Planning Statement

Scoop Hill Community Wind Farm

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Glossary

Term	Definition
Capacity Factor	The capacity factor of any power plant is the percentage of generation of its actual generation against its theoretical maximum generation.
Unit of electricity	1 KWh

Abbreviations

Abbreviation	Description
BEIS	Department for Business, Energy and Industrial Strategy
CO_2	Carbon Dioxide
DECC	Department for Energy and Climate Change
DGC	Dumfries and Galloway Council
DGWLCS	Dumfries and Galloway Wind Farm Landscape Capacity Study
DSPFL	Dark Sky Park Friendly Lighting
EC	European Commission
EIAR	Environmental Impact Assessment Report
EU	European Union
GW	Gigawatt
HBE	Historic Built Environment
IPCC	Intergovernmental Panel on Climate Change
kV	Kilovolt
KW	Kilowatt
KWh	Kilowatt hour
LDP	Local Development Plan
LDP2	Dumfries and Galloway Council Proposed Plan 2019
m/s	Metres per second
mph	Miles per hour
MW	Megawatt
MWh	Megawatt hour
NGR	National Grid Reference
NPF	National Planning Framework
OWPS	Onshore Wind Policy Statement
PAN	Planning Advice Notes
RO	Renewables Obligation
RPP3	Climate Change Plan: The Third Report on Proposals and Policies
RSA	Regional Scenic Area
SES	Scottish Energy Strategy
SG	Supplementary Guidance
SPP	Scottish Planning Policy
SuDS	Sustainable Drainage System
ULEV	Ultra-low emissions vehicle
UNFCCC	United Nations Framework Convention on Climate Change
WED	Wind Energy Development: Development Management Considerations

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1. Introduction

1.1 This Planning Statement accompanies the application for consent to construct Scoop Hill Community Wind Farm under Section 36 of the Electricity Act 1989 and deemed planning permission under Section 57 of the Town and Country Planning (Scotland) Act 1997.

1.2 In accordance with the requirements of the European Directives 2011/92/EU and 2014/52/EU as applied through The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017; the environmental effects of the proposed development have been studied systematically through an iterative process, the results of which are presented in the Environmental Impact Assessment Report (EIAR). The findings of the EIAR have been used in order to assess the compliance of the proposed development against the requirements of Schedule 9 of the Electricity Act 1989 and the relevant policies of the Development Plan, and relevant planning and energy policy which are important material considerations. The EIAR accompanies this Planning Statement as part of the application to Scottish Ministers.

1.3 The proposed development will have an operational life of up to 40 years; therefore, the Applicant is seeking consent for a period of 40 years from when the turbines are fully installed and commissioned, after which the project would be decommissioned.

2. Purpose and Structure of the Planning Statement

2.1 The purpose of this Planning Statement is to assess the proposal against International and National Climate Change, Energy and Planning Policy and provide an assessment of the development against the relevant provisions of the Local Development Plan.

2.2 The Planning Statement forms part of the application for Scoop Hill Community Wind Farm and supports the Environmental Impact Assessment Report (EIAR). The application is accompanied by, and should be read in conjunction with, the following documents:

- EIAR Report – Volumes I, II and III, including a Confidential Annex, an Outline Habitat Management Plan and an outline Construction & Environmental Management Plan (CEMP);
- A Non-Technical Summary;
- A Pre-Application Consultation (PAC) report describing the public consultation that was undertaken as part of the preparation of the EIAR;
- A Commitment to Communities report, which describes how the proposed development could directly and indirectly assist local communities and the local economy;

3. The Applicant/Developer

3.1 The Applicant is CWL Energy Limited, which is a sister company to Community Windpower Limited (CWL). CWL Energy Limited will be the company for which the Scoop Hill Community Wind Farm will be developed, constructed and operated by however for sake of clarity, CWL will be promoting and managing the application on behalf of CWL Energy Limited. Therefore, the Planning Statement will subsequently reference CWL in its documentation.

3.2 Formed in 2001, CWL is a Scottish focused independent UK company working closely with host communities to build wind farms that provide tangible economic, educational and environmental benefits for whole communities.

3.3 CWL believes in an open and consultative approach with our host communities during the development stage of a wind farm project and prior to the submission of a planning application. By learning from our development and construction of medium scale wind farms in Scotland, we are able to use our extensive knowledge and experience to design sites that are sympathetic to the local environment and are capable of electricity generation that will meet local and Scottish energy needs.

3.4 CWL have seven operational wind farms totalling 221.25 MW:

- Dalry Community Wind Farm in North Ayrshire which has a generating capacity of 18 MW and became operational in June 2006;
- Aikengall Community Wind Farm in East Lothian which has a generating capacity of 48 MW and became operational in March 2009;
- Millour Hill Community Wind Farm in North Ayrshire which has a generating capacity of 18 MW and became operational in the summer of 2012;
- Calder Water Community Wind Farm in South Lanarkshire which has a generating capacity of 39 MW and became operational in December 2013;
- Millour Hill Extension in North Ayrshire which has a generating capacity of 6.4 MW and became operational in January 2016;
- Aikengall II (Wester Dod) Community Wind Farm in East Lothian which has a generating capacity of 60.8 MW and became operational in November 2017;
- Sanquhar Community Wind Farm in Dumfries and Galloway which has a generating capacity of 31.05 MW, completed construction in December 2017 and became operational in March 2018.

3.5 CWL has a further three consented wind farms in Scotland totalling 123.5 MW:

- Sneddon Law Community Wind Farm in East Ayrshire with a generating capacity of 45 MW, consented in October 2014;
- Aikengall IIa Community Wind Farm in East Lothian with a generating capacity of 75.5 MW, consented in October 2016; and
- Sanquhar 'Six' Community Wind Farm in Dumfries and Galloway with a generating capacity of 19.8 MW, consented in November 2017.

3.6 CWL have also recently submitted two applications for consent under Section 36 of The Electricity Act 1989:

- Faw Side Community Wind Farm located on the border of Dumfries and Galloway and Scottish Borders. This proposal comprised of 45 turbines and will have a generating capacity of 315MW; and
- Sanquhar II Community Wind Farm located on the border of Dumfries and Galloway and East Ayrshire. The proposal comprised of 44 turbines and will have a generating capacity of 308MW.

4. Site Location and Description

4.1 The proposed Scoop Hill Community Wind Farm is located within the administrative area of Dumfries and Galloway Council. The site is located approximately 5 km south east of Moffat and 11km North

East of Lockerbie, as calculated to the nearest turbine. The site is centred on National Grid Reference (NGR) NY155985.

4.2 The western site boundary of the proposed project runs in parallel to the A74(M), the eastern site boundary runs along the edge of the Eskdalemuir Forest.

4.3 Several concentrations of commercial forestry are situated within the development area, primarily along the eastern boundary of the site running almost the full length. There are also small compartments of commercial forestry land to the south western boundary of the site.

4.4 The proposed development falls within two main landscape character types; Southern Upland with Forestry, and Foothills (Dumfries and Galloway Local Development Plan Supplementary Guidance, Part 1 Wind Energy Development: Development Management Considerations – 22nd June 2017). Additionally, there is one other landscape character type that falls within the site boundary; Intimate Pastoral Valleys.

4.5 The nearest wind farm to the scheme is Little Hartfell which was consented in September 2019, located 6km to the south east of the proposed development, which will comprise of nine wind turbines with a tip height of 160m. Harestanes wind farm, is located approximately 10km west of the proposed site and comprises of 68, 2MW Gamesa G90/2000 operational turbines, with an overall installed capacity of 136 MW.

5. Project Description

5.1 CWL Energy Ltd proposes to design, install, operate, and decommission a wind farm comprising 75 wind turbines. Of the 75 turbines:

- 4 wind turbines will have a maximum tip height of 180m;
- 47 wind turbines will have a maximum tip height of 200m;
- 2 wind turbines will have a maximum turbine height of 225m; and
- 22 wind turbines will have a maximum tip height of 250m.

5.2 The assumed typical rated capacity of each turbine is 7 Megawatts (MW), giving the total installed generating capacity of 525 MW for the wind farm.

5.3 In addition to the proposed 75 turbines, the project will consist of the following infrastructure:

- Crane hardstands;
- 65km of new on-site access tracks and the utilisation of 40km of existing tracks;
- Substation/control room building and compound along with 3 satellite substations;
- Underground electrical and fibre optical cables to each turbine;
- Three 125 m meteorological masts;
- A minimum of 250 MW of energy storage facilities (to be built where the main temporary substation construction compound are situated);
- Scottish Power onsite substation and connection to a grid supply point (which will be dealt with via a separate Section 37 planning application).

5.4 In addition to this, the following will be required during the construction of the wind farm:

- Up to 8 temporary borrow pits and the expansion of 6 existing quarries/borrow pits, with associated temporary screening or crushing plant, which will be reinstated post-construction;

- Temporary substation construction compounds (one for the main substation and one for each satellite substation);
- Temporary construction and storage compounds which will be removed post-construction; and
- A temporary concrete batching plant located in one or more of the excavated borrow pits or construction compounds.

5.5 The development will include permanent improvements to the natural habitat both within and surrounding the development site. These proposals are referenced in both Section 7 (Ornithology) and Section 8 (Ecology) of the EIAR and will be incorporated into a Habitat Management Plan (HMP), which will be designed and implemented through consultation with key consultees to enhance biodiversity. The application is accompanied by a standalone 'Outline HMP' which presents the proposed ecological and ornithological improvements.

Construction

5.6 Construction will take place over an approximately eighteen-month period, after which the development will become operational and generate electricity over a period of approximately 40 years. After this time, it will either be decommissioned, or a new application made for consent to extend its operational life. If the development is decommissioned, the site will be reinstated.

Grid Connection

5.7 Underground cabling will be provided between the turbines and the substations on-site and an application for the grid connection between the site substation and the national grid will be made to the network operator, Scottish Power. This will be the subject of a separate Section 37 consents procedure and does not form part of this application.

6. Potential Production and Benefits of Scoop Hill Community Wind Farm

6.1 The efficiency of a wind farm is described by the term 'capacity factor'; if the wind farm is said to operate at 100% capacity factor, this means that each proposed turbine will be producing its maximum power output of 7 MW, 24 hours a day, every day throughout the year. For this to occur, wind speeds would have to continuously exceed 15 m/s (around 33 or 34 mph), which is never the case.

6.2 Given the predicted wind regime, Scoop Hill Community Wind Farm is anticipated to operate at a capacity factor in the region of 50%. Nonetheless, although this is a realistic assumption, for the purpose of the EIAR, a more conservative capacity factor of 45% is used in the energy and emissions calculations. This means the 75 wind turbine proposal would produce approximately 2.1 TWh units of electricity per year. Based on BEIS statistics, this would be enough electricity to power over 572,000 homes each year.

6.3 Overall, Scoop Hill Community Wind Farm would generate up to 525 MW of power and will contribute substantially towards the Scottish Government's interim target for reaching net zero emissions by 2030.

The Environmental Savings of Scoop Hill Community Wind Farm

6.4 Renewable energy is one of the best tools we have to combat climate change. As the proportion of renewable electricity in Scotland grows it gradually displaces the need to generate electricity from polluting fossil fuels, thus reducing total carbon emissions. In 2018, 11.9 million tonnes of carbon dioxide was displaced by Scotland's renewable energy output (Scottish Government energy statistics summary, 2018).

6.5 Every unit (1kWh) of electricity produced by wind power displaces a unit of electricity, which would otherwise have been produced by a power station burning fossil fuels. This is a generally accepted fact used by many organisations, including the Government, in their environmental calculations.

6.6 Each unit of electricity produced by the wind farm will displace an amount of toxic greenhouse gases that would otherwise be released into the atmosphere, thus contributing to climate change. Overall, Scoop Hill Community Wind Farm alone, based on a conservative 45% capacity factor, would prevent the release of over 931,000 tonnes of carbon dioxide per annum.

6.7 Over the 40-year lifetime of the Scoop Hill wind farm, this would be equivalent to preventing the release of over 37 million tonnes of carbon dioxide. Further information can be found in Appendix 2.1 of Section 2: Detailed Project Description of the EIAR.

Investment in Scotland

6.8 CWL are committed to working with local businesses in the area surrounding Scoop Hill Community Wind Farm to create a project which is mutually beneficial.

6.9 As part of this, CWL will be implementing its 'Buy Scottish' policy. The 'Buy Scottish' policy was set up and designed so that economic investment from wind farms during development, construction and operation is made directly into the local area and Scotland. Completion of the whole project involves substantial economic investment, with the priority being that the majority of this is allocated to those who work closest to the development site.

6.10 Since 2006, CWL has invested over £375 million for its seven operational wind farms located in Scotland. This will increase to £625 million by the end of 2023 and £1.5 billion by 2025. Therefore, the 'Buy Scottish' policy is immensely valuable and important to Scotland in terms of boosting and building the local, regional and national economies.

6.11 During construction of the proposed Scoop Hill Community Wind Farm, over 250 jobs would be supported in the construction and supply industry.

6.12 A further 11 full time jobs would also be created for the 40-year life span of the wind farm. These would be in the form of six wind turbine technicians and one supervisor engineer to maintain and manage the wind turbines during its operational phase and four maintenance staff to maintain the wind farm site and undertake habitat management work as required.

6.13 Initial investment of around £530 million will be required to facilitate the development and construction of the wind farm. Scottish companies will be invited to bid for civil contracts for the construction of access tracks, turbine foundations, crane hardstands and borrow pits. In addition, electrical contracts to lay the cables, connect the wind turbines and construct the substation and switch gear will also be available.

6.14 A total annual economic investment of £32.9 million will be provided to operate the wind farm, including payment of business rates, rents, maintenance, servicing, electrical connections and community benefits.

6.15 Over the 40-year operational life of the wind farm a total investment of over £1.8 billion will be provided.

6.16 Dumfries and Galloway Council continues to face huge challenges with more budget cuts expected over the next three years. Forecasts of the D&G budget, show that the Council can expect to have £49 million less to spend on services and resources. This is nearly 15% of the Council's current budget over that period and is in addition to almost £106 million that has been cut since 2010 (Dumfries and Galloway, 2020).

6.17 Scoop Hill Community Wind Farm can help offset this budget shortfall as the operational wind farm would contribute approximately £6.56 million through business rates per annum to Dumfries & Galloway. This equates to over £262 million during the 40-year operational lifespan of the project. This money means the Council can support vital local services and facilities, in turn helping to improve education, employment and socio-economics in their local authority area.

Community Involvement, Assets and Benefits

6.18 During the operation of the proposed Scoop Hill Community Wind Farm, the Applicant will focus on the provision of community benefits and funding for community projects. These will be provided to build upon and improve economic, environmental and social requirements of local residents, businesses, community groups and communities as a whole during the operation of the project.

6.19 Consultation will be held with the Local Authority and Community Councils, along with existing Trust Fund Committees to discuss the level of funding and appropriate distribution amongst the host communities. This would be in line with guidance and comments received during the application process.

6.20 The development, if consented, will facilitate the creation of a number assets and benefits. A range of benefits are being explored and include support for the provision of additional publicly available electrical vehicle (EV) charging points, energy efficiency grants for domestic households, enhanced community broadband and continued support for schools and colleges.

6.21 One option being explored is the development of a Visitor Centre as part of Scoop Hill Community Wind Farm. Located within the development site, the Visitor Centre would provide an eco-tourist attraction that could accommodate a range of facilities and services. This development would be subject to a separate outline planning application, thorough consultation with the local community, with the final design and functionality being informed by the local business and resident community. If consent is granted for both the wind farm and the visitor centre, the Applicant would commit to delivering the Visitor Centre and its associated benefits alongside the development of the wind farm.

6.22 The Applicant is liaising with Community Councils, Local Development Groups, local residents, and other local groups and organisations for suggestions on how community assets can not only benefit the local communities, but enhance the local area, potentially bringing jobs and money into the local communities.

6.23 The Applicant will continue to work with local communities to develop community assets which would be secured through approval of the planning application for Scoop Hill Community Wind Farm.

6.24 Further information and plans are detailed in the separate Commitment to Communities Report which accompanies this application.

7. Renewable Energy Planning Policy Framework Relevant to the Application

7.1 This section provides an overview of the policy framework that is relevant to the proposed development. It covers relevant International, UK, Scottish and Local planning policy documents.

International Climate Change and Energy Policy

7.2 EU law and policy which is transposed into UK policy is derived from international co-operation to cut the emission of greenhouse gas emissions, through the United Nations Framework Convention on Climate Change (UNFCC). This includes the 'Kyoto Protocol', which became a legally binding treaty on 16 February 2005, and the 'Paris Agreement', established through the 21st session of the Conference of Parties ('COP 21'). Ratified in the UK on 17 November 2016, the Paris Agreement sets out the ambition of holding the increase of global average temperature to *'well below 2°C'* and pursuing efforts to limit temperature increase to 1.5°C.

7.3 In December 2008, the package of measures comprising the European Climate and Energy Policy was agreed by the member states. As part of this, a binding target to generate 20% of the energy consumed in the EU from renewables by 2020 was agreed. This has been given legal effect by Directive 2009/28/EC on the promotion of the use of energy from renewable sources. This target includes all energy consumption and is not restricted to electricity.

7.4 The UK is committed to the generation of 15% of energy from renewable sources by 2020. In October 2014, the Heads of Government of the EU agreed to adopt a new European Climate and Energy Policy. By 2030, this requires at least a 40% cut in greenhouse gas emissions (from 1990 levels), at least a 27% renewable energy share and a 27% improvement in energy efficiency across the EU member states.

7.5 In November 2016, The European Commission published 'Clean Energy for all Europeans' initiative. As part of this package, the Commission adopted legislative proposals for a recast of the Renewable Energy Directive. In December 2018, the revised renewable energy directive 2018/2001/EU entered into force. In Renewable Energy – Recast to 2030 (RED II), the overall EU target for Renewable Energy Sources consumption by 2030 has been raised to 32%.

7.6 The European Commission adopted its European Energy Security Strategy in May 2014. This sets out the importance of increasing energy generation within the EU (to reduce fuel imports) and in particular that this should focus on renewable energy provision to avoid inflating fuel costs.

UK Climate Change and Energy Policy

Climate Change Act 2008

7.7 The Climate Change Act became law on 26th November 2008 and introduced a legally binding target for the UK to reduce carbon dioxide emissions by at least 80% by 2050, relative to 1990 levels. Efforts to reduce emissions in Scotland would contribute to achievement of UK wide targets, as well as meeting Scotland specific targets as discussed below.

7.8 In June 2019, the UK Government passed the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 to amend the Climate Change Act 2008, by introducing a target for at least a 100% reduction of greenhouse gas emissions in the UK, compared to 1990 levels. This Order follows on from the recommendations presented by the Committee on Climate Change (CCC) publication 'Net Zero - The UKs contribution to stopping global warming' (May 2019).

Net Zero: The UKs Contribution to Stopping Global Warming

7.9 The CCC was commissioned by the Governments of the UK, Scotland and Wales to provide updated advice on the emissions targets set by the Climate Change Act 2008, including the possibility of setting a new 'net zero' target. The CCC published its report in May 2019 and concluded that achieving net zero greenhouse gas emissions across the UK (as opposed to an 80% reduction) by 2050 is '*necessary, feasible and cost-effective'*. It recommended that the UK should legislate as soon as possible for net zero emissions and reflecting circumstances in Scotland, the CCC recommended that Scotland should set a net zero target for 2045.

7.10 The CCC concluded that the current policy framework is insufficient to meet the existing 2050 targets and *'a major ramp up in policy effort is now required'*. Achievement of a new net zero target by 2050 would also ensure that the UK fully meets it obligations under the Paris Agreement, (Executive Summary, page 11).

7.11 In Chapter 3 of the report, the CCC notes that '*a large-scale shift in investment towards low-carbon technologies is needed and emissions need to stop rising and to start reducing rapidly*'.

7.12 Chapter 3 of the Report notes that '*decarbonisation of energy supply*' is a key strand of efforts required to achieve goals and that key to this, *'is a very rapid phase-out of unabated coal and widespread electrification of energy demand, alongside a widespread and rapid roll out of renewable and other low carbon power sources*.'

Scottish Climate Change and Energy Policy

7.13 The Scottish Government has published a number of climate change and energy policy documents and its own targets. The new policy context continues to provide strong support for onshore wind. The relevant Scottish legislation and policy includes the following:

- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019;
- The Climate Change (Scotland) Act 2009;
- The Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future' (the Programme) (May 2019);
- The Scottish Climate Change Plan (February 2018);
- The Scottish Energy Strategy (December 2017); and
- The Onshore Wind Policy Statement (December 2017).

7.14 Each of these policy documents are discussed in turn:

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

7.15 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (The 2019 Act) introduces even more ambitious targets than those contained in the Climate Change (Scotland) Act 2009, and in doing so, Scotland will become one of the first countries to legislate support for the aims of the Paris Agreement.

7.16 The 2019 Act amends those parts of the Climate Change (Scotland) Act 2009 that relate to emission reduction targets and associated reporting duties. The detailed proposals and policies for delivering against targets are to be set out in the current and future Climate Change Plans.

7.17 The 2019 Act sets a target date of 2045 for reaching net-zero emissions, and states that the Scottish Ministers must ensure that the net Scottish emissions account for the year:

- 2020 is at least 56% lower than the baseline;
- 2030 is at least 75% lower than the baseline; and
- 2040 is at least 90% lower than the baseline.

The Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future' (the Programme for Government) (2019)

7.18 In response to the declaration of a 'Climate Emergency' in Scotland, and the UK as a whole, the 'Programme for Government' published on 3rd September 2019 sets out actions that will be taken to end Scotland's contribution to global climate change.

7.19 The recently established Climate Emergency Response Group has noted 12 specific requests that the Programme for Government has responded to. One such request is for the completion of plans for how renewable electricity is generated in order to reach net zero emissions by 2045. The Programme for Government confirms that the Scottish Government's next Energy Statement will set out the extent to which renewable and low carbon energy generation will need to be combined in order to meet net zero and that this will subsequently be monitored on an annual basis. This will ultimately form part of a wider review of targets and policies to inform the updated Climate Change Plan. It further states that the global climate emergency necessitates consideration of more radical planning policy options. This is expected to begin via engagement and consultation in the drafting of the fourth National Planning Framework during 2020 with adoption due in 2021.

Climate Change Plan (CPP) (2018)

7.20 The vision of the CCP sets out that *'by 2032, Scotland's electricity system will supply a growing share of Scotland's energy needs and by 2030, 50% of all Scotland's energy needs will come from renewables'.* With regard to electricity generation, it sets a target of 100% of electricity to be generated from renewables by 2020.

7.21 The CCP includes two specific policy outcomes in relation to electricity generation, as follows:

- Policy outcome 1: From 2020 onwards, Scotland's electricity grid intensity will be below 50 grams of carbon dioxide per kilowatt hour. The system will be powered by a high penetration of renewables, aided by a range of flexible and responsive technologies.
- Policy outcome 2: Scotland's energy supply is secure and flexible, with a system robust against fluctuations and interruptions to supply.

7.22 Implementation indicators for policy outcomes 1 and 2 are:

- Increased amount of electricity generated from renewable sources in Scotland.
- Increase the installed capacity of sites generating electricity from renewable sources in Scotland. By 2030, it is expected that the installed capacity of renewable electricity generation sources will be between 12GW and 17GW.

- Increase in total community and locally owned renewable energy capacity, both operational and in development, in Scotland.
- Increased total renewable energy capacity in Scotland by planning stage.
- Increase the share of electricity generated from renewable sources, as a proportion of total electricity generated in Scotland.

7.23 The CCP sets out the collaborative approach to be taken to providing renewable energy generation, involving public, private and voluntary sectors.

Scottish Energy Strategy (2017)

7.24 In December 2017, the Scottish Energy Strategy (SES) was published by the Scottish Government alongside the then Draft CCP and the Onshore Wind Policy Statement.

7.25 The SES sets out a target for Scotland to achieve almost complete decarbonisation of energy and sets a 2030 *'all energy*' target for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied from renewable sources. This vision is also included in the final Climate Change Plan (February 2018), which is discussed above.

7.26 The SES sets out that *'Scottish Government analysis underpinning this target shows that renewable electricity – which has already outperformed our interim 2015 target of 50% – could rise to over 140% of Scottish electricity consumption, ensuring its contribution to the wider renewable energy target for 2030'*, and that '*this assumes a considerably higher market penetration of renewable electricity than today – requiring in the region of 17GW of installed capacity in 2030 (compared to 9.5 GW in June 2017) – with greater interconnection with parts of continental Europe providing an expanded market for our electricity*'.

7.27 The SES also includes a second target, which is to achieve an increase by 30% in the productivity of energy use across the Scottish economy, which relates to greater efficiency whilst decoupling energy use from productivity, so that productivity can increase without necessarily requiring greater energy demands.

7.28 In general terms, onshore wind is also recognised as a key opportunity. The SES sets out that '*onshore wind is now amongst the lowest cost forms of power generation of any kind, and is a vital component of the huge industrial opportunity that renewables create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, and generated more than £3 billion in turnover in 2015.'*

Onshore Wind Policy Statement

7.29 The Onshore Wind Policy Statement along with the Scottish Energy Strategy was published in December 2017, providing specific national policy with regards to onshore wind. The Ministerial Foreword sets out that *'there is no question that onshore wind is a vital component of the huge industrial opportunity that renewables more generally create for Scotland. The sector supports an estimated 7,500 jobs in Scotland, or 58% of the total for onshore wind across the UK, and generated more than £3 billion in turnover in 2015. Developers are increasingly managing international onshore wind projects from their bases in Scotland'.*

7.30 It further adds that *'our energy and climate change goals mean that onshore wind will continue to play a vital role in Scotland's future – helping to substantively decarbonise our electricity supplies, heat and transport systems, thereby boosting our economy, and meeting local and national demand. This important role means we must support development in the right places, and – increasingly – the*

extension and replacement of existing sites, where acceptable, with new and larger turbines, based on an appropriate, case by case assessment of their effects and impacts'.

7.31 The section of the report 'Route to Market' sets out that *'in order for onshore wind to play its vital role in meeting Scotland's energy needs, and a material role in growing our economy, its contribution must continue to grow. Onshore wind generation will remain crucial in terms of our goals for a decarbonised energy system, helping to meet the greater demand from our heat and transport sectors, as well as making further progress towards the ambitious renewable targets which the Scottish Government has set'* and *'this means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes where it can be accommodated'.*

7.32 This section continues, setting out that *'the industrial opportunity, and the extent to which we can continue to capture these benefits, remains a top priority for Scottish Ministers*'.

Scottish Planning Policy and Advice

7.33 National planning policy and advice of relevance to the determination of the proposed development currently comprises the National Planning Framework for Scotland 3 (2014), Scottish Planning Policy (2014) and Scottish Government Website Policy Subject Guidance – Onshore Wind Turbines (updated 28th May 2014).

The National Planning Framework for Scotland 3 (NPF3)

7.34 The National Planning Framework 3 for Scotland (NPF3), published in June 2014, represents a spatial expression of the Scottish Government's aspirations for sustainable economic growth in Scotland over the next 20-30 years. It sets out at the national level, the Scottish Government's strategy for the country's development, in terms of how we are to develop our environment and includes development proposals identified as schemes of national importance.

7.35 The development of onshore wind is supported in NPF3, reflecting the commitments of the Scottish and UK Governments in relation to emissions reduction and renewable energy generation targets with an interim target of 50% by 2015. Paragraph 3.23 highlights wind energy's continued role in contributing towards a low carbon economy and states, *'onshore wind will continue to make a significant contribution to diversification of energy supplies'.*

Scottish Planning Policy (SPP)

7.36 Scottish Planning Policy (SPP) continues to emphasise the importance of tackling climate change and, in particular, addresses the continuing need to reduce greenhouse gas emissions and to develop renewable energy projects. The following paragraphs set out the policy issues which are most relevant to the proposed development.

Scottish Planning Policy (SPP) - Sustainable Development and Climate Change

7.37 One of the over-arching aims of SPP is to achieve sustainable development. In its overview of principal policies, SPP states in paragraph 25 that *'achieving a sustainable economy, promoting good governance and using sound science responsibly are essential to the creation and maintenance of a strong, healthy and just society capable of living within environmental limits'* (p.9). SPP emphasises as a '*policy principle'* that there is a '*presumption in favour of development that contributes towards sustainable development'.*

7.38 In relation to climate change, paragraph 19 reinforces the role that the planning system can play in helping to ameliorate adverse climatic effects and realise national targets and states, *'by seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change'.*

Scottish Planning Policy (SPP) - Renewable Energy

7.39 Paragraph 154 states that the planning system should *'support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving:*

- 30% of overall energy demand from renewable sources by 2020;
- 11% of heat demand from renewable sources by 2020; and
- The equivalent of 100% of electricity demand from renewable sources by 2020'.

7.40 Paragraph 154 goes on to state that the planning system *'should support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity'*.

7.41 In order to achieve this, paragraph 155 of SPP 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'*.

7.42 In relation to onshore wind, paragraph 161 states that *'planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore windfarms as a guide for developers and communities. Development plans should indicate the minimum scale of onshore wind development that their spatial framework is intended to apply to'*.

7.43 SPP sets out guidance for local authorities in Table 1 that the spatial frameworks should present information on capacity based on the following groupings:

Group 1: Areas where wind farms will not be acceptable (National Parks and National Scenic Areas);

Group 2: Areas of Significant Protection (National and international designations, other nationally important mapped environment interests including areas of wild land) and a 2km community separation distance for consideration of visual impact;

Group 3: Areas with potential for wind farm development.

7.44 Paragraph 169 stipulates that proposals for energy infrastructure should always take account of spatial frameworks for wind farms. A number of key criteria for the consideration of energy infrastructure proposals follows on including socio-economic impacts, scale of contribution to renewable energy targets, cumulative impacts, and many technical and environmental impacts to be considered, for example, landscape, historic environment and natural heritage.

Scottish Planning Policy (SPP) - Valuing the Natural Environment

7.45 Paragraph 194 of the SPP states that the planning system should *'facilitate positive change while maintaining and enhancing distinctive landscape character…conserve and enhance protected sites*

and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities'.

Scottish Planning Policy (SPP) – Valuing Historic Environment

7.46 Paragraph 135 states that *'planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure'.*

7.47 Paragraph 137 goes on to state that the planning system should, *'promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning'.*

Scottish Planning Policy (SPP) - Community Benefit

7.48 SPP realises the benefits of developer contributions to local communities and states in paragraph 173 that *'where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments*'.

Scottish Planning Policy (SPP) - Rural Development

7.49 The SPP places emphasis on supporting sustainable economic growth within rural areas.

7.50 Paragraph 75 states that the planning system should *'encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality'.*

Scottish Planning Policy (SPP) – Economic Benefits

7.51 Paragraph 93 sets out that the planning system should *'give due weight to net economic benefit of proposed development'*.

7.52 Paragraph 94 sets out that *'plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth, including energy*'.

Scottish Government Web Based Renewables Planning Advice

7.53 The guidance outlines a number of typical planning considerations in determining planning applications for onshore wind turbine developments. This includes impacts on the landscape, on wildlife and habitat, ecosystems and biodiversity and on communities, including shadow flicker, noise, electro-magnetic interference, and ice throw.

Dumfries and Galloway Local Development Plan 2, 2019

7.54 The Development Plan covering the proposed development area is the 'Dumfries and Galloway Local Development Plan 2' (LDP2), which was adopted on 3rd October 2019 and covers the whole Dumfries

and Galloway Council administrative area. The Dumfries and Galloway Local Development Plan 2 is a key material consideration in the determination of planning applications.

7.55 In terms of the determination of wind energy proposals, the key planning policies in LDP2 that are relevant to this proposal are:

- Policy IN1: Renewable Energy;
- Policy IN2: Wind Energy;
- Policy IN7: Flooding and Development;
- Policy IN8: Surface Water Drainage and Sustainable Drainage Systems (SuDS);
- Policy OP1: Development Considerations;
- Policy OP2: Design Quality of New Development;
- Policy OP3: Developer Contributions;
- Policy ED2: Business Development & Diversification of Rural Areas;
- Policy ED9: Tourism;
- Policy ED11: Dark Skies;
- Policy HE1: Listed Buildings;
- Policy HE2: Conservation Areas;
- Policy HE3: Archaeology;
- Policy HE4: Archaeologically Sensitive Areas;
- Policy HE6: Gardens and Designated Landscapes;
- Policy NE1: National Scenic Areas;
- Policy NE2: Regional Scenic Areas;
- Policy NE3: Wild Land Areas;
- Policy NE5: Species of International Importance;
- Policy NE6: Sites of National Importance for Biodiversity and Geodiversity;
- Policy NE7: Forestry and Woodland;
- Policy NE8: Trees and Development;
- Policy NE11: Supporting the Water Environment;
- Policy NE12: Protection of Water Margins;
- Policy NE14: Carbon Rich Soil;
- Policy NE15: Protection and Restoration of Peat Deposits as Carbon Sinks;
- Policy CF4: Access Routes;
- Policy T1: Transport Infrastructure; and
- Policy T2: Location of Development / Accessibility.

7.56 Supplementary Guidance:

- Dumfries and Galloway Council, Local Development Plan, Supplementary Guidance; Historic Built Environment;
- Dumfries and Galloway Council, Local Development Plan, Supplementary Guidance; Part 1; and
- Wind Energy Development: Development Management Considerations (Feb 2020), Map 5 'Landscape and Visual Sensitivity for 'Very Large' Typology Turbines (150-200m to blade tip).

7.57 Each of these policies will be discussed and appraised in this Planning Statement.

8. Planning Appraisal

International & National Renewable Energy Policy Appraisal

8.1 This section considers the planning issues arising from the proposed development and considers them against the planning policy context summarised above.

8.2 The relevant policies at the international and national level have been reviewed and presented and it is clear that the proposed development complies with the overarching aims of these key policies.

8.3 At a national level, the development of onshore wind is supported in NPF3, reflecting the commitments of the Scottish and UK Governments in relation to emissions reduction and renewable energy generation targets. Furthermore, SPP emphasises as a 'policy principle' that there is a presumption in favour of development that contributes towards sustainable development. Renewable energy developments inherently contribute towards sustainable development. The proposed wind farm compares very favourably to other operational wind farms in term of its output versus the number of turbines developed. Scoop Hill Community Wind farm will generate 525 MW of clean energy with the introduction of only 75 turbines. When compared with phase 1 of Whitelee Wind Farm which generates 322 MW with 140 turbines or against Clyde Wind Farm which generates 522MW with 206 turbines, it is clear that the proposed development represents a sustainable and beneficial clean energy generator.

8.4 Sustainable development is widely understood to mean *'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'.*

8.5 The submission of this major infrastructure project coincides with the COVID 19 pandemic. At the time of submission Scotland's GDP remains 17.6% below the level in February 2020, while the UK's GDP as a whole has reduced by 17.2% compared with February 2020. Unemployment levels are rising and there is a marked decline in confidence in Scotland's economic outlook.

8.6 Notwithstanding this, The Advisory Group on Economic Recovery in their report 'Towards a robust, resilient wellbeing economy for Scotland' (22/06/2020) have advised the Scottish Government that ***'the green economic recovery is central to the recovery overall'*** and that the Government ***'now needs to establish a priority on delivering transformational change'***.

8.7 The report goes on to state ***'There is also now an opportunity for Scotland to lever some of its natural advantages: the almost limitless quantities of renewable energy potential from wind, wave and tidal power can be used to generate surpluses to export to the rest of the UK and elsewhere and to generate 'green' hydrogen to use in heat and transport sectors.'***

8.8 The Scottish Government has endorsed this advice and in the September 2020 report 'Protecting Scotland, Renewing Scotland' the First Minister of Scotland stated '***Our economic recovery must be a green recovery'*** and ***'As part of our commitment we will dedicate £100m over the next 5 years to a Green Jobs Fund'.***

8.9 There is no reasonable room for dispute regarding the seriousness of climate change and its potential effects, the seriousness of the need to cut carbon dioxide emissions or the seriousness of the Scottish Government's intentions regarding deployment of renewable energy generation. The proposed development will make a significant contribution to meeting Scotland's net-zero carbon targets and in doing so will help protect future generations from the devastating effects of climate change.

8.10 Furthermore, the development will help meet the needs of the present by supporting the economy of the local communities, providing clean green electricity via a tried and tested sustainable technology and boosting the provision of local assets which will leave a legacy in terms of social, economic, educational and environmental gains. This is imperative in tackling the Climate Emergency, and in supporting Scotland's green recovery from the COVID-19 pandemic.

Dumfries & Galloway Local Development Plan 2 Policy Appraisal

8.11 The polices of the DGC LDP2 are now considered using the following categories:

- Overarching Policies
- Renewable Energy Policy;
- Socio-Economic Policy;
- Cultural Heritage Policy;
- Hydrology, Hydrogeology and Geology Policy;
- Traffic and Transport Policy;
- Landscape and Visual Policy;
- Ecology and Ornithology Policy;
- Forestry Policy;
- Technical Policy.

Overarching Policies

8.12 The DGC LDP2 Overarching Policies (OP1, OP2, OP3) set out the key considerations that need to be taken into account when assessing development proposals.

Policy OP1: 'General Development Considerations', lists a number of criteria that developments will be assessed against, namely: General Amenity, Historic Environment, Landscape, Biodiversity and Geodiversity, Transport & Travel, Sustainability and the Water Environment.

Appraisal of Policy OP1:

8.13 The EIAR accompanying the Scoop Hill Community Wind Farm application presents the process that has been undertaken to ensure all the potential impacts associated with the site selection, design, construction, operation and decommissioning are identified and assessed. The EIAR describes the natural and human environment of the area where the wind farm is to be situated and considers general amenity, historic environment, landscape, biodiversity and geodiversity, transport & travel, sustainability and the water environment. It provides details of the scheme during its construction, operational and decommissioning phases and assesses the potential impacts and their significance on the local environment. Where necessary appropriate mitigation measures are identified to minimise any potential impacts.

8.14 The EIAR has been informed by extensive engagement with consultees and rigorous environmental surveys carried out over a two-year period, which have informed a series of design iterations that culminate in a viable and beneficial development that is compliant with OP1.

Policy OP2: 'Design Quality and Placemaking', requires developments to be designed to a high standard that reflect the local environment.

Appraisal of Policy OP2:

8.15 One key factor in determining the suitability of the proposed site for the Scoop Hill Community Wind Farm is the allocation of the land, within the Dumfries and Galloway Local Development Plan 2 'Wind Energy Spatial Framework' Map 8, as being an area '***with potential for wind farm development'.***

8.16 Furthermore, Map 5 of the Dumfries & Galloway LDP2 Supplementary Guidance document 'Wind Energy Development: Development Management Considerations' (Feb 2020), presents 'Landscape and Visual Sensitivity' for 'Very Large' Typology Turbines (150-200m to blade tip). The map specifies areas of 'high' and 'high-medium' sensitivity for 'very Large' turbines and highlights the proposed development site within the **lower** 'High-Medium' sensitivity classification.

8.17 Notwithstanding the favourable Development Plan allocations, the proposal has been also subject to a rigorous landscape and visual impact assessment which assesses the proposal against the scale, character and appearance of the landscape and surrounding area. Where key receptors have been identified, an appropriate buffer has been applied to ensure that the proposal does not detract from a sense of local distinctiveness. In addition, the proposed habitat management plan will help to further augment the design quality by providing an improved habitat range for a variety of species.

8.18 The site has been designed with a variety of turbine heights to best suit the environment that the development is situated in. For example, the taller turbines are located the furthest from residential areas.

Policy OP3: 'Developer Contributions', requires developers to make contributions where a development creates an identified need, this can extend to mitigation to address an adverse environmental impact.

Appraisal of Policy OP3:

8.19 CWL have an impressive track record of delivering tangible community benefits and have invested a total of £5 million into local host communities since its first wind farm, Wardlaw Wood in Dalry, became operational in 2006. Annual community benefit contributions in 2021 alone will amount to circa £1 million.

8.20 Maintaining a positive dialogue with host communities leading to a legacy of positive change represents a key aim of our development ethos. This will continue with the proposed Scoop Hill development. Further information relating to the positive contributions CWL have created from our existing operational wind farms as well the proposed asset opportunities resulting from this proposed development, can be found in the 'Commitment to Communities Report'.

8.21 The Applicant's 'Buy Scottish' policy also means that local employment initiatives and supply chain benefits are maximised. It is estimated that the proposed development will generate 250 construction related jobs and a further 11 permanent full-time jobs. Furthermore, with an anticipated £1.8 billion of investment, the proposed wind farm and the associated 'Visitor Centre' represents a significant and positive contribution to the local and national economy.

8.22 Scoop Hill Community Wind Farm will also facilitate a range of Habitat Improvements which will enhance the local environment. Further details of these improvements are captured in the draft Habitat Management Plan.

Summary of Overarching Policies

8.23 The proposed development therefore considers the balance between environmental impact and the need for the development; this has been a key consideration throughout the EIA process and is

presented in the EIAR and supporting documentation. Accordingly, the proposed development is deemed to accord with OP1, OP2, OP3 with regards to the acceptability of the proposal.

Renewable Energy Policy

8.24 LDP2 contains two Renewable Energy policies that are relevant to the proposed development, these are Policies IN1 and IN2, each are discussed in turn below.

Policy IN1: 'Renewable Energy', provides a general framework for the assessment of all forms of renewable energy. It states 'The Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The acceptability of any proposed development will be assessed against the following considerations:

- **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 (including cultural heritage and biodiversity);**
- **The impact on forestry and woodlands;**
- **The impact on tourism, recreational interests and public access**

To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal:

- **Any associated infrastructure requirements including road and grid connections (where subject to planning consent);**
- **Environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues;**
- **Relevant provisions for the restoration of the site;**
- **The scale of contribution to renewable energy generation targets;**
- **Effect on greenhouse gas emissions; and**
- **Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.**

Appraisal of Policy IN1:

8.25 The proposed development complies with Policy IN1. It is a renewable energy generation development which incorporates energy storage. The EIAR and supporting documents present how the proposed wind farm has been sited and designed appropriately taking into account 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 (including cultural heritage and biodiversity); the impact on forestry and woodlands; the impact on tourism, recreational interests and public access.

8.26 Substantial information has been gathered through numerous assessments and site visits undertaken to thoroughly address all matters and potential effects, negative and positive, which are detailed in the EIAR.

8.27 Positive gains in terms of jobs, economy, education and communities, is also thoroughly detailed, demonstrating how this scheme should be widely accepted.

8.28 All environmental gains from CO_2 displacement to generation of green electricity are shown, along with details on restoration and decommissioning, therefore complying with Policy IN1.

Policy IN2: 'Wind Energy', relates specifically to the assessment of wind energy and represents a key material consideration in the determination of this application. The policy states:

'The Council will support wind energy proposals that are located, sited and designed appropriately. The acceptability of any proposed wind energy development will be assessed against the following considerations:

- **Renewable energy benefits and opportunities for energy storage;**
- **Socio-economic benefits including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;**
- **Landscape and visual impacts including the extent to which the landscape is capable of accommodating the development without significant detrimental landscape or visual impacts, including effects on wild land;**
- **Cumulative impact;**
- **Impact on local communities and residential interests including the assessment of the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation;**
- **Impact on infrastructure;**
- **Impact on aviation and defence interests;**
- **Adverse impact on the natural environment; and**
- **The extent to which the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration'.**

The policy then goes on to make reference to The Spatial Framework Map (Map 8) which provides strategic guidance.

Appraisal of Policy IN2:

8.29 The proposed development has been carefully designed and assessed to be compliant with Policy IN2 including the acceptability considerations, as explained below:

8.30 **Renewable energy benefits: The proposed development will have a generation capacity of 525MW of clean energy and will displace over 931,000 tonnes of CO_2 each year. The proposed wind farm will also generate enough electricity to power the equivalent of 572,000 homes each year.**

8.31 Details of the scale of energy generated from the proposed development, including the use of battery storage to provide grid stabilisation have all been outlined above with full details set out in Section 2 (Detailed Project Description) of the accompanying EIAR.

8.32 **Socio-economic benefits:** Section 5 'Socio-Economic, Population & Community Involvement' and the 'Commitment to Communities Report' that accompany this application, provide a comprehensive account of the proposed community benefits and economic benefits that the development will offer and generate for the local area. Further socio-economic policy assessment is provided below, and collectively, these clearly demonstrate that the proposed development satisfies this 'acceptability' category.

8.33 **Landscape and visual impacts:** Section 6 (Landscape and Visual Impact Assessment (LVIA)) of the EIAR presents an assessment of the landscape and visual effects of the proposed Scoop Hill Community Wind Farm. Most notably the LVIA and this Statement highlights the crucial point that the Dumfries and Galloway Local Development Plan 2 'Wind Energy Spatial Framework' Map 8, allocates the development site as being in an area '**with potential for wind farm development'**. This Spatial Framework allocation has been a driving force behind the Applicants choice of site.

8.34 The LVIA ultimately concludes that the proposed development satisfies this 'acceptability' category.

8.35 **Impact on local communities and residential interests:** Section 6 (LVIA), Section 11 (Noise) and Section 14 (Other Considerations) of the EIAR presents an assessment of residential amenity, noise, and shadow flicker respectively.

8.36 Section 6 (LVIA) includes a detailed Residential Visual Amenity Assessment (RVAA). The RVAA indicates that of the 52 properties included in the assessment, 39 are likely to experience a significant visual effect as a result of the proposed development, of which 15 properties are financially involved. This finding does not imply that the interior spaces of all 39 properties will be significantly affected and, indeed, a notable number will not, owing either to the orientation of the property in a direction that differs from that of the proposed development; the absence of windows in specific elevations, or the screening effect from vegetation and/ or other built form surrounding the property. In some instances, a significant visual effect may only relate to the garden ground surrounding a property.

8.37 Of these 39 properties, 29 are assessed as being likely to experience a high, high/medium-high, or medium-high magnitude of change, which under the terms of the Methodology necessitates a Step 4 Assessment.

8.38 This further stage of assessment found that the visual effects at only 2 properties have the potential to reach the Residential Visual Amenity level threshold, after taking into account properties that have a financial involvement in the proposed development. This however can be mitigated via the establishment of a substantial mixed species tree belt across a part of the view that is open to the wind farm. On the basis that this planting is established, the visual effect at both properties would reduce to below the RVA Threshold. This would result in a no non-financially involved properties being assessed as reaching the RVA threshold, which is remarkable for a strategic development of this scale, and reflects the area's inclusion within the 'Wind Energy's Spatial Framework'.

8.39 With regards to the issue of Noise and Shadow Flicker, Section 11 and 14 respectively of the EIAR clearly demonstrate the development is compliant with both international and national guidance.

8.40 Therefore, when considered against the wider benefits of the proposed wind farm, the assessments of residential interests have concluded that the development will not lead to an unacceptable impact on local communities and residents.

8.41 **Impact on infrastructure:** Section 12 (Traffic & Transport) of the EIAR presents an assessment of the likely significance of effects of the traffic associated with the proposed wind farm during the construction, operation and decommissioning. The assessment concludes that the construction of the proposed wind farm would result in a temporary, minor increase in traffic levels on the B723 which are not considered to be significant. Furthermore, any potential impact that may arise can be mitigated appropriately. This Statement presents a further policy assessment and concludes that the proposed development is compliant with Council policy.

8.42 **Impact on aviation and defence interests:** Section 14 (Other Considerations) of the EIAR presents the assessment on aviation and defence interests, including the Eskdalemuir Safeguard Area.

8.43 In relation to aviation interests, both Edinburgh and Glasgow Airports have confirmed that the development falls our with their safeguarding/consultations zones and consequently they have no objection to the proposal.

8.44 The Ministry of Defence (MoD) raised concerns in their scoping response to the proposed development at Scoop Hill Community Wind Farm. However, through ongoing consultation with the MoD and with the implementation of appropriate mitigation, there will be no impacts.

8.45 The MoD also raised the point of aviation lighting during their scoping response. Scoop Hill Community Wind Farm will be fitted with lighting as required.

8.46 The Applicant has been in discussion with NATS/NERL (both Services and En Route), in relation to Scoop Hill Community Wind Farm. It has been acknowledged that the proposal may have an unacceptable impact on NATs and NERL operations, but that mitigation a mitigation scheme can be implemented to remove this concern. This mitigation would be subject to a Managed Mitigation Services Contract (MMS), which is currently being reviewed and agreed. This contract would impose various planning conditions which would be acceptable to the Applicant and would allow NATS/NERL to remove any objection to the scheme.

8.47 With regards to the Eskdalemuir Safeguarding Area the Applicant is a member of the Eskdalemuir Working Group (EWG) which recently had a meeting to consider reports prepared for EWG. The Applicant is also carrying out extensive research and development to identify any material vibrations from its existing wind turbines in close proximity to Eskdalemuir. The conclusions of these studies will be made available once they have been concluded and peer reviewed and presented to Scottish Government and the EWG.

8.48 **Adverse impact on the natural environment:** Section 9 (Cultural heritage) of the EIAR has assessed all baseline conditions including all physical site constraints and concludes that through appropriate site design and mitigation measures, the proposed development is compliant with the LDP2 Historic Environment Policies HE1, HE2, HE3, HE4 and HE6.

8.49 Section 10 (Hydrology), its supporting Technical Appendices and other assessments of the EIAR, present an assessment of the natural environment, including biodiversity, forests and woodland, carbon-rich soils, hydrology, the water environment and flood risk, the historic environment, cultural heritage. In each case the assessment concludes that the impact is not considered to be significant. The proposed development therefore satisfies this 'acceptability' category.

8.50 **Decommissioning and restoration:** Decommissioning methodologies will be conditioned as part of a planning approval to ensure that all impacts will be mitigated.

8.51 Finally, in relation to the Spatial Framework, the proposed development site is wholly located in an '**Area with Potential for wind farm development'** as presented in **Map 8 of The Spatial Framework** and therefore development in this locality satisfies this strategic guidance.

Summary of Renewable Energy Policies

8.52 Overall, the proposed development has been assessed against each of the 'acceptability' considerations as presented in Policies IN1 and IN2. In each case the proposed development fully

satisfies the 'acceptability' categories and as such, the development complies with LDP2's Renewable Energy policies.

Socio-Economic Policy

8.53 LDP2 contains three Economic Development policies that are relevant to the proposed development, these are Policies ED2, ED9 and ED11, each are discussed in turn:

Policy ED2: 'Business Development & Diversification of Rural Areas', states 'farm and rural estates diversification proposals which support and complement the existing business, subject to other policies in the Plan, will be supported by the Council. Priority should be given to the use of existing farm and rural estate buildings'.

Appraisal of Policy ED2:

8.54 Section 5 (Socio-Economic, Population and Community Involvement) of the EIAR assesses the impact of the development on the local economy and presents the potential benefits to local communities in the accompanying 'Commitment to Communities Report'.

8.55 The Applicant believes that the proposed development will provide a net socio-economic benefit to the local communities in the area through: job creation, sustained local investment (direct and indirect expenditure) in host communities and the Scottish economy, and supplementing surrounding walking and cycling routes with additional recreational access routes.

8.56 Scoop Hill Community Wind Farm will bring with it over **£1.8 billion financial investment** benefiting both the Scottish economy and the local economy of Dumfries and Galloway.

8.57 The DGC LDP2 (Para. 42) states that '*Dumfries and Galloway is primarily a rural economy with agriculture, forestry, tourism and food processing being important sectors*'. LDP2 specifically states that '*a new and increasingly significant part of the area's economy is generation of renewable energy'.*

8.58 Dumfries and Galloway Council continues to face huge challenges with more budget cuts expected over the next three years. Forecasts of the DGC budget 2020/2021 show that the Council can expect to have £49 million less to spend on services and resources (Dumfries and Galloway, 2020).

8.59 The Scoop Hill Community Wind Farm can help offset this budget shortfall and act as an economic catalyst for growth via **the payment of over £262 million of business rates over the operational life of the wind farm and a further £33 million of annual operational investment**. Furthermore, the construction and operation of the wind farm will facilitate the creation of employment and training opportunities.

8.60 CWL is proud to have worked with Scottish companies through their recent projects, as per their '*Buy Scottish*' policy. Glasgow based Civil Contractors R J McLeod and others have constructed CWL's operational wind farms in Scotland and electrical connections have been undertaken by Scottish Power and Scottish Hydro; all utilising a Scottish based workforce. Steel turbine towers were fabricated in Campbeltown, Argyll and Bute, by CS Wind UK; they produced the towers for CWL's first wind farm in Dalry, North Ayrshire in 2006 and have provided them for the majority of our operational schemes, including Sanquhar Community Wind Farm in 2017. This is further reinforced by the Memorandum of Understanding (MoU) agreed with CS Wind UK, that steel turbine towers will be sourced from CS Wind UK for all our future wind projects, including this proposed

development. The Applicant is committed to continue using Scottish companies to deliver the Scoop Hill Community Wind Farm and fulfil the MoU agreed with CS Wind UK.

8.61 The proposed development will provide educational benefits and will allow the Applicant to forge working partnerships and MoUs with local schools and colleges to improve access to training, employment and environmental knowledge. The MoUs confirm CWL's commitment to the following:

- Provide educational support to the school concentrating mainly on environmental and renewable energy studies; and
- Provide funding for educational trips and visits for the school to attend.

8.62 The Applicant and CWL have recently worked with Dumfries and Galloway's Developing the Young Workforce (DYWDG) to help improve employment prospects for young students in the local area. As a result, presentations were organised for Wallacehall Academy and Dumfries & Galloway College to highlight the wide variety of roles available in the renewable energy sector.

8.63 In conjunction with CWL's operational wind farms in Dalry, North Ayrshire, a successful and well-established partnership is in place between West College Scotland and CWL that enables students of the College to attend a two-week work placement with CWL.

8.64 Student placements were first offered by CWL in October 2012, when West College Scotland was previously called 'James Watt College'. Since 2012, regular placement opportunities have been provided to students within the College, offering an intensive program designed to teach both the 'Project' and 'Technical' aspects of the renewable energy industry. Work placements are also provided to students from Ayrshire College following another successful partnership between this college and CWL.

8.65 The work placements are designed for students on engineering courses who wish to pursue careers within the renewable energy industry. The placements cover different areas of the business, including working with live data from our operational wind farms and project development such as wind farm design and assessing constraints.

8.66 It is clear that the proposed wind farm will provide a net socio-economic benefit to the local communities through job creation, sustained local investment in host communities and the Scottish economy. As such the proposed development complies with Policy ED2.

Policy ED9: 'Tourism' refers to 'Tourist Attractions' and 'Recreational Facilities' and states '*the Council will favourably consider the development of indoor and outdoor tourist attractions and recreational facilities subject to other policies in the Plan'.*

Appraisal of Policy ED9:

8.67 Tourism plays an important part in the local economy of Dumfries and Galloway. The application and accompanying EIAR has assessed the potential impacts and benefits that the construction, operation and decommissioning of the proposed Scoop Hill Community Wind farm could have on local tourism.

8.68 The Applicant is mindful of the potential disruption construction activity can have on the local road network. Inevitably the construction of the wind farm will generate increased vehicle movements during the projected 18-month construction period. This temporary impact can however be mitigated and managed via a Traffic Management Plan that will be prepared in consultation with Dumfries and Galloway Council, Transport Scotland and the Police. Section 12 (Traffic & Transport)

of the EIAR sets out in detail the results of this assessment and concludes that any potential impacts that may arise can be mitigated appropriately.

8.69 Public Rights of Way and core paths have been safeguarded and the development will augment the network of access routes in the local area, with the site infrastructure tracks for Scoop Hill Community Wind Farm being available for use by a variety of different users, such as horse riders, cyclists and walkers. It is worth highlighting that the development will include the enhancement of local outdoor tourist attractions and recreational facilities via the creation of a **'multi-use wind farm walk**', which would pass through the Scoop Hill Community Wind Farm site area, linking to other nearby walking routes. This will bring positive benefits in relation to tourism, recreation and health and well-being.

8.70 If consented, the Scoop Hill Community Wind Farm would also create an opportunity to develop a **'Visitor Centre'**, following the example of the phenomenally successful Whitelee Visitor Centre which attracts circa 200,00 visitors per annuum. The Scoop Hill Community Wind Farm Visitor Centre will generate **increased tourism and inward investment, benefitting both the host communities and the wider Dumfries and Galloway area.**

8.71 CWL are committed to supporting the local economy and will work together with communities to ensure the region's tourism businesses can capitalise on both the enhanced natural assets and the new assets generated by Scoop Hill Community Wind Farm. As such the proposed development complies with Policy ED9.

Policy ED11: 'Dark Skies' refers to the Dark Skies Supplementary guidance which provides guidance on the adoption of good lighting principles and practice for Dumfries and Galloway.

Appraisal of Policy ED11:

8.72 The Dark Skies reference relates specifically to Galloway Forest Dark Sky Park in Policy ED11 and does not make reference to Moffat (located circa. 5km north of the development site). Notwithstanding this the application for Scoop Hill does consider the local status of Moffat as a Dark Skies Town.

8.73 Community engagement and consultation undertaken by the Applicant (prior to the government restrictions brought about in relation to COVID-19) has established that visible aviation lighting is a key concern of local residents. The status of Moffat as a 'Dark Sky Town' means this concern is particularly apparent to residents in Moffat.

8.74 The LVIA night time assessment (found in Section 6 (LVIA)) has indicated that significant effects are likely to arise at the three locations included in the assessment with either 2,000cd or 200cd aviation lighting, however this is based on a worst case scenario, i.e. every turbine is fitted with permanently operating visible aviation lighting.

8.75 It is for this reason that CWL are working with an independent aviation consultant and the Civil Aviation Authority to establish mitigation that will significantly reduce the impact from visible aviation lighting. The options currently being investigated include the use of radar activated lighting that will result in lighting only being 'activated' by aircraft within a designated area. This will reduce the need for lighting to be activated by circa 98%. Furthermore, this mitigation is being assessed with a view to apply the radar activated lighting to only 'cardinal turbines' i.e. the turbines positioned on the perimeter of the wind farm, thereby removing the need for all turbines to be fitted with aviation lighting. Further mitigation options include shielded lighting which dissipates the lighting impact.

8.76 The Applicant is confident that the development will not significantly impact the Dark Skies and accordingly the proposed development complies with Policy ED 11.

Summary of Renewable Socio-Economic Policies

8.77 The proposed development will make a significant and long lasting contribution to the economic wellbeing of the region. The development supports the diversification of rural land use without the removal of existing land use practices which will co-exist alongside the Scoop Hill Wind Farm. Added to this the development will make a huge contribution to the local economy via inward investment, payment of business rates to Dumfries and Galloway Council, employment generation, and sustained community support. Finally, the development brings with it a commitment to deliver a tourist attraction in the form of a Visitor Centre that will further support the local economy and create a long term legacy. The development is therefore compliant and supportive of the Councils Socio-Economic Policies.

Cultural Heritage Policy

8.78 The LDP2 Historic Environment Policies HE1, HE2, HE3, HE4 and HE6 relate to Listed Buildings, Conservation Areas, Archaeology, Archeologically Sensitive Areas, and Gardens and Designated Landscapes respectively. Section 9 (Cultural Heritage) of the EIAR presents an assessment of the effects of the Scoop Hill Community Wind Farm on the historic environment and addresses each of these policies:

Policy HE1: 'Listed Buildings', seeks to protect the appearance, character and setting of Listed Buildings.

Appraisal of Policy HE1:

8.79 The EIAR identifies eight Listed Buildings subject to potential adverse operational effects on their settings. All eight are outside the development site and will not be subject to direct effects, the assessment concluded that none of the operational effects would be of greater than negligible significance. The proposed development therefore complies with Policy HE1.

Policy HE2: 'Conservations Areas', (CAs) requires new developments to preserve or enhance the character, appearance or setting of CAs through appropriate design, as well as ensuring that the quality of views are maintained or enhanced.

Appraisal of Policy HE2:

8.80 There is one CA within 10km of the proposed Scoop Hill Community Wind Farm, Moffat Conservation Area, which has been adjudged to include negligible operational impacts due to the screening of intervening buildings. The proposed development therefore complies with Policy HE2.

Policy HE3: 'Archaeology', seeks to protect the wider historic environment and significant historic assets from adverse effects. The policy highlights the preference to preserve historic assets in situ rather than preservation by excavating and recording.

Appraisal of Policy HE3:

8.81 Where possible this precautionary principle will be taken into consideration throughout the development and in particular for any significant undiscovered remains. The layout has been designed with the intention of reducing and/or avoiding direct impacts upon known archaeological remains. With regard to undiscovered remains, a programme of archaeological evaluation and/or monitoring to be undertaken prior to and during construction groundworks is proposed. This will

enable any direct impacts upon previously undiscovered remains to be mitigated by avoidance and preservation *in situ*, or otherwise by excavation and recording. In this respect, the proposed development complies with Policy HE3.

Policy HE4: 'Archaeologically Sensitive Areas', is in place to safeguard the character, archaeological interest and setting of Archaeologically Sensitive Areas (ASAs).

Appraisal of Policy HE4:

8.82 The proposed development has Dryfe Water ASA to the immediate south and adjacent to the southern entrance to the site. Early in the design process, the development site boundary was redrawn to exclude Dryfe Water ASA from the site footprint and protect it from potential construction effects. Tanlawhill ASA is located 3.5 km to the south-east, and Raeburnfoot ASA is 4.3km to the east. The cultural heritage assessment concluded that none of the ASAs would be subject to adverse effects upon their character, archaeological interest or setting and the development can be seen to accord with Policy HE4.

Policy HE6: 'Gardens and Designated Landscapes', is intended to protect or enhance the significant elements, specific qualities, character, integrity and setting, of gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes (IGDL) or the Non-Inventory List.

Appraisal of Policy HE6:

8.83 There is one Inventory Garden and Designed Landscape within the Study Area; Raehills (GDL00322), which is 7km south-west of the turbines, and is sufficiently distant that the turbines will not alter the IGDL's cultural significance. There will be no operational impact upon Raehills IGDL.

Summary of Cultural Heritage Policies

8.84 The design of the development has sought to minimise potential direct effects by avoiding known archaeological features and utilising existing tracks where possible. In addition, potential indirect effects upon the settings of some cultural heritage resources have been avoided and reduced by locating turbines appropriately.

8.85 No significant operational or decommissioning effects are predicted on the setting of cultural heritage assets. Furthermore, no cumulative setting effects on cultural heritage assets are considered since no setting effects of more than minor significance have been predicted. Accordingly, the development complies with the LDP2 Historic Environment Policies HE1, HE2, HE3, HE4 and HE6.

Hydrology, Hydrogeology and Geology Policy

8.86 The LDP2 Policies NE11, NE12 IN7 and IN8 relate to Hydrology. Section 10 (Hydrology) of the EIAR presents an assessment of the effects of the Scoop Hill Community Wind Farm on Hydrology, Geology and Hydrogeology. Each of these policies and the assessment conclusions are summarised below.

Policy NE11: 'Supporting the Water Environment', states that: "The Council will not permit development which would result in deterioration in the status of a waterbody or which would likely impede the improvements in waterbody status as set out in the Solway Tweed River Basin Management Plan (RBMP) (2015) or any update or adopted review of it, unless there are exceptional justifying circumstances. This includes minor watercourses draining into the waterbodies identified in the Solway Tweed plan. Development proposals should not normally include the culverting of any waterbody. If culverting would be the only way to enable a

proposed development, then permission could be granted if the Council is satisfied that there would be acceptable mitigation measures to protect habitats, passage of fauna, and river form and flow.

Other physical alterations and changes to waterbodies should, if possible, and in general be avoided. An exception to this is where re-naturalisation or natural flood management is proposed. Thus, existing culverted or canalised watercourses or barriers to fish movement in redevelopment and land rehabilitation schemes should be restored when this is practical, neutral or positive in respect of flood risk elsewhere, and consistent with the relevant Regulations.

Development proposals which could adversely affect Drinking Water Protection Areas identified by the Scottish Government will be subject to consultation with SEPA. Where the likely adverse effect cannot be avoided or mitigated against, the development will not be permitted."

Appraisal of Policy NE11:

8.87 Section 10 (Hydrology) of the EIAR presents the assessment on hydrology impacts with regards to the proposed development and addresses Policies NE11, NE12 and IN8.

8.88 Watercourses within the proposed development all drain into the River Annan, a river catchment which is part of the Solway Tweed RBMP. The Dryfe Water and Wamphray Water have a poor ecological status under SEPA's RBMP due to the presence of culverts that impede the passage of fish. Watercourse crossings (new and upgrading of existing ones) within the proposed development will be designed so as not to impede fish passage. Site specific mitigation measures will be included in the CEMP which includes considerations of the protection of habitats, passage of fauna, and river form and flow.

8.89 The overall fluvial derived flood risk within the site boundary is low. Appropriate drainage mitigation will be put in place to reduce flood risk to downstream areas of the proposed development, this will include the production of a drainage management plan to support the CEMP.

8.90 No Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under Water Framework Directive, were indicated within the site boundary. However, given the proximity of the proposed development to the Black Esk Reservoir and its catchment, located approximately 1km east of the site boundary, consideration will be given to appropriate mitigation and protection of this bordering drinking water catchment during the construction, operation and decommissioning phases of the proposed development with consultation undertaken with Scottish Water.

Policy NE12: 'Protection of Water Margins', states 'where new development is proposed adjacent to or in the vicinity of waterbodies, the water margins will, subject to Policy NE11 and Section 18 of the Flood Risk Management (Scotland) Act 2009, be protected unless there are compelling reasons to justify why this should not be done'.

Appraisal of Policy NE12:

8.91 The water margins within the proposed development will be protected through good design and protective mitigation when constructing access tracks, turbines and drainage to prevent pollution to watercourses. A 50m buffer has been placed around all watercourses onsite to ensure no infrastructure is located too close or within the watercourses and therefore this policy has been complied with.

Policy NE14: 'Carbon Rich Soils' states: 'Support for the role of soils as natural carbon sinks will be material in development decisions. Developments proposed on areas of carbon rich soil will need to clearly justify the loss of the carbon sink. Development may be permitted if it can be demonstrated that in accordance with the Scottish Government's 'carbon calculator' or other equivalent independent evidence the balance of advantage in terms of climate change mitigation lies with the development proposal. All developments should take account of soil carbon content and, as appropriate, should adopt:

• Means of minimising impact on carbon rich soil; and
• Management measures relative to carbon rich soil.
Any proposal affecting peat accumulations will be subject to Policy NE15.

Policy NE15: 'Protection and Restoration of Peat Deposits as Carbon Sinks' states: the role of natural carbon sinks in retaining carbon dioxide will be maintained by safeguarding and protecting peat deposits, including those not already designated for habitat conservation.
The Council will support peatland restoration, including rewetting.
Developments proposed affecting peat deposits not already designated for habitat conservation reasons may be permitted in the following circumstances:

(a) In areas of degraded peatland where all of the following apply:
• The deposits have been significantly damaged by human activity;
• The conservation value is low; and
• Restoration to functioning peatland is not possible.
In all such cases appropriate site restoration measures, to something other than functioning peatland, will be required; or

(b) Where renewable energy generating development is proposed and it can be demonstrated (in accordance with the Scottish Government's 'carbon calculator' or other equivalent independent evidence) that the balance of advantage in terms of climate change mitigation lies with the energy generation proposal.

Appraisal of Policy NE14 and NE15:

8.92 The design of the proposed wind farm has considered the results of extensive peat depth surveys and the assessment of Carbon Soils map data. Where possible, the proposed turbine locations have been sited to avoid areas of sensitive habitats and carbon rich soils. Where the proposal cannot avoid areas of peat, floated infrastructure will be adopted to reduce the impact of the proposal. The Peat Management Plan (Appendix 10.3 of Section 10 of the EIAR), which should be considered as a live document throughout the planning and future pre-construction phases of work, further qualifies the excavation, temporary storage and reinstatement methodologies for peat in accordance with current guidance to ensure that disturbance is minimised and managed in line with best practice.

8.93 The proposed development has assessed the carbon balance of the scheme, using the Scottish Government Carbon Calculator Tool and the carbon payback time would take just 11 months when compared to a grid-mix of electricity generation. As a result, the development is not considered to be contrary to policies NE14 and NE15.

Policy IN7: Flooding and Development: The avoidance principle is the most sustainable form of flood management, in accordance with the policy principle for managing flood risk of SPP and the Flood Risk Management (Scotland) Act 2009. Where proposed development could lead to an

unacceptable on-site or off-site flood risk1 , as defined by the Risk Framework in SPP, then it will not be permitted. Where a proposed development could lead to an unacceptable flood risk, it may be that a Flood Risk Assessment (FRA) is able to clarify to the satisfaction of the Council and SEPA that the level of risk both on and off site would be acceptable. For any site a Drainage Impact Assessment (DIA) may be required to ensure that surface water flows are properly taken into account in the development design. Consideration should be given to pluvial flows2 especially those which exceed the capacity of the proposed drainage systems. Design of development must avoid flood risk from exceedance flows3 . (See also Policy IN8 for Surface Water Drainage and SuDS.)

Appraisal of Policy IN7:

8.94 The Proposed development will incorporate appropriate design of watercourse crossings to prevent increasing flood risk including hydraulic modelling for watercourse crossings where required. The assessment confirms that all watercourse crossing type and design will be agreed with SEPA post consent, to ensure that flows within watercourses are maintained so as not to increase flood risk downstream of the proposed development.

Policy IN8: 'Surface Water Drainage and Sustainable Drainage Systems (SuDS)', states that SuDS are to be a required part of all proposed development as a means of treating the surface water and managing flow rates, and must form part of any planning permission in principle proposal.

Appraisal of Policy IN8:

8.95 SuDS will be taken into consideration during detailed design by the appointed civils contractor. As part of the water management associated with the proposed development, details of the proposed SuDS regime would be included in the CEMP and PPP that will be produced as part of the application that would be made to SEPA for a construction site license.

8.96 With reference to the proposed development, consideration has been given to an appropriate drainage design that incorporates sediment management measures to attenuate and treat runoff from construction activities. In addition, a drainage management plan will be included in the CEMP further detailing site specific drainage considerations for approval by SEPA.

Summary Hydrology Policies

8.97 The significance of effects on the Proposed Development's hydrological, hydrogeological and geological conditions are not significant under the terms of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

8.98 A range of best practice construction and mitigation measures will be implemented, in accordance with relevant guidance and subject to approval by SEPA in order to gain a Construction Site Licence, to ensure that any potential adverse impacts on the hydrological, geological and hydrogeological aspects that may occur in the vicinity of the site, are of negligible or minor significance. Accordingly, the development complies with the LDP2 Policies NE11, NE12, NE14, NE15, IN7 and IN8.

Traffic and Transport Policy

8.99 LDP2 contains three Traffic and Transport policies that are relevant to the proposed development; these are Policies T1, T2 and CF4, each are discussed in turn.

Polices T1: 'Transport Infrastructure' and T2: 'Location of Development/Accessibility', relate to strategic and regional transport network and require that new development should not,

individually or incrementally, materially reduce the level of service or safety to the transport networks.

Policy T1 reiterates that development of facilities for cyclists and pedestrians will be supported.

Policy T2, states that development proposals should 'give consideration to the provision of electric vehicle charging points, and other infrastructure that may be required to support other sustainable power sources, as part of the development.'

Policy CF4: 'Access Routes', specifically relates to 'Development Affecting Existing Access Routes' and the 'Provision of New Access Routes'. The Policy requires development proposals should not have an adverse impact on any access routes and Core Paths. New or alternative access routes and enhancements to existing routes will be supported, especially if these can form part of green networks.

Appraisal of Policies T1, T2 and CF4:

8.100 Section 12 (Traffic and Transport) of the EIAR considers the potential for significant effects on traffic and transport associated with the construction, operation and decommissioning of the proposed development. The proposed development has been designed to use well established access points from the road network and to reuse existing tracks on the site where possible.

8.101 The existing accesses together with the local road network have been used by high volumes of HGV traffic associated with commercial forestry activities previously, and this activity is ongoing therefore demonstrating the highway network is capable of accommodating HGV traffic.

8.102 The volume of HGVs to the proposed development will be reduced as far as possible through the recovery of construction materials from existing and proposed borrow pits located within the red line site boundary. Construction traffic would result in a temporary increase in traffic flows on the local road network. In Section 12 of the EIAR, vehicle movements have been calculated to show both the expected scenario (i.e. all stone will be won onsite negating the need to import stone) and the worst case scenario which is that 100% of the stone will have to be imported to site. However, the latter scenario is not expected to be necessary as all stone will be won onsite via the existing and proposed borrow pits meaning traffic movements will be considerably less.

8.103 No significant construction effects were identified on any roads and traffic flows are anticipated to increase by no more than the relevant significance threshold of 30%.

8.104 Planning conditions are proposed to secure the production of a Construction Traffic Management Plan and an Abnormal Load Deliveries Traffic Management Plan. These documents would detail all aspects relating to the management of traffic, road improvements, abnormal load routes and would be agreed in conjunction with the DGC Roads Department and Transport Scotland prior to construction.

8.105 Suggested wording for the planning conditions are as follow:

<u>Condition one:</u> Prior to commencement of abnormal deliveries to site, a Construction Traffic Management Plan will be submitted to and approved by [Transport Scotland/ local authority Roads Department] to ensure that general construction traffic can be transported along the [trunk road/ local public roads] network safely and efficiently.

<u>Condition two:</u> Prior to commencement of deliveries to site, the proposed route and Abnormal Load Traffic Management plan for any abnormal loads on the [trunk road/ local public roads] network will be approved by the [trunk roads authority/ local authority Roads Department] prior to the movement of any abnormal load. The complete report shall include swept path analysis and detail any accommodation measures required including the temporary removal of street furniture, junction widening, traffic management etc. to show that the transportation will not have any detrimental effect on structures within the route path.

8.106 The above policies make specific reference to the Councils support of cyclists and pedestrians' facilities and to the provision of electric vehicle (EV) charging points. The proposed development includes the provision of a 'Multi Use Wind Farm Walk' through the operational wind farm and surrounding area, that will provide a unique experience for walkers, cyclists and equestrians. In addition to this, EV charging points are an offered benefit option arising from the £20 million Community Benefit.

Summary of Traffic and Transport Policies

8.107 The Applicant is confident that the development will not significantly impact transport infrastructure and will ultimately enhance the provision of cycling and pedestrian facilities and EV charging points, accordingly the proposed development complies with Policies T1, T2 and CF4.

Landscape and Visual Policy

8.108 LDP2 contains three policies that relate to Landscape and Visual Policy that are relevant to the proposed development, these are Policies NE1, NE2 and NE3, each are discussed in turn.

Policies NE1: 'National Scenic Areas', NE2: 'Regional Scenic Areas', and NE3: 'Areas of Wild Land' of the LDP2 discuss development within these areas.

Policy NE1 suggests that development will be permitted in these areas if the 'adverse effects are clearly outweighed by social, environmental or economic benefits of national importance'.

Policy NE2 will allow development if there is a 'specific need for the development at that location'.

Policy NE3 will allow development as long as it can be demonstrated that 'any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation'.

Appraisal of Policies NE1, NE2 and NE3:

8.109 Section 6 (Landscape and Visual Impact Assessment (LVIA)) of the EIAR presents an assessment of the landscape and visual effects of the proposed Scoop Hill Community Wind Farm**.**

8.110 The study area for the LVIA covers a radius of 45km from the outer turbines of the proposed development. The assessment has shown that the effect of the proposed development on the landscape and visual resource of the great majority of this study area will be not significant, which means that in these areas the effect of the proposed development is not defining, and the existing characteristics of the landscape and views will continue to prevail. The areas where the effect of the proposed development itself will be not significant include World Heritage Sites, National Scenic Areas, Areas of Outstanding Natural Beauty, Wild Land Areas, and all regional and local scenic designations with the exception of the Moffat Hills Regional Scenic Area (RSA). This local tier

designation is described within D&GC Regional Scenic Areas Technical Paper, but this does not provide a citation or descriptions of 'special qualities' or 'key qualities' of the Moffat Hills RSA. While the LVIA assessment of the RSA has been undertaken with reference to the underlying landscape character typologies, this is not a substitute for a clearly identified citation. In this respect there is no basis on which to determine how and to what degree the proposed development may affect the defined special qualities as there are none identified. The Applicant remains confident that the significant effect that is identified for character types within the RSA designation do not extend to the designation as a whole and large parts of the designated area have no effects whatsoever. In this sense it is considered that the integrity of the designation is not undermined by the Proposed Development.

8.111 We also note that in Scottish Planning Policy (2014) (Table 1), the designation of an area as an RSA does not constitute a restriction on wind energy development, and the presence of an RSA would not in itself prohibit or inhibit wind energy development.

8.112 While the effect on the majority of the study area will be not significant, as described above, the LVIA has indicated that there is potential for the proposed development to result in significant effects on the localised 20km study area that has been defined for the detailed assessment.

8.113 As well as assessing the effect of the proposed development itself, the LVIA assesses the cumulative effect that may arise when the proposed development is added to various scenarios of operational, under-construction, consented and application-stage wind farms.

8.114 The LVIA includes an assessment of effects on wild land areas which has been carried out in accordance with draft NatureScot guidance (Assessing impacts on Wild Land Areas – technical guidance, January 2017). The overall effect of the proposed development on the Talla – Hart Fell WLA is considered to be not significant and the overall cumulative effect on the WLA is also considered to be not significant.

Summary of Landscape and Visual Policies

8.115 One key factor in determining the suitability of the proposed site for the Scoop Hill Community Wind farm is the allocation of the land, within the Dumfries and Galloway Local Development Plan 2 'Wind Energy Spatial Framework' Map 8, as being an area **'with potential for wind farm development'**.

8.116 Furthermore Map 5 of the Dumfries & Galloway LDP2 Supplementary Guidance document 'Wind Energy Development: Development Management Considerations' (Feb 2020), presents 'Landscape and Visual Sensitivity for 'Very Large' Typology Turbines (150-200m to blade tip). The map specifies areas of 'high' and 'high-medium' sensitivity for 'very Large' turbines and highlights the proposed development site within the **lower** 'High-Medium' sensitivity classification.

8.117 The proposed development will result in some significant effects, including cumulative effects, on aspects of the landscape and visual resource. It is important to note, however, that assessments of this type tend to focus on those locations and receptors where significant effects may arise, and in this assessment, the viewpoints have been selected to represent areas of high visibility of the proposed development, where significant effects are most likely to arise. There are large parts of the 45km study area where ZTVs show that there will be no visibility of the wind farm at all or very limited visibility, and this should be taken into consideration in the review of significant effects of the proposed development.

8.118 It is also important to note that the assessment of significance in LVIA terms, as required by EIA Regulations and set out in best practice guidance, does not provide any indication of the

'acceptability' of the proposed development, and that the occurrence of significant effects does not in any way imply that a development would be 'unacceptable'. It is widely acknowledged that commercial-scale wind farm development will almost inevitably give rise to effects that are assessed as being significant in EIA terms, and this does not render this type of development generally unacceptable.

8.119 The assessment has indicated that significant visual effects of the wind farm are likely to be contained within approximately 18km of the proposed development, although they may, in very unusual circumstances, arise beyond this. Significant effects on landscape character are likely to be contained within a radius of approximately 11.5km from the proposed development.

8.120 As demonstrated in Section 3 (Site Selection, Design and Evolution) of the EIAR, the development has been designed in order to reduce unacceptable visual impact from key receptors, including the Talla – Hart Fell Wild Land Area. Whilst larger turbine typologies will be employed at Scoop Hill Community Wind Farm, it is felt that the landscape is capable to accommodate the turbines and that significant landscape and visual effects will be sufficiently contained within acceptable levels. It is therefore demonstrated that the development accords with policies NE1, NE2 and NE3.

Ecology and Ornithology Policy

8.121 LDP2 contains two policies that relate to Ecology and Ornithology that are relevant to the proposed development; these are Policies NE5 and NE6.

Policy NE5: 'Species of International Importance', states that development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that there is no satisfactory alternative; and the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range.

Appraisal of Policy NE5:

8.122 Section 8 (Ecology) of the EIAR present EcIA assessments of the current baseline of flora and fauna at and surrounding the proposed development site. Surveys have been undertaken over 2 years and the following Schedule 2 European Protected Species recorded were Otter *Lutra lutra*, Common Pipistrelle Bat *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Noctule Bat *Nyctalus noctula*, Brown Long-eared Bat *Plecotus auritus*, Natterer's Bat *Myotis natterii*, and unidentified *Myotis* species of bat and the following Schedule 3 species Atlantic Salmon *Salmo salar* and Pine Marten *Martes martes.*

8.123 Following the presentation of the results and consideration of potential risks, measures have been proposed that will be put in place to reduce any adverse effect on Species of International Importance. These include mitigation measures incorporated into the design of the wind farm and the application of construction practices that will minimise the potential for disturbance to protected species.

8.124 The negative impacts of the wind farm are considered to be of low magnitude and of minor significance for bats with potential for some positive impact through provision of bat boxes and other habitat enhancements away from turbines. It was considered extremely unlikely that the wind farm would have a significant negative impact on Otters.

8.125 There is potential for positive impact through planting along watercourses. Therefore, impacts are considered to be of negligible magnitude and not significant.

8.126 With implementation of strict pollution prevention measures and ensuring there is no impedance to fish from new culverts or bridges, the impacts on Atlantic Salmon are considered to be of low magnitude of minor significance and temporary. The wind farm is extremely unlikely to have a significant negative impact on Pine Marten.

8.127 In addition to this an Environmental Clerks of Works (ECoW), will be appointed prior to and throughout the construction process to work in liaison with construction engineers, and ensure the avoidance of any potential for disturbance to protected species by careful timing of the works and sensitive working methods.

8.128 Furthermore, strict pollution prevention measures will be implemented to ensure no impacts on water quality and water monitoring will be carried out. These will include standard good practice measures to control silt levels, oil and fuel spills.

8.129 Finally, enhancement of protected species habitats will also be implemented through the Habitat Management Plan which will have a positive impact for many species within and surrounding the development site. As a result, the proposed development complies with DGC Policy NE5.

Policy NE6: 'Sites of National Importance for Biodiversity and Geodiversity', states Development that affects Sites of Special Scientific Interest (SSSI), not designated as International Sites, and other national nature conservation designations will only be permitted where: it will not adversely affect the integrity of the area or the qualities for which it has been designated, or any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

Appraisal of Policy NE6:

8.130 There are a number of Designated sites within 20km of the development. However, Section 7 (Ornithology) and Section 8 (Ecology) of the EIAR describe the only designated site with potential habitat connections to the development site namely the Dryfe Water SSSI, along the southern edges of the developable site.

8.131 The woodland itself will not be impacted in any way by the development, however the adjacent Dryfe Water may be at risk from pollution. The EIAR concludes that the risk from silt and other pollutants during the construction phase of the wind farm can be mitigated via:

- Robust surface water management measures agreed with the ECoW. All locations of the pollution prevention measures will be detailed in the SEPA Site Construction Licence;
- During the construction period the working area will be kept to a minimum to avoid unnecessary peripheral habitat disturbance and the accumulation of unnecessary amounts of loose material that might be washed away during periods of heavy rain;
- Regular inspections will be made to check whether the drainage systems remain operating as intended. This should ensure a proper supply of water for sensitive communities;
- Best practice will be employed during and after deep excavations for turbines and borrow pits. Settling ponds will be used to store excess water accumulating in the excavation areas. Clean filtered water from the settling ponds will be released in appropriate areas, maintaining water supply to downslope wetland communities.

Summary of Ecology and Ornithology Policies

8.132 Following mitigation, there are no predicted significant adverse effects on any Sites of National Importance for Biodiversity and Geodiversity and accordingly the development is compliant with Policy NE5 and NE6.

Forestry Policy

8.133 LDP2 contains two policies that relate to Forestry that are relevant to the proposed development, these are Policies NE7 and NE8.

Policy NE7: 'Forestry and Woodland' and NE8: 'Trees and Development' highlight that the Council intention to protect and enhance ancient woodland sites. In determining applications for developments that include tree felling the Council will take into account environmental and other interests identified in the Forestry and Woodland Strategy including biodiversity, water (including flood risk management), soil and air, landscape setting, historic environment and land restoration. Where removal can be justified, compensatory planting will be required.

Appraisal of Policy NE7 and NE8:

8.134 Full details of the proposed forestry changes and actions can be found in Section 13 (Forestry) of the EIAR which was prepared in consultation with Scottish Forestry. The report identifies areas of forest to be removed for the construction and operation of the proposed development and outlines the proposed management practices and restocking proposals.

8.135 The Dryfe Water SSSI is an upland mixed ash woodland. This will not be affected in any way. There are a number of un-named ancient woodlands and long-established woodland sites (four adjacent to the Wamphray Water, Milne Wood, Long Plantation, Whate, the Pinnacle, Blaze Plantation, Oakrig, Whinny and Belcraig Plantations). Again, none of these will be felled or affected directly by the development.

8.136 A section of the Eskdalemuir Red Squirrel Priority Woodland is within the site. This area will be checked for squirrel dreys prior to felling, however there will always be Red Squirrel habitat present due to the felling scheme and mitigation will enhance the site for this species meaning impacts will be negligible.

8.137 A key-hole felling technique will be used to limit the quantity of felling required. By using turbines with greater tip heights, the requirement for long term adjustments to the existing felling plan to account for wake and disrupted air flow is not required.

8.138 Using a key-holing method of forestry removal allows for the retention of much of the existing forestry boundaries, thus reducing the magnitude of landscape changes across site.

8.139 As a result of the felling required, 258ha of forestry will be adjusted from its current felling regime. Notwithstanding this both on-site and off-site compensatory planting options are proposed which will equate to the forestry removed to accommodate the wind farm.

8.140 Habitat enhancement is proposed that will include the establishment of cleuch riparian woodland, upland cleuch woodland planting and improving the condition of the upland habitat mire complex. These habitat enhancement measures will result in improved biodiversity for many species including badger, black grouse, and songbird populations and would enrich the available habitat.

Summary of Forestry Policies

8.141 The EIAR and the supporting documents of the Application demonstrate the proposed development would achieve significant and clearly defined additional public benefits in the form of renewable energy generation, socio economic benefits, and habitat management improvements.

8.142 The Applicant is committed to providing appropriate compensatory planting and the further enhancement of native woodland. The extent, location and composition of such planting would be secured through planning conditions. As a result, the proposed development complies with Policies NE7 and NE8.

Technical Policy – Impacts on Aviation

8.143 LDP2 contains one policy that relates to Technical Policy that are relevant to the proposed development, this is Policy IN2.

Policy IN2: 'Wind Energy', seeks to protect against development proposals that would adversely impact aviation and defence interests and seismological.

Appraisal of Policy IN2

8.144 Section 14 (Other Considerations) of the EIAR presents an assessment of the potential impacts the proposed Wind Farm may have on aviation facilities in the area.

8.145 In relation to aviation interests, both Edinburgh and Glasgow Airports have confirmed that the development falls our with their safeguarding/consultations zones and consequently they have no objection to the proposal.

8.146 The Ministry of Defence (MoD) raised concerns in their Scoping response to the proposed development at Scoop Hill Community Wind Farm. However, through ongoing consultation with the MoD and with the implementation of appropriate mitigation, there will be no impacts.

8.147 The MoD also raised the point of Aviation lighting during their scoping response. Scoop Hill Community Wind Farm will be fitted with lighting as required.

8.148 NATS stated in their scoping response that they anticipate a technical impact of the scheme. Following consultation on two other CWL schemes, as well as the Scoop Hill project, there is mitigation available and CWL are liaising with NATS to reach a mitigation agreement. With this mitigation in place there is expected to be no impact from the scheme.

8.149 The Applicant has been in discussion with NATS/NERL (both Services and En Route), in relation to Scoop Hill Community Wind Farm. It has been acknowledged that the proposal may have an unacceptable impact on NATs and NERL operations, but that mitigation a mitigation scheme can be implemented to remove this concern. This mitigation would be subject to a Managed Mitigation Services Contract (MMS) , which is currently being reviewed an agreed. This contract would impose various planning conditions which would be acceptable to the Applicant and would allow NATS/NERL to remove any objection to the Scheme.

8.150 With regards to the Eskdalemuir Safeguarding Area the Applicant is a member of the Eskdalemuir Working Group which recently had a meeting to consider reports prepared for EWG. The Applicant is also carrying out extensive research and development to identify any material vibrations from its existing wind turbines in close proximity to Eskdalemuir. The conclusions of these studies will be made available once they have been concluded and peer reviewed and presented to Scottish Government and EWG.

Summary of Technical Policies

8.151 As a result of the ongoing discussions with the various consultees and the availability of potential mitigation measures, the proposed development will ensure that aviation interests are protected, and that Scoop Hill Community Wind Farm will comply with policy IN2.

9. Supplementary Planning Guidance

9.1 As part of the SPP, planning authorities should prepare spatial frameworks, providing guidance on wind farm development. Supplementary planning guidance is a material consideration and it has been addressed in the design and development of this proposal, assessed through the EIA process and considered in the EIAR and other parts of this Planning Statement.

9.2 Dumfries and Galloway Council provide further guidance on wind farm development in the following documents:

- Part 1 Wind Energy Development: Development Management Considerations (Dumfries and Galloway Council, 2017);
- Part 1 Wind Energy Development: Development Management Considerations: Appendix 'C' Dumfries & Galloway Wind Farm Landscape Capacity Study (Dumfries and Galloway Council, 2017);
- *Dark Sky Park Friendly Lighting* (Dumfries and Galloway Council, 2015);
- *Historic Built Environment* (Dumfries and Galloway Council, 2017).

9.3 The proposed development has considered the above Supplementary Planning Guidance with particular attention to the wind energy development related guidance.

9.4 The Dumfries and Galloway's Landscape Capacity Study May 2017 states that "*Following a review of visualisations from key viewpoints in the field and additional sensitivity assessment of very large typology [turbines >150m], it is concluded that turbines towards 200m high to blade tip would be too large to accommodate as new developments in landscape and visual terms anywhere in Dumfries and Galloway apart from the Eskdalemuir unit of the Southern Uplands with Forest [19a]. This is either because the receiving landscape is insufficiently extensive to minimise effects or because more extensive and large-scale landscapes already accommodate many wind farms. The Eskdalemuir area of the Southern Uplands with Forest does not accommodate any existing wind energy development*". The Study also states that "*In general, the larger the extent and scale of the upland landscape and its distance from more well-settled areas, the more scope there is for larger turbines to be accommodated".*

9.5 For these reasons the site selection process has identified the Eskdalemuir area [19a] within which Scoop Hill Community Wind Farm site falls.

9.6 Furthermore, the Dumfries and Galloway Local Development Plan 2 Supplementary Guidance 'Wind Energy Development: Development Management Considerations' (MAP 8) identifies the development site as being in the lower sensitivity classification category.

10. Material Considerations

10.1 The Planning Statement and Section 4 of the EIAR set out the renewable energy, national planning policy and other material considerations that support the principle of the Proposed Development.

10.2 Energy policy in Scotland is a matter that is specifically reserved to the UK Parliament. However, as the following paragraphs note, the Scottish Government has published several of its own energy policy and strategy documents that apply to Scotland only and these are material to the determination of this application. This point was specifically addressed by the Reporter in the Corlic Hill Wind Farm decision (PPA-280-2022). In discussing the relationship between UK Government and Scottish Government policies he noted in paragraph 25 that:- "…although energy policy is a reserved matter, climate change and planning policy are not….therefore while I have had regard to UK energy policy and to the evidence of performance against binding European targets, I have also had regard to Scottish climate change and planning policy and Scottish targets...".

10.3 The UK ratified the UN Paris Agreement in November 2016 and therefore contributes to the framework to ensure that global warming is kept well below 2°C, pursuing efforts to limit the temperature increase to 1.5°C. The importance of the UN Paris Agreement, and its integral part of UK Government policy, has been made very clear by the recent Court of Appeal Decision on the challenge to the building of a new runway at Heathrow .

10.4 A key component of that case, from February 2020, was a challenge to the Airports National Policy Statement (ANPS), a national policy statement prepared under the Planning Act 2008 by the Secretary of State for Transport in June 2018. The ANPS provided the policy framework for expansion at Heathrow and the primary basis for decision making on any development consent application for a new runway.

10.5 One of the challenges to the ANPS was the extent to which it took account of the Government's policy relating to the mitigation of, and adaptation to, climate change. The Court of Appeal decision concluded that the Paris Agreement ought to have been taken into account in the preparation of the ANPS and that the Government's commitment to the Paris Agreement 'was clearly part of Government policy by the time of designation of the ANPS' (para.228 of the Court of Appeal Decision). The Court of Appeal decision continued in paragraph 283 and stated that:- 'The Paris Agreement ought to have been taken into account by the Secretary of State in the preparation of the ANPS but was not. What this means, in effect, is that the Government when it published the ANPS had not taken into account its own firm policy commitments on climate change under the Paris Agreement'.

10.6 The Court of Appeal decision has relevance for other decisions and projects as, crucially, it confirms that the Paris Agreement and the commitments contained therein, form part of UK Government policy. The commitment to reducing global warming in order to tackle climate change is considered to be a "firm policy commitment" and must be given significant weight in the assessment of this application.

10.7 NPF3 is clear that onshore wind development represents a key technology and highlights wind energy's continued role in contributing towards a low carbon economy stating, *'onshore wind will continue to make a significant contribution to diversification of energy supplies'.*

10.8 SPP continues to emphasise the importance of tackling climate change and, in particular, addresses the continuing need to reduce greenhouse gas emissions and to develop renewable energy projects. One of the over-arching aims of SPP is to achieve sustainable development, as such it emphasises as a 'policy principle' that there is a **presumption in favour of development that contributes towards sustainable development**. The Proposed Development is considered to be consistent with the principles of sustainable development.

10.9 SPP also sets out guidance for local authorities that the spatial frameworks should present information on capacity, based on the following groupings:

Group 1:	Areas where wind farms will not be acceptable (National Parks and National Scenic Areas)
Group 2:	Areas of Significant Protection (National and international designations, other nationally important mapped environment interests including areas of wild land) and a 2km community separation distance for consideration of visual impact
Group 3:	**Areas with potential for wind farm development**

10.10 SPP Paragraph 169 stipulates that proposals for energy infrastructure should always take account of spatial frameworks for wind farms. Throughout the initial site finding process and the subsequent design evolution, the Applicant has carefully assessed the development against the Dumfries and Galloway LDP2 Spatial Framework for Wind Energy (Map 8) which identifies the proposed development as being located within an ***'area with potential for wind farm development'.*** This represents a key material consideration that should be given significant weight in the determination of the proposed development especially as this Spatial Framework allocation has been a driving force behind the Applicants' choice of site.

10.11 Furthermore the Dumfries and Galloway's Landscape Capacity Study (May 2017) states that *"Following a review of visualisations from key viewpoints in the field and additional sensitivity assessment of very large typology [turbines >150m], it is concluded that turbines towards 200m high to blade tip would be too large to accommodate as new developments in landscape and visual terms anywhere in Dumfries and Galloway* ***apart from the Eskdalemuir unit of the Southern Uplands with Forest [19a].*** *This is either because the receiving landscape is insufficiently extensive to minimise effects or because more extensive and large-scale landscapes already accommodate many wind farms. The Eskdalemuir area of the Southern Uplands with Forest does not accommodate any existing wind energy development".* The Study also states that *"**In general, the larger the extent and scale of the upland landscape and its distance from more well-settled areas, the more scope there is for larger turbines to be accommodated**".* For these reasons the site selection process has identified the Eskdalemuir area [19a] within which the Scoop Hill Community Wind Farm site falls as being the ideal, appropriate and most sensible location for the proposal.

10.12 The Scottish Government's Onshore Wind Policy Statement also highlights the vital role that onshore wind will continue to play in Scotland's future, as it will help *"to substantively decarbonise our electricity supplies, heat and transport systems, thereby boosting our economy, and meeting local and national demand".* The Policy Statement further adds that this important role "*means we must support development in the right places, and increasingly – the extension and replacement of existing sites, where acceptable,* ***with new and larger turbines****, based on an appropriate case by case assessment of their effects and impacts."*

10.13 The 2019 Climate Change (Emissions Reduction Targets) (Scotland) Act sets a target date of 2045 for reaching net-zero emissions, and states that the Scottish Ministers must ensure that the following net-zero Scottish emissions targets are taken into account for the specified years:

- 2020 is at least 56% lower than the baseline;
- 2030 is at least 75% lower than the baseline;
- 2040 is at least 90% lower than the baseline.

10.14 However, the Scottish Greenhouse Gas Emissions 2018 report (published 16th June 2020) has assessed greenhouse gas emissions (GHG) and has compared the 2018 emissions against Scotland's legally binding targets. It concludes that the 54% reduction target, between the baseline period and 2018 **has not been met** and that the GHG account reduced by only 50% between the baseline period and 2018.

10.15 The proposed development supports the Scottish Government's policy to encourage more electricity from renewable sources and will help ensure that the Scottish Government meets their legally binding carbon emissions reduction targets.

10.16 SPP para 93 sets out that the planning system should "*give due weight to net economic benefit of proposed development*." Scoop Hill Community Wind Farm will generate £1.8 billion of investment, create over 250 jobs, will support local businesses and supply chain opportunities and act as catalyst to a potential visitor centre that will support and increase local tourism. Furthermore, once operational, Scoop Hill Community Wind farm will generate over £262 million of business rates revenue to Dumfries and Galloway Council over its 40-year lifetime.

10.17 This essential economic benefit comes at a time when the UK gross domestic product (GDP) is estimated to have fallen by a record 20.4% in Quarter 2 (Apr-Jun) 2020, marking the second consecutive quarterly decline after it fell by 2.2% in Quarter 1 (Jan-Mar) 2020.

10.18 The proposed development will therefore have a significant net economic benefit both nationally and locally which, in accordance with SPP, should be regarded as a material consideration.

10.19 The Committee on Climate Change (CCC) has estimated that if the UK is to meet its net-zero emissions target, 22-29 GW of additional onshore wind capacity will be required by 2030. Today onshore wind capacity in the UK is around 13 GW, leaving a shortfall of up to 16 GW. Scoop Hill Community Wind Farm can contribute >3% of this net-zero target.

10.20 With an installed capacity of 525 MW, the proposed development could generate 2.1 TWh of renewable energy per year, generating sufficient clean electricity to power 572,000 homes whilst saving 931,000 tonnes of CO_2 per annum.

10.21 The proposed development would therefore result in a wide range of benefits which are material considerations and subsequently should be afforded significant weight in the planning balance when determining this application.

11 The Planning Balance

11.1 The proposed development is for an onshore wind farm which annually generates up to 525MW of renewable energy. It comes as a direct response to the Scottish Government's policy on combating climate change and specifically the Scottish Government's target for reaching net-zero emissions by 2045.

11.2 International and National Energy policy is clear and is presented in this Planning Statement. There is no reasonable room for dispute regarding:

- The seriousness of climate change and its potential effects;
- The seriousness of the need to cut carbon dioxide emissions; and
- The seriousness of the Scottish Government's intentions regarding deployment of renewable energy generation.

11.3 The 2019 Climate Change (Emissions Reduction Targets) (Scotland) Act recognises this seriousness and dictates that the Scottish Government must ensure that the net-zero Scottish emissions account for the year is at least 56% lower than the baseline by 2020, culminating in a net-zero balance by 2045. These targets are legally binding.

11.4 However, the Scottish Greenhouse Gas Emissions 2018 report (published 16th June 2020) which assessed Scotland's greenhouse gas emissions (GHG) concludes that the 54% reduction target for 2018 **has not been met** and that the GHG account reduced by only 50% between the baseline period and 2018.

11.5 In land-use planning terms, Scottish Planning Policy (SPP) – Sustainable Development and Climate Change – emphasises that there is a presumption in favour of development that contributes towards sustainable development. The Applicant does not argue that there is some form of expressly stated presumption in favour of the grant of planning permission for a wind farm at Scoop Hill. But in making the final judgement, The Applicant would argue that if the Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future' (the Programme for Government) (2019) is to be realised, then the benefits of the proposed development far outweigh the identified impacts and that on analysis of the factors identified in Schedule 9 of the Electricity Act 1989, together with the development plan and other material considerations, consent should be granted to enable the project to proceed.

11.6 The Applicant would also argue that serious environmental harm should not be confused with the occurrence of significant environmental effects. It is acknowledged in the EIAR that the proposed development would result in some significant environmental effects, but each and every wind farm brings with it, significant environmental effects. Even where they are thought to be harmful, significant effects do not have to be rendered harmless to be acceptable. Furthermore, any perceived effects can be seen as temporary/reversable, in stark contrast to the potential effects of climate change which are permanent and irreparable.

11.7 The combination of careful design adaptations, informed by extensive consultation, combined with the application of appropriate mitigation measures, means the submitted proposal has minimised the impacts as far as reasonably possible whilst retaining the benefits.

11.8 This application must also be considered within the context of the Dumfries and Galloway Local Development Plan 2 and The Wind Energy Spatial Framework (Map 8) which identifies the proposed site as being located in an ***"area with potential for wind farm development"***.

11.9 Furthermore, the proposed development has been formulated in the light of detailed assessments within the EIAR that have taken into account a full range of environmental and technical issues, which collectively demonstrate compliance with LDP2 Policy IN1 'Renewable Energy' and IN2 'Wind Energy'. Taking all factors into account, the applicant is able to demonstrate that all related environmental, economic and social impacts have been satisfactorily addressed and any limited harm that would occur is ultimately reversible.

11.10 In addition to this, it is worth reiterating some of the crucial benefits arising from the development:

- The Scoop Hill Community Wind Farm will act as a catalyst for economic growth generating up to £1.8 billion of investment for the local and national economy.
- It will facilitate the creation of 250 construction jobs and support construction-related apprenticeships.

- Once operational, 11 full time jobs will be created as required for the 40-year operational life of the wind farm.
- The developer will implement its dedicated support of local schools and colleges further enhancing youth opportunities for generations to come.
- If consented, the proposed wind farm will include the development of a Visitor Centre and unique outdoor recreational facilities that will further support the local economy and tourist industry.

11.11 If the ambitious national targets for electricity generation from renewables for 2030 and net-zero carbon targets for 2025 and 2045 are to be met, a quick, sustained and substantial acceleration is needed in the development of renewable energy projects, with onshore wind energy making a very critical contribution. The proposed development of Scoop Hill Community Wind Farm will make a substantial contribution to achieving the targets.

11.12 The onset of the COVID-19 pandemic has triggered a monumental social and economic shock. The UK economy has now suffered its biggest slump on record between April and June 2020 as coronavirus lockdown measures pushed the country officially into recession. At the time of submission, Scotland's GDP was 17.6% below the level in February 2020, while the UK's GDP as a whole has reduced by 17.2% compared with February 2020. Unemployment levels are rising and there is a marked decline in confidence in Scotland's economic outlook.

11.13 On 22nd June 2020, an independent Advisory Group established by the Scottish Government to advise on Scotland's economic recovery in the wake of the COVID-19 pandemic, published the strategy *'Towards a Robust, Resilient Wellbeing Economy for Scotland: Report of the Advisory Group on Economic Recovery'*.

11.14 This strategy states, ***'There is a need now to considerably increase the pace and scale of deployment to meet low carbon generating targets over the next 25 years, and to enable Scotland to grasp the tremendous opportunities for a green recovery which such a transition offers. This imperative presents increased and urgent challenges for the existing policy, planning and licensing framework to identify and consent suitable projects with a sufficient level of impact in the light of the climate change emergency at a scale and to a timetable to deliver on Scotland's net zero targets'.***

11.15 The report goes on to state, ***'There is also now an opportunity for Scotland to lever some of its natural advantages: the almost limitless quantities of renewable energy potential from wind, wave and tidal power can be used to generate surpluses to export to the rest of the UK and elsewhere and to generate 'green' hydrogen to use in heat and transport sectors.'***

11.16 The Scottish Government has endorsed this advice and in the September 2020 report *'Protecting Scotland, Renewing Scotland',* the First Minister of Scotland stated, ***'Our economic recovery must be a green recovery'*** and ***'As part of our commitment we will dedicate £100m over the next 5 years to a Green Jobs Fund, investing alongside businesses and organisations to support new and increased opportunities for Green Job creation across Scotland'.***

11.17 Approval of this development would be a positive and progressive step in the fight to tackle climate change and aid Scotland with meeting its renewable energy and carbon emissions targets. This is imperative in tackling the Climate Emergency, and in supporting Scotland's green recovery from the COVID-19 pandemic.

11.18 Accordingly, the Development Plan and other material considerations indicate that planning permission should be granted for the Scoop Hill proposal in the form in which it has been submitted.

12 Conclusion

12.1 This Planning Statement has assessed the proposed development considerations in accordance with the terms of Schedule 9 of the Electricity Act 1989 and against the relevant provisions of Scottish Government Policy, the Development Plan and other material planning considerations.

12.2 The application is accompanied by an EIAR that establishes the overall acceptability of the proposed development. Where mitigation measures are required, these are described in the EIAR and can all be secured by planning conditions.

12.3 It has been demonstrated that the proposed development meets the consenting requirements of, and complies with, the relevant policy considerations at a national and local level.

12.4 Having examined the material planning issues and the potential effects of the development as set out in the EIAR, we can identify no particular issue that deserves significant weight such that planning permission should be refused. Specifically, in drawing our conclusions, our view is that:

Green Recovery

12.5 This strategic infrastructure project coincides with the COVID-19 pandemic which has pushed the country officially into recession. GDP is falling and unemployment levels are rising, prompting a marked decline in confidence in Scotland's economic outlook. The First Minister of Scotland has stated, *"**Our economic recovery must be a green recovery**"*.

12.6 Scoop Hill Community Wind Farm will make a significant, rapid and sustained contribution to a green recovery. It will act as a catalyst for economic growth with the ability to generate and deliver a large volume of financial investment into the local and regional economies, throughout the lifetime of the wind farm. The financial rewards and benefits of the development will positively impact the local communities both directly and indirectly, which will help to establish the wind farm as an asset amongst local residents.

12.7 A significant investment of £530 million would be required to construct this wind farm and Community Windpower's '*Buy Scottish*' policy means preference will be given to companies located in Dumfries and Galloway for construction contracts. Furthermore, the applicant is committed to creating long-standing relationships with Scottish companies to deliver and operate the Scoop Hill Community Wind Farm.

12.8 Economic investment worth over £33 million per annum will be provided to operate the wind farm, through payment of rents, business rates, maintenance, servicing, electrical connections and community benefit funding. Over the 40-year life span of the wind farm, this equates to over £1.8 billion.

12.9 This project will generate approximately 250 temporary jobs across the construction and supply industry as well as 11 permanent jobs for the 40-year life span of the wind farm.

Climate Change & Net Zero Carbon Targets

12.10 The implications for inaction on climate change cannot be disputed. If insufficient progress is made towards meeting the International, UK and Scottish Government's commitments to renewable energy sources, climate change will cause serious, irreversible adverse effects on the natural world,

humans and human health. The landscape of many parts of the UK as well as the rest of the world will change in response to these effects, which are already being witnessed.

12.11 The 2019 Climate Change (Emissions Reduction Targets) Act recognises this seriousness and dictates that the Scottish Government must ensure that the net-zero Scottish emissions account for the year is at least 56% lower than the baseline by 2020, culminating in a net-zero balance by 2045. These targets are legally binding.

12.12 However, this Planning Statement has set out that the 56% reduction target of greenhouse gas emissions for 2018 **has not been met** and that the GHG account reduced by only 50% between the baseline period and 2018.

12.13 Clearly, more needs to be done and a rapid and sustained acceleration in the development of strategic onshore wind projects is urgently required. This Planning Statement has already highlighted both the Committee for Climate Change and the UK National Grid reports, which have projected their forecasts for wind-generated electricity over the next two decades. The overwhelming conclusion is that **more onshore wind electricity generation is required**.

12.14 Scoop Hill Community Wind Farm will generate 525MW of clean electricity each year, for two generations. This contribution represents the equivalent of over 3% of the estimated 16GW of electricity generation that is still required (CCC, March 2020). It would annually displace approximately 931,000 tonnes of carbon dioxide, equivalent to approximately 37 million tonnes of CO_2 over 40 years. Furthermore, the development is expected to produce around two terawatt-hours (TWh) of electricity per annum, which will be enough electricity to power over 572,000 homes each year.

12.15 The proposed development will therefore make a direct and strategic contribution to achieving Scotland's renewable energy generation targets.

Compliance with Local Planning Policy and the Spatial Framework

12.16 This development complies with both National and Local Planning Policy. Most notably the development is compliant with the Dumfries and Galloway's Landscape Capacity Study (May 2017) which recognises the proposed wind farm's location as being the only area within Dumfries and Galloway that has potential for large typology wind turbines. Furthermore, the proposed development complies with the 'Wind Energy Spatial Framework' adopted in October 2019, which identifies the development's location as having *'potential for wind farm development'*.

12.17 To conclude, Scoop Hill Community Wind Farm is a sustainable, sensitively-designed, well-located development within an established and accepted wind farm landscape, recognised as a potential area for wind farms in the Dumfries and Galloway Local Development Plan (2). It will provide an essential contribution towards the ambitious national targets for electricity generation from renewables for 2030 and 2045 and will support Scotland's 'Green Recovery' from the COVID-19 pandemic by delivering economic growth in Dumfries and Galloway and Scotland as a whole. **Accordingly, consent should be granted under Section 36 of the Electricity Act 1989 and deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997.**

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