects of the proposed development would be reversed on decommissioning and such impacts should be considered lesser than those which are permanent and irreversible.

4.5 Ecology and Ornithology Policy

4.5.1 Ecological matters are assessed in detail within Chapter 8 and of the ES with ornithological matters assessed separately in Chapter 9 and. The development is not located within any statutory site designated for the purposes of nature conservation.

4.5.2 The policies of the Development Plan that are considered relevant to ecological and ornithological matters within the development site are listed in Table 4.4 below.

Table 4.4: Ecology and Ornithology Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant policies	Policy 3 Managing TAYplan's Assets	NE1 Environment and Conservation Policies
		Policy NE2 Forestry, Woodland and Trees
		Policy NE3 Biodiversity

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4.5.3 **Policy 3 "Managing TAYplan's Assets"** concerns the impact on natural and historic assets and requires that when considering wind farm developments, sites and habitats of international, national, regional and local importance for nature conservation and protected species are not adversely affected by the development. This policy defines Natural and Historic Assets as follow:

"Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas)." (p.13)

4.5.4 In relation to Natural and Historic Assets, Policy 3 specifically states:

"...Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:

- ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy;*
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; ...".*

4.5.5 The site is not situated in any statutory designated site for the purposes of nature conservation. However, 10 statutory designated sites of nature conservation interest exist within a 10km radius of the study area:

- Coire Bhachdaidh SSSI (Approximately 250m to the west of the site);
- River Spey SAC (320 m east of Dalwhinnie site);
- River Tay SAC (5km to the southwest of the site);
- Rannoch Lochs SPA (5km to the south west of the site);
- Rannoch Lochs SSSI (Lochan Loin nan Donnlaich)(5km to the south west of the site);
- Black Wood of Rannoch SSSI (5km to south of the site);
- Ben Alder and Aonach Beag SPA (5.5km to the north west of the site);
- Ben Alder and Aonach Beag SSSI (5.5km to the north west of the site);
- Drumochter Hills Special Protection Area SPA (5.8km to the north of the site); and
- Drumochter Hills Site of Special Scientific Interest (5.8km to the north of the site).

4.5.6 As discussed above, on the basis of the detailed assessments undertaken and reported in the ES and supporting appendices, the proposed development will not result in any significant effects to nature conservation interests. Furthermore Habitat Management measures are proposed which will result in the potential enhancement of habitats to the benefit of ecology and ornithology interests. It is therefore considered that the proposed development is in accordance with Policy 3.

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4.5.7 Policy NE1 “Environment and Conservation Policies” states:-

“Policy NE1A: International Nature Conservation Sites

Development which could have a significant effect on a site designated or proposed under the Habitats or Birds Directive (Special Areas of Conservation and Special Protection Areas) or Ramsar site, will only be permitted where:

- (a) an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or*
- (b) there are no alternative solutions, and*
- (c) there are imperative reasons of overriding public interest, including those of social or economic nature.*

Policy NE1B: National Designations

Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve, will only be permitted where the Council as Planning Authority is satisfied that:

- (a) the proposed development will not adversely affect the integrity of the area or the qualities for which it has been designated; or*
- (b) any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.*

Policy NE1C: Local Designations

Development which would affect an area designated by the Planning Authority as being of local conservation or geological interest will not normally be permitted, except where the Council as

Planning Authority is satisfied that:

- (a) the objectives of designation and the overall integrity of the designated area would not be compromised; or*

(b) any locally significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social and economic benefits ”.

4.5.8 The proposed development has been subject to a rigorous ecological and ornithological assessment contained within Chapters 8 and 9 of the ES. The approach has been developed through consultation and dialogue with key stakeholders in terms of the subject, including PKC, SNH and RSPB. As part of this assessment the objectives and targets set out within the Local Biodiversity Action Plan have been taken into account. The conclusions of the assessments as reported in the ES is that through application of appropriate mitigation there would be no residual significant effects in terms of International, National or local nature conservation designations or interests. On this basis the proposed development is in accordance with the requirements on this policy.

4.5.9 **Policy NE2 “Forestry, Woodland and Trees”** states:-

“Policy NE2A

The Council will support proposals which:

- (a) deliver woodlands that meet local priorities as well as maximising benefits for the local economy, communities, sport and recreation and environment;*
- (b) protect existing trees, woodland, especially those with high natural, historic and cultural heritage value;*
- (c) seek to expand woodland cover in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy;*
- (d) encourage the protection and good management of amenity trees, or groups of trees, important for amenity sport and recreation or because of their cultural or heritage interest;*
- (e) ensure the protection and good management of amenity trees, safeguard trees in Conservation Areas and trees on development sites in accordance with BS5837 “Trees in Relation to Construction”;*
- (f) seek to secure establishment of new woodland in advance of major developments where practicable and secure new tree planting in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy.*

Policy NE2B

Tree surveys, undertaken by a competent person, should accompany all applications for planning permission where there are existing trees on a site. The scope and nature of such surveys will reflect the known or potential amenity, nature conservation and/or recreational value of the trees in question and should be agreed in advance with the council. The Council will follow the principles of the Scottish Government Policy on Woodland Removal. In accordance with that document, there will be a presumption in favour of protecting woodland resources except where the works proposed involve the temporary removal of tree cover in a plantation, which is associated with clear felling and restocking. In exceptional cases where the loss of individual trees or woodland cover is unavoidable, the Council will require mitigation measures to be provided.

Note: The Council is preparing as Supplementary Guidance a Forestry and Woodland Strategy which will provide locational guidance and seeks to:

- promote multi-objective woodland management that delivers environmental, economic and social benefits;*
- enhance the condition of existing woodland cover and expand them to develop habitat networks that complement the landscape character and other land uses;*
- enhance landscapes through sensitive restructuring or removal of inappropriately sited and commercially unviable forest blocks;*
- encourage sustainable forestry that contributes to adaptation and mitigation of a changing climate;*

- *enhance habitat connectivity both within and between river catchments using the most appropriate species and or land management options;*
- *conserves and expand riparian woodlands using appropriate species for the benefit of biodiversity and flood alleviation purposes;*
- *promote community participation in woodland planning and management;*
- *promote the value of trees and woodlands as a sustainable tourism asset;*
- *apply the guidance and advice in the Scottish Government's Control of Woodland Removal Policy when considering proposals for tree removal;*
- *To identify trees and woodlands in the Perth and Kinross area where nature conservation is of primary importance."*

4.5.10 Policy NE2 seeks to ensure the protection of existing woodland especially woods with high natural and heritage value; the delivery of forests and woodlands that meet local priorities as well as maximising the benefits for the local communities and environment. This policy also seeks to ensure the establishment of new woodland in advance of major developments where practicable.

4.5.11 The Estate contains a significant amount of managed woodland and forestry, however the site of the proposed development only contains a limited amount of managed coniferous plantation.

4.5.12 The policy is relevant to the proposed development as it acknowledges the need for temporary removal of tree cover in a plantation, which is associated with clear felling and restocking. In this regard and in order to facilitate the development of a number of the proposed turbines, and in accordance with the recommendations contained in the Outline Habitat Management Plan (see ES Appendix 9.3) timber from the Garragher forestry plantation will be felled and removed from the site. The detailed approach to felling and replanting, in accordance with Scottish Government guidance, will require to be the subject of a Forest Plan to be developed by the Estate and in consultation with PKC a, Forestry Commission Scotland and the local community.

4.5.13 The nature of the forestry resource that will be affected by the proposed development is not of a scale or significance to be of relevance to the majority of this policy. Through effective management of the felling and replanting process on the Estate, the proposed development is in accordance with Policy NE2.

4.5.14 **Policy NE3 "Biodiversity"** states:-

"The Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area.

The Council will apply the principles of the Tayside Biodiversity Partnership Planning Manual and will take account of the Tayside Local Biodiversity Action Plan (LBAP) and relevant national and European legislation relating to protected species when making decisions about applications for development.

Proposals that have a detrimental impact on the ability to achieve the guidelines and actions identified in these documents will not be supported unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated. In particular developers may be required to:

(a) ensure a detailed survey is undertaken by a qualified specialist where one or more protected or priority species is known or suspected. Large developments that will have an impact on the environment may require an Environmental Impact Assessment;

(b) demonstrate all adverse effects on species and habitats have been avoided wherever possible. A Landscape Plan may be required to demonstrate the impact of the development and how good design and site layout can enhance the existing biodiversity;

(c) include mitigation measures and implementation strategies where adverse effects are unavoidable;

(d) enter into a Planning Obligation or similar to secure the preparation and implementation of a suitable long-term management plan or a site Biodiversity Action Plan, together with long-term monitoring.

European Protected Species

Planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that:

(a) there is no satisfactory alternative, and

(b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

In no circumstances can a development be approved which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range.

Other protected species

Planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992).)

Note: Supplementary Guidance on biodiversity has been prepared for householder and developer as a guide to incorporating biodiversity into development."

4.5.15 The above policy advises that wildlife and their habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out above. It is stated that planning permission will not be granted for development likely to have an adverse effect on protected species.

4.5.16 A number of surveys were undertaken during the preparation of the ES Chapter relating to Ecology, with the key ones including the following:

- Phase 1 Habitat Survey;
- Natural Vegetation Classification ("NVC") Survey;
- Otter Survey;
- Water Vole Survey;
- Red Squirrel Survey; and
- Bat Survey.

4.5.17 From the above surveys it is concluded that subject to mitigation measures, the level of potential effects on each Valued Ecological Receptor ("VER") during the construction and operational phases of the proposed study area are negligible. As a result of the proposed mitigation measures which are outlined in Chapter 8 of the ES, it is unlikely that ecological interests would be adversely affected by the proposed development.

4.5.18 An outline Habitat Management Plan has been prepared, and in addition mitigation measures have been proposed which include the following:

- A Construction Environmental Management Plan ("CEMP"); and
- An Ecological Clerk of Works ("ECOW").

4.5.19 Policy NE3 advises that the Council will take account of the Tayside Local Biodiversity Action Plan ("LBAP"), in this regard it should be noted that the assessment as contained within the ES has also taken account of the LBAP. Similarly, the proposed development accords with Policy NE3 (c) in that the principal mitigation measure

adopted to minimise the ecological impact of the proposed development has been the use of an iterative design process.

4.5.20 Policy NE3 also seeks to ensure protected species are not adversely affected as a result of the proposed development. It is concluded within Chapter 8 and 9 of the ES that the significance of the potential effects are negligible. Moreover, an assessment of cumulative impacts was carried out which concluded that there is no cumulative risk on the VER's and any cumulative impact is considered to be of negligible significance.

Conclusion

4.5.21 In conclusion, the predicted impacts upon the natural environment, including biodiversity matters have been considered in detail in the relevant chapters of the ES. Measures have implemented which would mitigate the potential adverse effects of the proposed development such that it can be considered to be in accordance with the relevant policies of the Development Plan.

4.6 Hydrology, Hydrogeology and Geology

4.6.1 The TAYplan does not include specific policies to address matters of hydrology, hydrogeology and geology. These matters are considered under an overarching policy relating to places, **Policy 6 Energy and Waste / Resource Management Infrastructure**, which is assessed below. Policies that are considered relevant are listed in table 4.5 below.

Table: 4.5: Hydrology, Hydrogeology and Geology Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant policies	Policy 6 Energy and Waste / Resource Management Infrastructure,	Policy EP2 New Development and Flooding Policy EP3 Water Environment and Drainage

TAYplan Strategic Development Plan

4.6.2 Policy 6 Energy and Waste / Resource Management Infrastructure has been presented in full above and therefore is not repeated here. However, the policy states that in justifying proposals reference should be made to *“anticipated effects of construction and operation on ground water pollution and drainage”* as well as *“sensitivity of the water environment and geo-diversity”*.

4.6.3 The ES concluded the following in relation to hydrology, hydrogeology and geology:

- Hydrology – The hydrological desktop study and site visits have identified a complex hydrological environment with a significant number of hydrological pathways and features associated with the environment. A series of buffer distances have been adopted to help reduce the effects of the proposed development on the hydrological environment. In addition a 50m buffer was implemented for all watercourses considered to have continuous flow throughout the year, as well as areas of standing water or shallow groundwater and it is confirmed within the ES that the turbines are all located outside the buffer limits. Where access necessitates essential water crossing, construction features have been limited in these buffers as far as possible. The expectations to this are where access tracks have to cross water courses or when other constraints have resulted in the track having to infringe.
- Hydrogeology – Hydrogeological effects related to the quality and availability of groundwater are predicted to be local. With mitigation by best practice methods, these effects are not significant. In terms of cumulative effects, the land use activities are likely to have little or no impact on the local water quality and groundwater conditions of the area.

- Geology – Peat forms a blanket deposit across the proposed development. A Peat Management Plan has been prepared, and provided in the ES, which outlines the estimated volumes of peat that may be excavated during construction and details the processes and techniques that can be utilised to reinstate infrastructure elements.

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4.6.4 Policy EP2 “New Development and Flooding” states:-

“There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. In addition, built development should avoid areas at significant risk from landslip, coastal erosion and storm surges.

Where a risk of flooding is known or suspected the Council will use the flood risk framework shown in the diagram overleaf and considers that areas of:

- (i) medium to high flood risk are not suitable for essential civil infrastructure;*
- (ii) low to medium flood risk are suitable for most forms of development; and*
- (iii) little or no flood risk shown present no flood related constraints on development.*

All development within areas of medium to high flood risk must incorporate a ‘freeboard’ allowance and the use of water resistant materials and forms of construction appropriate to its function, location, and planned lifetime relative to the anticipated changes in flood risk arising from climate change.

To allow for adaption to increased flood risk associated with climate change, development should not:

- (a) Increase the rate of surface water run-off from any site;*
- (b) Reduce the naturalness of the river;*
- (c) Add to the area of land requiring flood protection measures;*
- (d) Affect the flood attenuation capability of the functional flood plain; nor*
- (e) Compromise major options for future shoreline or river management.*

Note: Please refer to the further detailed guidance on flood risk and flood risk assessment which is contained within the Supplementary Guidance accompanying this Plan.”

4.6.5 Chapter 11 of the ES assesses the effects of the proposed development on the geological, hydrogeological and hydrological environment. A review of SEPA’s Indicative River and Coastal Flood Map indicates that there are a number of watercourses which are within the site boundary and are at risk from the flood inundation envelope (0.5% (1:200) or greater probability of flooding in any given year). There are also a number of areas identified which are at risk from surface water flooding.

4.6.6 To reduce the impact of the development on the natural hydrological regime, the site design will aim to mimic the greenfield runoff response at source through the use of sustainable drainage practices. The potential risk of flooding within the site is predicted to be minimal provided best practice measures are incorporated in the construction process. A Construction Environmental Management Plan (CEMP), or similar, will ensure that mitigation measures are put in place and activities are carried out in such a manner as to prevent or minimise effects on the ground and surface waters.

4.6.7 Policy EP3 “Water Environment and Drainage” states:-

“Policy EP3A: Water Environment

The Scottish River Basin Management Plan has protection and improvement objectives which aim to ensure that there is no deterioration of water body status and where possible secure long term enhancements to water body status. Proposals for development which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans will be refused planning permission unless the development is judged by the Council to be of significant specified benefit to society and/or the wider environment.

Policy EP3B: Foul Drainage

Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. In settlements where there is little or no public sewerage system, a private system may be permitted provided it does not have an adverse effect on the natural and built environment, surrounding uses and amenity of the area. For a private system to be acceptable it must comply with the Scottish Building Standards Agency Technical Handbooks.

Policy EP3C: Surface Water Drainage

All new development will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Policy EP3D: Reinstatement of Natural Watercourses

The Council will not support development over an existing culvert or the culverting of watercourses as part of a new development unless there is no practical alternative. Where deemed necessary it will be essential to provide adequate access for maintenance. Existing culverts should be opened and redundant water engineering structures removed whenever possible to benefit wildlife and improve amenity."

4.6.8 Part 'A' of Policy EP3 relates to The Scottish River Basin Management Plan ("RBMP"), part 'C' relates to surface water drainage and part 'D' relates to natural watercourses. As outlined within the ES, the impact assessment has taken into account the hydrological regime, highlighting that the principal effects will occur during the construction phase. Assuming the successful design and implementation of mitigation measures the significance of construction effects on all identified receptors is considered to be of minor or no significance. It is therefore considered that the proposal accords with policies EP2 and EP3.

Conclusion

4.6.9 Based on the detailed assessments undertaken on the site in relation to the proposed development, and the implementation of mitigation measures proposed as reported in the ES, the proposed development will not result in any significant effects from the perspective of Hydrology, Hydrogeology and Geology interests.

4.7 Cultural Heritage Policy

4.7.1 Cultural heritage is considered in detail within Chapter 10 of the ES and its associated Appendices. Table 4.6 below sets out the policies that can be considered relevant to cultural heritage issues.

Table 4.6: Cultural Heritage Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies	Policy 2 Shaping Better Quality Places	Policy HE1 Scheduled Monuments and Non-Designated Archaeology
	Policy 3 Managing TAYplan's Assets	Policy HE2 Listed Buildings
		Policy HE3 Conservation Areas
		Policy HE4 Gardens and Designed Landscapes

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
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TAYplan Strategic Development Plan

4.7.2 **Policy 2 Shaping Better Quality Places** is a detailed policy and therefore not all sections within this policy are relevant to the proposed development. Part F of Policy 2 states that development proposals should:

“ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets”

4.7.3 In addition, **Policy 3 Managing TAYplan’s Assets** seeks responsible management of TAYplan’s assets through safeguarding archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets. When read together both policies aim to achieve the conservation and enhancement of sites identified as being of high quality in terms of heritage value.

4.7.4 Chapter 10 of the ES considers and assesses the potential effects on the historic environment. There would be no direct or cumulative impact on historic environment interests resulting from the proposed development and therefore the proposed development satisfies the aims of Policy 2 and Policy 3 of the SDP in terms of conserving historic assets.

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4.7.5 **Policy HE1 “Scheduled Monuments and Non-Designated Archaeology”** states:-

“Policy HE1A: Scheduled Monuments

There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.

Policy HE1B: Non-Designated Archaeology

The Council will seek to protect areas or sites of known archaeological interest and their settings. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ. Where, in exceptional circumstances, preservation of the archaeological features is not feasible, the developer, if necessary through appropriate conditions attached to the granting of planning permission, will be required to make provision for the survey, excavation, recording and analysis of threatened features prior to development commencing.

If discoveries are made during any development, work should be suspended, the local Planning Authority should be informed immediately and mitigation measures should be agreed”.

4.7.6 This policy presumes in favour of retaining, protecting and preserving Scheduled Ancient Monuments and Non-Designated Archaeology and their settings and does not support development proposals that affect Scheduled Ancient Monuments and their settings unless there are exceptional circumstances.

4.7.7 Part ‘A’ of Policy HE1 relates to Scheduled Monuments and seeks to preserve the integrity of Scheduled Monuments and their settings. There are no Scheduled Monuments within the site. The closest Scheduled Monument with any predicted visibility of the proposed development is Clach na Boile standing stone which is located approximately 13km to the south east. It is not considered that the proposed development will adversely affect the integrity of this Scheduled Monument and therefore the proposed development accords with Policy HE1A.

4.7.8 Part ‘B’ of Policy HE1 relates to Non-Designated Archaeology and seeks to protect areas of known archaeological interest and their setting. Cultural heritage assets of regional heritage importance have been

identified within the development boundary in the form of shieling groups. These shieling groups identified within the site are both extensive, complex with varying states of preservation and are a rare example of a large complex aggregation, however, the proposed development has been designed to avoid these and all identified heritage assets within the site.

- 4.7.9 Only one potential residual construction impact has been predicted and this affects the alignment of a trackway. Mitigation has been proposed that would offset the predicted construction impact. The remainder of the Non Designated Archaeology within the site is, however, considered to be of no more than local heritage importance. No significant operational effects are predicted on the in terms of direct or setting of key cultural heritage assets.
- 4.7.10 The potential of as yet undetected buried remains of prehistoric or later date to survive within the site is low to moderate with greatest potential along the water courses. In addition, the probability of encountering undiscovered sites of archaeological importance during the course of construction works is considered low to negligible.
- 4.7.11 The proposed development would not affect any Scheduled Monuments and Non-Designated Archaeology and accordingly is in accordance with this policy.
- 4.7.12 **Policy HE2 “Listed Buildings”** states:-

“There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building’s beneficial use should not adversely affect its special interest.

Encouragement will be given to proposals to improve the energy efficiency of listed buildings within Perth and Kinross, providing such improvements do not impact detrimentally on the special interest of the building.

Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building’s character, appearance and setting.”

- 4.7.13 There are no listed buildings within the site and therefore the proposed development is considered acceptable in terms of direct impacts on Listed Buildings.
- 4.7.14 Within 5km of the centre of the proposed development the following listed buildings have been identified:
- Rannoch Power Station, Category A Listed Building; and
 - Rannoch Power Station Valve House, Category B Listed Building.
- 4.7.15 Between 5km and 10km of the centre of the proposed development the following listed buildings have been identified:
- Loch Rannoch Tower, Category B Listed Building;
 - Rannoch Lodge, Category B Listed Building;
 - Rannoch Lodge Sundial, Category B Listed Building;
 - Bridge of Gaur (or Victoria Bridge), Category B Listed Building;
 - Braes of Rannoch Parish Church, Category B Listed Building; and
 - Rannoch School Dall House, Category B Listed Building.
- 4.7.16 It is not predicted that any of the above noted listed buildings will experience direct impacts as a result of the construction of the proposed development. An analysis of the operational impact on the setting of the listed buildings has been carried out and is included as part of Chapter 10 of the ES. Analysis of the ZTV and visualisations indicates that there would be theoretical visibility of the proposed turbines from five Category B Listed Buildings that lie within 10km of the outermost proposed turbines. In addition, Category A listed Rannoch

Power Station and its associated Category B listed Valve House have no predicted visibility of the proposed development from their locations.

- 4.7.17 However, there is potential for the Power Station buildings and the proposed development to be seen in the same view from locations along the south shore of Loch Rannoch. Similarly, there is potential for the Category B listed Eilean nam Faoileag tower, and the proposed development to be seen in the same view from locations along the south shore of Loch Rannoch. The introduction of the proposed development would constitute a detectable change to the landscape setting of the Power Station and Valve House, however, this would have little discernable effect on the ability to appreciate the landscape setting of the station and associated house. It is considered that the impact of the proposed development on the setting of the Power Station and Valve House is assessed as being of no more than low magnitude and of minor significance. Additionally, the impact of the proposed development on the setting of Eilean nam Faoileag tower is also considered as being of low magnitude and of minor significance due to the proposed turbines being visible only in distant views beyond the skyline.
- 4.7.18 The ZTV's indicate that between 13 and 18 turbine blade tips would theoretically be visible in views to the north east of the Braes of Rannoch Parish Church. The setting of the church is of regional heritage importance and is assessed as having a setting that provides a high but localised contribution in its understanding and contribution. The location of the proposed development on the setting of Braes of Rannoch Parish Church is assessed as being of imperceptible magnitude and of negligible significance.
- 4.7.19 With regards to the Rannoch Lodge the ZTV illustrates that between one and six turbine tips would theoretically be visible to the north east of the Lodge from its immediate environs, however, the accompanying photomontage shows that the lodge and the turbines would be largely screened from view by surrounding woodland. The proposed development would not affect the ability to appreciate the main eastward facing views afforded to the Lodge itself and therefore the impact of the proposed development on the setting of Rannoch Lodge is assessed as being of imperceptible magnitude and of negligible significance.
- 4.7.20 The proposed development is not expected to adversely affect, either directly or indirectly, listed buildings considered within the study area. On this basis the proposed development is in accordance with Policy HE2.
- 4.7.21 **Policy HE3 "Conservation Areas"** states:-

"Policy HE3A: New Development

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting.

Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals.

Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.

Policy HE3B: Demolition within Conservation Areas

When assessing applications for the demolition of unlisted buildings in Conservation Areas, the Council will give careful consideration to the merits of the building and its contribution to the character and appearance of the Conservation Area. Where a building is considered to be of value, either in itself or as part of a group, there will be a presumption in favour of its retention, restoration for the current or another appropriate use.

In those exceptional circumstances where demolition is considered acceptable and is to be followed by the redevelopment of the site, the application for proposed demolition should be accompanied by a detailed application for the replacement development. This is to allow for their consideration in parallel, and to ensure that the replacement scheme will enhance or preserve the character of the area and avoid the formation of gap sites.

Note: The Council has produced a series of Conservation Area Appraisals for a number of the Conservation Areas within Perth and Kinross. These Appraisals serve as Supplementary Guidance to the Plan, and will assist decision-making in development management. "

4.7.22 No part of the site lies within a Conservation Area and there are no Conservation Areas in the Rannoch area. The proposed development is therefore in accordance with Policy HE3.

4.7.23 Policy HE4 "Gardens and Designed Landscapes" states:-

"Gardens and designed landscapes make a significant contribution to the character and quality of the landscape in Perth and Kinross. The Council will seek to manage change in order to protect and enhance the integrity of those sites included on the current Inventory of Gardens and Designed Landscapes. The Council may require the submission of a management plan with any application for development within areas included in the current Inventory.

As resources permit, the Council will continue with the process of identification of non-Inventory sites in Perth and Kinross and the associated task of devising an approach to their future management "

4.7.24 No part of the site is lies within an Inventory Garden and Designed Landscape and there are no Inventory Garden and Designed Landscapes in the Rannoch area. The proposed development is therefore in accordance with Policy HE4.

Conclusion

4.7.25 In conclusion, there is a low to moderate probability of encountering sites or features of archaeological interest with the site, only one potential residual construction impact (non-significant) has been predicted, however, this can be offset through mitigation.

4.7.26 There would be no significant residual operational or cumulative impacts on heritage assets and therefore the development is found, overall, to be in accordance with cultural heritage policies of the Development Plan.

4.8 Tourism, Access, Recreation and Socio-Economics

4.8.1 Tourism and recreation matters are considered within Chapter 15 of the ES, with Access, Traffic and Transport matters are considered in Chapter 14. Table 4.7 below identifies the relevant Tourism, Access, Recreation and Socio-Economic policies of the Development Plan. It should be noted that the Development Plan contains limited policy coverage of relevance to tourism and socio-economic matters.

Table 4.7: Tourism, Access, Recreation & Socio-Economic Policies

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies	Policy 2 Shaping Better Quality places	Policy TA1 Transport Standards and Accessibility Requirements
		Policy CF2 Public Access
		Policy ED3 Rural Business and Diversification

TAYplan Strategic Development Plan

4.8.2 TAYplan Policy 2 Shaping Better Quality Places seeks to ensure new development integrates with existing infrastructure and land uses; is resilient to climate change and is of high resource efficiency through its orientation, design of building and materials. The overarching theme of policy is to ensure that the quality of places is not compromised. In relation to transportation considerations Policy 2 states:

“(c) ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/ appraisals and travel plans where appropriate, including necessary on and offsite infrastructure.”

- 4.8.3 Two alternative options for the transfer of abnormal loads have been assessed. These options are outlined within the Transport Statement (TS) and summarised in section 4.2.10 above. It is considered that the proposed development can be integrated into the local transportation network with minimal impact on the local environment. The proposed development accords with part ‘C’ of Policy 2.

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- 4.8.4 **Policy TA1 “Transport Standards and Accessibility Requirements”** states:-

“Policy TA1A: Existing Infrastructure

The Plan identifies existing transport infrastructure; encouragement will be given to the retention and improvement of these facilities provided the improvements are compatible with adjoining land uses.

Policy TA1B: New Development Proposals

All development proposals that involve significant travel generation should be well served by, and easily accessible to all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be considered, in addition to cars. The aim of all development should be to reduce travel demand by car, and ensure a realistic choice of access and travel modes is available.

Development proposals should:

- (a) be designed for the safety and convenience of all potential users;*
- (b) incorporate appropriate mitigation on site and/or off site, provided through developer contributions where appropriate, which might include improvements and enhancements to the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads;*
- (c) incorporate appropriate levels of parking provision to the maximum parking standards laid out in SPP;*
- (d) fit with the strategic aims and objectives of the Regional Transport Strategy;*
- (e) apply maximum on-site parking standards to help encourage and promote a shift to the more sustainable modes of travel of walking, cycling and public transport.*

In certain circumstances developers may be required to:

- (a) prepare and implement travel plans to support all significant travel generating developments;*
- (b) prepare a Transport Assessment and implement appropriate mitigation measures where required.*

Development for significant travel generating uses in locations which would encourage reliance on the private car will only be supported where:

- (a) direct links to the core paths networks are or can be made available;*
- (b) access to local bus routes with an appropriate frequency of service which involve walking no more than 400m are available;*
- (c) it would not have a detrimental effect on the capacity or safety of the strategic road and/or rail network including level crossings;*
- (d) the transport assessment identifies satisfactory mechanisms for meeting sustainable transport requirements.*

Where site masterplans are prepared, they should include consideration of the impact of proposals on the core paths network and local and strategic transport network.

Cycling and Walking

Development proposals which take into account and promote cycling and walking will be supported. Particular attention must be paid to access arrangements and cycle parking facilities.

Car Parking

Development proposals should apply maximum on-site parking standards, including disabled parking, to help encourage and promote a shift to the more sustainable modes of travel of walking, cycling and public transport.

Where an area is well served by sustainable transport modes, more restrictive standards may be considered appropriate. In rural areas where public transport is infrequent, less restrictive standards may be applied.

Developers of town centre sites will be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision.

Note: Supplementary Guidance will explain when a travel plan and transport assessment is required."

- 4.8.5 Part 'A' of Policy TA1 identifies existing transport infrastructure and part 'B' advises that all developments involving significant traffic generation should be well served by and easily accessible to all modes of transport, in particular sustainable modes of walking, cycling and public transport. This is not a matter that is appropriate to the consideration of the proposed development given the location and the anticipated movements associated with employees during both construction and operation phases.
- 4.8.6 In this regard, a Traffic Management Plan will be agreed with all Roads Authorities prior to the start of construction on site to ensure the contractor implements the appropriate management methods to manage site traffic and promote road safety for the benefit of all road users.
- 4.8.7 In addition, **Policy ER1 Renewable and Low Carbon Energy Generation"** is a multi-criteria policy and only the part of this policy related to transport is provided here. In relation to traffic the policy states that:
- "(d) The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally "*
- 4.8.8 A Transport Statement (TS) has been produced which considers the impact of the proposed development on traffic and transportation and its implications for site access, road safety and the environment.
- 4.8.9 The two alternative options for the transfer of abnormal loads to both Rannoch Station and Dalwhinnie have been assessed and considered technically feasible subject to the following accommodation works:
- Road widening, extension of access track and formation of set down / crane pads at Rannoch Station; and
 - Road widening on the A889 at Dalwhinnie on approach to the proposed temporary site compound.
- 4.8.10 Analysis of baseline conditions and predicted traffic generation has been undertaken in order to assess the impacts of construction traffic on the surrounding road network which has demonstrated that the impacts are negligible during the construction phase.
- 4.8.11 It is considered that the local road network is capable of absorbing the additional traffic generated by the development. Mitigation will include a Traffic Management Plan to ensure the safe operation of the road network and minimise disruption during the construction stage of the project.
- 4.8.12 Any effects on the road network are temporary in nature and not considered to be significant. It would be expected that a requirement of any consent would include the need for a mechanism to be put in place to assess the condition of the surrounding road network, and thereafter reinstate following construction activity. The proposed development is in accordance with Local Plan policy and development criteria in relation to traffic and transportation outlined within Policy ER1.
- 4.8.13 **Policy "CF2 Public Access"** states:-

“Development proposals that would have an adverse impact upon the integrity of any (proposed) core path, disused railway line, asserted right of way or other well used route will be refused. Development proposals that would affect unreasonably public access rights to these features will be refused unless these adverse impacts are adequately addressed in the plans and suitable alternative provision is made. ”

- 4.8.14 Policy CF2 advises that developments will not be approved if they have an adverse impact on any core path, route or right of way unless impacts are addressed and suitable alternative provision is made.
- 4.8.15 There is one recognised recreational walking route (RANN/104) within the site boundary which leads from Talladh-a-Bheithe Estate gatehouse to Loch Ericht Dam, following the route of the estate road. It is understood however, from anecdotal evidence obtained from Estate workers, that the route is very infrequently used as a walking route.
- 4.8.16 The West Highland Way is located approximately 26km to the west of the proposed wind farm site at its closest point, near the Glencoe Mountain Resort. The entire route runs from Milngavie to Fort William with the section passing within the study area being approximately 44km in length. It is noted however, that the majority of this 44km route lies outside of the Zone of Theoretical Visibility of the proposed turbines and would have no views of the development.
- 4.8.17 The Rob Roy Way is located approximately 26.3km to the south east of the site at its closest point near Callelochan near the southern shore of Loch Tay. The sections of the footpath within the study area run from Aberfeldy to Glen Ogle, however the route lies outside of the Zone of Theoretical Visibility of the proposed turbines and would have no views of the development.
- 4.8.18 National Cycle Route 7 is a long distance route from Sunderland to Inverness and is approximately 15km to the nearest turbine at the nearest point. The route does not fall within the ZTV of the site at any point and would have no views of the development.
- 4.8.19 A minor adverse effect is anticipated with regard to the local recreational walking routes, however there will be scope to consider more detailed mitigation in consultation with users in future, and to ensure that the needs of local walkers can be balanced against construction activity.
- 4.8.20 **Policy ED3 “Rural Business and Diversification”** states:-

“The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings.

New and existing tourism-related development will be supported where it can be demonstrated that it improves the quality of new or existing visitor facilities, allows a new market to be exploited or extends the tourism season

Proposals whose viability requires some mainstream residential development will only be supported where this fits with the Plan’s housing policies.

All proposals will be expected to meet all the following criteria:

(a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.

(b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.

(c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.

(d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.

(e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.

(f) Outwith settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.

(g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation."

4.8.21 Policy ED3 supports the creation of new business in rural areas. Favourable consideration will be given to the expansion of existing businesses and the creation of new businesses within or adjacent to existing settlements in rural areas. It states that outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. New tourism related development is supported where it improves the quality of new and existing facilities and allows a new market to be exploited or extends the tourism season.

4.8.22 Policy ED3 sets out the criteria upon which the principle of the proposed use will be assessed. Development's being assessed against this policy are required to contribute to the local economy through the provision of permanent employment and / or additional tourism and recreational facilities. In this regard, a Socio-Economic and Tourism Assessment has been provided at Chapter 15 of the ES. This assessment considers how the proposed development might be expected to affect the economy in Perth and Kinross.

4.8.23 Due to the nature of wind energy the proposed development relates to a site specific resource. In addition, and as required by Policy ED3 the proposal will contribute to the local economy. The socio-economic assessment found one potential effect that was found to be significant (a beneficial effect), the impact of construction spending at the level of the Perth and Kinross economy, which is expected to generate a total economic impact of £19.8 million GVA and 158 job years in Perth and Kinross. Similarly, further economic impacts would occur as a result of the operations and maintenance phase and also through the community benefit fund and the anticipated community ownership model.

4.8.24 Talladh-a-Bheithe Estate is promoting the proposed development as a central aim to diversify their activities, and to provide opportunities to secure ongoing investment in the Estate and the local economy, with associated local economic benefits. The proposed development is in accordance with Policy ED3 with regard to beneficial impacts on the local economy.

Conclusion

4.8.25 In conclusion, the approach to the proposed development has sought to minimise adverse effects on the local transportation network and is considered to present an approach which can allow the proposed development to be integrated into the local transportation network with minimal impact on the local environment. Core paths and other well used routes would not be significantly affected as a result of the proposed development. The proposed development provides potential positive benefits to the local community through investment and employment opportunities, and in addition the Applicant is proposing a series of commitments with a view to aiding the local community from a socio-economic perspective.

4.8.26 Overall, and when considering the relevant policies in terms of transport, access and socio- economics the proposed development is in accordance with the Development Plan.

4.9 General Policies

- 4.9.1 This section of the Planning Statement assesses those remaining policies of the Development Plan that are relevant to the assessment of the proposed development but which do not fit within the policy categories above. Table 4.8 illustrates those relevant general Development Plan policies.

Table 4.8: General Development Plan Policy

Development Plan	TAYplan Strategic Development Plan 2012 - 2032	Perth and Kinross Local Development Plan 2014
Relevant Policies		Policy EP8 Noise Pollution
		Policy EP13 Airfield Safeguarding

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Policy EP8 “Noise Pollution” states:-

“There will be a presumption against the siting of development proposals which will generate high levels of noise in the locality of existing or proposed noise sensitive land uses and similarly against the locating of noise sensitive uses near to sources of noise generation.

In exceptional circumstances, where it is not feasible or is undesirable to separate noisy land uses from noise sensitive uses, or to mitigate the adverse effects of the noise through the negotiation of design solutions, the Council may use conditions attached to the granting of planning consent, or if necessary planning agreements, in order to control noise levels. A Noise Impact Assessment will be required for those development proposals where it is anticipated that a noise problem is likely to occur.”

- 4.9.2 Policy EP8 relates to the impact a development may have in noise terms. The ES has undertaken a noise impact assessment to ensure compliance with Policy EP8 and other relevant guidance. Overall noise effects are predicted to be not significant.
- 4.9.3 The closest receptors to the development are situated to the south of the site, a minimum of approximately 4 km from the nearest turbine. Predicted noise levels at all wind speeds and at all receptors (during the construction and operational phases) are below the PKC assumed background noise levels, therefore, no significant noise effects are, therefore, expected during the construction and operational phase of the development.
- 4.9.4 Similarly, the potential for adverse effects from low frequency noise and infrasound, or amplitude modulation from the operational turbines was also considered unlikely, thus no significant effects are predicted.
- 4.9.5 Overall noise effects are predicted to be not significant and therefore the proposed development complies with Policy EP8.

Policy EP13 “Airfield Safeguarding” states:-

“Planning permission will be refused for developments likely to have an unacceptable impact on the safe operation of aircraft from the following airfields:

Dundee Airport;

Perth Airport; and

Unlicensed airfields, as defined in Supplementary Guidance.

Applicants for planning consents within the safeguarding zones of these airfields may be required to provide an independent assessment of the impact on the safe operation of the existing facility, prepared by a suitably qualified person.

Note: Licensed airfields are safeguarded in line with CAA document CAP 168 "Licensing of Aerodromes". Unlicensed airfields are safeguarded in line with CAA document CAP 793 "Safe Operating Practices at Unlicensed Aerodromes", and Supplementary Guidance will define the areas where consultations will take place and consider prejudicial developments including incompatible activities and navigational obstructions."

- 4.9.6 Policy EP13 seeks to ensure that proposals likely to have an unacceptable impact on aircrafts operating from Dundee Airport, Perth Airport and unclassified airfields are refused planning permission. Chapter 13 of the ES presents an assessment regarding the potential impacts from the proposed development upon aviation and MoD interests. Chapter 13 also considers the potential impacts from the proposed development in relation to communication operations, existing site infrastructure and shadow flicker.
- 4.9.7 In relation to impacts on civil aviation interests, the assessment highlights that the site is outwith any of the zones where visibility to radar could be possible for turbines up to 125m. In addition, due to the remote location of the site there is no radar visibility within 10km of the site. Equally, in relation to military aviation interests the proposed development falls comfortably outside of the visibility zone of MoD radar. The proposed development is also in an area of low priority for military low flying. Thus, the proposal complies with Policy EP13.

Conclusion

- 4.9.8 It is considered that the proposed development is in accordance with the Development Plan with regard to Noise Pollution and Airfield Safeguarding.

4.10 Development Plan Conclusions

- 4.10.1 The proposed development has been assessed against all key relevant policies contained within the Development Plan under the topic headings set out above.
- 4.10.2 Policy ER1 "Renewable and Low Carbon Energy Generation of the LDP is considered to be the most relevant policy against which the proposal should be assessed. This policy specifically relates to renewable energy development and requires a balancing consideration in terms of the setting the benefits and contribution to targets against potential environmental effects. The proposed development is considered to be in accordance with this key policy.
- 4.10.3 The ES reports that the only significant adverse effects that the proposed development would result in relate to landscape and visual matters. Given its reversibility, the proposed development is assessed as particularly sustainable from the long-term landscape resource and long-term visual amenity perspective.
- 4.10.4 In conclusion, it is found that the proposed development can draw significant support from the Development Plan in a number of areas, and is in accordance with it when read as a whole.

5 Material Considerations

5.1 Introduction

5.1.1 This chapter provides an assessment of the proposed development against other relevant material considerations. This chapter also sets out the relevant national planning policies, advice and guidance in so far as they are relevant to the proposed development and these include:

- The National Planning Framework 2;
- National Planning Policy and Advice; and
- Supplementary Planning Guidance;

5.2 National Planning Policy

The National Planning Framework (NPF 2)

5.2.1 The National Planning Framework 2 ("NPF 2") was issued in its final form on 25 June 2009. NPF 2 guides Scotland's development to 2030 and sets out strategic development priorities to support the Scottish Government's central purpose – sustainable economic growth. The Planning etc. (Scotland) Act 2006 puts this and future iterations of the NPF on a statutory footing. The document therefore carries considerable weight as a material consideration.

5.2.2 NPF 2 is concerned with Scotland in its wider context and addresses major challenges including climate change. It contains targets for energy supply and the reduction of greenhouse gas emissions (Paragraph 3). NPF 2 takes forward the spatial aspects of the Scottish Government's policy commitments on sustainable economic growth and climate change, which Para 5 of the document notes "*will see Scotland move towards a low carbon economy*".

5.2.3 The NPF refers to sustainable development (page 6) and notes that "*The Scottish Government's commitment to sustainable development is reflected in its policies on matters such as climate change, transport, renewable energy....*"

5.2.4 Climate change is specifically referred to at paragraph 16 *et seq* and it notes that substantial reductions in greenhouse gas emission will be necessary to minimise the impact of climate change. Paragraph 19 notes that the UK and Scottish Governments are taking an international lead by introducing ambitious statutory emission reduction target through, respectively, the UK Climate Change Act and the Scottish Climate Change Bill.

5.2.5 Energy is specifically referred to at paragraph 25 in NPF 2. It notes that:

"tackling climate change and reducing dependence on finite fossil fuels are two of the major global challenges of our time...addressing these challenges will demand profound changes in the way we produce, distribute and use energy over the coming decades."

5.2.6 Overall therefore, the NPF 2 sets out the Government's commitment to the further development of renewable energy in Scotland and confirms the importance of this resource as a key element of achieving the spatial strategy for the country up to 2030 and indeed, as a key element to attaining the Government's central purpose of increasing sustainable economic growth.

5.2.7 NPF 2 offers substantial support for the development of renewable energy and acknowledges the benefits that can result both nationally and to rural economies.

National Planning Framework 3 Parliamentary Draft

5.2.8 The National Planning Framework 3 (Parliamentary Draft) (NPF 3 Draft) was lodged with Scottish Ministers for consideration on 14 January 2014. The Scottish Government anticipates the NPF 3 being formally approved in June 2014.

5.2.9 From a review of draft NPF3 it is clear that the Government has expressed a very strong commitment to achieving a low carbon economy and onshore wind is to play a significant role in achieving the various targets set out for 2020 and beyond.

5.2.10 The NPF3 draft may well change significantly prior to the formal publication of the final version by the Scottish Government. As such, only limited weight should be afforded to the document in the context of the consideration of the proposed development at this stage.

Scottish Planning Policy

5.2.11 On the 4 February 2010, the Scottish Ministers issued 'Scottish Planning Policy' (SPP). There are various subject policies covered in the consolidated SPP.

5.2.12 SPP outlines the Scottish Government's commitment to increase the amount of electricity generated from renewable sources to meet statutory obligations and states "*the commitment to increase the amount of electricity generated from renewable sources is a vital part of the response to climate change*" (Paragraph 182).

5.2.13 It is clear in SPP that there is a policy imperative for renewable energy development.

5.2.14 Scotland's 2020 target for 50% (now 100 %) of electricity to be generated from renewable sources is referred to and it is noted that this target is not a cap. The SPP states that Planning Authorities should "*support the development of a diverse range of renewable energy technologies, guide development to appropriate locations...*" (Paragraph 184). It is also stated that onshore wind farms will continue to be the main source of renewable energy.

5.2.15 SPP states that Planning Authorities should support the development of wind farms "*in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed*" (Paragraph 187).

5.2.16 SPP sets out the criteria that should be considered in deciding applications for all wind farm developments and requires that Development Plans or Supplementary Planning Guidance ("SPG") set out those matters clearly at the local level. The SPP advises that assessment criteria are likely to include:

- landscape and visual impact,
- effects on the natural heritage and historic environment,
- contribution of the development to renewable energy generation targets,
- effect on the local and national economy and tourism and recreational interests,
- benefits and disbenefits for communities,
- aviation and telecommunications,
- noise and shadow flicker, and
- cumulative impact.

5.2.17 The wider EIA and design evolution process has sought to address the potential environmental constraints associated with the proposed development. The only significant effects identified in the ES relate to landscape and visual matters. Considering the SPP as a whole, it is considered that the proposed development is in accordance with its wider objectives and subject policies and accordingly can draw significant support from it.

Draft Scottish Planning Policy

5.2.18 SPP is currently in the process of being updated. A consultation draft of the replacement SPP was published for consultation on 30 April 2013 and following parliamentary scrutiny the revised SPP is expected to be launched in June 2014.

5.2.19 The main section in the draft SPP with regard to onshore wind development is contained within the chapter entitled 'Utilities' on Page 48. In this section, with regard to delivery of electricity, the key policy principles are set out at Paragraph 28 which states that:-

"The planning system should support the transformational change to a low carbon economy and be consistent with national objectives and targets including delivering:-

- *The equivalent of 100% of electricity demand from renewable sources by 2020;*
- *30% of overall energy demand from renewable sources by 2020".*

5.2.20 It should be noted that the SPP consultation draft may well change significantly prior to the formal adoption of the revised SPP by the Scottish Government. As such, only limited weight should be afforded to the document in the context of the consideration of the proposed development at this stage. This position on the weight to be attributed to both the draft SPP and draft NPF3 was confirmed in a letter dated 3 May 2013 from the Scottish Government to all Heads of Council Planning Departments stating that:

"You will by now be aware that the Minister for Local Government and Planning launched the National Planning Framework 3 Main Issues Report and the draft Scottish Planning Policy this week for consultation until 23 July. These documents have been carefully prepared following extensive engagement throughout last winter and I would welcome your responses to them.

I write also to remind planning authorities that until the documents are finalised; the current National Planning Framework 2 and Scottish Planning Policy 2010 remain the Scottish Government's suite of national planning policy for decision making purposes."

5.3 Supplementary Planning Guidance

5.3.1 The Perth and Kinross Wind Energy Policy and Guidelines ("WEPG") is Supplementary Planning Guidance, ("SPG") and has a non-statutory status. The Guidelines were approved by PKC on 18 May 2005. The WEPG contains a general policy of encouragement for renewable energy projects; however the document is to be replaced with new SPG. The document contains various policies and guidelines as follows:

- Wind Energy Policy 1;
- Wind Energy Policy 2;
- Guidance 1 Landscape Impact;
- Guidance 2 Visual Impact;
- Guideline 3 Cumulative Visual and Landscape Impacts;
- Guideline 4 Impact on Biodiversity;
- Guideline 5 Cumulative Impact on Ornithology Interests;
- Guideline 6 Operational Impacts;
- Guideline 7 Water Resources;
- Guideline 8 Aviation Interests;
- Guideline 9 Maintaining Carbon Sinks;
- Guideline 10 Decommissioning and Site Reinstatement; and
- Guideline 11 Protection of Wind Energy Developments.

5.3.2 The WEPG contains policy of encouragement for renewable energy projects. However, the detailed policies and guidelines of the WEPG have, in various planning appeal decisions¹¹, been found to be unduly restrictive and contrary to national planning policy provisions and guidance.

5.3.3 Given this criticism and also the fact that the guidelines are currently the subject of review; it is considered that limited weight should be attached to them.

5.4 Emerging Spatial Framework and Guidelines for Wind Energy Development

5.4.1 This proposed Supplementary Guidance (SG) is being prepared by PKC and is intended to replace existing SPG for wind energy development issued in 2005. It will apply to all developments although the spatial strategy will only apply to schemes of greater than 20MW. When adopted, it will apply to new schemes and extensions, and re-powering of existing schemes. It will also apply to schemes above 50MW which are determined by the Scottish Ministers where the Council is a statutory consultee.

5.4.2 The SG will be divided into two parts:

- A spatial framework for wind energy developments based on the capacity of the built and natural environment to accommodate it.
- Guidance on addressing environmental, social and economic effects when preparing wind energy proposals.

5.4.3 This document is still in the early stages of being produced and is therefore not a material consideration for the purposes of this planning application at this stage.

5.5 Tayside Biodiversity Action Plan

5.5.1 The Tayside Biodiversity Action Plan was published in March 2003. The main aims of the Plan are to determine the broad habitats and species that are of value to the natural environment of the Tayside area, and to identify actions and projects that could be undertaken to help protect or enhance the biodiversity of the area.

5.5.2 Chapter 8 of the ES has considered the content of the Action Plan and the priority species and habitats contained therein have been factored into through the survey work undertaken on site and the subsequent assessments. None of the predicted effects on species of nature conservation value are considered to be significant.

5.6 Community Benefit and Involvement

5.6.1 The Applicant has discussed the range of potential benefits that it could bring to the area with the local community. The community benefit opportunities reflect Scottish Government policy and the recently launched and adopted Good Practice Guidance, offering meaningful community involvement, and if appropriate, ownership opportunities to participate in a share of the project.

5.6.2 The Applicant has committed to making an annual contribution of £5,000 per MW of installed capacity, equivalent to approximately £375,000 per year (or £9,375,000 over the 25 year lifetime of the project), and to provide a binding undertaking to ensure that this is placed on the applicant or any other subsequent parties with an interest in the proposed development.

5.6.3 The Applicant has also committed to ensuring that any package of community benefit measures agreed with the community can be secured through a binding agreement on the project, so that this can be guaranteed to the community irrespective of any future ownership or management changes throughout the lifetime of the proposed development.

¹¹ Green Knowes (APL – 2B/3, para 9.32 et seq), Abercairny (APL-2B/5, para 14.131 & 15.5), Drumderg (APL-2B/6 para 356)

5.6.4 The Applicant is also offering a unique opportunity for community ownership, in addition to the community benefit fund, should the project be consented. The Community Liaison Group is actively being encouraged to explore the potential models of community ownership, to include: the community being a co-operative of the wind farm; opportunities for co-investment through a community share offer; establishing a community green bonds initiative.

5.7 Benefits

5.7.1 There are a number of benefits associated with the implementation of the proposed development which are summarised as:

- The proposed development will help achieve the policy of encouraging renewable energy developments and in turn contribute to the attainment of UK and Scottish Government targets for renewable energy generation and a reduction in pollution. The development, with an installed capacity of around 75 MW will make a significant and valuable contribution to unmet renewables targets;
- The proposed development will also provide employment opportunities during the operational period, but also particularly during the construction and decommissioning periods;
- The proposed development will provide a diversification of land use and will involve an estimated business rates revenue return each year of £1.8 million, which equates to £45.5 million during the 25 year life time of the proposed development;
- The proposed development will also result in approximately £19.8 million of Gross Value Added to the Perth and Kinross economy and £9.4 million to the local economy over the lifetime of the proposed development;
- A community benefit payment to the local community is proposed (£5,000 per MW per annum) which in turn has the potential to enable further local environmental and community business initiatives. The Applicant has committed to ensure that this offer is a binding commitment to the local community;
- The Community is currently being actively encouraged by the Applicant to explore and participate in community ownership opportunities associated with the proposed development, with the potential to result in a lasting legacy to the local community.

5.7.2 The development will therefore result in a wide range of benefits. It is considered the potential benefits of the development should be afforded significant weight in the overall balancing act in considering acceptability of the proposed development.

5.8 Conclusion

5.8.1 In conclusion, national planning policy and guidance represent important material considerations in support of renewable energy developments where they can be developed in an environmentally acceptable manner. This assessment of the proposed development in relation to the relevant material considerations concludes that the proposed development is in accordance with and can draw significant support from the renewable energy and climate change policy at EU, UK and Scottish Government levels. In addition, significant support can also be drawn from national planning policy objectives and guidance. Furthermore, the proposed development will result in a number of benefits to the local community as well as the regional and national position.

5.8.2 Overall it is considered that the proposed development is environmentally acceptable and satisfies the key principles of SPP and the planning advice set out above.

5.8.3 From the above, it can be concluded overall that there is strong national planning policy and renewable energy policy support for renewable energy development. Material considerations, on the whole, are considered to support planning permission being granted for the proposed development.

5.8.4 Overall, the relevant material considerations examined above are found to be particularly supportive of the proposed development and would lend weight in support of granting planning permission.

6 Conclusions and Recommendations

6.1 Introduction

- 6.1.1 This chapter sets out overall conclusions. As explained in the introduction (Chapter 1 of this Planning Statement), the statutory Development Plan is an important consideration.
- 6.1.2 It has been considered appropriate to have regard to, so far as relevant, individual Development Plan policies in the evaluation of the proposed development, alongside other material considerations. The aims and objectives and key policies in the Development Plan are also an important part of the relevant framework against which the proposed development falls to be considered.
- 6.1.3 The underlying aims and objectives of Development Plan and individual policies have been considered, and the conclusion is reached at both a strategic and local level that these aims and objectives would not be undermined to the extent of causing harm to the regional or local land use planning strategy, (as set out in either the SDP or the LDP).

6.2 The Electricity Act 1989

- 6.2.1 As identified in Chapter 1, the proposed development requires to be considered under the terms of the 1989 Act. Paragraph 3(2) of Schedule 9 to the 1989 Act, provides a specific statutory requirement on the Scottish Ministers to have regard to the following when considering development proposals:

"The desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeology interest; and.....The extent to which the developer has complied with its duty to do what it reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or any such flora, fauna, features, sites, buildings or objects".

- 6.2.2 The information that is contained within the individual topic chapters of the ES addresses these matters.
- 6.2.3 It is important to note the use of the terms 'desirability' and 'reasonably' with regard to project design, siting and mitigation. This recognises that there are balances and reconciliations to be considered in decision making.
- 6.2.4 Through the EIA process which has been undertaken in accordance with good practice, many possible environmental effects have been avoided or reduced. It is considered that the detailed work undertaken for the EIA has confirmed that the proposed development is environmentally acceptable. It is further considered that the Applicant has fulfilled the obligations under Schedule 9 of the Electricity Act in this regard.

6.3 Material Considerations

- 6.3.1 Material considerations, by definition, can be far reaching and involve a variety of considerations. However, only key material considerations of relevance to the proposed development have been examined. Of note is the fact that a number of important material considerations have emerged post the approval of the Structure Plan and the adoption of the Local Plan. Of particular relevance are the EU, UK and Scottish Government renewable energy targets and policies with regard to climate change. Such targets and policies, provide the basis of the need case for the proposed development.
- 6.3.2 The proposed development will aid the realisation of renewable electricity generation targets, and will make a significant contribution to the Scottish and UK 2020 targets.
- 6.3.3 The proposed development will also result in a significant benefit in terms of CO₂ emission savings over its lifetime. Emission savings targets are also recognised within the NPF2 which is (as of June 2009) a national planning policy statement that has statutory recognition.

- 6.3.4 National planning policy has also been considered. SPP is particularly supportive of the proposed development with regard to renewable energy generation, climate change action, employment creation, land use diversification and economic benefit.
- 6.3.5 National planning policies regarding the built environment and natural and cultural heritage have also been considered and the proposed development is considered to be supported by these policies in the context of it having been designed and sited to avoid areas of greatest sensitivity and to minimise environmental effects.
- 6.3.6 In conclusion, the material considerations set out are found to be particularly supportive of the proposed development.

6.4 Development Plan Conclusions

- 6.4.1 The conclusions reached are that the proposed development is supported by the aims and objectives of the Development Plan and that there are no individual policies within the Development plan with which the proposed development does not comply with to the extent of harming the land use planning policy framework that the Development Plan promotes.
- 6.4.2 Following detailed consideration of the relevant policies, it is considered that the proposed development will be in accordance with the Development Plan when read as a whole.

6.5 Overall Conclusions

- 6.5.1 In considering a proposal of this scale and nature it is inevitable that the implementation will result in environmental effects. The assessments undertaken in the context of the ES has concluded that the only significant effects anticipated to arise from the construction and operation of the proposed development relate to landscape and visual effects. Given the reversible nature of these effects following decommissioning, there is a need to consider the negative effects against the benefits of the project in terms of contribution to targets for renewable energy and community benefits.
- 6.5.2 The proposed development satisfies the Electricity Act Schedule 9 tests and is consistent with relevant national policy. The Development Plan as a whole is a relevant consideration. The provisions of Section 25 of the 1997 Act are met as far as they are relevant to a section 36 Application.
- 6.5.3 Overall the proposed development can draw support from elements of the statutory Development Plan. Conclusions with regard to the Structure and Local Plan have been presented within the preceding Chapters of this Planning Statement. In considering the underlying aims and objectives of the plans and those of individual policies, together with the specific terms of the relevant policies, it is concluded that the proposed development is, on balance, in general accordance with the Development Plan.
- 6.5.4 The importance of pursuing the climate change issue to which the UK Government is firmly committed cannot be disputed.
- 6.5.5 However, should the decision maker not share this conclusion, then it is considered that the weight attributable to material considerations would be so significant so as to outweigh the potential elements of non-accordance with the Development Plan. Other relevant material considerations provide significant support, and weigh in favour of the overall case that consent should be given.
- 6.5.6 The Development Plan has sustainability at its core and the proposed development furthers that aim. The Development Plan promotes renewable energy projects in this context subject to assessment against various factors within the Plan. From this assessment of planning policy considerations, the proposed development can draw significant support from the Development Plan.
- 6.5.7 It is important that developments that are acceptable in planning terms be granted consent. The proposed development has been brought forward by the Applicant as a direct response to national energy and planning policies: these policies are clear, as set down in the large body of renewable energy policy documents referred to.
- 6.5.8 There are important energy policy considerations that weigh in favour of granting consent.

6.5.9 The overall conclusion reached is that that the proposed development satisfies the terms of the 1989 Act, and is also supported by the terms of Development Plan policy. It is therefore recommended that consent should be granted under Section 36 of the Electricity Act 1989 and that deemed planning permission should be granted under Section 57 (2) of the Town and Country Planning (Scotland) Act 1997 for the proposed development.



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