Bloch Wind Farm

Planning Statement

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1. Introduction

1.1. The Application

1.1.1. This Planning Statement has been prepared on behalf of Renewable Energy Systems Ltd. (RES) to accompany an application under section 36 of the Electricity Act 1989 for the construction and operation of Bloch Wind Farm ('the proposed development') near Langholm in Dumfries and Galloway.

1.1.2. In addition to the application for consent in terms of section 36 of the Electricity Act a request is also being made that a direction be issued under section 57 (2) of the Town and Country Planning (Scotland) Act 1997 that planning permission be deemed to be granted.

1.1.3. The proposed development constitutes a Schedule 2 development under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. The application is therefore accompanied by an Environmental Impact Assessment (EIA) Report. This Planning Statement does not form part of the EIA Report. However, reference is made to the conclusions of the EIA Report in assessing the acceptability of the proposals.

1.2. The Applicant

1.2.1. RES is the world's largest independent renewable energy company active in onshore and offshore wind, solar, energy storage and transmission and distribution. At the forefront of the industry for 40 years, RES has delivered more than 22 gigawatts (GW) of renewable energy projects across the globe and supports an operational asset portfolio exceeding 7.5GW worldwide for a large client base. Understanding the unique needs of corporate clients, RES has secured 1.5GW of power purchase agreements (PPAs) enabling access to energy at the lowest cost. RES employs more than 3,000 people and is active in 10 countries.

1.2.2. Based in Glasgow, RES has been developing, constructing and operating wind farms across Scotland since 1993. This includes the development and/or construction of 21 wind farms in Scotland with a total generation capacity of 597 megawatts (MW).

1.3. Purpose of this Planning Statement

1.3.1. The purpose of this Planning Statement is to explain the legislative framework within which the application for the proposed development requires to be considered. In doing so, material considerations that are relevant to the determination of this section 36 application are then identified and assessed. The Planning Statement then weighs up the planning case for the proposed development in the context of the full range of material considerations assessed.

2. Overview of the Proposed Development

2.1. Introduction

2.1.1. This chapter introduces the site and provides an overview of the proposed development. A detailed description of the site and of the proposed development can be found in Chapter 2 of the EIA Report.

2.2. Site Location and Description

2.2.1. The proposed development is located approximately 5.5km to the south-west of Langholm[1] to the south of the B7068 Lockerbie to Langholm road. The site is entirely within the administrative boundary of Dumfries and Galloway Council. The location of the site is shown on **Figure 1**.

2.2.2. The site extends to approximately 1,020 hectares (ha) and comprises open rolling moorland, the topography of which varies from west to east. The western extent of the site is located around Collin Hags which peaks at 255m above ordnance datum (AOD). Moving east the landform falls to around 165m AOD near Back Burn, before rising in the centre of the site at Healy Hill to around 202m AOD. Further east the landform falls again to around 140m AOD near Bloch Burn, before rising sharply to the summit of Bloch Hill at 271m AOD on the eastern boundary of the site. The site itself is currently predominantly used for sheep and cattle grazing.

2.2.3. Outwith the site, the landscape to the south of the site is generally composed of lower, rolling agricultural land interspersed with small areas of woodland and forestry. To the east, west and north of the site, the landscape becomes more rugged with a greater number of steeper hills and larger areas of forestry cover.

[1] Measured from the approximate site centre to the edge of the settlement boundary.

2.2.4. The site is located adjacent to the operational Solwaybank Wind Farm, which comprises 15 wind turbines of 126.5m tip height and associated infrastructure. Solwaybank Wind Farm became operational in 2020 and has planning permission for a 25 year operational life (i.e. until 2045). Other operational wind farms within 5km of the site include Craig Wind Farm (four wind turbines of 100m tip height) and its associated two wind turbine extensions, located just under 5km to the north of the site. The proposed Callisterhall Wind Farm (seven wind turbines of 200m maximum tip height) is located approximately 1km to the north of the site.

2.3. The Proposed Development

2.3.1. The proposed development would comprise the following principal components:

- 21 wind turbines;
- wind turbine foundations;
- low to medium voltage transformers and related switchgear adjacent to each wind turbine;
- crane hardstand areas adjacent to each wind turbine;
- underground electrical and communication cabling;
- a substation compound containing electrical infrastructure, control building, welfare facilities and a communications mast;
- a battery energy storage system (BESS) compound;
- access tracks, including watercourse crossings, turning heads and site entrances from the public road network;
- search areas for up to three borrow pits; and
- one temporary construction compound.

2.3.2. The layout of the proposed development is shown on **Figure 2**. It is requested that the precise locations of the proposed wind turbines and other infrastructure may be micro-sited within a 100m radius from the locations shown on **Figure 2**. This micrositing is requested in order to allow a degree of flexibility to take into account localised ground conditions and other environmental constraints which may be identified during post consent survey works. A planning condition requiring all micrositing to be agreed in advance with the Planning Authority in consultation with SEPA is proposed.

Wind Turbines

2.3.3. A variety of wind turbine heights are proposed across the proposed development, ranging from 180m to 230m to blade tip. The details of the turbine heights are found in Table 2.1 and shown on **Figure 2.**

Table 2.1: Wind Turbine Locations

Wind Turbine	Easting	Northing	Tip Height (m)	Hub Height (m)
T1	330671	579641	180	105
T2	331117	579442	180	105
T3	331233	579934	200	125
T4	330682	580233	230	155
T5	330260	580468	200	125
T6	331349	580426	230	155
T7	331843	580853	200	125
T8	332252	580610	230	155
T9	332213	580118	230	155
T10	332257	579636	230	155
T11	332750	580029	230	155
T12	332803	579565	230	155
T13	333272	579391	200	125
T14	333266	580464	200	125
T15	333809	580437	200	125
T16	333611	580986	230	155
T17	334128	580901	230	155
T18	333709	581477	230	155
T19	334307	581395	180	105
T20	334105	581903	180	105
T21	334665	581842	180	105

2.3.4. A range of wind turbine models may be suitable for the site, and the final choice of wind turbine model would be selected through a competitive procurement process. As there is an uncertainty relating to which wind turbine model would be used at the time of construction, this application requests a reasonable degree of flexibility for the permissible dimensions of the wind turbine. A planning condition requiring details of the final wind turbine dimensions to be submitted and approved by the Planning Authority prior to the commencement of proposed development is requested. However, based upon a maximum blade tip height of 230m, it is anticipated that the installed nominal capacity of each wind turbine will be approximately 6 megawatts (MW).

Ancillary Infrastructure

2.3.5. Wind turbine foundation construction design will be finalised at the detailed design engineering stage following selection of the final wind turbine to be used for construction.

2.3.6. A crane hardstand of approximately 35m by 55m and 1m depth will be required adjacent to each wind turbine foundation, to provide a stable base for construction and crane erection activities. These crane hardstand areas will be permanently retained for maintenance operations.

2.3.7. The site would be accessed from the C70A via two new site entrances south of Bloch Farm. The new site entrances will be designed to accommodate deliveries for wind turbine components. A total of approximately 11.68km of new access track will be required on site. This will require the formation of four new watercourse crossings.

2.3.8. The electricity produced by the wind turbines will be fed to a control building within the substation compound, to be located close to the western site entrance. In addition the substation compound will house external electrical equipment, a control building for the transmission operator and a shared welfare building. The substation compound will be approximately 77.5m by 82.5m. A metal palisade security fence of approximately 3m in height will be installed around the perimeter and the compound secured via a locked access gate.

2.3.9. A potential BESS with an anticipated storage capacity of up to 45MW is included as part of this application to improve the efficiency of the proposed development. It is anticipated that the BESS will be located within up to 24 containers housing batteries. These containers will be approximately 14m long, 2.5m wide by 2.5m high and will be similar in appearance to shipping containers. They would be located within a compound of approximately 160m x 45m which would also contain associated cooling systems and switchgear for the battery storage facility as well as sufficient space for access and operations. However, given BESS technology is continuing to evolve rapidly, there is uncertainty over the capacity of the batteries and the built development form of the BESS. A planning condition requiring details of the BESS to be submitted and approved by the Planning Authority prior to the commencement of development is therefore requested.

2.3.10. For construction purposes, a temporary construction compound will be required. The compound would measure approximately 70m by 45m and will provide space for materials storage, site office cabins and welfare facilities as well as staff and visitor parking for approximately 25 vehicles. The compound will also be used for refuelling. The land would be reinstated at the end of the construction phase.

2.3.11. It is proposed to source aggregate for the construction of the proposed development from on-site borrow pits, and for concrete to be batched on site. It is estimated that approximately 72,010m^3 of aggregate will be required. Three borrow pit search areas have been identified where borrow pits may be located. Utilising approximately 13% of the proposed borrow pit search area is expected to yield sufficient material for the construction of the proposed development and consequently not all of these areas will ultimately be required. As is standard practice, the ground investigations necessary for the detailed design of the borrow pits will be undertaken post consent. This will include the number, depth, orientation and design of the borrow pits within the search areas. This detailed design will then be submitted to the Planning Authority for their approval, in consultation with relevant consultees.

Construction Phase

2.3.12. It is anticipated that construction activities for the proposed development would take approximately 15 months, depending upon seasonal working and weather conditions. An Outline Construction Environmental Management Plan (CEMP) has been prepared (EIA Report Technical Appendix 2.1) which provides initial detail on the likely sequencing of construction activities, which would be carried out concurrently where possible (including restoration activities) to minimise the overall duration of the construction period.

2.3.13. In general, hours of working during the construction period will be from 07:00 to 19:00 Monday to Saturday. No working is proposed on Sundays or public holidays. No audible works, with the exception of wind turbine delivery and the completion of wind turbine erection or emergency work, will take place outside these hours, and any such out-of-hours works will be subject to prior agreement with the Planning Authority.

2.3.14. Construction traffic access for the proposed development will be accessed directly from the C70A. Loads will then proceed to the proposed wind turbine locations using the new access tracks.

2.3.15. It is anticipated that wind turbine components would be delivered by sea to the King George V Dock in Glasgow. The Abnormal Indivisible Loads (AILs) would then route via the M8, M74 and M6, A6071, A7(T), Auchinrivock Road, U251a, Old Irvine - Kerr track and the C70A to the site entrances.

Operational Phase

2.3.16. It is anticipated that the proposed development would have an operational life of up to 50 years. A wind farm is typically visited between two to four times a year by a small maintenance crew. There would also be a requirement for maintenance of the access tracks, substation and BESS compounds.

Decommissioning Phase

2.3.17. At the end of the operational life, the proposed development would be decommissioned. Alternatively, a new planning application may be submitted to repower the proposed development.

2.3.18. The ultimate decommissioning approach would be agreed with the Planning Authority and other appropriate regulatory authorities in line with best practice guidance and requirements of the time.

2.3.19. This would be done through the preparation and agreement of a Decommission and Restoration Plan (DRP). Financial provision for the decommissioning would be provided for.

3. Benefits of the Proposed Development

3.1. Renewable Electricity Generation

3.1.1. The proposed wind turbines would have an anticipated nominal capacity of approximately 126MW. The annual generation from the wind turbines is therefore estimated at approximately 343,932 Megawatt hours (MWh) based on a site derived capacity factor of 31.16%.

3.1.2. Based upon this predicted annual electricity generation figure and the most recent energy statistics provided by the Department of Business, Energy and Industrial Strategy (BEIS) which identify that average UK domestic household consumption is 3,748 kilowatt hours per annum, it is estimated that the proposed development will supply renewable electricity equivalent to the current annual domestic needs of approximately 128,905 households.

3.2. Effect on Greenhouse Gas Emissions

3.2.1. Scotland is legally bound through the Climate Change (Scotland) Act (2009) to reduce carbon emissions to net zero by 2045, with interim targets to reduce emissions by 56% by 2020, 75% by 2030 and 90% by 2040. A series of annual targets towards this net zero and interim target have also been set.

3.2.2. The proposed development would reduce greenhouse gas emissions through replacing fossil fuel generation. The length of time a wind turbine needs to be in operation before it has, by displacing fossil fuel energy generation, avoided as much carbon dioxide as was released in its lifecycle is known as the carbon payback period.

3.2.3. A carbon balance assessment has been undertaken for the proposed development using the latest version of the Scottish Government's carbon calculator for wind farms (version 1.6.1). The methodology used for the carbon calculator includes a range of factors that account for carbon losses including:

- wind turbine lifecycle (e.g. manufacture, construction and decommissioning);
- backup power generation when the wind turbines cannot generate energy;
- reducing carbon fixing potential from peat loss;
- soil organic matter from peat losses;

- dissolved organic carbon and particulate organic carbon leaching from changes in drainage in peat; and
- forestry felling (where applicable).

3.2.4. The methodology also includes the following range of factors that account for carbon savings including:

- improvement of degraded bogs;
- restoration of peat from excavations; and
- removal of drainage from foundations and hardstanding.

3.2.5. The results from the carbon calculator reveal that the net impact of the proposed development will be positive overall, as over its proposed 50 year operational life, it is expected to generate over 48 years' worth of clean energy if it replaced fossil fuel-mix electricity generation and nearly 47 years' worth of clean energy even if it replaces cleaner grid-mix electricity generation (which includes some fossil fuels and low carbon electricity generation sources such as nuclear, hydro-electric and wind energy).

3.2.6. Over the expected 48 years that the proposed development is likely to be generating carbon-free electricity, this could result in over 7.4 million tonnes of net carbon dioxide emission savings when replacing fossil fuel-mix electricity generation.

3.2.7. Overall, the proposed development would therefore lead to substantial net carbon savings and reduction of greenhouse gas emissions over its operational life. This positive aspect of the proposed development is augmented by the layout of the proposed development largely avoiding deposits of deep peat and by the proposed peatland restoration that will be undertaken.

3.3. Grid Balancing

3.3.1. The UK electricity grid is balanced by ensuring that demand of electricity consumers is constantly met by supply of electricity generation. This can only be achieved in practice by the national grid retaining a constant supply of extra power available for dispatch when the power required by customers is not equal to the power generated. The Balancing Mechanism is used to ensure that the network is in balance and reserve power is then used when the network comes under 'stress'.

3.3.2. When a sudden or unforeseen demand is put on the network, such as when a large power station suddenly comes offline or a powerline fails, then the national grid control room need an alternative source of power. This is achieved from rapid response facilities such as the proposed BESS.

3.3.3. As an innovative technology, the proposed BESS will provide a flexible and rapid release of electricity to allow the national grid to regulate electricity supply and demand without any greenhouse gas emissions. Conversely, the proposed BESS will also have the capacity to absorb electricity quickly which will allow for the oversupply of the grid to be managed.

3.4. Socio-Economic Benefits

3.4.1. The proposed development represents an estimated total capital expenditure (CAPEX) of up to £111 million. It is estimated that Dumfries and Galloway could secure contracts worth £10 million, the South of Scotland could secure contracts worth £12 million in spending and Scotland as a whole £36 million in contracts.

3.4.2. In terms of employment during the construction and operational stages, this investment creates a number of economic opportunities for local and national businesses. The construction of the proposed development will directly support an estimated 90 job years in Dumfries and Galloway, 110 job years in the South of Scotland and 460 job years in Scotland. The local economy would be expected to be boosted by approximately £7 million gross value added (GVA), the South of Scotland economy by approximately £8 million GVA and the economy of Scotland by £32 million GVA during the construction of the proposed development. The operational phase of the proposed development will directly support 10 full time equivalent jobs in Dumfries and Galloway, 10 full time equivalent jobs in the South of Scotland and 30 full time equivalent jobs in Scotland. It is estimated that during the proposed 50 year operational phase, that the proposed development would contribute GVA of approximately £1 million to the Dumfries and Galloway economy, GVA of approximately £1 million to the South of Scotland economy and GVA of approximately £3 million to the economy of Scotland as a whole.

3.4.3. The applicant is committed to the provision of community benefits and will provide £5,000 per MW per year during the operational life of the proposed development, reflective of current Scottish Government best practice guidelines. Based upon a total installed capacity of 126MW, this would equate to up to £0.6 million annually. In addition to delivering a community benefit fund, the applicant is actively engaging with local communities to establish the priority aims and projects in their respective areas to allow a tailored package of benefits to be developed. Further information in relation to the socio-economic benefits of the proposed development are set out in Chapter 12 of the EIA Report.

3.4.4. It is acknowledged that community benefits are not a material consideration in the assessment of the proposed development and are therefore not discussed in any further detail in this Planning Statement. However, it is considered that the associated socio-economic benefits that this investment in the local area may generate arise should be considered material in the assessment of the proposed development.

3.5. Peatland Restoration and Habitat Management

3.5.1. A Habitat Management Plan (HMP) will be produced for the proposed development. The overall purpose of the HMP will be to implement positive land management for the benefit of landscape and nature conservation which will mitigate any adverse impacts that the proposed development may have. In addition to purely mitigating any adverse impacts, the applicant is committed to enhancing the nature conservation and landscape value of the site.

3.5.2. The proposed HMP would be targeted to deliver benefits to peatland habitats and to the breeding bird community (particularly curlew). A draft HMP is included in Technical Appendix 7.6 of the EIA Report which outlines the proposals for the enhancement of at least 50 ha of peatland. The overall aims of the HMP would be to:

- improve the overall quality of the wet modified bog and blanket bog habitat;
- increase the suitability of the moorland habitats for breeding curlew and other breeding waders including snipe and lapwing, thus providing enhanced breeding habitat over 500m from the proposed wind turbines:
    - Enhancement of heather moorland mosaic suitable for foraging and nesting. Reduced stock grazing will also reduce the loss of nests through trampling.
    - Improvement of wetter habitats for chick-rearing: restoration of wet areas by blocking drains where feasible to improve the habitat for feeding. Wet flushes, boggy areas and damp grassland are important invertebrate-rich feeding areas, particularly for chicks.

3.5.3. Once the proposed peatland restoration has succeeded, it is considered that it would result in a net positive impact and likely net gain in biodiversity.

4. Legislative Context

4.1. Section 36 of the Electricity Act 1989

4.1.1. As the proposed development will have an installed capacity of greater than 50MW, the application for consent and deemed planning permission is made to Scottish Ministers under section 36 of the Electricity Act 1989.

4.1.2. The applicant has obligations under Schedule 9 of the Electricity Act 1989 which requires it to have regard to certain environmental matters when formulating development proposals. It is obliged to have regard to the desirability of preserving natural beauty, conserving listed natural heritage interests and to protecting sites, buildings and objects of architectural and historical interest. It must also do what it reasonably can to mitigate any effects of proposed development and it must not impact fisheries or fish stocks in any waters. These provisions acknowledge that major energy projects are likely to engage impacts on these resources and the best time to consider them is at the iterative design stage of the project.

4.1.3. The applicant has fulfilled all these duties by undertaking the project formulation as reported in the EIA Report accompanying this application. The EIA process encompasses consideration of all the matters set out in Schedule 9(3)(1)(a). Indeed, the EIA process has a broader topic range than that contained in the sub-paragraph. Furthermore, where significant effects are found as part of the EIA process, appropriate mitigation is proposed. The EIA Report sets out in detail how the applicant has approached the design of the propsed development and how very careful consideration has been given throughout that process to the matters that are listed in sub-paragraph (1)(a). In the circumstances, it is therefore considered that the applicant has fulfilled the statutory requirements of Schedule 9.

4.1.4. In addition, Schedule 9 also imposes duties upon the Scottish Ministers when determining section 36 applications. They are obliged to have regard to desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) and must also have regard to the extent to which the applicant has complied with their duties to mitigate any effects on those resources. Again, the Scottish Ministers can be satisfied that the EIA process has been undertaken appropriately and addresses these matters comprehensively.

4.1.5. In terms of determinations under section 36, there are no specific statutory presumptions that apply. As identified above, there are considerations which have to be taken into account and dealt with under Schedule 9. In that context, important factors that must be taken into account include United Kingdom and Scottish climate change and energy policy, Scottish Government planning policy, relevant provisions of the Development Plan and the views of statutory consultees and interested parties. All these matters are material and should be taken into account in the decision making process. The ultimate weight of any particular factor in the decision making process is a matter for the decision maker, though guidance on the weight that the applicant considers should be afforded to these considerations is provided in this Planning Statement.

4.1.6. In the case of section 36 applications, it is important to note that the role of the Development Plan is not the same as in the case of a planning application made under the Town and Country Planning (Scotland) Act 1997. The test set out in Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that development must accord with the terms of the Development Plan, is not engaged in the case of a section 36 application. Whilst for such an application the Development Plan does not have primacy in the decision-making process, it may nonetheless be a material consideration in respect of determination of the application.

5. Climate Change and Energy Considerations

5.1. Introduction

5.1.1. National climate and renewable energy policy commitments are important material considerations in the determination of this application; amongst other matters they establish the need for the proposed development and the rationale for the proposed development. These matters are considered below.

5.2. International Context

5.2.1. The UK and Scottish Governments have made a number of international and domestic commitments in respect of reducing emissions of greenhouse gas to combat climate change. The key international agreements in this regard are outlined below.

The COP21 UN Paris Agreement

5.2.2. On 12 December 2015 delegates from nearly 200 different countries gathered at the Paris Climate Conference (COP21) adopted a legally binding international agreement – known as 'the Paris Agreement' – by which all countries vowed to cut their carbon emissions. They agreed:

- a long-term goal of keeping the increase in global average temperature to well below 2 degrees Celsius (°C) above preindustrial levels;
- to aim to limit the increase to 1.5°C, since this would significantly reduce risks and the impacts of climate change;
- on the need for global emissions to peak as soon as possible, recognising that this will take longer for developing countries; and
- to undertake rapid reductions thereafter in accordance with the best available science, so as to achieve a balance between emissions and removals in the second half of the century.

5.2.3. Under the agreements, countries are also legally obliged to make new post-2030 commitments to reduce emissions every five years.

5.2.4. The EU formally ratified the Paris Agreement on 5 October 2016, thus enabling its entry into force on 4 November 2016. On the agreement, the European Commission stated, "*the Paris Agreement sends a clear signal to investors, businesses, and policy-makers that the global transition to clean energy is here to stay and resources have to shift away from polluting fossil fuels.*"

5.2.5. The Court of Appeal Judgment on the third Heathrow runway dated 27 February 2020 is of relevance in that it firmly sets out that the UK Government's commitment to the Paris Agreement is part of UK Government policy, therefore other policy documents and decision making must take into account and cannot ignore international commitments on climate change.

COP26 Glasgow

5.2.6. At the recent UN Climate Change Conference of the Parties (COP26) event held in Glasgow in November 2021 there was worldwide consensus on the severity of the current climate emergency, in particular recognition of the loss and damage that the current impacts of climate change are already having. Following two weeks of intense talks, nearly 200 countries agreed to the Glasgow Climate Pact to continue to pursue efforts to limit global average temperature increases to 1.5˚C in accordance with the Paris Agreement. All countries also agreed to speeding up the pace of climate action this decade and to revisit and strengthen their current emissions targets to 2030. These outcomes further emphasise the importance of rapidly increasing renewable energy generation capacity over the next decade in response to the global climate emergency.

5.3. UK Context

5.3.1. Although the overarching position in the UK is that energy policy is not a devolved matter, the UK Government have made it clear that the Devolved Administrations must play an important role in helping the UK meet international and EU climate change targets. The key UK targets in this regard are outlined below.

Net Zero: The UK's Contribution to Stopping Global Warming (2019)

5.3.2. At COP21, the Intergovernmental Panel on Climate Change (IPCC) was invited to publish a Special Report on the impacts of global warming of 1.5°C and associated greenhouse gas emissions pathways. The IPCC released this Special Report on 8 October 2018. In response to the IPCC's Special Report, the UK Government requested advice from the Committee on Climate Change (a non-departmental public body that advises the Government on the climate) on the implications of the Paris Agreement. This included requesting advice on what further action was needed to meet the goals of the Paris Agreement.

5.3.3. On 2 May 2019 the Committee on Climate Change published their advice in 'Net Zero: the UK's Contribution to Stopping Global Warming'. The report made the following recommendations:

- UK overall: a new tougher emissions target of net zero greenhouse gases by 2050, ending the UK's contribution to global warming within 30 years. This would replace the previous target of an 80% reduction by 2050 from a 1990 baseline.
- Scotland: a target of net zero greenhouse gases economy by 2045, reflecting Scotland's greater relative capacity to remove emissions than the UK as whole.

5.3.4. The UK targets in the report have since been legislated through the Climate Change Act 2008 (2050 Target Amendment) Order 2019, which came into force on 27 June 2019. Prior to this, the UK was committed under the Climate Change Act 2008 to reducing net greenhouse gas emissions by at least 80% of their 1990 levels by 2050. As discussed later in this chapter, the Scottish net-zero targets in the report have also since been legislated.

5.3.5. In terms of the new net-zero targets, the report makes it clear for both the UK and Scotland that "*this is only possible if clear, stable and well-designed policies to reduce emissions further are introduced across the economy without delay.*" It continues that "*current policy is insufficient for even the existing targets.*"

5.3.6. The Committee on Climate Change report sets out various scenarios for UK net zero greenhouse gases in 2050. These include one of extensive electrification, particularly of transport and heating. Page 23 of the Executive Summary states that this would need to be *"supported by major expansion of renewable and other low carbon power generation. The scenarios involve around a doubling of electricity demand, with all power produced from low carbon sources (compared to 50% today)."*

5.3.7. The Committee on Climate Change scenarios for electricity generation estimate that to keep the UK on track to meet is net zero target, that renewable energy deployment will require a fourfold increase across the UK from current levels. It identifies that this quadrupling of renewable energy will require approximately 22 to 29GW of onshore wind capacity by 2030 and solar capacity increased to 23 to 43GW. Currently, capacity for both is approximately 13 to 14GW each.

5.3.8. The technical annex to the report specifically addresses integrating variable renewables into the UK electricity system. The annex makes it clear that variable renewable electricity such as large-scale onshore wind energy is now the cheapest form of electricity generation in the UK and can be deployed at scale to meet UK electricity demands.

5.3.9. The report's 'further ambition scenario' for the power sector aims to see low-carbon sources providing 100% of power generation in 2050, with variable renewable sources (including onshore wind) anticipated to contribute some 57% of this total low carbon power generation.

The Sixth Carbon Budget (2020)

5.3.10. In December 2020 the Committee on Climate Change published 'The Sixth Carbon Budget', describing what the potential path options to net zero by 2050 look like and detailing the steps that must be taken to achieve this.

5.3.11. A key recommendation of the report is that the UK Government requires a reduction in UK territorial greenhouse gases of 78% by 2035 relative to 1990 level. The report advises that this can be done through the following four steps:

- Take up of low carbon solutions;
- Expansion of low carbon energy supplies including onshore wind;
- Reducing demand for carbon intensive activities; and
- Land and greenhouse gas removals.

5.3.12. Key benefits for the UK are seen as including the opportunity for low carbon investment, recognised at a time when it is needed to support the UK's economic recovery from the COVID-19 health crisis.

5.3.13. Page 23 refers to the devolved nations and sets out that "*UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland*" and recognises that although the main policy levers are held by the UK Government, that Scotland can take action through complementary measures at the devolved level including supporting policies such as "*planning and consenting*".

The UK Energy White Paper, Powering our Net Zero Future (2020)

5.3.14. The UK Government published its Energy White Paper 'Powering our Net Zero Future' in December 2020. The White Paper sets out the UK Government's current thinking on the way in which the UK should work towards meeting its net zero targets. It advises that although retiring capacity will need to be replaced, modelling suggests that the demand for electricity could double as transport and heat switch from petrol/diesel and gas respectively to electricity. It notes that this will require a fourfold increase in low-carbon generation by 2030 if the increased demand and net zero targets are to be met.

5.3.15. The various actions set out in the White Paper are described as "*a strong signal to project developers and the wider investor community about the government's commitment to deliver clean electricity.*" In the section 'Our Key Commitments', the White Paper states that "*onshore wind and solar will be the key building blocks for the future generation mix, along with offshore wind.*"

Climate Change Committee Progress Report to Parliament (2021)

5.3.16. The most recent of the Climate Change Committee's progress reports to Parliament was published in June 2021. The report is clear that this is a decisive decade for tackling climate change and advises that "*as the UK rebuilds after the COVID-19 pandemic, there is an opportunity to make systemic changes that will fill the gaps in the UK's climate response. Now is the time to invest in the UK's future through accelerated action to cut emissions and adapt to the changing climate, while supporting the global transition.*"

5.3.17. Contained within the Report on Reducing Emissions are recommendations for the Scottish Government. These recommendations include that the Scottish Government "*scale up delivery across all sectors in line with the ambition set out in the recent Climate Change Plan Update*".

5.3.18. The Progress Report on Adapting to Climate Change advises that the ambition that has been set out by the UK Government, in the form of non-policy statements and documents, must now be turned into policy and delivered.

Net Zero Strategy: Build Back Greener (2021)

5.3.19. The Net Zero Strategy: Build Back Greener paper was published in October 2021 and sets out the UK Government's policies and proposals to deliver net zero by 2050 as well as setting out a vision for a decarbonised economy in 2050.

5.3.20. The Strategy identifies the UK Government's intention to fully decarbonise the UK's electricity system by 2035, this target bringing forward the UK Government's previous commitment to a fully decarbonised electricity system by 15 years. Given the size of the challenge, the strategy states that the UK Government "*will need to consider how low carbon energy infrastructure can be deployed at an unprecedented scale and pact sympathetically alongside the interests of our communities and consistent with our obligations to a sustainable environment, both land-based and marine.*"

British Energy Security Strategy (2022)

5.3.21. The British Energy Security Strategy policy paper was published in April 2022, primarily in response to rising global energy process and following the Russian invasion of Ukraine. The strategy identifies that if the UK is to reduce rapidly increasingly energy bills and keep them down for the long term that its need to reduce its dependence on imported oil and gas and to source more of its energy domestically instead.

5.3.22. Whilst primarily focusing on offshore wind rather than onshore wind, the strategy highlights that onshore wind is one of the cheapest forms of renewable power and advises that improvements will be made to infrastructure UK wide in order to facilitate more onshore wind development. The strategy seeks to increase deployment of wind and solar energy, and identifies that it expects the measures detailed in the strategy to result in an electricity generation mix that is 95% low carbon electricity by 2030.

5.4. Scottish Context

5.4.1. The Scottish Government has continually adopted more ambitious climate change and renewable energy policy and targets than that of the UK Government. These key targets, and the strategies and policies to deliver them, are outlined below.

The Climate Change (Scotland) Act 2009

5.4.2. The Climate Change (Scotland) Act 2009 initially established long term statutory targets for Scotland of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. The Act also placed climate change duties on Scottish public bodies and included provisions on climate change including adaption, forestry, energy efficiency and waste reduction.

The Climate Emergency Declaration

5.4.3. At the SNP Conference in April 2019, Scotland's First Minister declared a climate emergency:

"As First Minister of Scotland, I am declaring that there is a climate emergency. And Scotland will live up to our responsibility to tackle it."

5.4.4. In May 2019 the Scottish Government formally declared a climate emergency. In a speech to the Scottish Parliament, the Climate Change Secretary stated:

"There is a global emergency. The evidence is irrefutable. The science is clear. And people have been clear: they expect action."

5.4.5. The Minister also highlighted the important role of the planning system in achieving climate change objectives, stating:

"…the next National Planning Framework and review of the Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals."

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

5.4.6. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 received Royal Assent on 31 October 2019 and came into force in March 2020. The Act responds to the Paris Agreement and the declaration of a 'climate emergency' in Scotland. It amends the Climate Change (Scotland) Act 2009 and commits Scotland to a new target of net zero emissions of all greenhouse gases by 2045, with interim targets for reductions of at least 56% by 2020, 75% by 2030 and 90% by 2040. These new greenhouse emissions targets represent a substantial increase over the targets set in the previous Act.

5.4.7. To help ensure delivery of the long-term targets, the framework includes statutory annual targets for every year to net zero. Up to 2020 the annual percentage reduction required is 1%, but this immediately leaps for each year between 2020 to 2030. It increases to 1.9% for each year between 2020 and 2030, a near doubling of the response.

5.4.8. The latest statistics published in June 2021 on the Scottish Government's energy statistics hub identify that between 2018 and 2019 climate change emissions fell by 23% but that the target level of 55% fall from the baseline level was missed, with a reduction of 51.5%. Three consecutive years of targets have now been missed – for the years 2017, 2018 and 2019.

Climate Change Plan Update (2020)

5.4.9. The Scottish Government published its most recent Climate Change Plan in December 2020. The Climate Change Plan Update responds to the declared climate emergency and considers what policies and proposals are necessarily to deliver against the new targets set under the Climate Change (Emissions Reduction) (Scotland) Act 2019.

5.4.10. The Climate Change Plan Update states that it is essential that a recovery from the COVID-19 pandemic *"responds to the climate emergency"* and *"continues the rapid growth in renewables over the past 20 years, moving from a low to a zero-carbon electricity system"*.

5.4.11. Looking specifically at seeking to achieve Scotland's emissions targets out to 2032, the Climate Change Plan Update states that there will need to a be *"a substantial increase in renewable generation, particularly through new offshore and onshore wind capacity."* It seeks to quantify this by identifying that it expects between 11 to 16GW of new renewable capacity will need to be developed during this period.

2020 Routemap for Renewable Energy in Scotland (2011)

5.4.12. The 2020 Routemap for Renewable Energy in Scotland was initially published in July 2011. Further updates to the Routemap were subsequently published in October 2012, December 2013 and September 2015. The Routemap and subsequent updates were therefore prepared in the context of the lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009.

5.4.13. The Routemap committed Scotland to generating an equivalent of 100% of electricity demand from renewable sources by 2020. It stated 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."*

5.4.14. Sectoral routemaps were provided for each of the key renewable technologies that it was anticipated would contribute towards achieving the 2020 targets. With regard to onshore wind, the stated ambition was "*that by 2020, onshore wind developments ranging from small and community-scale to large power utility scale maximise engagement with communities; contribute electricity to renewables targets; and through displacement of fossil fuel generation, help to reduce fossil fuel consumption.*"

5.4.15. The Routemap identified 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 to Scotland's renewable electricity target, and help establish Scotland's reputation as rapidly becoming the green powerhouse of Europe."*

5.4.16. A letter from the Scottish Government Planning and Architecture Division to all Heads of Planning entitled 'Energy Targets and Scottish Planning Policy' was published on 11 November 2015. The letter set out the Scottish Government's position on onshore wind energy developments. With regard to the 100% of gross electricity consumption from renewables target by 2020, the letter states that *"the target is a statement of intent and that it is known that Scotland has the potential resource to deliver and exceed it."* The letter adds that there is no cap on the support for renewable energy development, including onshore wind, once the target has been reached.

5.4.17. The latest statistics from the Scottish Government's Energy Statistics Hub identify that in 2020 that the equivalent of 98.6% of gross electricity consumption was from renewable sources. The 2020 target of 100% gross electricity consumption equates to approximately 16GW of installed renewable energy capacity. The latest statistics identify that as of June 2021 Scotland has 12GW of installed capacity operational, a shortfall of approximately 4GW.

Scottish Energy Strategy (2017)

5.4.18. The Scottish Energy Strategy (SES) was published in 2017 and was therefore also prepared in the context of the lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009. The SES sets out the Scottish Government vision for the future energy system in Scotland for the period through to 2050. The Strategy identifies that Scotland's long-term climate change targets will require the near complete decarbonisation of our energy system by 2050, with renewable energy meeting a significant share of our needs.

5.4.19. The SES sets a target for the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030. This 50% target roughly equates to of 17GW of installed capacity in 2030. The latest figures on the Scottish Government's Energy Statistics Hub identify that in 2020 25.4% of total Scottish energy consumption came from renewable sources.

5.4.20. The SES also sets a second target for an increase by 30% in energy productivity by 2030 across the Scottish economy from a baseline of 2015. The latest figures on the Scottish Government's Energy Statistics Hub (Scottish Government 2021) estimate that energy productivity in Scotland in 2020 was 1.6% above the 2015 baseline.

Onshore Wind Policy Statement (2017)

5.4.21. The Scottish Government's Onshore Wind Policy Statement (OWPS) is one of three policy statements accompanying the SES and was also published in December 2017. It includes separate sections on key priority areas as follows:

- route to market;
- repowering;
- developing a strategic approach to new development;
- barriers to deployment;
- protection for residents and the environment;
- community benefits; and
- shared ownership.

5.4.22. The OWPS reiterates and emphasises the Scottish Government's undiminished policy support for further new onshore wind energy projects. This is made clear in paragraph 4 of the OWPS, which states that "*Scotland will continue to need more onshore wind development and capacity, in locations across our landscape where it can be accommodated.*"

5.4.23. The necessity for taller wind turbines is recognised in paragraph 23 of the OWPS, which states that the Scottish Government "*acknowledge that onshore wind technology and equipment manufacturers in the market are moving towards larger and more powerful (i.e. higher capacity) turbines and that these by necessity will mean taller towers and blade tip heights*". Paragraph 25 of the OWPS continues that the Scottish Government "*fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts.*"

Onshore Wind Policy Statement Refresh 2021: Consultative Draft (2021)

5.4.24. The Scottish Governments 'Onshore Wind Policy Statement Refresh 2021: Consultative Draft' was published in October 2021, its purpose being to update the OWPS in 2017 in light of Scotland's net zero targets. The draft reiterates the need for a substantial increase in renewable energy generation over the course of the next decade if the transition towards net zero is to be achieved, stating that "*a consistently higher rate of onshore wind, and other renewables capacity, will be required year on year.*" It therefore proposes the setting of a target of between 8 to 12GW of additional onshore wind generation by 2030 and a proposal for a Sector Deal around this target. This additional 12GW target is in line with the Climate Change Committee's 6th Carbon Budget on achieving net-zero at least cost.

5.4.25. Consultation on the OWPS Refresh ended in January 2022 and the final version is due to be published in late 2022.

CCC Annual Report to Scottish Government (2021)

5.4.26. The Climate Change Committee published its Annual Report entitled 'Progress in Reducing Emissions in Scotland: 2021 Report to Parliament' to the Scottish Parliament in December 2021. The report identifies that Scotland's annual emissions target was missed in 2019 (the latest year for which data is available) by a significant margin, and that although emissions have fallen substantially since due to the lockdowns in response to the COVID-19 pandemic that this is likely to only be "transitory". One of the key messages of the report is therefore that delivery of rapid emissions reductions cannot wait – identifying that it has taken 30 years to halve Scottish territorial emissions and that they must halve again over the next decade to the meet the legislated 2030 target. It states that *"the 2020s is a critical decade in changing course for Net Zero"*.

5.4.27. The Report states *"that most of the key policy levers [to achieve net zero] are now in the hands of Scottish Government, but promises have not yet turned into action."* It emphasises that strategies alone won't reduce emissions, stating that *"in this new Parliament, consultations and strategies must turn decisively to implementation."*

2022 CCC Report to Scottish Parliament (March 2022)

5.4.28. The Climate Change Committee published its report entitled 'Is Scotland Climate Ready: 2022 Report to Scottish Parliament' to the Scottish Parliament in March 2022. The report sets out the Climate Change Committee's assessment of progress in adapting to climate change in Scotland. It identifies that the evidence is now clear Scotland's climate is changing, setting out how over the past 30 years that the average temperature in Scotland has risen by 0.5C, winters have become 5% wetter and the sea level around the coast has increased by up to 3cm each decade. The Report identifies that Scotland's changing climate poses risks to people, infrastructure and business, and that progress in delivering adaption has "*stalled*".

5.4.29. Whilst commending the Scottish Government on its vision for a climate-ready Scotland, the chairwoman of the Climate Change Committee said when commenting on the report that "*the reality is that action is not happening at the scale or pace required*".

5.5. Conclusions

5.5.1. Both UK and Scottish Government legislation and energy policy have for some considerable time provided a strong commitment to renewable energy and a reduction in greenhouse gas emissions in order to seek to tackle climate change.

5.5.2. However, there is now growing consensus on the severity of climate change, including the impacts that climate change is already having both here in the UK and Scotland and across the world. Amendments to the Climate Change (Scotland) Act 2009 have been made the Scottish Government as a result which recognise the urgent response that is required. These amendments set challenging statutory annual targets for every year to net zero that clearly demonstrate the speed of change that is required prior to 2030. As identified in this chapter, these targets are currently not being achieved, demonstrating the scale of change required over the next decade to achieve the 2030 75% reduction target.

5.5.3. In addition to these new legislative targets, there has also been a step change in UK and Scottish energy policy of the need for rapidly increased deployment of renewable electricity over the next decade to reduce greenhouse gas emission if the worst consequences of climate change are to be averted.

5.5.4. Furthermore, more recent events with the war in Ukraine have shed a spotlight once again in UK energy policy on the importance of having greater security over our future energy supplies and the importance of generating more energy domestically instead.

5.5.5. Overall, it is therefore concluded that the proposed development gains very strong support from climate change legislation and energy policy and that this should be a very significant factor that weighs in favour of the granting of this application.

6. Planning Policy

6.1. Introduction

6.1.1. This chapter of the Planning Statement assesses the proposed development against national planning policy, the Development Plan and other relevant material considerations.

6.2. National Planning Policy Considerations

6.2.1. The Scottish Government's current national planning policy is set out in the third National Planning Framework (NPF3) and in Scottish Planning Policy (SPP), both of which were published in 2014 and therefore prior to the declaration of the global climate emergency and adoption of the new net zero targets.

6.2.2. The Scottish Government is currently reviewing NPF3 and SPP. A draft version of NPF4 was laid before the Scottish Parliament in November 2021 and a consultation seeking responses on the draft closed in March 2022 launched. Once approved by the Scottish Parliament and adopted by the Scottish Ministers, the new NPF4 will for the first time incorporate Scottish Planning Policy and will become part of the Development Plan.

6.2.3. Whilst NPF4 is still going through the parliamentary process, it is recognised that the weight that can be attached to it is not the same as the adopted SPP and NPF3. However, as a draft document it can now be given weight in the process of determining section 36 applications. The final weight to be afforded to it in the determination of this application will be dependent on the status of the document at the time this application is determined.

National Planning Framework 3

6.2.4. NPF3 is a long-term strategy for Scotland, the spatial expression of the Scottish Government's Economic Strategy and of its plans for development and investment in infrastructure. It sets out the Scottish Government's vision, which includes that Scotland should become a low-carbon place.

6.2.5. NPF3 identifies that improved energy efficiency and further diversification of energy supplies is required in order to meet climate change targets, renewable energy targets and maintain secure energy supplies.

6.2.6. NPF3 identifies that the energy sector accounts for a significant share of greenhouse gas emissions and provides that in order to facilitate the transition towards a low carbon economy that Scotland must seek to capitalise upon its considerable renewable energy resources.

6.2.7. NPF3 provides specific policy support for onshore wind energy development. Paragraph 3.23 of NPF3 states the Scottish Government's position that *"onshore wind will continue to make a significant contribution to diversification of energy supplies"*.

6.2.8. The proposed development is considered to be consistent with and draws strong policy support from NPF3 as it will make efficient use of the potential renewable energy capacity of the site and make a positive contribution towards low-carbon energy generation and diversification of energy supplies.

Scottish Planning Policy

6.2.9. SPP outlines the importance of the planning system in achieving sustainable development. The emphasis in the SPP vision to a low-carbon economy, reducing greenhouse emissions and sustainability are recurring themes throughout the document. The proposed development will clearly make a positive contribution towards all these objectives.

SPP Policy Principles

6.2.10. SPP advises that a significant material consideration in the assessment of planning applications should be "*the presumption in favour of development that contributes to sustainable development*". The principles of sustainable development are given in SPP paragraph 29. Those of relevance are listed in **Table 6-1** along with a summary of the extent to which the proposed development is considered consistent with the respective principle.

Table 6-1: SPP Principles of Sustainable Development

Principle	Assessment
Giving due weight to net economic benefit	The proposed development would result in net economic (direct, indirect and induced) benefits in the local and wider national economy.
Respond to economic issues, challenges and outcomes, as outlined in local economic strategies	The proposed development is consistent with the support for renewable energy development identified in the Dumfries and Galloway Regional Economic Strategy (2017).
Supporting delivery of infrastructure, for example transport, education, energy, digital and water	The proposed development would deliver energy infrastructure in accordance with this principle.
Supporting climate change mitigation and adaption including taking account of flood risk.	The proposed development will help to support climate change mitigation by replacing fossil fuel energy generation, thereby reducing greenhouse gas emissions.
Having regard to the principles for sustainable land use set out in the Land Use Strategy.	The proposed development would contribute positively to climate change action and the landscape is considered capable of accommodating it. Peat restoration is proposed as part of the HMP. The proposed activities would also result in the enhancement of priority habitats. It is therefore considered that the proposed development has regard to the principles of sustainable land use.
Protecting, enhancing and promoting access to cultural heritage, including the historic environment.	There would be no conflict with this policy principle.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.	There would be no conflict with this policy principle.
Avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.	There would be no conflict with this policy principle.

6.2.11. For the reasons set out in Table 6-1, it is therefore considered that the proposed development should be considered as development that contributes to sustainable development. This conclusion is in accordance with other decisions, for example at Muirhall South (PPA-380-2050), where the Reporter concluded that by their nature that onshore wind energy developments are inherently sustainable developments.

SPP Subject Policies: A Low Carbon Place

6.2.12. The SPP subject policies on delivering a low carbon place set out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when preparing development plans and determining applications.

6.2.13. With respect to the delivery of electricity, paragraph 154 of SPP states that the planning system should, amongst other principles:

- support the transformation change to a low carbon economy, consistent with national objectives and targets, including deriving the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity; and
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed.

6.2.14. Paragraph 155 emphasises the Scottish Government's current commitment to maximising the generation of renewable energy. It states that *"development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations."*

6.2.15. With specific regard to onshore wind, SPP paragraph 161 provides that Development Plans should include a spatial framework that identifies areas likely to be most appropriate for onshore wind farms. SPP's Table 1 provides a number of requirements for such spatial frameworks. These include that development would not be acceptable in National Parks or National Scenic Areas (referred to in the policy as "*Group 1 areas*"). Other areas are to receive significant protection, including areas of wild land, peatland and areas of carbon-rich soils, areas within 2km of settlements identified in the local development plan, and areas with national cultural or natural-heritage designations ("*Group 2 areas*"). All other areas onshore are identified as areas with potential for wind farm development, where they are likely to be acceptable subject to detailed consideration of identified policy criteria ("*Group 3 areas*").

6.2.16. In Dumfries and Galloway Council's Wind Energy Spatial Framework, the proposed development is located primarily in Group 3 Areas (areas with potential for wind farm development), with parts of the site considered to be in Group 2 Areas (areas for significant protection). It is understood that the site falls partly within Group 2 areas due to mapped areas of Class 1 and Class 2 carbon rich soil, deep peat and priority peatland. However, for the reasons set out later in this Planning Statement it is considered that impacts on peat and carbon rich soil have been satisfactorily addressed such that there are no Group 2 constraints so far as the proposed development is concerned. Therefore, the site is effectively a Group 3 location and should be regarded as such in the determination of this application.

6.2.17. The SPP criteria for determining particular applications for wind farm development are set out in paragraph 169. This sets out 19 factors besides the spatial strategy to be considered in determining a proposal for a wind farm. These include landscape and visual effects, impacts on communities and individual dwellings, and effects upon natural heritage including birds. However, it does not provide any indication as to the particular weight to be given to any of these material considerations when balancing the positive and negative effects of a proposal. Given the findings of the EIA Report and appraisal below in the Development Plan section of this Planning Statement, the proposed development is considered to be acceptable in terms of these factors.

Draft National Planning Framework 4

6.2.18. The Draft NPF4 is based upon two previous rounds of consultation which identified as a key theme the need for a rebalancing of the planning system so that climate change is a guiding principle for all future plans and decisions. As expected, the urgency of the need to tackle climate change and the fundamental role of the planning system in delivering the radical change required to tackle and adapt to climate change is therefore a central focus for much of the draft NP4.

6.2.19. Under national development 12, which identifies that renewable energy generation developments of or exceeding 50W capacity are now proposed to be national developments, the draft NPF states that *"a large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets."* The inclusion of renewable energy projects as a national development clearly establishes beyond any reasonable doubt the strengthened need case for their continued development. With regard to the wide range of renewable energy technologies available to contribute towards meeting targets, the draft NPF4 identifies that *"it is likely that the onshore wind sector will play the greatest role in the coming years."*

6.2.20. In terms of national planning policy, a key new policy is Policy 2: Climate Emergency. This draft policy requires that *"significant weight should be given to the Global Climate Emergency"* when considering all development proposals. The addition of this policy is reflective of the increased prominence and weight which the Scottish Government now expect to be given to the climate emergency in all planning decisions. Whilst still a draft policy and therefore potentially subject to further change, it is considered unlikely given the statements elsewhere within the draft NPF about the climate emergency and the need for planning to deliver radical change to address this that the general direction of travel of this policy will be changed.

6.2.21. With specific regard to onshore wind, draft Policy 19: Green Energy provides that development proposals outwith National Parks and National Scenic Areas should be supported *"unless the impacts identified (including cumulative effects) are unacceptable."* When determining the acceptability or otherwise of wind farm proposals, draft Policy 19 retains the criteria from paragraph 169 of the current SPP for assessing individual proposals on a case by case basis. Given the findings of the EIA Report and appraisal below in the Development Plan section of this Planning Statement, the impacts of the proposed development are considered acceptable and the proposal is therefore in accordance with draft Policy 19.

6.2.22. Another key change in the draft NPF4 is that there is no spatial framework as per the current SPP. The clear spatial planning policy direction is that wind farms will not be acceptable in National Parks or National Scenic Areas, but outwith these areas, and recognising the sensitivity of any other national or international designations, development proposals for new wind farms *"should be supported unless the impacts are unacceptable"*.

6.3. Development Plan Policy

6.3.1. The Development Plan for Dumfries & Galloway comprises the Dumfries & Galloway Local Development Plan 2, which was adopted in October 2019 and was therefore prepared in the context of the lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009. In addition, Dumfries & Galloway Council has approved a number of statutory Supplementary Guidance and non-statutory Planning Guidance documents. The statutory Supplementary Guidance also forms part of the Local Development Plan.

Dumfries and Galloway Local Development Plan 2

6.3.2. The Dumfries and Galloway Local Development Plan 2 (DGLDP2) sets out a vision, spatial strategy and policies to guide development in Dumfries & Galloway for the next 20 years. The DGLDP2 vision includes a statement that, in 20 years' time, there will be a viable rural economy and community characterised by, amongst other things, a range of renewable energy developments. Developing this theme, the economic strategy of the plan highlights the importance of the renewable energy sector and its contribution to the economy and a low carbon place. Additionally, the energy strategy of the DGLDP2 notes that planning policy is seen as a key tool to help deliver climate change action. Clearly, renewable energy development proposals that conform to policies within the plan would therefore contribute to the realisation of the vision and strategy of the plan.

6.3.3. Proposals for renewable energy developments are generally considered against Policy IN1: Renewable Energy, which states that Dumfries & Galloway Council will support development proposals for all renewable energy generation and storage which are located, sited and designed appropriately. It provides that the acceptability of proposals will be assessed listed criteria including:

- landscape and visual impact;
- cumulative impact;
- impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- the impact on natural and historic environment;
- the impact on forestry and woodlands; and
- the impact on tourism, recreational interests and public access.

6.3.4. Policy IN1 states that *"acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed."* Policy IN1 therefore recognises that making a judgement on the acceptability of impacts is ultimately a balancing exercise which must take into account both the benefits as well as the disbenefits of the proposal.

6.3.5. Specific development management considerations in respect of wind farm applications are contained within Policy IN2: Wind Energy. Policy IN2 states that Dumfries & Galloway Council will support wind energy proposals that are located, sited and designed appropriately. It states that the acceptability of any proposed wind energy development will be assessed against a range of considerations, and that acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which environmental and cumulative impacts can be addressed satisfactorily. Each of these considerations are assessed in turn below.

Renewable energy benefits

6.3.6. The scale of the contribution of the proposed development towards renewable energy generation benefits and associated effect on greenhouse gas emissions are set out in Chapter 3 of this Planning Statement.

Socio-economic benefits

6.3.7. The socio-economic benefits of the proposed development are set out in Chapter 3 of this Planning Statement.

Landscape and visual impacts

6.3.8. Chapter 5 of the EIA Report considers the landscape and visual impact of the proposed development which includes the Landscape and Visual Impact Assessment (LVIA). It assesses the impacts which the proposed development is predicated to have on the landscape and views from the surrounding area, during construction and operation.

Impact on Landscape Designations

6.3.9. The proposed development is not located within a designated landscape. The following landscape designations are within the 35km study area assessed in the LVIA and have theoretical visibility of the proposed development:

- Solway Coast Areas of Outstanding Natural Beauty (AONB) (13.2km south);
- Nith Estuary National Scenic Area (NSA) (23.4km south-west);
- Langholm Hills Regional Scenic Area (RSA) (0.1km north-east);
- Torthowald Ridge RSA (19.0km west);
- Solway Coast RSA (20.5km south-west);
- Frontiers of the Roman Empire (Hadrian's Wall) (Core Area) (18km south); and
- Frontiers of the Roman Empire (Hadrian's Wall) (Buffer Area) (12.1km south).

6.3.10. The LVIA predicts that there would be localised significant effects within parts of the Langholm Hills Regional Scenic Area (RSA), which is located directly to the north-east of the site. This is inevitable due to its close proximity to the proposed development. However, the assessment concludes that the key qualities and overall integrity of the Langholm Hills RSA would not be compromised.

Impacts on Landscape Character

6.3.11. Sixteen landscape character types (LCTs) in Scotland and nine in England have been identified and assessed in the LVIA for potential landscape effects due to the proposed development.

6.3.12. The LVIA identifies that the proposed development would be visible from all of the LCTs included in the assessment to a greater or lesser degree. The level of effect on the character areas differs primarily due to: the level of intervening landform screening; their variable sensitivity to wind farm development; and the presence and existing influence of operational wind farms including Solwaybank Wind Farm to the west and Craig Wind Farm to the north.

6.3.13. The LVIA establishes that significant landscape character effects would be confined to approximately 5km of the proposed wind turbines within the following LCTs:

- LCT175 Foothills – Dumfries and Galloway (in which the site is primarily located);
- LCTT172 Upland Fringe – Dumfries and Galloway (in which a small part of the site is located);
- LCT177 Southern Uplands – Dumfries and Galloway (0.8km north); and
- LCT161 Pastoral Valley – Dumfries and Galloway (1.4km east).

Beyond this distance, the LVIA concludes that there would be no significant effects on landscape character in the wider parts of these LCTS or any other LCTs.

6.3.14. The LVIA also includes an assessment of the impacts on landscape character at night of a reduced visble aviation lighting scheme which has been agreed between the applicant and the Civil Aviation Authority (CAA). The assessment identifies that localised significant effects would be confined to LCT175 Foothills – Dumfries and Galloway (includes site) and LCT177 Southern Uplands – Dumfries and Galloway due to the introduction of new light sources.

Visual Impact

6.3.15. The LVIA identifies that significant visual effects from the proposed development would be confined to local roads, residents and core paths between the A7, A6071 and A74(M)s. This area extends up to approximately 1.8km east of the site, 9km south of the site and 8km south-west of the site and is therefore relatively limited in extent. No significant effects are predicted from any larger settlements, major roads, railway lines or long disance routes.

Cumulative Impact

6.3.16. A cumulative assessment has been carried out which identifies that the addition of the proposed Loganhead Wind Farm (9 turbines, 200m to blade tip) and proposed Hopsrig Wind Farm (13 turbines, 200m to blade tip) would result in an increased level and significant effect on LCT177 Southern Upland – Dumfries and Galloway LCT if consented and built. It also identifies that the addition of the proposed Faw Side Community Wind Farm (45 turbines, 200m to blade tip) and proposed Teviot Wind Farm (62 turbines, 240m to blade tip) would result in an increased level and significant effect on LCT166 Upland Glen – Dumfries and Galloway LCT if consented and built.

6.3.17. The cumulative night time assessment predicts that LCT177 Southern Upland – Dumfries and Galloway LCT would experience increased and significant landscape effects at night as a result of the incombination effects of the proposed development with the proposed Loganhead and Hopsrig wind farms and their associated aviation lighting.

6.3.18. The LVIA identifies that greatest cumulative visual effects will be on visual receptor groups to the north and those with open views towards the site from the south and south-west where the spread of turbines in views will increase as a result of the addition of cumulative schemes in combination with the proposed development. No significant cumulative visual effects are predicted from any larger settlements, major roads, railway lines or long disance routes.

Impact on local communities and residential interests

Noise and Vibration

6.3.19. An operational noise impact assessment of the proposed development is provided in Chapter 11 of the EIA Report. The assessment was undertaken cumulatively in combination with the operational Solwaybank Wind Farm and appropriate noise limits derived from the total ETSU-R-97 limit deemed appropriate in the cumulative assessment.

6.3.20. This assessment identifies that with the implementation of a noise mitigation strategy that operational noise levels from the proposed development in combination with the existing Solwaybank Wind Farm would fall below the ETSU-R-97 noise limits at all assessment locations across all wind speeds during both the day and night time periods. No significant significant adverse noise impacts are therefore predicted. An appropriate planning condition has been proposed within Technical Appendix 11.8 to ensure compliance within these limits.

6.3.21. Appropriate mitigation strategies that could potentially be implemented to ensure that construction of the proposed development (including any blasting operations associated with extraction of material from the proposed borrow pits) would not result in any unacceptable noise and vibration impacts upon the amenity of any nearby residential properties are identified within Chapter 11 of the EIA Report. It is proposed that a planning condition could be applied to the proposed development requiring the submission and approval by the Planning Authority of measures for the management of noise and vibration as part of the final CEMP to provide suitable noise and vibration controls during construction.

Shadow Flicker

6.3.22. Shadow flicker occurs when the sun passes behind the rotors of a wind turbine and casts a shadow over neighbouring properties. As the blades rotate, the shadow flicks on and off. The proposed development has been assessed in terms of shadow flicker in Chapter 13 of the EIA Report.

6.3.23. There are no set limits on the level of acceptable exposure to shadow flicker. However, the shadow flicker assessment refers to guidelines from the Department of Energy and Climate Change which suggests that a maximum of 30 hours of shadow flicker in a year and no longer than 30 minutes on any single occasion are suitable assessment thresholds. These limits have previously been agreed as reasonable with other planning authorities.

6.3.24. The shadow flicker assessment predicts that up to 8 properties may exceed the suggested limit, with the worst case affected property experiencing the impact of shadow flicker on 351 days of the year for a maximum duration of up to 83 minutes per day. In practice it is likely that shadow flicker effects would occur for considerably less time than the worst case predictions described in the assessment, due to frequent cloud cover, low irradiance intensity, the fact the proposed wind turbines will not be turning at all times and the fact that wind turbine rotors will not always be aligned with the sun in a way to cast maximum shadow onto the property.

6.3.25. A planning condition is proposed requiring investigation and mitigation should shadow flicker effects experienced be found to be causing a problem.

Visual Dominance

6.3.26. It is a long established principle of planning law that there is no "right to a view" per se. In general, the outlook from a private property is a private interest and not a public one to be protected by the planning system. However, where the degree of harm to the amenity of local residents is so severe, it is acknowledged that the impact may be a material consideration when deciding whether consent should be granted.

6.3.27. Paragraph E7 of Dumfries & Galloway Council's WED Supplementary Guidance provides guidance on what levels of visual impact are deemed by Dumfries & Galloway Council to be so severe that they harm the amenity of local residents. It states that:

"*there may be circumstances where the proximity, size and scale of a wind energy development would render a residential property 'so unattractive a place to live' - albeit not uninhabitable - that planning permission should be refused. This may be the case where turbines affect visual amenity in a way that is 'unpleasantly overbearing' or where they are 'inescapably dominant and overwhelming*'."

6.3.28. A Residential Visual Amenity Assessment (RVAA) is provided in Technical Appendix 5.3 of the EIA Report. The RVAA considers the potential effects of the proposed development on all properties within 2.5km from all proposed wind turbine locations.

6.3.29. The RVAA follows a four stage assessment process. The first three stages broadly fall within the scope of the landscape and visual impact assessment and essentially identify those properties with the potential to experience a significant effect (in EIA terms) on views from their property or its curtilage during the operational period of the proposed Development. The final stage then considers, for those properties where significant visual impacts are predicted, whether or not the impacts are of such a magnitude or nature that may affect the living conditions experienced by the occupiers of the property.

6.3.30. The RVAA identifies that three properties would expereience significant visual effects on their views as a result of the proposed development. Two of these properties (1 Bigholms Cottages and Bloch Farm) are located within the site boundary and are financially involved with the project. Only one property was therefore taken forward for detailed assessment in the RVAA.

6.3.31. Collin Cottage is located within the site boundary, adjacent to the B7068. The property is situated approximately 1.05km south of the nearest propsoed wind turbine (turbine T5). The existing wind turbines at Solwaybank Wind Farm are already present within views from around this property. However, the proposed wind turbines will be noticeably closer, and will extend throughout the view from the primary aspect of the property. The RVAA identifies that whilst the proposed wind turbines occupy a panoramic view from the primary aspect, that many of the proposed wind turbines are screened. The RVAA therefore concludes that the wide extent of the proposed wind turbines would not be considered imposing or overbearing and would not be sufficient to render the property an unnattractive place in which to live.

6.3.32. Overall, it is therefore concluded that the proposed development would not adversely impact upon residential visual amenity to a significant and unacceptable degree.

Impact on infrastructure

Traffic and Transport

6.3.33. Chapter 10 of the EIA Report considers the likely significant effects on traffic and transport associated with the construction and operation of the proposed development.

6.3.34. The site would be accessed from the C70A via two new site entrances south of Bloch Farm. AILs will be delivered via the M8, M74 and M6, A6071, A7(T), Auchinrivock Road, U251a, Old Irvine - Kerr track and the C70A to the site entrance. An AIL route survey report is provided in Technical Appendix 10.2 of the EIA Report which confirms that this route is considered feasible for the delivery of wind turbine components, subject to localised temporary works at a limited number of junctions and pinch points on the local road network to facilitate movements.

6.3.35. Discussions with Transport Scotland have also been held to ascertain if a direct AIL only access (inbound only) onto the A7 can be provided. These discussions are at an early stage at present. Should this proposal proceed, it is proposed that the new arrangement be included in a revised route survey report that would be provided to both Transport Scotland and Dumfries & Galloway Council post determination once the preferred candidate wind turbine for construction has been confirmed. The requirement for a revised route survey report could be secured through an appropriately worded planning condition.

6.3.36. Details of proposed routeing for other construction delivery traffic are provided in Section 10.6 of Chapter 10 and shown on Figure 10.4 of the EIA Report.

6.3.37. At the peak of construction, the traffic associated with the proposed development would result in a 126 HGV two way movements per day and 84 cars and light vehicle movements per day. These figures indicate approximately five HGVs arriving at the site every hour at the peak period on average.

6.3.38. The greatest impacts associated with these traffic movements would occur along the A7(T), west of Crofthead, Auchenrivock Road and the C70a, U251A and the core paths along the Old Irvine – Kerr Track. Any effects on these routes as a result of these increases in construction traffic (including as a result of cumulative effects with the construction of other wind farm sites which share these routes) would be mitigated for through the implementation of a Construction Traffic Management Plan (CTMP). The CTMP would be developed in agreement with Dumfries & Galloway Council and Transport Scotland detailing the exact measures to be implemented during construction of the development. The requirement for a CTMP for the proposed development could be secured through an appropriately worded planning condition.

6.3.39. Overall, taking into account the proposed mitigation and planning conditions, it is concluded that the proposed development would not give rise to any significantly detrimental effects on the transport network, local road users or road safety during construction or operation.

Telecommunications

6.3.40. The proposed development has been assessed in terms of potential impacts on radio, TV, telecoms and other communications installations in Chapter 13 of the EIA Report.

6.3.41. The assessment concludes, on the basis of pre-application consultation with network operators, that the proposed development will have no effect on any telecommunications, broadcasting or transmission link interests. In the unlikely event that issues do arise, it is a matter that may be mitigated.

6.3.42. Overall, it is therefore concluded that the proposed development would not result in any unacceptable impacts upon telecommunications, broadcasting installations or transmission links.

Impact on aviation and defence interests

6.3.43. Chapter 13 of the EIA Report considers the likely effects of the proposed development on aviation and defence interests.

6.3.44. The Ministry of Defence (MoD) have identified that the proposed wind turbines have the potential to interfere with the military air traffic control (ATC) radars at RAF Spadeadam Deadwater Fell and Berry Hill. NATS en Route plc (NERL) have also identified that the proposed wind turbines may also cause unacceptable interference to the NATS en Route plc (NERL) Lowther Hill radar. It is proposed that the applicant will engage with both the MoD and NERL to establish the extent of any detrimental impact on their radar systems as a result of the proposed development. Should mitigation be required, it is considered that a suspensive planning condition could be used requiring the agreement and implementation of appropriate radar mitigation schemes prior to any development taking place.

6.3.45. The proposed development is within the 50km safeguarding area of the Eskdalemuir Seismic Array. The station is used to monitor compliance with the Comprehensive Nuclear Test Ban Treaty (CTBT), to identify illicit nuclear explosions and record earthquakes. In order to ensure the UK's compliance with the Comprehensive Nuclear Test Ban Treaty, a noise budget of 0.336 nm rms was allocated by the MoD for wind energy development within the safeguarded area. This budget is currently taken up by other wind energy proposals and it is therefore anticipated that the MoD will object to the proposed development. However, a working group convened by Scottish Ministers is actively assessing this issue and has identified that the future level of available noise budget may change, therefore potentially giving enough headroom for the proposed development to be accommodated without interfering with the operational capabilities of the array.

6.3.46. In accordance with Civil Aviation Authority (CAA) guidance, the proposed wind turbines will be required to be fitted with visible aviation lighting. A reduced visible lighting scheme has been agreed between the applicant and the CAA which means that not every perimeter wind turbine will need to be lit with aviation lighting on the nacelle and that no lights will be required on the wind turbine towers subject to an infrared scheme being agreed with the MoD.

6.3.47. A condition requiring details of this infrared aviation lighting to be submitted and approved by the Planning Authority in consultation with the MoD could be adopted for the proposed development. A condition could also be applied requiring notification to the MoD of the final wind turbine positions.

6.3.48. Overall, it is concluded that, subject to the proposed conditions, that the proposed development would not give rise to any significant issues on the safety of aviation and defence interests.

Other impacts and considerations

Biodiversity

6.3.49. The proposed development has been assessed in terms of ecology in Chapter 7 and ornithology in Chapter 8 of the EIA Report.

6.3.50. The proposed development site does not lie within any statutory or non-statutory nature conservation designations. No significant effects are predicted during the construction or operational phases in the ecology or ornithology assessments on any nature conservation designations outwith the site.

6.3.51. The construction of the proposed development would result in some significant effects on peatland habitats present on the site. This includes the loss of 3.0ha of wet modified bog, 08.ha of blanket bog, 19.9ha of wet heath and 7.4ha of marshy grassland/rush pasture. However, this habitat loss would be compensated for by the improvements that are proposed to wet modified bog and blanket bog habitats that have degraded overtime due to drainage and grazing issues, as detailed in the HMP. Once the proposed peatland restoration has succeeded, it is considered that it would result in a net positive biodiversity impact.

6.3.52. Best practice mitigation, as referred to in Sections 7.8 and 8.8 of the EIA Report, has been proposed to ensure that there would be no significant effects to protected species and breeding birds. Full details of these best practice measures would be included in the proposed CEMP, Species Protection Plan (SPP) and Breeding Bird Protection Plan (BBPP). The applicant shall employ an Ecological Clerk of Works (EcOW) to oversee and monitor the implementation of these plans.

6.3.53. Once operational, to mitigate for potentially significant collision risk effects on four bat species, wind turbine blades would be automatically prevented from turning when they are not operational at low wind speeds. This mitigation, would be implemented at times when bats might be active (30 minutes before sunset to 30 minutes after sunrise from March to October). Application of this mitigation can be implemented without any loss of output.

6.3.54. Operation of the proposed development would also result in some non-significant disturbance effects on breeding curlew and other breeding waders from a zone of about 500m around the proposed wind turbines. The effects would be mitigated for through the proposed HMP, which would seek to provide enhanced moorland habitats for the breeding bird community outwith this potential disturbance area.

6.3.55. Overall, taking into account the proposed mitigation, it is therefore concluded that the proposed development would not result in any significant adverse effects on biodiversity.

Forests and Woodland

6.3.56. There would be no impacts upon any forest or woodland habitats as a result of the proposed development.

Peat and Carbon Rich Soils

6.3.57. As previously identified, it is noted that parts of the site are located within a Group 2 area due to mapped areas of Class 1 and Class 2 carbon rich soil, deep peat and priority peatland. Whilst this national level mapping taken from SNH's (now NatureScot's) Carbon and Peatland Map 2016 is helpful in identifying the potential presence of peat when prepating spatial frameworks for wind energy developments, it must be noted that it is not intended to be used as a development management tool for assessing individual proposals. NatureScot's 'Spatial Planning for Onshore Wind Turbines – natural heritage considerations' (SNH, 2015) guidance document makes this clear. It states that the national peatland map information:

"*cannot (and should not) be used in isolation to determine the impacts of a specific development proposal on peat. This should be based on a detailed, site specific survey of peatland habitats and peat depths across the site using existing methods…The location of a proposal in the mapped area does not in itself mean that the proposal is unacceptable, or that carbon rich soils, deep peat and priority peatland habitat will be adversely affected. The quality of peatlands tends to be highly variable across an application site and a detailed assessment is required to identify the actual effects of the proposal, and to inform the location of the site infrastructure…*"

6.3.58. A comprehensive programme of peat survey investigation has been undertaken as part of the EIA for the proposed development. The results of these peat surveys are reported in Chapter 9 of the EIA Report and its associated technical appendices.

6.3.59. The layout and design of the proposed development has carefully considered the presence of peat within the site, with the final layout as proposed in this application generally avoiding areas of deeper peat and limiting development to small areas of shallow peat or areas where peat is absent. The EIA chapter and accompanying technical appendices demonstrate that no surplus peat would be generated and that the proposed development can be constructed in a manner that would not pose a significant risk to peatland.

6.3.60. Pre-construction, further information including detailed ground investigations to determine the peat characteristics across the site will be collected to enable detailed design of the site infrastructure and to enable a detailed Peat Management Plan to be prepared. The requirement for a detailed Peat Management Plan can be secured through an appropriate planning condition. The protection of peatland would also be addressed in conditions covering micro-siting, the working and restoration of borrow pits and a CEMP. As detailed earlier, peat restoration is also proposed as part of the HMP.

6.3.61. Overall, it is therefore concluded that the proposed development would not result in any significant effects on peat and carbon rich soils.

Hydrology, the Water Environment and Flood Risk

6.3.62. With the exception of access tracks, all proposed infrastructure, are located more than 50m from any watercourses. The 100m and 250m buffers specified in SEPA guidance for protection of potential ground water dependent terrestrial ecosystems have also been applied to the layout design of the proposed development.

6.3.63. Good practice measures as described in Section 9.7 of Chapter 9 of the EIA Report would be applied in relation to pollution risk, sediment management and management of surface run off rates and volumes. Such measures would be included in the CEMP, and the applicant would employ an ECoW to oversee and implement these measures.

6.3.64. The layout of the access tracks has been designed to minimise the number of watercourse crossings required. Four new water crossings are required during the construction phase and would remain in place during the operational phase. All new watercourse crossings would be appropriately designed to prevent increased flood risk downstream and allow free passage of fish and mammals. All watercourses crossing would be approved prior to development with SEPA and managed under The Water Environment (Controlled Activities) (Scotland) Regulations, 2011 (Controlled Activities Regulations (CAR)) (as amended).

6.3.65. There are existing private water supplies at several properties (Bigholms Cottages, Bloch Farm and Bloch Steading) in the vicinity of the proposed development that have hydrological connectivity to the site. The impact of the proposed development on these private water supplies and the proposed mitigation to protect these private water supplies is detailed in Technical Appendix 9.4 of the EIA Report. To ensure that these private water supplies will not be adversely impacted by the proposed development, a planning condition requiring adoption of a monitoring programme both prior to and during construction is proposed.

6.3.66. Overall, it is therefore concluded, taking into account the proposed mitigation which could be secured by planning conditions, that the proposed development would not result in any unacceptable impacts upon hydrology, the water environment or flood risk.

The Historic Environment and Cultural Heritage

6.3.67. One designated asset, Bloch Farm Enclosure (SM4690) scheduled monument lies within the site. The layout design of the proposed development has deliberately avoided infrastructure within the vicinity of this asset to ensure there are no direct physical effects on it. Similarly, the layout design of the proposed development has sought to avoid other non-designated assets identified on the site as as far as possible. The requirement to prepare and implement a programme of archaeological works prior to the commencement of development would ensure the protection or recording of any archaeological features on the site.

6.3.68. Given its proximity, particular attention has been given in the layout design of the proposed development to minimising potential adverse indirect effects on the setting of Bloch Farm enclosure (SM4690) scheduled monument. This has included reduction of the blade tip height of several of the wind turbines.

6.3.69. Chapter 6 of the EIA Report assesses the residual effects on the setting of heritage assets within the site and surrounding area, taking into account the embedded design mitigation that has been employed. Significant setting effects are predicted upon two scheduled monuments, Bloch Farm Enclosure and Gibbs Hill Palisade Enclosure (SM4518). Bloch Farm Enclosure scheduled monument is located approximately 800m from the nearest proposed turbine, and Gibbs Hill Palisade Enclosure scheduled monument located approximately 3.3km south east of the nearest proposed wind turbine.

6.3.70. The cultural heritage assessment identifies that the only contributing aspects of Bloch Farm Enclosure's setting that would be moderately but significantly adversely affected by the proposed development would be the visual association with the other non-designated assets in the Wauchope Water valley that it sits within. The views within the valley that make the greatest contribution to the significance of the monument are identified as being eastwards towards such non designated assets on the southern slopes of Calfield Rig and Clleuchfoot where five of the proposed wind turbines would be visible. Four of the proposed wind turbines would also be visible along the valley in views towards the west. Despite the changes to these views, the assessment concludes that the relationship between the asset and its strategic spatial and visual association with the valley would be preserved, as would the ability to understand, appreciate and experience the monument.

6.3.71. In terms of Gibbs Hill Palisade Enclosure scheduled monument, the cultural heritage assessment identifies that the only contributing aspects of this asset's setting that would be significantly adversely affected by the proposed development would be its shared views with a non-designated asset at Cleuchfoot. Given the proposed wind turbines would come to form a feature of these reciprocal views, the assessment predicts there would be a moderate significant effect on this component of the assets setting. However, the assessment predicts that the other contributing aspects of this assets setting, including the more critical association with the valleys and watercourses that provided natural defence and evidently had a fundamental influence on the assets original siting, would all be preserved. The assessment therefore concludes that the understanding, appreciation and experience of the asset would again be retained.

6.3.72. Overall, the cultural heritage assessment therefore concludes that impacts of the proposed wind turbines on the setting of Bloch Farm Enclosure scheduled monument and Gibbs Hill Palisade Enclosures would not be so severe as to affect the overall integrity of either asset. On this basis it is submitted that the proposed development would not conflict with paragraph 145 of SPP and is therefore acceptable.

Tourism and Recreation

6.3.73. The proposed development has been assessed in terms of tourism and recreation during both the construction and operational phase in Chapter 12 of the EIA Report.

6.3.74. Views of the proposed development would be available from local paths and for walkers in the area, however such views would be transient and would be seen in the context in the context of the existing wind farm development in the area. It is therefore considered that impacts upon such users would not be uncharacteristic or unacceptable, and that the proposed development would not impact on the attractiveness and use of any such routes.

6.3.75. In assessing the acceptability of the visual impact of the proposed development on tourists and recreation, significant weight should be given to a number of published studies (as referred to in Chapter 12 of the EIA Report) which have been undertaken in order to identify if the presence of a wind turbines would have any negative effects. These studies have concluded that the development of wind farms will not result in a significant reduction in tourist numbers, tourist experience or tourism revenue. Even in locations where tourism is a key sector in the local economy, there has also been a consistent clear message from decision makers on other wind farm applications that there is no evidence that the presence of a wind farm development would have a significant adverse effect on the tourist or wider economy of the area.

6.3.76. Overall, it is therefore concluded that that the proposed development would not have any significant adverse effects on tourism and recreational activities and those related aspects of the local and wider economy.

Public Access

6.3.77. The proposed development has been assessed in terms of public access during both the construction and operational phase in Chapter 12 of the EIA Report.

6.3.78. The greatest impact upon users of public access footpaths would be during construction on users of the core paths that share the alignment of the Old Irvine – Kerr Track as a result of the increase in traffic levels. It is anticipated that users of the core paths would be separated from construction traffic through the use of barriers and other features to be approved in discussion with Dumfries & Galloway Council. Crossing points would be provided where required, with path users having right of way.

6.3.79. It is proposed that a planning condition requiring the submission and approval by the planning authority of an Path Management Plan to ensure that public access is retained in the vicinity of the site during construction and thereafter that suitable public access is provided during the operational phase could be applied to the proposed development. Such a condition would ensure that the proposed development would not give rise to any unacceptable effects on the quality and quantity of public access.

Other LDP Policies

6.3.80. Other policies within the DGLDP2 relevant to the determination of this application are assessed in **Table 6-2** below.

Table 6-2: SPP Principles of Sustainable Development

Policy	Assessment
Policy OP1: Development Considerations	Policy OP1 is an overarching policy that sets out general development considerations relevant to the scale, nature and location of the proposal. These considerations include general amenity, the historic environment, landscape, biodiversity, transport, sustainability and the water environment. These considerations have all been addressed in the assessment of DGLDP2 Policies IN1 and IN2 above and concluded to be acceptable. The proposed development is considered to be in accordance with this policy.
Policy OP2: Design Quality and Placemaking	Policy OP2 is an overarching policy requiring development proposals to achieve high quality design in terms of their contribution to the existing natural and built environment. Through the careful consideration that has been given to the layout and design of the proposals, the proposed development is considered to relate well to the prevailing landscape setting and therefore considered to be in accordance with this policy.
Policy ED13: Minerals	Policy ED13 provides that proposals for new mineral workings will be supported where a variety of environmental considerations have been addressed to the satisfaction of Dumfries & Galloway Council. The potential locations for the borrow pit search areas have been identified based upon a review of geological mapping and site reconnaissance. The location of each borrow pit search area has been considered and refined with respect to the site infrastructure and environmental constraints. During design optimisation, the locations of infrastructure and access track design has been refined in order to minimise the amount of earthworks and cut and fill required to construct the proposed development, thereby minimising

Policy	Assessment
	the amount of aggregate and hence the number and size of borrow pits required as far as possible. As is standard practice, the ground investigations necessary for the detailed design of the borrow pits will be undertaken post consent. This will include the number, depth, orientation and design of the borrow pits within the search areas. To ensure that the detailed design of the proposed borrow pits are acceptable in terms of noise, landscape and the other environmental considerations set out in this policy, a planning condition is proposed requiring a site specific scheme for the working and restoration of the borrow pits forming part of the proposed development to be submitted for the approval of the Planning Authority in consultation with SEPA. In terms of the other assessment criteria stated within this policy, the use of onsite borrow pits will provide significant environmental benefits in terms of traffic movements on the local road network.
Policy H1: Listed Buildings	There would be no significant effects on the setting of any Listed Buildings as a result of the proposed development.
Policy HE2: Conservation Areas	There would be no significant effects on the setting of any Conservation Areas as a result of the proposed development.
Policy HE3: Archaeology	Proposed programme of archaeological works would ensure the protection or recording of any archaeological features on the site.
Policy HE6: Gardens and Designed Landscapes	No Gardens and Designed Landscapes would be significantly adversely affected by the proposed development.
Policy NE1: National Scenic Areas	No National Scenic Areas would be significantly adversely affected by the proposed development.
Policy NE2: Regional Scenic Areas	Impacts upon the Langholm Hills RSA have been addressed in relation to DGLDP2 Policies IN1 and IN2 above. Overall, the assessment concludes that the key qualities and overall integrity of this RSA would not be compromised. The proposed

Policy	Assessment
	development is therefore considered to be in accordance with this policy.
Policy NE3: Areas of Wild Land	No areas of wild land would be significantly adversely affected by the proposed development.
Policy NE5: Species of International Importance	Impacts upon protected species have been addressed in relation to DGLDP2 Policies IN1 and IN2 above. With the implementation of the proposed mitigation measures which can be secured via planning conditions, no unacceptable impacts upon any protected species are predicted. The proposed development is therefore considered to be in accordance with this policy.
Policy NE11: Supporting the Water Environment	The proposed development would not require the culverting of any waterbodies. As assessed in relation DGLDP2 Policies IN1 and IN2 above, acceptable mitigation measures to ensure the protection of the water environment could be secured via planning conditions. The proposed development is considered to be in accordance with this policy.
Policy NE12: Protection of Water Margins	With the exception of access tracks, all proposed infrastructure are located more than 50m from any watercourses. New water crossings will be designed sensitively to protect water margins. The proposed development is considered to be in accordance with this policy.
Policy NE15: Protection and Restoration of Peat Deposits as Carbon Sinks	An assessment of the carbon balance has been undertaken using the carbon calculator, demonstrating the proposed development has a clear benefit in terms of a net reduction in release of carbon dioxide. The proposed development is considered to be in accordance with this policy.
Policy CF4: Access Routes	Impacts upon access routes and core paths have been addressed in relation to DGLDP2 Policies IN1 and IN2 above. The proposed Path Management Plan, which could be secured by planning condition, would ensure that the proposed development would not impact adversely on such routes. The proposed development is considered to be in accordance with this policy.

Supplementary Guidance: Wind Energy Development: Development Management Considerations

6.3.81. The WED Supplementary Guidance was adopted by Dumfries & Galloway Council in February 2020 and forms part of, and has the same weight as, the DGLDP2. Its purpose is to provide further detail in support of the development management considerations in DGLDP2 Policy IN2, noting that proposals will be assessed against all relevant policies in the DGLDP2 along with any other relevant material considerations. Although it provides some additional detail and guidance, as discussed below the guidance does not change the focus of Policy IN2 or its respective policy tests.

6.3.82. Section 3 of the WED Supplementary Guidance indicates the various issues to be taken into account in the assessment of wind energy proposals. Paragraph 3.3 states that in considering proposals that Dumfries & Galloway Council will make an assessment by balancing all applicable factors outlined and considering against all relevant policies contained within LDP2. It clarifies that although a proposal may be detrimental in terms of one or more of these factors that this does not automatically result in a proposal being recommended for refusal. Instead, it provides that proposals will be considered favourably where Dumfries & Galloway Council is satisfied through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed. This approach accords with that set out in DGLDP2 Policy IN2 as assessed above.

Supplementary Guidance: Dumfries & Galloway Wind Farm Landscape Capacity Study (DGWLCS)

6.3.83. The DGWLCS is an appendix to the WED Supplementary Guidance and provides a study of relative sensitivity of different landscapes to development of different scales.

6.3.84. As made clear in paragraph 4.109 of the DGLDP2, the DGWLCS is intended to be used as a supportive study only. It is therefore not intended to be used to replace proposal-specific detailed assessment contained in an individual Landscape and Visual Impact Assessment. This view is consistent with the executive summary of the DGWLCS, which states that the study *"does not replace the need for individual and visual impact assessments and/or Environmental Assessments for individual wind energy developments."* It is also consistent with recent wind farm appeal decisions. It is also important to note that the DGWLCS does not, as clarified by the document itself, provide a tool for assessing whether or not there is capacity in the landscape for any given development.

6.3.85. For the purposes of this proposal, the DGWLCS has therefore been used as a source of background information and a starting point to inform judgements about landscape sensitivity in the much more detailed proposal-specific LVIA presented in Chapter 5 of the EIA Report. The conclusions of this detailed LVIA are discussed above in relation to DGLDP2 Policy IN2: Wind Energy.

7. Conclusions

7.1. Climate Change and Renewable Energy Policy Considerations

7.1.1. In response to the declared climate emergency, there has been a step change in policy and attitudes towards the importance of reducing greenhouse gas emissions to combat climate change as soon as possible. This has seen the Scottish Government adopting even more ambitious climate change and renewable and targets than it had previously set, in particular setting statutory targets through the Climate Change (Emissions Reductions Targets) (Scotland) 2019 which now commit Scotland to cut greenhouse gas emissions by 75% by 2030 before reaching net zero in 2045. With Scotland failing to achieve its recent annual targets, the evidence clearly shows the huge challenge that will be required to meet the 2030 target and the annual targets over the next decade toward this target. The importance of very substantial increases in renewable energy generation to reduce greenhouse gas emissions has therefore been emphatically acknowledged, the UK Committee on Climate Change identifying that renewable energy generation "*must quadruple*" if net zero targets are to be met. With the onshore wind sector likely to play the greatest role in achieving this substantial increase in renewable energy generation in the next decade, the consultative draft of the Scottish Government's Onshore Wind Policy Statement Refresh 2021 has quantified this as requiring between 8 to 12GW of additional onshore wind generation by 2030.

7.1.2. It is therefore concluded that the need case for new renewable generation, in particular onshore wind, has been materially strengthened by this new net zero legislation and the declared climate emergency. That being the case, the contribution the proposed development would make to these targets by replacing fossil fuel energy generation and thereby reducing greenhouse gas emissions is a factor in its favour which must be afforded significant weight in the decision making process.

7.2. National Planning Policy Considerations

7.2.1. Current national planning policy in NPF3 and SPP set out a strong position of support for renewable energy developments, in particular onshore wind energy developments, in relation to the contribution that they can make towards a low carbon economy, sustainability and reducing greenhouse gas emissions. This support is qualified by the need to ensure that such developments are guided to appropriate locations and the need to ensure that environmental impacts are satisfactory.

7.2.2. Taking account of the development management considerations for energy infrastructure developments set out at paragraph 169 of SPP it is concluded that:

- In terms of benefits, the proposed development would have a positive net economic impact, including local and community socio-economic benefits such as employment and associated business and supply chain opportunities. It would also make a positive contribution to renewable energy generation targets, carbon dioxide reduction targets, and have a consequent beneficial effect on helping to reduce greenhouse gas emissions.
- There would be no significant effects on communities and individual dwellings in terms of noise or shadow flicker, nor would the proposed development adversely impact upon residential visual amenity to a significant and unacceptable degree.
- Although the proposed development would have some significant adverse landscape and visual impacts, these would be localised and would not compromise the key qualities and overall integrity of any RSAs. There would be no signficant effects on any other landscape designation or effects upon wild land. Nor would there be any significant visual effects upon any larger settlements, major roads, railway lines or long disance routes. It is therefore considered that the landscape is capable of accomodating the proposed development and that the proposals would not result in any unacceptable landscape and visual impacts.
- The proposed development would have no significant effects on natural heritage, including birds. Its impact on carbon rich soils and peat would not be unacceptable. There would be no significant effects on public access, including impact on long distance walking and cycling routes and scenic routes identified in NPF3.

- The impacts of the proposed development on Bloch Farm Enclosure (SM4690) and Gibbs Hill Palisade Enclosure (SM4518) scheduled monuments would not be so severe as to affect the overall integrity of both assets. It would therefore not conflict with paragraph 145 of SPP and is deemed to be acceptable. There would be no other significant adverse effects on the historic environment, including scheduled monuments, listed buildings and their settings;
- Potential aviation constraints can be overcome through radar mitigation schemes and can be controlled through suspensive planning conditions.
- It is anticipated that the future available noise budget associated with the Eskdalemuir Seismic Array may change, thereby enabling the proposed development to be accommodated without interfering with the operational capabilities of the array. If confirmed, this would avoid objection from the MoD and enable potential defence constraints associated with the array to be controlled through a suspensive planning condition.
- There would be no significant impacts on tourism and recreation, telecommunications and broadcasting installations;
- Effects on road traffic and the trunk road network could be appropriately managed by conditions. Conditions could also regulate effects on hydrology, the water environment and flood risk and could secure the decommissioning of the development as well as site restoration.
- On-site energy storage is proposed as part of the proposed development and is a further matter to which positive weight should be attached given the benefits it offers to the national grid and integration of renewables into the grid.

7.2.3. Overall, it is therefore concluded that the proposed development would comply with the requirements of paragraph 169 of SPP.

7.2.4. Although it is noted that NPF3 and SPP remain as current policy until final approval of NPF4, it is clear from the Draft NPF4 that the direction of travel is that significant weight should be given to the Global Climate Emergency when considering all development proposals. Therefore, it is considered that even greater weight should be given now to renewable energy developments and their benefits in the planning balance exercise than current national planning policy provides.

7.3. Development Plan

7.3.1. The key relevant policy tests in the DGLDP2 are policies IN1 and IN2. These set out the specific policies for the assessment of renewable energy developments and wind energy developments. Both set out the development management considerations against which the acceptability of such proposals will be assessed, and provide that acceptability with these policies will be determined through an assessment of the details of the proposal including its benefits and the extent to which environmental and cumulative impacts can be addressed satisfactorily. The Supporting WED Supplementary Guidance also clarifies that although a proposal may be detrimental in terms of one or more of these factors, that this does not automatically result in a proposal being recommended for refusal.

7.3.2. The proposed development has successfully incorporated general best practice design advice for onshore wind energy developments and effective site-specific design mitigation has been achieved through careful siting of the proposed wind turbines and varying the heights of the wind turbines in response to the prevailing landscape setting. With regard to Policies IN1 and IN2, it is therefore concluded that the proposed development is located, sited and designed appropriately.

7.3.3. In terms of benefits, the proposed development would contribute to the meeting of renewable energy generation targets and have a positive effect on the local and national economy.

7.3.4. It is considered that the environmental and cumulative impacts of proposed development have either been addressed satisfactorily through the layout design of the proposed development or can be adequately addressed through appropriate planning conditions. The only adverse impacts that arise in respect of the proposed development are limited to, some significant localised landscape and visual impacts and some significant effects on the setting of the Bloch Farm Enclosure (SM4690) and Gibbs Hill Palisade Enclosure (SM4518) scheduled monuments. Such localised landscape and visual effects are to be expected of a commercial-scale wind energy proposal and are considered to be acceptable. Regarding the impacts on Bloch Farm Enclosure and Gibbs Hill Palisade Enclosure scheduled monuments, it is reiterated that the understanding, appreciation and experience of both these assets would be adequately retained.

7.3.5. Overall, it is therefore considered that the important climate change, renewable energy and socio-economic benefits of the proposed development outweigh the acknowledged significant landscape and visual impacts and also the extent to which the setting of Bloch Farm Enclosure and Gibbs Hill Palisade Enclosure is adversely affected by the proposals. On this basis it is concluded that the proposed development accords with DGLDP2 Policies IN1 and IN2 and their associated Supplementary Guidance.

7.3.6. The proposed development is also considered to be in accordance with all the other relevant policies within the DGLDP2 and their associated supplementary guidance. The proposed development would therefore be consistent with the DGLDP2, insofar that it is a relevant consideration in the determination of a section 36 application.

7.4. Overall Conclusions

7.4.1. The UK and Scottish Government objective is clear in terms of the urgency of the need case for carbon reduction measures, including the requirement for the rapid development of renewable energy. Large schemes (> 50MW) such as the proposed development, which utilise efficient wind turbines, are located on sites that benefit from high wind speeds, and that have a short carbon payback period, can make significant contributions towards this objective.

7.4.2. Given this strong need case, it must surely be demonstrated in terms of the planning balance exercise that if proposals for such schemes are not to be granted consent that they must either be located on unsuitable sites and/or that their adverse environmental impacts must be out of the ordinary or exceptional. As demonstrated, this is clearly not the case with this proposal.

7.4.3. Whilst the proposed development would have some localised landscape impacts and impacts upon the setting of two scheduled monuments, careful consideration has been given in the layout design of the proposed development to minimising these impacts as far as reasonably possible. Where this has not been possible, the layout design of the proposed development has sought to ensure that the most sensitive landscape and visual receptors are avoided. It is considered that the final layout of the proposed development achieves these objectives.

7.4.4. Overall, it is therefore concluded that the landscape and visual effects of the proposed development and the impacts on two scheduled monuments do not outweigh its positive climate change, renewable energy and socio-economic benefits. On this basis, it is concluded that section 36 consent and deemed planning permission should be granted for the proposed development.

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FIGURES

BLOCH WIND FARM

FIGURE 1

SITE LOCATION

KEY

SITE BOUNDARY

SITE LOCATION - NOT TO SCALE

LAYOUT DWG N/A	T-LAYOUT NO. N/A
DRAWING NUMBER	REV

SCALE - 1:200,000 @ A3

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BLOCH WIND FARM

FIGURE 2

PROPOSED DEVELOPMENT

SITE LOCATION
(SCALE - 1:250,000)

INFRASTRUCTURE LAYOUT PLAN
(SCALE - 1:20,000)

KEY INFRASTRUCTURE

- SITE BOUNDARY
- Txx WIND TURBINE (180m TIP HEIGHT)
- Txx WIND TURBINE (200m TIP HEIGHT)
- Txx WIND TURBINE (230m TIP HEIGHT)
- NEW SITE TRACKS
- WATERCOURSE CROSSING
- CRANE HARDSTAND AREA
  - PERMANENT
  - TEMPORARY
- TEMPORARY CONSTRUCTION COMPOUND
- BATTERY STORAGE COMPOUND
- SUBSTATION COMPOUND INCLUDING TELECOMMUNICATIONS MAST
- BORROW PIT SEARCH AREA
- SITE ENTRANCE LOCATION

LAYOUT DWG: N/A	T-LAYOUT NO.: PSCOsbe024
DRAWING NUMBER:	REV:

SCALE - 1:20,000 @ A3

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