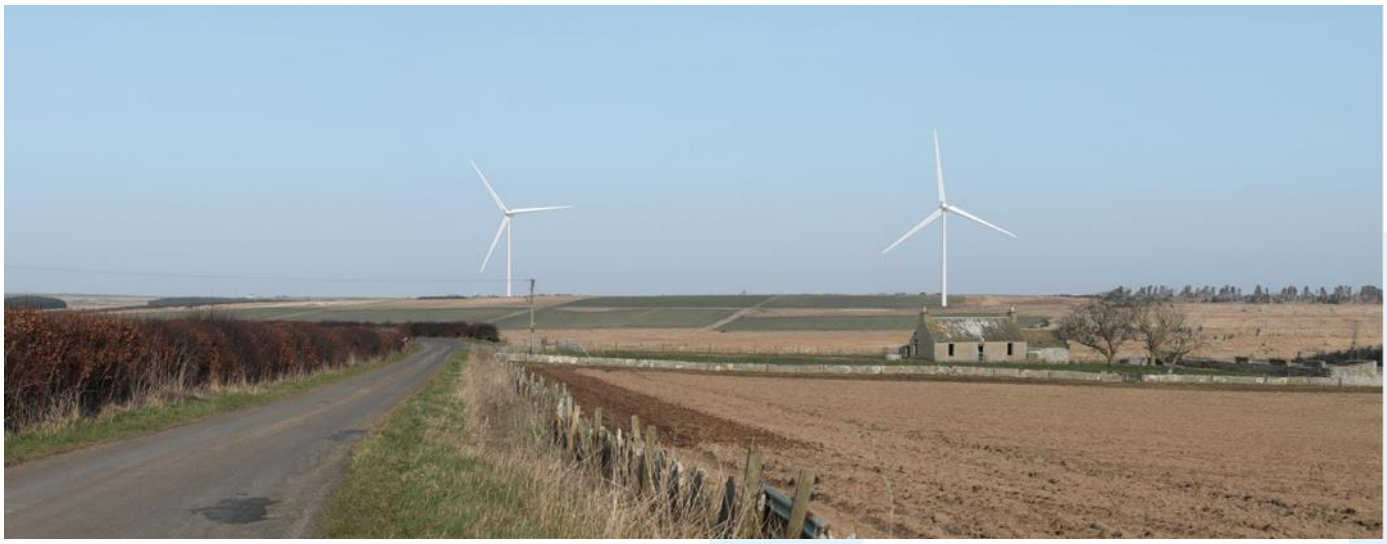
Swarclett Wind Farm

Planning Statement

Swarclett Wind Energy Limited



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1 Introduction

This Planning Statement has been prepared by Atmos Consulting Limited ('Atmos') on behalf of Swarclett Wind Energy Limited ('the Applicant') to support an application for planning permission under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (as amended, the DMP) and the Town and Country Planning (Scotland) Act 1997 (the '1997 Act) for the construction and operation of a generating station known as Swarclett Wind Farm ("The Proposed Development").

The Proposed Development is located approximately 1km southeast of Mains of Durran, Castletown, Thurso, Highlands (the 'Proposed Development Site'). The Proposed Development Site is centred on Grid Reference ND 21032 62606 and is illustrated in Figure 1-1.

The Application is accompanied by an Environmental Impact Assessment (EIA) Report prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (Scottish Government, 2017a).

The EIA Report presents the findings of the EIA process by describing the Proposed Development, the current conditions at the Proposed Development Site and the likely environmental effects which may result from the construction and operation of Proposed Development.

Where appropriate, mitigation measures designed to avoid, reduce or offset potentially significant effects are proposed and conclusions are presented on residual effects (those effects that are expected to remain following implementation of mitigation measures).

This Planning Statement should be read in parallel with the EIA Report.

Under Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states:

> *"Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan."*

The purpose of this Planning Statement is therefore to identify and apply the key considerations applicable in the determination of the planning application for the Proposed Development including the policies and provisions of the development plan and other material considerations.

This Planning Statement also:

- Provides further details about the Applicant, the Proposed Development Site and the Proposed Development;
- Confirms the application supporting documents (as listed on the Contents page and contained within the EIA Report);
- Sets out the benefits of the Proposed Development in the context of national energy, climate change policies and socio economic benefits; and
- Summarises the key findings of the EIA which are relevant to the determination of the application.

1.1 The Applicant

The Applicant, Swarclett Wind Energy Limited, is a subsidiary of Wind2 Limited, a specialist wind developer founded in 2016. Wind2 Limited has staff based in Cromarty, Perth, Edinburgh, Wells (Somerset) and Mold, Wales, with significant expertise in renewable energy, and a track record of successfully developing onshore wind farms throughout the UK.

Wind2 Limited is working on the development of a number of renewable energy projects and is committed to investing in the Highlands and Islands of Scotland.

2 Site Description

The land cover within the Proposed Development Site is predominantly grassland pastures including improved, semi-improved neutral and marshy grasslands, and is mainly used for rough grazing.

The area within which the Proposed Development will be located is defined as the 'Proposed Development Footprint'. This encompasses all the Proposed Development infrastructure including the turbine locations, hardstanding and site access.

The Proposed Development Site is centred on National Grid Reference (NGR) (approximate ND 21032 62606) and is illustrated in Figure 1-1.

2.1 Surrounding Area

The Proposed Development drains entirely into the Burn of Durran.Commercial scale wind farms are located close to the Proposed Development Site in particular, the operational Lochend Wind Farm located 8km to the northeast consisting of four turbines (99.5m tip height) and the consented Cogle Moss Wind Farm located 7km to the south east consisting of 12 turbines (100m tip height) (Figure 1-3).

2.2 Landscape Designations

The Proposed Development Site does not lie within any nationally protected or significant landscape designations.

There are a number of designated landscapes in the wider area (defined within the EIA Report, Chapter 5 Landscape and Visual Assessment) including:

- Dunnet Head Special Landscape Area (SLA) (5km from the Proposed Development Site);
- The Castle of Mey Inventory Garden and Designed Landscape (approximately 14km from the Proposed Development Site);
- Duncansby Head SLA (15km from the Proposed Development Site)
- East Halladale Flows Wild Land Area (WLA) (18km from the Proposed Development Site);
- Causeymire Knockin Flows WLA (16km from the Proposed Development SiteThe Flow Country and Berriedale Coast SLA (17km from the Proposed Development Site.

2.3 Heritage Designations

There are no designated heritage assets within the Proposed Development Site or the surrounding 1km Study Area.

There are a number of designated heritage assets within the 5km Study Area defined within the EIA Report, Chapter 10 Cultural Heritage including 17 Scheduled Monuments, eight Category B Listed Buildings and four Category C Listed Buildings (Figure 10-2).

Within the 10km Study Area defined within the EIA Report, Chapter 10 Cultural Heritage there are 36 Scheduled Monuments and two Category A Listed Buildings (Figure 10-3).

2.4 Ecology Designations

There are no environmental designations within the Site boundary.

Within 5km of the Site boundary the following environmental designations are present:

- Loch of Durran Special Site of Scientific Interest (SSSI), 1.5km north;
- Loch Scarmclate SSSI, Special Protection Area (SPA), Ramsar 1.5km southwest;
- Loch Watten, Special Area of Conservation (SAC) and SPA, Ramsar and SSSI 2km south; and
- Dunnet Links SSSI, 4km north.

Within 10km of the Site boundary a number of other designated sites are present:

- Dunnet Head SPA, 6km north;
- River Thurso SAC, 6km west;
- Shielton Peatlands SAC, Ramsar, SPA SSSI, 9.5km south;
- Stroupster Peatlands SAC, SPA, SSSI, Ramsar, 7km east;
- Loch Heilen SSSI, Ramsar and SPA, 6km north;
- Banniskirk Quarry SSSI, 6km southwest;
- Achanarras Quarry SSSI, 8km southwest;
- Spittal Quarry SSSI, 7km southwest; and
- Weydale Quarry SSSI, 6km northwest.

3 The Proposed Development

The Proposed Development consists of **2 turbines up to a maximum 149.9m tip height, up to 12 MW of battery storage, and associated infrastructure**. This combination of wind power and battery storage will allow the efficiency of the Proposed Development to be optimised.

The associated infrastructure includes up to:

- 0.6km upgraded existing access tracks;
- 1.8km new access tracks;
- Construction of turbine foundations and crane hardstandings;
- Underground cabling;
- One substation; and
- Up to two watercourse crossings of minor watercourses.

The wind turbine generators will have an indicative output of approximately **9.6MW** and an **indicative battery storage capacity of up to 12MW, resulting in a total capacity of 21.6MW.**

The Proposed Development has been designed with an operational life of 30 years, at the end of which it will be decommissioned, unless further consent is granted.

Along with the 1.8km of new track, an upgrade of 640m of existing track is likely to be required to service the turbines and associated infrastructure.

The Proposed Development components are summarised in Table 3-3 of Chapter 3 Description of Development. 'Permanent Infrastructure' in the context of this EIAR means infrastructure that will be in place for the operational life of the Proposed Development.

Following expiry of planning permission, the decommissioned above ground infrastructure will be removed and reinstated in an environmentally sensitive way agreed with the relevant consultees. The above ground infrastructure is permanent only for the duration of the planning permission.

Once the turbines have been installed, the access tracks and hardstand areas around the turbines will remain in place as permanent infrastructure as agreed with, and to the benefit of, the landowner.

The permanent and temporary infrastructure is shown on Figure 3-1.

3.1 Benefits of the Proposed Development

Once operational, the Proposed Development will generate approximately 66,225MWh of electricity per year based on an estimated capacity factor of 35%. This will displace an equivalent amount of fossil fuel generated electricity amounting to a reduction in the release of greenhouse gases equal to 6,093 tonnes per year or 182,790 tonnes over the lifetime of the wind farm.

The Scottish Government's Online Carbon Calculator was used to calculate the carbon payback period for the Proposed Development (Reference KC8T-U38N-WFSA v1).

When taking into consideration the potential carbon loss of various construction and operational phases, the Proposed Development is expected, conservatively, to

payback the carbon cost within 2.2 years which represents 7.3% of the operational life of the Proposed Development. As green electricity is increasingly expected to decarbonise heating and transport, the payback period is likely to be less than this as the calculator is updated.

The outputs from the Scottish Government's Online Carbon Calculator are presented in EIA Volume 2 Chapter 13.

The Applicant will provide a voluntary community benefit package of up to £5,000 per MW installed generating capacity per year which could provide long term revenue to support local community initiatives. This will equate to a total of £1.44 million over the 30 year lifespan of the Proposed Development.

The development of a wind farm is a substantial investment that results in the generation of employment. It is estimated that the Proposed Development will generate up to 92 jobs during the construction phase and up to 4 jobs during the operation phases.

It is likely that the Proposed Development will also have wider beneficial effects. These would be expected to have positive effects on the local and national economies including:

Local supply chain opportunities: Wider, 'knock-on' effects of expenditure of workers visiting the area, e.g., in the accommodation, food service and retail sectors to the value of around £7,500 per MW constructed DECC/Renewable UK research (2012);

Income effects: The generation of additional wages and salaries from new employment, much of which will be spent regionally or nationally; and

Exchequer effects: Additional business rates and tax revenue, regionally and nationally from increased economic activity.

Effects on landowners: There will be a financial transaction to the landowners which is likely toto support diversification and/or other spending in the local, regional and national economy. There will also be other significant benefits to landowners, who as local farming families, will have the opportunity to diversify and help cross subsidise their existing farming operations, including creating suitable habitats for wildlife such as installing ponds and planting trees. The grant funding typically available for those types of agri-environmental activities is not available to landowners in the area of Caithness that hosts the Proposed Development. The landowner would also seek to future proof and modernise the farming business for the next generation, practice new, more environmentally friendly technology, improve soil heath and maximise livestock performance; and

Community benefit funds: The intended community benefit package for the Proposed Development includes a community benefit fund. Income streams from this community benefits package could provide long term revenue to support local community initiatives. Depending on the initiatives and projects brought forward by the local community these could provide positive benefits to the local economy, local facilities and the general quality of life for local residents.

The Proposed Development Site features several drains which feed into the Burn of Durran which also crosses the Site.

The closest residential properties to the Proposed Development Site are approximately 500m to the west, north and east whilst the nearest major settlement, Castletown, is located approximately 4km to the north.

The Proposed Development is bounded by, and close to (<50m), the watershed divide between the Burn of Garth and the Bower Burn surface waterbody catchments to the east. The Quoynee waterbody is 350m south of the Proposed Development.

Commercial scale wind farms are located close to the Proposed Development Site, in particular, the operational Lochend Wind Farm located 8km to the northeast consisting of four turbines (99.5m tip height) and the consented Cogle Moss Wind Farm located 7km to the southeast consisting of 12 turbines (100m tip height) (Figure 1-3).

The nearest roads are an unclassified single-track road that runs southeast-northwest through the north of the Site. The B876 runs southeast-northwest approximately 2.5km northeast of the Site boundary. The A9 runs approximately north-south 5km west of the Site boundary at its closest point.

Other commercial scale wind farms close to the Proposed Development Site are the operational Lochend Wind Farm located 8km to the northeast consisting of four turbines (99.5m tip height) and the consented Cogle Moss Wind Farm located 7km to the south east consisting of 12 turbines (100m tip height).

); and

4 Application Documents

This application is supported by the documents indicated in the list below:

EIA Report;

Supporting Documents;

- Planning Statement;
- Design and Access Statement; and
- Pre-Application Consultation Report.

- Application Drawings:
  - Figure 1-1: Site Location; and
  - Figure 1-2: Site Layout

The EIA Report, presents the findings of the EIA undertaken in accordance with the EIA Regulations and includes the following:

- Volume 1: Non-Technical Summary;
- Volume 2: EIA Text;
- Volume 3: Technical Appendices;
- Volume 4: Figures;

Volume 4b: Visualisations (NatureScot Format) ;

- Volume 4c : Visualisations (THC Format) ; and
- Volume 5: Confidential Appendices.

5 Consultation

5.1 Pre-Application Consultation

The Applicant sought pre-application advice from the Highland Council (THC) on 22 September 2021 with written advice received on 03 November 2021 (Ref: 21/03943/PREMAJ).

This advice initially identified the following planning policy documents as being applicable to the Proposed Development:

Highland-wide Local Development Plan (HwLDP):

- Policy 28 – Sustainable Design;
- Policy 29 – Design Quality & Place-making;
- Policy 30 – Physical Constraints;
- Policy 31 – Developer Contributions;
- Policy 51 - Trees and Development;
- Policy 52 - Principle of Development in Woodland;
- Policy 53 – Minerals;
- Policy 55 – Peat and Soils;
- Policy 56 – Travel;
- Policy 57 - Natural, Built & Cultural Heritage;
- Policy 58 - Protected Species;
- Policy 59 – Other Important Species;
- Policy 60 – Other Important Habitats;
- Policy 61 – Landscape;
- Policy 62 – Geodiversity;
- Policy 63 – Water Environment;
- Policy 64 - Flood Risk;
- Policy 66 - Surface Water Drainage;
- Policy 67 - Renewable Energy Developments;
- Policy 68 – Community Renewable Energy Developments;
- Policy 69 - Electricity Transmission Infrastructure;
- Policy 72 – Pollution;
- Policy 73 - Air Quality;
- Policy 74 - Green Network;
- Policy 77 - Public Access; and
- Policy 78 - Long Distance Routes.

Subsequent examination of applicable policy and context identified that the following policies are not relevant to the Proposed Development and will not be considered further in this Planning statement:

- Policy 29 – Design Quality & Place-making;
- Policy 31 – Developer Contributions;

Policy 53 – Minerals;

Policy 56 – Travel;

Policy 62 – Geodiversity

Policy 68 – Community Renewable Energy Developments

Policy 69 - Electricity Transmission Infrastructure

Policy 73 - Air Quality

Policy 74 - Green Network

Policy 77 - Public Access

Policy 78 - Long Distance Routes

The pre-app advice confirmed that the Proposed Development Site lies within Group 3 on the Spatial Framework map for Scottish Planning Policy and OWESG. Group 3 is assigned as an area with potential for wind farm development (due to the absence of constraints included within the spatial framework – and subject to further policy considerations). Attention was also drawn to the importance of considering peat as a nationally important resource.

HwLDP Policy 67 outlines the Council's overall support for renewable energy developments, subject to certain conditions being met. These include ensuring that the Proposed Development does not have a significant negative impact on various factors, both individually and cumulatively (in combination with other renewable energy projects). THC stress the importance of regularly assessing the overall development in the wider area in order to properly understand the cumulative impacts of the Proposed Development.

Since the issue of this advice, national planning policy has fundamentally changed with the adoption of the Fourth National Planning Framework (NPF4).

The Chief Planner's Letter of 8 February 2023 is clear that:

> *"On 13 February, Strategic Development Plans (SDP) and associated supplementary guidance will cease to have effect and as such no longer be part of the development plan."*

However, in preparation for the development of a new Highland Local Development Plan, the current adopted Development Plan in Highland is comprised of National Planning Framework 4 and the Local Development Plans.

The pre-application consultation identified the following Procedural Matters that require addressing:

Environmental Impact Assessment; and

Major Application (consultation requirements).

5.1.1 Environmental Impact Assessment

A request for an Environmental Impact Assessment (EIA) Scoping Opinion was submitted to THC on 18 February 2022 with a Screening Opinion received on 28 March 2022 (Ref 22/00790/SCOP).

That Opinion stated an EIA would be required. In order to demonstrate the features or proposed measures to avoid or prevent significant adverse effects on the environment; the Scoping Opinion requested supporting evidence to accompany the application.

This required evidence is shown in Table 1 below and where they are addressed within the application.

Table 1: Assessments Required by Scoping Opinion 22/00790/SCOP

Assessment	Report
Landscape and Visual	EIAR Chapter 5 Landscape and Visual Amenity Assessment
Ecology, Habitats and Ornithology	EIAR Chapter 6 Ecology and EIAR Chapter 7 Ornithology
Hydrology, Geology, Hydrogeology and Peat	EIAR Chapter 8 Hydrology and Hydrogeology and EIAR Chapter 13 Climate Chapter and Carbon Balance
Noise	EIAR Chapter 9 Noise
Cultural Heritage	EIAR Chapter 10 Cultural Heritage
Traffic and Transport	EIAR Chapter 11 Transport and Access
Socio-Economic, Recreation and Tourism	EIAR Chapter 12 Socio-economics, tourism and recreation
Aviation and Defence	EIAR Chapter 14 Other considerations

5.1.2 Community Consultation

A Proposal of Application Notice (PAN) was issued to THC on 11 August 2023 and validated by THC on 29 September 2023..

A revised version of the PAN was submitted to THC on 12 February 2024 on the recommendation of THC providing details of further consultations

Two rounds of community consultation were held, with two public exhibitions in July 2023, and a further two in February and March 2024. The objectives were to inform the local community about the proposal and to provide an opportunity to talk in person to representatives from the Applicant.

A dedicated website (https://swarclettwindturbines.co.uk/) was set up to enable residents and stakeholders to view information about the proposal online, including a location map, site layout and visualisations.

Further details can be seen within the **Pre-Application Consultation (PAC) Report**.

6 Climate Change and Energy Policy

6.1 Introduction

Climate change has been described as the greatest environmental challenge facing the world today, with the declaration of the global climate emergency in April 2019 and continued publicity around increasing devastating global climate events linked to climate change to date.

The burning of fossil fuels to produce electricity is a major contributor to climate change through the release of atmospheric carbon dioxide (CO_2) and other harmful gases known collectively as greenhouse gases. As part of the response to climate change, the UK Government has entered into binding international agreements and the Scottish Government has made national commitments to reducing greenhouse gas emissions.

Furthermore, there is a clear national focus, following the COVID-19 crisis, to ensure a 'green recovery' for Scotland.

The generation of electricity from renewable energy sources is one of the principal ways in which the Scottish Government targets to reduce greenhouse gas emissions are to be met within the current policy framework.

The following sections set out key UK and Scottish policies and commitments that are central to the requirement for the Proposed Development.

6.2 United Kingdom Energy & Climate Change Policy

Sixth Carbon Budget 2020

Following on from the Climate Change Committee's (CCC) Net Zero - The UK's Contribution to Stopping Global Warming 2019, the CCC (2019; 2020) published its recommendations for the UK's Sixth Carbon Budget which will run from 2033 to 2037 with the aim of achieving a fully decarbonised UK economy.

The principal recommendation from the CCC is that the UK sets a Sixth Carbon Budget to require a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990, or a 63% reduction from 2019.

The sixth budget, imposed by the Carbon Budget Order 2021 on 24 June, covers the years 2033-2037 (UK Government, 2021a). The UK Government set the budget at 965million tonnes of carbon dioxide equivalent. This is in line with the CCC's recommendation (CCC, 2020).

Net Zero Strategy: Build Back Greener

In October 2021, the UK Government's (2021b) Net Zero Strategy was presented to the UK Parliament In accordance with Section 14 of the Climate Change Act 2008 (UK Government, 2008). It acknowledges the devastating impact that the increase of global temperatures has already had on the UK through flooding and disruption to major services.

In line with the Paris Agreement (UNFCCC, 2015), reference is made to potentially catastrophic events that will unfold should global warming increase above 1.5 degrees. It is recognised that in order to meet the Paris Agreement, urgent global action is

needed hence why the UK called for ending coal fired power generation, retiring petrol and diesel engines from all cars, and halting deforestation at COP26.

The strategy sets out clear policies and proposals for keeping the UK on track for forthcoming carbon budgets, ambitious Nationally Determined Contribution (NDC), and the UK Government's vision for a decarbonised economy in 2050.

The strategy has a number of commitments for reducing emissions across the economy in relation to power generation. For instance, the target that the UK government will take action so that by 2035, all electricity will come from low carbon sources, bringing forward the government's commitment to a fully decarbonised power system by 15 years.

In 2019, net UK GHG emissions from the power sector totalled 58 tonnes of CO_2 and accounted for 11% of total net UK GHG emissions. This is a reduction of 72% between 1990 and 2019. In 1990, the power sector accounted for 23% of UK GHG emissions. This has largely been achieved through renewables and natural gas generation displacing coal.

The UK Government's vision is that low carbon forms of energy generation will be the paradigm shift away from the use of unabated oil and gas. Low carbon energy is expected to account for a 50% or higher share of final energy consumption. This shift to low carbon energy is expected to account for up to 76% reduction in emissions by 2030; up to 85% by 2035 and 98% by 2050, when compared with 2019 emissions.

In delivering this strategy of decarbonising the power sector, significant public and private investment is needed and will see new employment opportunities across the UK. The UK Government estimate that policies and proposals to reduce emissions in the sector could support up to 59,000 jobs by 2024 and up to 120,000 jobs by 2030.

UK Climate Change Risk Assessment 2022

The third UK Government (2022) Climate Change Risk Assessment (CCRA3) report was presented to Parliament on 17 January 2022 and outlines the UK Government and devolved administrations' position on the key climate change risks and opportunities that the UK faces.

The Technical Report for the CCRA3 identified 61 UK-wide climate risks and opportunities across multiple sectors such as energy; agriculture; people; transport and biodiversity if there is a 2- and 4-degree global warming scenario (Betts and Brown, 2021).

Of the 61 climate risks and opportunities 34 risks are assessed as 'more action needed' at a UK-wide level. This means that new, stronger, or different government action is required in the next five years over and above those already planned.

Some of the risks include:

- Risk to soils from changing climatic conditions, including seasonal aridity and wetness;
- Risks and opportunities for natural carbon stores, carbon sequestration and GHG emissions from changing climatic conditions, including temperature change and water scarcity;

- Risks to and opportunities for agricultural productivity from extreme events and changing climatic conditions (including temperature change, water scarcity, wildfire, flooding, coastal erosion, wind and saline intrusion);
- Risks to infrastructure services from river, surface water and groundwater flooding;
- Risks to public water supplies from reduced water availability;
- Risks to health and wellbeing from high temperatures;
- Risks to people, communities and buildings from river and surface flooding; and
- Risks to UK food availability, safety, and quality from climate change overseas.

6.3 Scottish Energy & Climate Change Policy

Climate Change (Emission Reduction Targets) (Scotland) Act 2019

Amending the Climate Change (Scotland) Act 2009, the Climate Change (Emission Reduction Targets) (Scotland) Act 2019, emphasises the need to deliver renewable energy targets and focuses on giving considerable weighting to the determination of renewable energy proposals (Scottish Government, 2009; 2019a).

These include wind farm applications in areas where the principle of development has already been established.

The Act strengthens Scotland's climate change targets for the reduction of emission levels from an 80% reduction by 2050 (as set out in the Scottish Government (2009) Climate Change (Scotland) Act), to 100% by 2045. Renewable energy projects, such as the Proposed Development, play a key role in supporting the decarbonisation of the energy sector.

Scotland's Climate Assembly: Recommendations for Action (2021)

As required by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (Scottish Government 2019) the Assembly on climate change was established. The Assembly comprises a group of over 100 people selected to be representative of Scotland's adult population. The Assembly published their Recommendations for Action in June 2021.

The Recommendations for Action outlined several goals and recommendations across a variety of sectors aimed at addressing the climate emergency in an effective and fair way. The report identified eradicating fossil fuels as a priority through the maximisation of energy generation via renewables.

The Scottish Government (2021a) issued their Response to Scotland's Climate Assembly in December 2021. The Scottish Government set out their intention to publish an Energy Strategy Just Transition Plan (ESJTP), a consultative draft of which was published on 10 January 2023 (Scottish Government, 2023a).

Scottish Energy Strategy (2017)

The Scottish Energy Strategy (SES): The Future of Energy in Scotland (Scottish Government, 2017b) was published in December 2017 and presents the Scottish Government's vision for the future energy system in Scotland. It articulates six energy

priorities for a whole-system approach that considers both the use and the supply of energy for heat, power and transport.

Sitting alongside the Climate Change Plan (Scottish Government, 2020a), SES is intended to strengthen the development of local energy, protect and empower consumers, and support Scotland's climate change ambitions while tackling poor energy provision.

Built around a series of six energy priorities, the SES will guide the decisions that the Scottish Government, working with partner organisations, needs to make over the coming decades.

Specifically in relation to renewable energy generation, this includes the commitment to:

> "…*continue to champion and explore the potential of Scotland's huge renewable energy resource, and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets*".

In championing the potential of Scotland's huge renewable energy resource, the SES recognises that renewable and low carbon energy will provide the foundation of the envisaged future energy system and considers onshore wind to be amongst the lowest cost forms of renewable power generation.

The SES is clear that onshore wind should continue to play a vital role in decarbonising Scotland's energy systems and confirms the importance of supporting onshore wind development, including the extension and replacement of existing sites with larger turbines, in the right places.

Identifying and providing a route to market for onshore wind energy is recognised in the SES as key to achieving the objectives and vision of the strategy and refers to further detail provided in the Scottish Government Onshore Wind Policy Statement (Scottish Government, 2017c) which was published alongside the SES.

Scotland's Energy Position Statement (2021)

Published in March 2021, the Scottish Government (2021b) Position Statement provides an overview of key priorities for the short to medium-term in ensuring a green economic recovery and emphasises that Scotland has the most ambitious legislative framework for emissions reduction in the world and a particularly challenging interim target for 2030, underpinned by a legal commitment to deliver a just transition.

It recognises that Scotland is making progress towards its target and in 2019, Scotland's renewable electricity generation was able to meet the equivalent of 90% of its gross electricity consumption.

The need for the continued development of the renewable energy sector in Scotland is emphasised within the Position Statement (Scottish Government, 2021b), where is noted that:

> *"The continued growth of Scotland's renewable energy industry is fundamental to enabling us to achieve our ambition of creating sustainable jobs as we transition to net zero."*

This point is further illustrated by recent statistics from Scottish Renewables (2023) and the Scottish Energy Statistics Hub (2023b) which show that:

> *"renewable electricity generation is now equivalent to approximately 97% of Scotland's gross electricity consumption."*

The Statement was published to set out a clear overview of policies in relation to energy ahead of COP26 in November 2021.

It reinforces Scotland's commitment to; *"supporting the increase of onshore wind in the right places to help meet the target of Net Zero"*, whilst ensuring *a "green, fair and resilient recovery"* for the Scottish economy. It is clear in its position that *"The potential remains for much more renewable capacity and development across Scotland"*.

Draft Energy Strategy and Just Transition Plan (2023)

The Draft Energy Strategy and Just Transition Plan was published on 10 January 2023 (Scottish Government, 2023a). The Scottish Government's key ambitions for Scotland's energy future are detailed, as well as *"proposing a vision for a just energy transition"* which provides socioeconomic benefits whilst protecting the environment and providing energy security.

Expanding the energy generation sector is identified as a key ambition with offshore wind, onshore wind, solar and hydrogen listed as just some of the sources which should have the potential to make up the energy mix.

The draft Just Transition Plan emphasises the Scottish Government's focus on; *"…collaboration between people from all parts of Scotland and all walks of life…"*, ensuring that workers, businesses, communities and consumers have all played a key part in forming the draft through early codesign.

This is a consultative draft, with responses invited until 9 May 2023, after which they will be used in combination with continuing engagement to further develop the Strategy and Plan. The final version is expected to be published in Summer 2024.

Onshore Wind Policy Statement (2022)

The Onshore Wind Policy Statement (OnWPS) 2022 (Scottish Government, 2022a) was published on 21 December 2022 and outlines the Scottish Government's ambitions for the Onshore Wind Sector, highlighting how these can be delivered. The urgency and relevance of the need to meet Net Zero targets is stressed through the statement that; *"We must now go further and faster than before"*.

The Statement notes Scotland's current installed onshore capacity of 8.7GW as of June 2022 and Scotland's aim to maintain a supportive policy and regulatory framework. It is stated that this will enable an increase in renewable energy deployment and meet the overall ambition of 20 GW of installed onshore wind capacity in Scotland by 2030.

The ongoing technological development in the sector and the availability of larger wind turbines with greater output is recognised in the OnWPS which states Scottish Government support for development of larger (taller) wind turbines in appropriately sited locations, noting that;

> *"What would previously have been considered "taller" turbines are now more common and must continue to be deployed in appropriate locations."*

As in NPF4, a renewed approach to Landscape and Visual effects is evident in OnWPS, with the acknowledgement that changes to the landscape will occur as taller, more

efficient turbines will be required in order to meet the ambition of; "*a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030*".

The OnWPS reiterates the Scottish Government's commitment to tackling the climate and nature crises in tandem. It notes that nature-based solutions, like peatland restoration, can target investment in the right types of natural capital in the right places. In good condition peatlands provide multiple benefits, including capturing and storing carbon but when degraded peat can become a net emitter of greenhouse gases.

Reversing degradation through peatland restoration is therefore central to mitigating and adapting to the linked climate and nature crises and the OnWPS identifies the opportunity for wind energy development to contribute significantly to improving biodiversity.

It cites evidence that significant positive effects for biodiversity from wind farm developments can be achieved and provides examples of best practice in biodiversity enhancement on wind energy development. Through this there is an expectation that new onshore wind development will demonstrate commitment to protecting and restoring habitats.

The criteria through which proposals will be evaluated has been updated to focus a stronger emphasis on the role which wind energy developments can play both in the response to the joint climate and nature crises as well as the resulting socioeconomic and community benefits.

6.4 Progress Towards Energy Targets

The Scottish Government's Energy Statistics for Scotland Q4 2023 (Scottish Government, 2024) published in March 2024 shows a slight decrease in renewable electricity generation of 7% from the same period in 2022 (largely due to less favourable weather conditions) and an increase in renewable electricity capacity of 10%.

The Scottish Government previously had a target that by 2020 the equivalent of 100% of Scotland's electricity demand would be generated from renewable sources. Although the target year has passed and the target itself missed, the Scottish Government are continuing to monitor progress against the target of 100% of electricity from renewable sources.

Final figures for 2021 indicated that 85.2% of gross electricity consumption was from renewable sources, decreasing from 98.4% in 2020. This decrease of 13.2% compared to 2020 has been attributed by the Scottish Government to milder weather in 2021 and illustrates that Scotland is not on track to meet its renewable energy targets. Scotland's energy consumption data for 2022 is expected in September 2024.

The March 2024 Climate Change Committee (CCC, 2024) Progress in reducing emissions in Scotland 2023 Report to Parliament stated that;

> *"Most delivery indicators are off track, many significantly so… and overall policy progress has been insufficient over the past year"*
>
> and;
>
> *"Given the pace at which supply chains and investment would need to develop, this rate of reduction is not credible. However, the Scottish Government should build on its high ambition and implement policies that*

enable the 75% emissions reduction target to be achieved at the earliest date possible."

In acknowledgement of this report, on 18 April 2024, the Scottish Government (2024) announced that whilst the climate change target to reduce emissions by 75% by 2030 would be removed, the overarching commitment to reach Net Zero by 2045 would remain, stating the intention to;

"*…introduce expedited legislation to address matters that the CCC raised and to ensure that our legislative framework better reflects the reality of long-term climate policy making*".

The Scottish Government have stated that the adjustment of the 75% target and introduction of this expedited legislation will allow Scotland to;

"*retain our legal commitment to 2045, alongside annual reporting on progress, while introducing a target approach that is based on five-yearly carbon budgets.*"

6.5 Scottish Programme for Government 2023 to 2024

The Programme for Government is published every year at the beginning of September and sets out the actions the Scottish Government will take in the coming year and beyond. In September 2023, the Scottish Government published: "Equality, Opportunity, Community: Our Programme for Government 2023 to 2024" (Scottish Government, 2023f).

In this programme, the Scottish Government emphasises the opportunity to build a fair, green and growing economy, outlining the commitment to "*..maximise the opportunities of the green economy..*" whilst indicating that "*responding to the climate crisis is a fundamental priority for this government*".

The importance of the role which renewable energy generation will play in the response to climate change is referred to by the Scottish Government as being "*central to our strategy*" with the Onshore Wind Sector Deal for Scotland (Scottish Government, 2023g) established "*to help deliver our onshore wind ambition, maximising the benefits for Scotland's economy and communities*".

7 National Planning Policy

7.1 The Fourth National Planning Framework (NPF4)

NPF4 was approved and published by the Scottish Government (2023c) on 13th February 2023. NPF4 is the national spatial strategy for Scotland and also incorporates Scottish Planning Policy. It sets out the principles for spatial development, defines national developments and regional priorities and sets out national planning policy.

NPF4 is different to its predecessor, NPF3 (Scottish Government, 2014a), as it has increased status and becomes part of the statutory Development Plan. This means that its policies have a stronger role in day-to-day planning decision making. NPF4 supersedes NPF3 and Scottish Planning Policy (Scottish Government, 2014b), with national planning policies integrated into the new National Planning Framework.

NPF4 sets out significant and increased emphasis on the climate change and net zero agenda to bring together cross-cutting priorities and achieve sustainable development through three key themes: sustainable places, liveable places and productive places.

NPF4 incorporates updated Scottish Planning Policy (Scottish Government, 2014b) into one document with the National Spatial Strategy for Scotland 2045 detailed in Part 1 whilst Part 2 sets out National Planning Policies.

Part 1 of NPF4, the National Spatial Strategy for Scotland 2045 will be supported by the planning and delivery of sustainable places, "*where we reduce emissions, restore and better connect biodiversity*". It is set out that:

> "*Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.*"

In terms of renewable energy generation, NPF4 acknowledges that:

> "*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets*": noting that:
>
> "*Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas*".

Under Part 2, National Planning Policy 1 'Tackling the climate and nature crises', states the approach to development proposals:

> "*When considering all development proposals significant weight will be given to the global climate and nature crises*".

The Chief Planner's Letter on transitional arrangements for NPF4 published on 8 February 2023 provides advice on "*NPF4 becoming part of the statutory 'development plan' alongside local development plans (LDPs)*" (Scottish Government, 2023d).

The nature of the transitional period between the adoption of NPF4 and its translation to local development plans within each local authority in Scotland is acknowledged, with the approach to conflicts which are expected to arise between existing LDP planning policy and NPF4 clarified as;

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

Together with LDP2 this makes the statutory Development Plan which forms the basis of the policy assessment.

7.1.1 NPF4 Policy 1: Tackling the Climate and Nature Crisis

The intent of this policy is to; "*… encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

It is emphasised within NPF4 Policy 1 that; "*…when considering all development proposals, the relevant planning authority should afford significant weight to the global climate and nature crises*".

As shown in Chapter 13 Climate Change and Carbon Balance of the EIAR, the Proposed Development will contribute directly to efforts to address the global climate emergency, making a material contribution to reducing Scotland's CO_2 emissions.

The contribution of up to 9.6MW of installed renewable energy generation capacity from the Proposed Development is estimated to generate is in the region of 66,225MWh per year, powering approximately 17,898 households in Scotland annually.

The Applicant has also ensured that addressing the nature crisis is central to the assessments detailed within the EIAR with enhancement measures detailed in Technical Appendix 6-4 Outline Habitat Management Plan (OHMP).

Taking the assessments of the EIAR and mitigation measures into account, it is considered that the Proposed Development will not have any significant impact on the fauna or flora on and around the Proposed Development Site.

The Proposed Development is considered to be in agreement with NPF4 Policy 1.

7.1.2 NPF4 Policy 2: Climate mitigation and adaptation

The intent of this policy is to; "*… encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change*".

As a generator of renewable energy, the Proposed Development will assist in Scotland's adaptation to climate change by producing electricity from a renewable source, contributing to the Scottish Governments ambition to deploy 20GW of onshore wind by 2030 as set out in the OnWPS 2022 (Scottish Government, 2022a).

As the Proposed Development is expected to result in a CO_2 emission saving of 182,790 tonnes CO_2 equivalent over a proposed 30 year lifetime, it has been assessed as having a significant (positive) influence on climate change. The Proposed Development has

been assessed within Chapter 13 Climate Change and Carbon Balance to ensure that is minimises emissions.

It is also shown within Chapter 13 that the vulnerability of the Proposed Development to climate change has been assessed against the UKCP18 emissions scenario RCP6.0. This scenario assumes no further emission reductions are achieved after 2030, whilst allowing for some further increase in emissions (DEFRA, 2020), and considers predicted climate change induced deviations, including those in wind, temperature and precipitation.

Given the embedded mitigation including watercourse buffering to avoid flooding, and the projected trend towards warmer, wetter winters and hotter, drier summers, the significance of effect of climate change on the operation of the Proposed Development has been assessed as negligible, and therefore not significant in terms of the EIA Regulations.

The Proposed Development is considered to be in agreement with NPF4 Policy 2.

7.1.3 NPF4 Policy 3: Biodiversity

The intent of this policy is to "*protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks*".

All development proposals will be expected to contribute to the enhancement of biodiversity, with proposals for development that requires an EIA only supported where it can be shown that the proposal will; "*conserve, restore and enhance biodiversity*". In the event that adverse impacts on biodiversity are anticipated, they must be minimised through careful planning and design.

The assessments carried out as part of the EIAR demonstrate a focus on the conservation, restoration and enhancement of biodiversity.

The Proposed Development has undergone an iterative design process to ensure the conservation of biodiversity. The potential for the presence of sensitive and/or protected species has been fully assessed within Chapter 6 Ecology and Chapter 7 Ornithology, Technical Appendix 6-4 OHMP with no significant effects anticipated as a result of the Proposed Development.

Over the 30-year lifespan of the Proposed Development, biodiversity will be enhanced through various measures, including:

- Enabling natural regeneration of vegetation with particular focus on species within the M23 *Juncus effusus / acutiflorus – Galium palustre* rush-pasture NVC community, and to monitor this post construction to ensure regeneration is successful;
- Maintenance of hydrology across the Proposed Development site to support habitats;
- Creation of an area of wildflower meadow, providing greater diversity of flora on Site, and potentially attracting a greater number of pollinator species, and providing support for a greater biomass of individuals.
- Monitoring the effect of the Proposed Development post-construction including:
  - Breeding bird surveys to monitor effect of the wind farm;
  - Post-construction vantage point (VP) surveys undertaken during the non-breeding season to monitor the effect of the wind farm on qualifying species of the Caithness Lochs Special Protection Area (SPA); and

Post-construction monitoring of created and regenerated habitat.

The Proposed Development is considered to be in agreement with NPF4 Policy 3.

7.1.4 NPF4 Policy 4: Natural Places

The intent of this policy is to; "*… protect, restore and enhance natural assets making best use of nature-based solutions*".

Development proposals that will affect designated sites, including but not limited to National Scenic Areas (NSA) and Sites of Special Scientific Interest (SSS), will only be supported where the designation is not compromised or where any significant adverse effects; "*are outweighed by social, environmental or economic benefits of national importance*".

Chapter 5 Landscape and Visual Impact Assessment (LVIA), Chapter 6 Ecology and Chapter 7 Ornithology provide comprehensive assessments of the potential impact on natural places as defined in NPF4 Policy 4.

The Proposed Development has followed a consultative and iterative design process in order to minimise significant effects upon landscape and visual receptors in addition to providing the potential for productive renewable energy infrastructure within the Highlands.

Dunnet Head Special Landscape Area (SLA) and the Castle of Mey Inventory Garden and Designed Landscape both lie within the Zone of Theoretical Visibility (ZTV) of the Proposed Development.

However, the Proposed Development is not expected to have a significant effect on the limited partial views, from the outer edge of Castle of Mey Inventory Garden and Designed Landscape.

The Proposed Development will be seen within the backdrop of the coastal views to the south, with a limited influence on the perception of scale. This is not judged to affect the key characteristics and integrity of the Dunnet Head SLA. The overall baseline condition of the SLA will be maintained.

The potential for the presence of sensitive and/or protected species has been fully assessed within Chapter 6 Ecology and Chapter 7 Ornithology with no significant effects anticipated as a result of the Proposed Development.

Additionally, the effect on internationally and nationally designated sites has been evaluated with technical appendices including Technical Appendix 6-5 Shadow Habitats Regulations Appraisal (HRA) accompanying this application.

Accordingly, no significant disturbance of Greylag Goose and Whooper Swan is anticipated to occur as a result of the Proposed Development.

Accordingly, the Proposed Development is considered to be in agreement with Policy 4.

7.1.5 NPF4 Policy 5: Soils

This policy aims to "*...protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development*".

The predominant superficial deposit on Proposed Development Site is Till. It consists of a heterogenous mixture of clay, sand, gravel, and boulders varying widely in size and shape. Alluvium is not mapped as present on the Proposed Development Site, but does occur just north, on either side of the Burn of Durran, and continues north to Loch of Durran SSSI.

The NatureScot Carbon and Peatland map identifies four areas of Class 3 peat, present near the red line boundary in the north, southeast and west of the Proposed Development Site.

An interpolated peat map is shown as Figure 8-3. It is based on the peat depth surveys with several additional ad hoc probes carried out on the site walkover. Figure 8-3 also shows peat surveys over a larger area for a larger development before embedded design mitigation reduced the scale of the Proposed Development.

Only two very small areas of peat >0.5m were identified on the Proposed Development footprint. These were up to 0.8 m deep peat immediately adjacent to T2, and 0.86m peat 370m due west of Turbine 2 towards the Burn of Durran.

During construction it is anticipated that there will be little direct loss of peaty soil as there is no extensive priority peatland involved. Additionally, the operational phase of the Proposed Development will not result in disturbance of peat soils.

Accordingly, the Proposed Development is considered to be in agreement with Policy 5.

7.1.6 NPF4 Policy 6: Forestry, Woodland and trees

This policy intends to "… protect and expand forests, woodland and trees".

As detailed in Volume 2 Chapter 3 Description of Development there will be no felling as a result of the Proposed Development and will not impact on neighbouring forestry which is not under the control of the Applicant or the landowners involved in the Proposed Development.

Accordingly, the Proposed Development is considered to be in agreement with Policy 6.

7.1.7 NPF4 Policy 7: Historic assets and places

This policy intends to; "… *protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places*" with significant weight to be placed on the contribution of proposed developments to renewable energy generation targets and GHG reduction targets.

The Proposed Development has been designed, where possible, to avoid direct impacts on cultural heritage assets.

During the construction phase there would potentially be a direct impact on non-designated heritage assets (Assets 70a-70d, 96, 104-108 and 110-112) and as-yet unknown archaeological remains within the Proposed Development Site.

Mitigation measures including the demarcation of heritage assets prior to construction works, micro-siting of infrastructure, implementation of an archaeological watching brief and the recording of any archaeological remains impacted directly, will ensure that the level of effect will not be significant.

No significant effects on designated assets are anticipated to occur with the exception of the Scheduled Stone Lud (Asset 47), where a potentially significant Moderate adverse effect upon the setting is anticipated.

As the main elements of the asset's setting would still be appreciable and the ability to understand it would not be significantly diminished it is clear that the key characteristics of setting would not be materially adversely affected. Furthermore, there would not be an adverse impact upon the integrity of the asset's setting.

All operational effects upon the settings of designated assets will be reversed with the removal of the turbines following decommissioning.

Potential cumulative effects have been considered for both the existing cumulative baseline and the potential future cumulative baseline.

No significant cumulative effects are considered likely with the addition of the Proposed Development to the existing cumulative baseline. In a potential future cumulative baseline, which includes in-scoping and in-planning developments, a potentially significant Moderate adverse effect has been identified with regard to cumulative effects on the Scheduled Stone Lud (Asset 47), however the key characteristics of the asset's setting would be preserved.

A number ofof public benefit activities in relationrelation to cultural heritage are proposed in accordance with this policy. The exact nature and scope of those benefitsbenefits would be subject to the outcome of any fieldwork and feedback fromfrom relevant consultees.

The Proposed Development is considered to be in agreement with Policy 7.

7.1.8 NPF4 Policy 11: Energy

This policy aims to;

> *"… encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)".*

This policy details potential impacts which should be considered during project design and mitigation. The Proposed Development has been assessed against these impacts in the following sections.

Maximising net economic effect

As outlined in Section 2.1 of this Planning Statement, the Proposed Development the offers potential economic benefits to the local and wider economy. If consented the delivery of the project willwill result in:

- A predicted generation of employment of up to 92 jobs during the construction phases of the Proposed Development;
- An anticipated total spend of £14 million (in total) during the construction and operation phases at the HighlandHighland level;
- A predicted generation of over £7 million GVA, during the 30--year operating period;

Other wider effects of the Proposed Development include;

- Local supply chain opportunities and additional exchequer effects as result of taxes borne and community benefit funds;
- A community benefit package for the Proposed Development amounting of up to potentially £5,000 per MW per annum throughout the 30-year lifespan;
- The opportunity for the landowners, as local farming families, to cross subsidise as well as diversify their farming operations in the area around the Proposed Development; and
- Income effects including the generation of additional wages and salaries from new employment, much of which will be spent regionally or nationally.

Impact on international or national designations in relation to Policy 4

The potential impacts on international or national designations in relation to Policy 4 have been fully assessed in Chapter 5 LVIA, Chapter 6 Ecology, and Chapter 7 Ornithology.

An iterative design process was employed to minimise significant effects on internationally and nationally designated sites, resulting in a carefully considered design.

A review of European designated sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)) was carried out within 2km of the Proposed Development, extending to 10km for sites designated for avian or aquatic migratory species, and 20km for sites with geese as a qualifying interest as a result of NatureScot guidance on connectivity.

No significant effects on the neighbouring SPAs or SACs are expected to occur as a result of the Proposed Development.

Furthermore, the inclusion of a shadow HRA and Outline HMP will ensure that the impact on internationally and nationally designated remains as not significant.

Effect on communities and individual dwellings

The potential effect on communities and individual dwellings has been fully assessed in Chapters 5 -14 of the EIAR.

The effect of noise generation resulting from the Proposed Development has been thoroughly assessed in Chapter 9 Noise of the EIAR. Noise effects associated with the construction and operational phases of the Proposed Development, considered both in isolation and cumulatively with other potential development in the area, were deemed not significant.

Consequently, no specific mitigation measures are judged to be necessary. Cumulatively, If the adjacent proposed development at Red Moss were to be granted consent, then the cumulative operational effect of the wind turbines has the potential to exceed noise limits.

As detailed in Chapter 14 Other Consideration of the EIAR, no properties will experience shadow flicker at a level greater than 30 hours per year, the accepted threshold in terms of the UK Shadow Flicker Evidence Base. No significant effects are, therefore, anticipated as a result of the Proposed Development.

The impact on communities in relation to Residential Visual Amenity was assessed as part of the EIAR and is detailed within Technical Appendix 5-6 Residential Visual Amenity Assessment (RVAA). The assessment concludes that the residents of Lower

Bowertower and Oakwood at Bowertower will not experience effects arising from the Proposed Development that breach the residential amenity threshold.

As a result, the Residential Amenity Threshold is judged to have been met (i.ee. not exceeded) within the RVAA.

Effect on landscape and visual

The potential effect on landscape and visual been fully assessed in Chapter 5: Landscape and Visual Impact Assessment.

An iterative design process as detailed in Chapter 3 Description of Development and the Design and Access Statement, has ensured that potential impacts on Landscape and Visual receptors are minimised and mitigated where necessary.

The Landscape and Visual Assessment (LVIA) was comprehensive in its approach, detailing the potential for significant effects as a result of each phase of the Proposed Development lifecycle (construction, operation and decommissioning) including the potential effect on landscape resource, landscape character and residential visual amenity. A summary of the Predicted Significant Effects of the Proposed Development is shown in Table 1-2.

It should be noted that NPF4 puts local effects on a lesser footing than national effects and the contribution to addressing climate change is elevated significantly. LVIA and Residential Amenity sections are produced according to Landscape Institute guidelines.

The LVIA concluded that visual effects during the construction phase of the Proposed Development will be temporary and of negligible to minor significance. These effects will be mainly localised such as increased visibility of tall cranes or construction lighting during the winter months.

The residual landscape effects during the operational phase were also fully assessed. It is anticipated that there will be a Major/Moderate effect which will be localised.

However, Policy 11 of NPF 4 states that; "*Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable*".

Accordingly, whilst the effects listed below in Table 1.2 are significant, they are considered to be acceptable in policy terms.

The effect on landscape character and landscape fabric is anticipated to be Major and significant. However, it is notable that the significance of the effect which is anticipated in this regard is localised.

Table 1-2: Summary of Predicted Significant Effects of the Proposed Development

Receptor	Nature of Effect
Significant Construction Effects on the Landscape Fabric	
Direct effects on the landscape fabric	There will be a Moderate to Substantial magnitude of local change to the fabric of a small area of the landscape (the forestry/moorland vegetation and peatland in the location of the proposed tracks, turbines and other infrastructure) on the Proposed Development Site at the operational stage. The Proposed Development Site is of Medium sensitivity to change. Therefore, there will be a local **Major/Moderate** level of direct effect on a small area of the existing fabric of the landscape, which is considered to be **Significant**.

Receptor	Nature of Effect
Significant Construction Visual Effects	
Views within 1-2km	The Proposed Development will give rise to a **Major** and **Significant** visual effect locally (within approximately 1km) during construction albeit this will be of limited duration.
Significant Operational Landscape Effects	
Landscape Fabric	The Proposed Development will give rise to local **Major/Moderate** and **Significant** effects on the landscape fabric of the Proposed Development Site.
Landscape Character Type 143 - Farmed Lowland Plain	The Proposed Development will give rise to locally **Major/Moderate** and **Significant** effects on those parts of the LCT that lie within c.2km of the site.
Significant Operational Visual Effects	
Settlement - Bowertower	The Proposed Development will give rise to **Major** and **Significant** local effects on the western edge of the dispersed settlement at Bowertower. Elsewhere within the settlement effects will be **Major/Moderate** and **Significant**.
Settlement - Durran	The Proposed Development will give rise to **Major/Moderate** and **Significant** local effects on the dispersed settlement at Durran.
Settlement - Halcro/ Brabsterdorran	The Proposed Development will give rise to **Major/Moderate** and **Significant** local effects on the dispersed outer edges of the settlement to the north and south of Halcro/ Brabsterdorran.
Settlement - Bower	The Proposed Development will give rise to **Major/Moderate** and **Significant** local effects on the dispersed settlement at Bower.
Viewpoint 1, Minor road south west of site	The Proposed Development will give rise to **Major/Moderate** and **Significant** effects on road users who are of Medium sensitivity.
Viewpoint 2, Stone Lud standing stone, Bowertower	The Proposed Development will give rise to **Major** and **Significant** effects on visitors/walkers who are of High sensitivity from this viewpoint.
Viewpoint 3, B876 west-bound at Bower	The Proposed Development will give rise to **Major/Moderate** and **Significant** effects on road users who are of Medium sensitivity.
Viewpoint 4, B876 east-bound, at Cooper's Hill	The Proposed Development will give rise to **Major/Moderate** and **Significant** local effects on Residents who are of High sensitivity.
Viewpoint 5, Easter Durran	The Proposed Development will give rise to **Major** and **Significant** local effects on Residents who are of High sensitivity and **Major/Moderate** and **Significant** effects on road users who are of Medium sensitivity.
Viewpoint 7, Hill of Olrig including Core Path CA03.05	The Proposed Development will give rise to **Major/Moderate** and **Significant** effects on walkers who are of High sensitivity.
Significant Operational Cumulative Visual Effects	
Settlement - Bowertower	**Major/Moderate** and **Significant** *total* cumulative effect on the settlement at **Bowertower** when seen in successive views with the Red Moss scoping stage site.
Settlement - Bower/Bowermadden	**Major/Moderate** and **Significant** *total* cumulative effect on the settlement at **Bower/Bowermadden** when seen in successive views with the Hollandmey planning stage site and the Red Moss and Lochend Extension scoping stage sites.
Settlement - Barrock	**Major/Moderate** and **Significant** *total* cumulative effect on the settlement at **Barrock** when seen in successive views with the Hollandmey planning stage site and the Red Moss, Greenland and Lochend Extension scoping stage sites.

Receptor	Nature of Effect
National Cycle Route 1	**Major/Moderate** and **Significant** *total* cumulative effect on the route when seen in successive views with the Hollandmey planning stage site and the Red Moss, Greenland and Lochend Extension scoping stage sites.
Viewpoint 1, Minor road south west of site	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Red Moss scoping stage site and in successive views with the Watten planning site.
Viewpoint 2, Stone Lud standing stone, Bowertower	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Watten and Hollandmey planning stage site, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.
Viewpoint 3, B876 west-bound at Bower	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Watten and Hollandmey planning stage site, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.
Viewpoint 4, B876 east-bound, at Cooper's Hill	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Watten and Hollandmey planning stage sites, and the Lochend Extension, and Red Moss scoping stage sites.
Viewpoint 5, Easter Durran	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Watten and Hollandmey planning stage sites, and the Lochend Extension, and Red Moss scoping stage sites.
Viewpoint 9, Loch Watten picnic spot	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Watten planning stage site.
Viewpoint 11, Inkstack	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Hollandmey and Watten planning stage site, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.
Viewpoint 12, Dunnet Head including Core Path CA05.10	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Hollandmey and Watten planning stage site, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.
Viewpoint 13, Castle Sinclair Girnigoe, Noss Head including Core Path CA15.29	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Hollandmey and Watten planning stage sites, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.
Viewpoint 14, Ben Dorrery including Core Path CA06.03	**Major/Moderate**, **Significant** *total* cumulative effect when seen in combination with the Hollandmey and Watten planning stage sites, and the Lochend Extension, Greenland, and Red Moss scoping stage sites.

As previously discussed under NPF4 Policy 11, the RVAA anticipates that the proposed turbines will not result in a breach of the residential amenity threshold. Through embedded mitigation within the iterative design process undertaken as part of the EIA the potential for significant effects has been minimised.

Effect on public access

The potential impact on public access been fully assessed in Chapter 11 Transport and Access whilst recreational use is detailed in Chapter 12: Socio-economics, Tourism and Recreation.

There are no Core Paths in the immediate vicinity of the Proposed Development Site with the closest Core Path (CA02.01) located on the B876 to the north-east, present as a short section of roadside footway.

There are no national cycle routes (NCR) in the immediate vicinity of the Proposed Development Site or on the proposed construction access routes. The closest NCR is the on-road Inverness to John O' Groats route.

As such it is anticipated that the Proposed Development will have no significant effect on public access.

Effect on aviation and defence

The potential effect on aviation and defence has been fully assessed within Chapter 14 Other Considerations of the EIAR.

The Applicant has engaged in consultation with all relevant stakeholders and commissioned an Instrument Flight Procedures (IFP) Safeguarding Report (Technical Appendix 14-1), a Wind Turbine Lighting Review (Technical Appendix 14-2) and a Crane Requirements Review (Technical Appendix 14-3).

The IFP assessment indicates that there would be an impact on one of Wick (John O Groats) Airport IFP's. Following consultation with HIAL, a draft wording for a planning condition been agreed which will ensure the Applicant's commitment to ongoing consultation with HIAL and THC for the development of an appropriate mitigation plan.

The Ministry of Defence (MOD) initially stated in the Scoping Opinion that the Proposed Development falls within a MOD Low Flying Area (LFA 14). However, after an IFP assessment, it was determined that the Proposed Development is situated adjacent to LFA 14. Consequently, the development is not anticipated to disrupt MOD operations.

It was identified in the Aviation Lighting Review that the Proposed Development and associated cranes required during construction might necessitate Aviation Lighting in compliance with the Civil Aviation Authority (CAA), Air Navigation Order 2016. A final decision on the requirement for aviation lighting will be reached through additional consultation with THC and HIAL.

Subject to the implementation agreed mitigation measures, to the satisfaction of the MoD and CAA, the Proposed Development will not adversely affect aviation interests or defence interests.

Effect on telecommunications and broadcasting installations

The potential effect on telecommunications and broadcasting installations has been discussed within Chapter 14 Other Considerations of the EIAR.

No fixed communication links are present either within, or in close proximity to, the Proposed Development Site. It is considered that there will be no significant effects on telecommunications and television reception as a result of the Proposed Development.

Effect on road traffic and on adjacent trunk roads

The potential effect on public access has been fully assessed in Volume 2 Chapter 11 Transport and Access.

The assessments undertaken indicate that with the implementation of appropriate mitigation measures including a Construction Traffic Management Plan (CTMP), no significant residual effects are expected in relation to traffic and transport. The residual effects during the construction phase are considered temporary and reversible, with no significant long-term impact.

The percentage increase in total traffic levels due to the Proposed Development is low and no road capacity issues are predicted within the study area during the construction phase.

The movement of Abnormal Indivisible Loads (AIL) is expected to result in temporary increases in traffic and will require temporary remedial works at a number of locations along the identified delivery route.

During the operational phase of the Proposed Development, the associated traffic anticipated is minimal. It is estimated than on average there will be just single 4 x 4s accessing the Proposed Development site from time to time for maintenance purposes.

Effect on historic environment

The design of the Proposed Development has been developed with the aim of avoiding significant impacts on cultural heritage assets within the study area (as defined in Chapter 10 Cultural Heritage). Careful consideration has been given to ensure the protection of historic assets in sensitive locations, such as recognized visitor sites, through strategic siting of the Proposed Development footprint.

A comprehensive assessment of potential effect of the Proposed Development on the cultural heritage assets within the study area as defined in Chapter 10 Cultural Heritage, has been commissioned by the Applicant.

As discussed under NPF Policy 7 there is the potential for significant effects upon the setting of the Scheduled Stone Lud (Asset 47) however it is expected that the main elements of the asset's setting would still be appreciable and the ability to understand it would not be significantly diminished it is clear that the key characteristics of setting would not be materially adversely affected. Significant effects (in EIA terms) have been identified for Cultural Heritage but it is not considered a significant impact upon the integrity of the setting of the Scheduled Monuments (in the context of NPF4).

A number of public benefit activities in relation to cultural heritage are proposed in accordance with this policy. The exact nature and scope of those benefits would be subject to to the outcome of any fieldwork and feedback from relevant consultees.

Effect on hydrology, the water environment and flood risk

The potential effect of the Proposed Development on hydrology, the water environment and flood risk has been fully assessed and mitigated in Chapter 8 Hydrology and Hydrogeology.

The assessment indicates there is no mapped risk of river flooding, surface water flooding, nor coastal flooding on the Proposed Development Site.

The assessment indicates that the Proposed Development would cause moderate to minor temporary effects on some sensitive receptors. Through the implementation of mitigation measures the potential significance of these effects was reduced to minor/negligible, and therefore not significant.

Mitigation measures are proposed to include the implementation of a Drainage Management Plan (DMP), Construction Environment Management Plan (CEMP) and a Pollution Prevention Plan (PPP).

No significant effects on sensitive receptors during the operational or decommissioning phases are anticipated to occur as a result of the Proposed Development.

Effect on biodiversity

The potential effect of the Proposed Development on biodiversity, including conservation, restoration and enhancement, has been comprehensively evaluated in

Chapter 6 Ecology, Chapter 7 Ornithology and Technical Appendix 6-4 Outline Habitat Management Plan.

The Proposed Development has undergone a design process that prioritises biodiversity conservation, avoiding areas of deep peat and avoiding tree felling entirely. The potential presence of sensitive and protected species has also been thoroughly assessed in the Ecology and Ornithology chapters.

A detailed assessment of the Proposed Development's contribution to biodiversity enhancement is presented in Technical Appendix 6-4 Outline Habitat Management Plan (OHMP).

Over the 30-year lifespan of the Proposed Development, biodiversity will be enhanced through various measures, including:

- Facilitating the natural regeneration of vegetation, with a specific emphasis on species within the M23 Juncus effusus / acutiflorus – Galium palustre rush-pasture NVC community. Post-construction monitoring will ensure the success of regeneration efforts.
- Ensuring the maintenance of hydrology across the Proposed Development site to sustain various habitats.
- Establishing a wildflower meadow area to enhance floral diversity on the site, potentially attracting a broader range of pollinator species and supporting a more significant biomass of individuals.
- Conducting post-construction monitoring to assess the impact of the Proposed Development, including:
- Conducting breeding bird surveys to evaluate the wind farm's effect on bird populations.
- Undertaking post-construction vantage point (VP) surveys during the non-breeding season to monitor the impact on qualifying species within the Caithness Lochs Special Protection Area (SPA).

Effect on trees, woods and forests

As detailed in Volume 2 Chapter 3 Description of Development there will be no felling as a result of the Proposed Development.

Cumulative Effects

The potential for cumulative effect as a result of the Proposed Development has been fully assessed and mitigated in Chapters 5-14 of the EIAR.

In line with NPF4 Policy 11, the mitigation of these cumulative effects hashas been detailed in full in Chapter 5 Landscape and Visual, Chapter 9 Transport and Access, and Chapter 10 Cultural Heritage.

Conclusion

Given the findings above, and the detail of the extent to which the effects of the Proposed Development have been addressed in the EIA Report, the Proposed Development is in accordance Policy 11.

7.1.9 NPF4 Policy 13: Sustainable Transport

This policy aims to;

> *"... encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably".*

This policy states that development proposals will be supported where impacts on local public access routes are adequately mitigated. Regarding the construction of new junctions on trunk roads it is stated that;

> *"New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance".*

No Core Paths or national cycle routes (NCR) are situated in the immediate vicinity of the Proposed Development Site. The nearest Core Path (CA02.01) is found on the B876 to the north-east, existing as a brief segment of roadside footway. The closest NCR is the on-road Inverness to John O' Groats route.

General site deliveries including smaller rigid HGV vehicles will arrive via the A9(T) from the south, before travelling through to the Proposed Development Site on the B874 and C1069 Poolhoy / Wester Road.

Temporary increases in traffic are expected to occur whilst Abnormal Indivisible Load (AIL) components will be delivered to the Proposed Development Site from Wick Harbour. The movement of the AIL traffic will require temporary remedial works at a number of locations along the identified delivery route.

The Applicant has proposed a CTMP, which together with on-site route signage and an access management plan, will incorporate any required re-routing of Public Rights of Way or temporary barriers to protect users from construction activities.

A small number of vehicles will attend the Proposed Development during the operational phase on an infrequent basis to undertake inspections or maintenance activities.

Overall, the effect of the Proposed Development on sustainable transport is anticipated to be negligible and not significant.

The Proposed Development is considered to be in agreement with NPF4 Policy 13.

7.1.10 NPF4 Policy 22: Flood Risk and Water Management

This policy aims to;

> *"... strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding."*

The potential effects of the Proposed Development on flood risk and water management are evaluated within Chapter 8 Hydrology and Hydrogeology of the EIAR.

The assessment indicates there is no mapped risk of river flooding, surface water flooding, nor coastal flooding on the Proposed Development Site.

There are no significant effects on water management anticipated as a result of the Proposed Development, with all potential effects assessed to be Minor or Negligible, following the implementation of mitigation measures.

Mitigation measures, including the involvement of an Environmental Clerk of Works (EnvCoWEnvCoW), Construction Environmental Management Plan (CEMP), Drainage Impact Assessment (DIA), Drainage Management Plan (DMP) and Water Quality Monitoring Plan (WQMP), are proposed to strengthen the resilience to flood risk, enhancing water management.

After implementing these mitigation measures, the residual effects on hydrological and hydrogeological receptors are assessed to be negligible to minor and not significant.

The Proposed Development is considered to be in agreement with NPF4 Policy 22.

7.1.11 NPF4 Policy 23: Health and Safety

This policy intends to;

> "*…protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing*".

This policy encompasses development proposals which may generate changes in the level of noise, stating that;

> "*Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.*"

The likely effect of noise generation by the Proposed Development has been considered in both cumulative and isolative terms (Chapter 9 Noise). It is predicted that any noise associated with the operation of the Proposed Development will meet levels set out in legislative and professional guidance.

The potential effect of shadow flicker has been assessed within Chapter 14 Other Considerations of the EIAR. There are eight properties within potential shadow flicker distance of the Proposed Development.

Climate adjusted modelling illustrates that no properties will experience shadow flicker, and that the number of affected hours per year will be within the accepted threshold in all cases. As such, no significant effects are anticipated as a result of the Proposed Development.

The Proposed Development is considered to be in agreement with NPF4 Policy 23.

7.1.12 NPF4 Policy 25: Community Wealth Building

This policy intends to; "*… encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels*".

This policy also states that development proposals will be supported where it is demonstrated that they will contribute to local or regional community wealth building strategies and provide economic opportunities such as local job creation and the use of local supply chains and services.

The construction phase of the Proposed Development is expected to generate additional economic benefits in terms of expenditure, employment, and Gross Value Added (GVA). It is anticipated that during this phase, up to 92 jobs could be created, with an estimated spend of £12.6 million and a GVA of £5.4 million.

These economic effects are likely to extend to the local supply chain, providing opportunities for businesses in the area. Additionally, the taxes borne as a result of the construction activities would contribute to the exchequer.

Furthermore, the Applicant is committed to providing a community benefit package for the Proposed Development, amounting to up to £5,000 per MW per annum over the 30-year lifespan of the project.

The Applicant is also committed to developing a local Near Neighbours Electricity Contribution scheme for properties within close proximity to the development. This would see around £600 per annum issued to eligible residents to contribute towards their electricity bills for the life of the project.

There is also an option to capitalise this offer allowing a one-off payment of around £6000 to offset the cost of carbon reducing energy installations such as solar panels or heat pumps.

The Proposed Development is considered to be in agreement with NPF4 Policy 25.

8 Local Planning Policy

The adopted Local Development Plan for the Proposed Development comprises:

- The Highland-wide Local Development Plan (HwLDP) (as continued in force, April 2012);
- The Caithness and Sutherland Local Development Plan (CaSPlan) (August 2018); and
- Relevant supplementary guidance, including the Onshore Wind Energy Supplementary Guidance (2016), and its addendum, 'Part 2b' (THC, 2017).

As stated in Section 6.1 NPF4 togethertogether with LDP2 this makes the statutory Development Plan which forms the basis of the policy assessment.

8.1 Highland-wide Local Development Plan (HwLDP)

The HwLDP is currently being reviewed under the revised framework for Local Development Plans stated in NPF4, with formal activities commencingcommencing in 2023.

The Highland-wide LDP was adopted on 5th April 2012 and sets out the vision statement and spatial strategy for the area.

It is stated within the Planning Act (section 24(3)) that;

> *"In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail".*

In the case of any conflict, therefore, NPF4 will take precedence over the policies detailed within HWLDP (including associated planning guidance).

Overall, the HwLDP is generally consistent with the overarching intention of NPF4. Significant adverse effects to sensitive receptors should be avoided and adequate mitigation provide, and where significant adverse effects to receptors remain, developments will only be permitted where there are reasons of overriding public interest, such as social or economic.

NPF4, however, does take this further, providing further direction that the contribution to climate change targets may be an overriding determining factor.

The following sections provide an evaluation of the key policies have informed the design of the Proposed Development on the assumption that these will be the policies against which the proposals will be reviewed where there is consistency with NPF4.

8.1.1 HwLDP Policy 28: Sustainable Design

This Policy states that proposed developments will be assessed in relation to the promotion of social, economic and environmental wellbeing. As stated within THC Sustainable Design Guide, *"it is imperative that a sustainable approach to new development within the Highland Council area is adopted and implemented now".*

The design of the Proposed Development has been driven by careful site selection, appropriate positioning of turbines and associated infrastructure. This approach has ensured that the Proposed Development is capable of capturing the maximum wind

energy possible within a suitable area determined by local and regional environmental and technical constraints.

During the construction of the development, existing access track infrastructure will be used where practicable and materials will be sourced locally through the use of local borrow pits. The generation of waste during construction will be managed through the implementation of construction management plans including a Pollution Prevention Plan (PPP) and Site Waste Management Plan, which will include site waste management protocols.

The potential impact on local tourism has been assessed concluding no significant effects are anticipated. There is no clear evidence to suggest that wind farms have a negative impact on tourism.

Assessments of key environmental constraints have been conducted with robust mitigation measures detailed within the main EIA text. The range of topics covered including the protection of ecological value and cultural heritage, has ensured that the principles of sustainable design remain central to the Proposed Development.

Accordingly, the Proposed Development is considered to be in agreement with Policy 28.

8.1.2 HwLDP Policy 30: Physical Constraints

This Policy sets out areas of constraint which developers must consider when siting their proposals.

The Proposed Development has undergone several design iterations, driven by the objective of positioning the turbines and associated infrastructure so the maximum wind energy possible is captured. The area suitable to achieve this has been determined by environmental and technical constraints.

The key constraints to site design, which were assessed during the design and Scoping process include: landscape character and visual amenity; ground conditions, topography and peat; proximity to noise sensitive receptors; presence of watercourses, private water supplies and related infrastructure; presence of sensitive ornithology receptors; presence of sensitive cultural heritage features; and proximity to suitable grid connection.

Further details of the iterative design process areare presented within the Design and Access Statement provided in support of this application.

The Proposed Development is considered to be in agreement with Policy 30.

8.1.3 HwLDP Policy 36: Development in the Wider Countryside

This Policy sets out how proposed developments will be assessed in relation to areas outwith settlement development and where appropriate meet the expectations of the Onshore Wind Energy: Supplementary Guidance.

As detailed in Chapter 3 Description of Development, during the design and Scoping process the impact of the Proposed Development in the wider countryside took account of the key constraints to site design. The constraints identified including: landscape character and visual amenity; ground conditions, topography and peat; proximity to noise sensitive receptors; presence of watercourses, private water supplies

and related infrastructure; presence of sensitive ornithology receptors; presence of sensitive cultural heritage features; and proximity to suitable grid connection.

The Proposed Development is considered to be in agreement with Policy 36.

8.1.4 HwLDP Policy 55: Peat and soils

This Policy states that proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils.

As described in Section 6.1.5 under NPF4 Policy 5: Soils, the predominant superficial deposit on Proposed Development Site is Till comprising of clay, sand, gravel, and boulders that vary in size and shape. Although Alluvium is not identified on the Proposed Development Site, it is present just to the north, on both sides of the Burn of Durran, extending further north to the Loch of Durran SSSI.

Four areas of Class 3 peat are identified on the NatureScot Carbon and Peatland map, present near the red line boundary in the north, southeast and west of the Proposed Development Site.

The interpolated peat probing results (Figure 8-3) illustrate that two very small areas of peat soil >0.5m were present within on the Proposed Development Site. These were up to 0.8 m deep peat immediately adjacent to T2, and 0.86m peat 370m due west of Turbine 2 towards the Burn of Durran. The peat soils depths measurements recorded at all other peat probes were > 0.5m in depth.

It is anticipated that during the construction phase there will be little direct loss of peaty soil as there is no extensive priority peatland involved. Additionally, the operational phase of the Proposed Development will not result in disturbance of peat soils.

Accordingly, the Proposed Development is considered to be in agreement with Policy 55.

8.1.5 HwLDP Policy 57: Natural, Built and Cultural Heritage

This policy states that proposals will be assessed taking into account the level of importance and type of features, the form and scale of the proposed development and any impact on the feature and its setting.

The Proposed Development has been designed, where possible, to avoid direct impacts on known natural, built and cultural heritage assets.

The setting of the Scheduled Stone Lud (Asset 47), will potentially experience significant effects as a result of the Proposed Development. As the main elements of the asset's setting would still be appreciable and the ability to understand it would not be significantly diminished it is clear that the key characteristics of setting would not be materially adversely affected.

The potential for previously unknown buried remains to be disturbed during the construction phase of the Proposed Development will be mitigated using demarcation of heritage assets prior to construction works, micro-siting of infrastructure, implementation of an archaeological watching brief and the recording of any archaeological remains impacted directly.

All operational effects upon the settings of designated assets will be reversed with the removal of the turbines following decommissioning.

Direct impacts during the decommissioning phase would be limited and would only occur if new ground works are required.

As per NPF4, as the Proposed Development is not located within a Wild Land area, no significant effects are expected on the natural heritage of wild land.

The Proposed Development is considered to be in accordance with Policy 57.

8.1.6 HwLDP Policy 58: Protected Species

This Policy states that in the event that there is a possibility that protected species may be present on site or affected, individually and/or cumulatively, by a proposed development, survey works and if necessary, a mitigation plan is require.

Baseline surveying identified protected species including badger, otter and pine martin. All other habitats and species were scoped out of further assessment. The Proposed Development underwent several design iterations to ensure that no protected species will be adversely affected.affected A Construction Environmental Management Plan (CEMP) will be implemented which details the necessary mitigation measures. Following this mitigation, it is predicted that there will be no significant effects as a result of the construction phase of the Proposed Development.

The presence of an EnvironmentalEnvironmental Clerk of Works (EnvCoW) will ensure the necessary advice is given on the Proposed Development Site during construction, to support legal compliance and avoid unexpected significant impacts.

A Species Protection Plan (SPP) will be created detailing good practice guidelines and post-construction surveys in order to ensure the condition of the ecological features does not deteriorate over time as a result of the Proposed Development. During the operational phase no significant impacts to any protected species are expected.

The Proposed Development is not expected to have any significant impacts on protected species providing that best practice and embedded mitigation is followed. (Chapter 6 Ecology, Volume 2 of the EIA Report).

The Proposed Development is considered to be in accordance with Policy 58.

8.1.7 HwLDP Policy 59: Other Important Species

This Policy states that the Council will have regard to the presence of and any adverse effects development proposals may have on Other Important Species not already protected by other legislation or by nature conservation site designations.

All species which were identified during the baseline study are protected by appropriate legislation, further details of which can be seen in Chapter 6 Ecology and Chapter 7 Ornithology.

The Proposed Development underwent several design iterations to ensure that no important species will be adversely affected.affected A combination of mitigation measures embedded within the CEMP will prevent any significant effects as a result of the construction phase of the Proposed Development.

The presence of EnvCoW will ensure the necessary advice is provided which adheres to legislation and professional guidance during construction.

Good practice guidelines and post-construction surveys detailed within the SPP will be created detailing to ensure no significant impacts to any protected species occur.

The Proposed Development is not expected to have any significant impacts on protected species providing that best practice guidance and embedded mitigation is followed. (Chapter 6 Ecology and Chapter 7 Ornithology, Volume 2 of the EIA Report).

The Proposed Development is considered to be in agreement with Policy 59.

8.1.8 HwLDP Policy 60: Other Important Habitats and Article 10 Features

This Policy sets out other Important Habitats where not protected by nature conservation site designations and Article 10 Features to ensure their protection by any development proposals.

No other Important Habitats and Article 10 features including those protected by the EC Habitats Directive, UK and Local Biodiversity Action Plans and those listed on the Scottish Biodiversity List were found within or in close proximity to the Proposed Development Site during the baseline study.

The Proposed Development is considered to be in accordance with Policy 60.

8.1.9 HwLDP Policy 61: Landscape

This policy states that takes new developments should account for particular landscape characteristics and Landscape Character Assessment of the area. This includes consideration of appropriate scale, form, pattern and construction materials, as well as the potential cumulative effect of developments where this may be an issue.

As discussed under NPF4NPF4 Policy 11, Landscape and visual effects formed a key consideration in the progression of the layout design of the Proposed Development. Several design iterations in consultation with THC and NatureScot were carried out so as to minimise this impact.

During Operation, significant effects are predicted on the perception of landscape character for one LCT, LCT 143 Farmed Lowland Plain, as a result of the introduction of turbines and infrastructure (Major/Moderate). This effect will be localised and there will be no other significant effects on landscape character across the Study Area.

As discussed under NPF4 Policy 11, the LVIA concluded that visual effects during the construction phase of the Proposed Development will be temporary and of negligible to minor significance. These effects will be mainly localised such as increased visibility of tall cranes or construction lighting during the winter months.

During the operational phase, residual landscape effects are anticipated to be Major/Moderate. Residual landscape effects which are significant during the construction and decommissioning phases are also anticipated however this will be localised.

However, Policy 11 of NPF 4 states that; *"Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable"*.

Accordingly, whilst the effects are significant, they are considered to be acceptable in policy terms.

The Proposed Development is considered to be in agreement with Policy 61.

8.1.10 HwLDP Policy 63: Water Environment

This policy states that proposals which do not compromise the Water Framework Directive (2000/60/EC) in line with the River Basin Management Plan for the Scotland River Basin District and associated Area Management Plans will be supported.

The iterative design of the Proposed Development has sought to minimise potential effects on the water environment through the utilisation of existing tracks, adherence to buffer zones and avoidance of crossing of drains and areas of GWDTE.

Baseline and field surveying showed that there is the potential that construction and operation of the Proposed Development will affect the water environment. Aspects which may be affected include surface and groundwater quality, flow regime and deterioration of water supplying Groundwater Dependent Terrestrial Ecosystem (GWDTEs).

Mitigation measures will assist in reducing the significance of effects from Moderate to Minor or negligible. These measures encompass, adherence to appropriate watercourse buffer distances, a Drainage Management Plan (DMP), a Pollution Prevention Plan (PPP), a water quality (WQ) monitoring plan, provision of an EnvCOW, a final CEMP and general pollution prevention measures.

Taking into account all mitigation no cumulative effects on the water environment are predicted. The Proposed Development is considered to be in accordance with Policy 63.

8.1.11 HwLDP Policy 64: Flood Risk

This Policy states that development proposals should avoid areas susceptible to flood and promote sustainable flood management.

There is no mapped risk of river flooding, surface water flooding, nor coastal flooding on the Proposed Development Site.

Additionally, embedded mitigation measures which will be put in place include sizing crossings to 1 in 200 year event, hydraulic modelling to inform detailed design of crossings and permanent drainage design.

The Proposed Development is considered to be in accordance with Policy 64.

8.1.12 HwLDP Policy 66: Surface Water Drainage

This Policy states that proposals must be drained by Sustainable Drainage Systems (SuDS) in accordance with The SuDs Manual (CIRCA C697), the Sewers for Scotland Manual 2nd Edition and Planning Advice note 69: Planning and Building Standards Advice on Flooding.

Measures will be developed to treat and deal with all the surface runoff from the Proposed Development Site, designed in accordance with Sustainable urban Drainage System (SuDS) principles. The Final Construction Environmental Management Plan (CEMP) will include a location map of all areas of disturbance with the potential to generate silt-laden run-off, with details of the proposed mitigation at each point as recommended by the prevailing CIRIA guidance documents. These measures will comprise an appropriate Drainage Management Plan (DMP). An Outline CEMP is provided in Volume 3 Technical Appendix 15-1 of the EIAR.

The Proposed Development is considered to be in accordance with Policy 66.

8.1.13 HwLDP Policy 67: Renewable Energy Development

The Applicant seeks support from THC under the terms of this policy as contributing towards meeting renewable energy generation targets whilst having also considered potential positive or negative effects of the development in terms of social, economic and environmental impact.

The assessment criteria listed in this policy have been considered through the EIA process and reported in the relevant section of the EIA Report.

Particular attention has been given to the potential for significant effects identified within this policy in the following areas:

Impact on Cultural Heritage Features

The Proposed Development has been designed, where possible, to avoid direct impacts on cultural heritage assets. The amenity at sensitive locations, including recognised visitor sites has been protected by careful siting of the footprint of the Proposed Development.

Impacts upon the settings of designated assets such as World Heritage Sites, Listed Buildings, Scheduled Monuments, Conservation Areas, Inventoried Battlefields and Inventoried Gardens and Designed Landscapes are a material consideration in the planning process.

As stated in the analysis of NPF4 (Section 8.2 of this EIA Chapter), the only potential direct effects on known heritage assets would be on the Scheduled Stone Lud (Asset 47), where a potentially significant Moderate adverse effect upon the setting is anticipated.

A direct impact on non-designated heritage assets (Assets 70a-70d, 96, 104-108 and 110-112) and as-yet unknown archaeological remains within the Proposed Development Site is anticipated to occur during construction. Following the implementation of mitigation measures this impact is expected to be reduced to not significant.

All operational effects upon the settings of designated assets will be reversed with the removal of the turbines following decommissioning. No significant cumulative effects are considered likely with the addition of the Proposed Development to the existing cumulative baseline.

Impact on Species and Habitats

The Proposed Development has undergone a design process that prioritises minimising the impact on species and habitats wherever possible.

The assessment of the potential impact on species and habitats has been conducted across various chapters, within Chapter 6 Ecology and Chapter 7 Ornithology. Effects were assessed for all phases of the Proposed Development; construction, operational and decommissioning. Effects considered included disturbance, displacement, habitat loss and additional mortality as a result of collision risk.

Two Special Sites of Scientific Interest (SSSI) (Loch of Durran SSSI; Dunnet Links SSSI), one SSSI/Special Protection Area (SPA)/Ramsar site (Loch Scarmclate SSSI/SPA/Ramsar) and

one, Special Area of Conservation (SAC)/SPA/Ramsar/SSSI site (Loch Watten SAC/SPA/Ramsar/SSSI are located within 5km of the Proposed Development.

The inclusion of mitigation measures including a shadow HRA and Outline HMP will ensure that not only will no significant effects result from the Proposed Development, biodiversity will also increase.

Following the implementation of the mitigation measures stated above, no significant effects are anticipated on species and habitats as a result of the Proposed Development.

Landscape and Visual Impacts

Chapter 5 LVIA thoroughly evaluates the potential impact on landscape and visual amenity. Through an iterative design process outlined in Chapter 3 and the Design and Access Statement, measures have been taken to minimize and mitigate potential impacts on landscape and visual receptors. Table 1-2 summarizes the Predicted Significant Effects of the Proposed Development.

The LVIA determined that visual effects during the construction phase will be temporary and of minor significance, mainly localized, such as increased visibility of construction equipment during winter months. Residual landscape effects during operation were also assessed, indicating a Major/Moderate impact, primarily localized. However, Policy 11 of NPF 4 states that localized impacts with appropriate design mitigation are generally acceptable.

Thus, while the effects are significant, they align with policy standards. Anticipated effects on landscape character and fabric are deemed Major/Moderate but are localized and not significant on a national scale.

Impact on Hydrology, Hydrogeology and soils

The predominant superficial deposit on the Proposed Development Site is Till, consisting of a heterogenous mixture of clay, sand, gravel, and boulders varying widely in size and shape. Alluvium is not mapped as present on the Proposed Development Site, but does occur just north, on either side of the Burn of Durran, and continues north to Loch of Durran SSSI.

Two very small areas of peat soil >0.5m are present on the Proposed Development footprint with depths recorded of 0.8 m immediately adjacent to T2, and 0.86m peat 370m due west of Turbine 2 towards the Burn of Durran.

During construction there is not expected to be any significant direct loss of peaty soil as there is no extensive priority peatland on or close to the Proposed Development Site. Additionally, the operational phase will not result in disturbance of peat soils.

The iterative design of the Proposed Development has sought to minimise potential effects on the water environment through the utilisation of existing tracks, adherence to buffer zones and avoidance of crossing of drains and areas of GWDTE.

The assessment detailed in Volume 2 Chapter 8 Hydrology and Hydrogeology indicates that there is no mapped risk of river flooding, surface water flooding, nor coastal flooding on the Proposed Development Site.

There are no Private Water Supplies (PWS) hydrologically connected to the Proposed Development Site.

The Proposed Development is not expected to have any significant effect hydrology and hydrogeology, as all potential effects have been evaluated as Minor or Negligible, following the implementation of mitigation measures. These measures involve the engagement of an EnvCoW, the implementation of a CEMP,, a DIA,, a DMP,, and a WQMP..

Impact on amenity at sensitive locations from noise and shadow flicker

The likely effect of noise generation by the Proposed Development has been considered in both cumulative and individual project terms (Chapter 9 Noise, Volume 2 of the EIA Report). It is predicted that any noise associated with the operation of the Proposed Development will meet levels set out in legislative and professional guidance.

During the construction phase, activities are deemed unlikely to breach the typical construction noise limits prescribed within the relevant guidance. This consideration, combined with the temporary nature of the works indicated that a detailed assessment of the construction noise impacts was not necessary, and the effect is considered not significant.

There are eight properties within potential shadow flicker impact distance of the proposed turbines. Climate adjusted modelling of proposed turbine locations has demonstrated there are no significant effects anticipated on receptors (Chapter 14 Other Considerations, Volume 2 of the EIA Report).

As there are no cumulative turbines located within 5km of the Proposed Development there is no potential for cumulative shadow flicker impacts from the Proposed Development.

The Proposed Development is considered to be in agreement with Policy 67.

Impact on Tourism and Recreation Interests

The development of a wind farm is anan investment that results in the generation of employment. It is estimated that the Proposed Development will generate up to 13 jobsjobs.

Research completed to date confirms that the tourism sector is not adversely affected by onshore wind farms. In fact, the tourism sector has continued to grow across Scotland as more wind farms have been developed.

The proposed Development is not predictedThe proposed Development is not predicted to have a significant effect on tourism receptors in accordance with the EIA Regulations.

Impact on Transport Interests

An assessment of effect of the Proposed Development on all land-based traffic and transport interests was undertaken in accordance with the relevant professional guidance (Chapter 11 Transport and Access, Volume 2 of the EIA Report).

The assessment confirms the effects will be minor in nature and they will be not significant, following the implementation of a comprehensive CTMP, together with on-site route signage and an access management plan, which will incorporate any required re-routing of Public Rights of Way or temporary barriers to protect users from construction activities.

Temporary increases in traffic are expected to occur whilst Abnormal Indivisible Load (AIL) components will be delivered to the Proposed Development Site from Wick

Harbour. The movement of the AIL traffic will require temporary remedial works at a number of locations along the identified delivery route.

A small number of vehicles will attend the Proposed Development during the operational phase on an infrequent basis to undertake inspections or maintenance activities.

Impact on Aviation Operations

The Proposed Development is located outwith any NATS Consultation Zones, and so has no potential for impacts on NATS infrastructure (Chapter 14 Other Considerations, Volume 2 of the EIA Report).

The IFP assessment of the Proposed Development concluded there would be an effect on one of Wick (John O Groats) Airport IFP's. Through consultation with HIAL, the Applicant has agreed draft wording of a planning condition designed to provide assurance of the commitment of The Applicant to ongoing consultation with HIAL and THC to agree an appropriate mitigation plan.

Ministry of Defence (MOD) indicated in the Scoping Opinion that the Proposed Development is located within a MOD Low Flying Area (LFA 14) however following an IFP assessment, it was determined that the Proposed Development lies adjacent to LFA 14. Therefore, the Proposed Development is not expected to interfere with MOD operations.

The Aviation Lighting Review determined that the Proposed Development and associated cranes present during construction may require Aviation Lighting in accordance with the Civil Aviation Authority (CAA), Air Navigation Order 2016. Final agreement on whether aviation lighting is required for the Proposed Development will be determined through further consultation with THC and HIAL.

Impact on Telecommunications Interests

Desktop studies identified that there are no fixed communications links in the vicinity of the Proposed Development (Chapter 14 Other Considerations, Volume 2 of the EIA Report). Due to this distance, no further mitigation is required as no significant effects are likely to be caused.

Conclusion

Given the findings above, and the detail of the extent to which the impacts of the Proposed Development have been addressed in the EIA Report, the Proposed Development is in accordance Policy 67.

8.1.14 HwLDP Policy 72: Pollution

This Policy states that as proposals may result in significant pollution such as noise, air, water, and light, a detailed assessment report should be provided to show how pollution can be appropriately avoided and if necessary mitigated.

A detailed assessment (Chapter 9 of the EIA Report) has concluded that noise associated with the operation of the Proposed Development will meet all levels set out in legislative and professional guidance.

A Pollution Prevention Plan (PPP) detailed within the Final CEMP will include details and responsibilities for environmental management onsite for pollution prevention. All environmental aspects will be outlined within the CEMP, as well as providing specific

monitoring requirements, risk assessments and an Environmental Incident Response Plan.

Subject to agreement with stakeholders, the CEMP pollution protection measures will include appropriate guidance on fuel storage, refuelling, containment measures, spill kits and Daily Pre-Start Checks.

The Proposed Development is considered to be in accordance with Policy 72.

8.2 Caithness and Sutherland Local Development Plan (Adopted 2018)

The Caithness and Sutherland Local Development Plan (CaSPlan) was adopted by THC on 31 August 2018. CaSPlan outlines four vision outcomes which makeup the vision for 2035, these are based on growing communities, employment, connectivity and transport, and environment and heritage.

Although CaSPlan does not contain any specific policies relevant to the Proposed Development, it does contain a spatial strategy which reflects how the policies outlined within the HwLDP can be implemented at a local level. CaSPlan notes that:

> *"Caithness and Sutherland are the two most northerly parts of Highland and the British mainland and they are characterised by a unique landscape and coastal setting. Their location presents many challenges but make them well placed to take advantage of a number of opportunities. Tourism, aquaculture, renewable energy and the service industry play a strong role in the local job market."*

The plan focuses on the settlements in Caithness and Sutherland and details the considerations developers should make.

The Proposed Development does not lie within a settlement development area (as defined within the local plan) however the closest one is Castletown with is located 1km north of the Proposed Development.

8.3 Onshore Wind Energy Supplementary Guidance, November 2016 (with addendum Part 2b, December 2017)

The Onshore Wind Energy Supplementary Guidance (THC, 2016) and its addendum, 'Part 2b' (THC, 2017) has been adopted as part of the LDP for the Highlands. This guidance was developed to guide the Development Management process for renewable energy applications and provides additional detail and guidance to relevant policies within HwLDP.

In general, the guidance notes that THC is supportive of renewable energy development subject to careful balancing with their wider strategic environmental and economic objectives, including sustainable growth in Highland, and their contribution to renewable energy targets and climate change.

The guidance also makes reference to additional strategic considerations of the landscape capacity of the Highlands and states that any remaining capacity should be focussed around existing clusters. There are specific pressure areas for wind energy

development in the Highlands that are addressed in section 5 "Highland Strategic Capacity".".

In accordance with THC's Scoping Opinion (Reference 22/00790/SCOP) particular attention has been made to the provisions of this guidance including the provisions in relation to landscape sensitivity. This is discussed in greater detailed in Volume 2 Chapter 5: Landscape and Visual of this EIAR.

The guidance also sets out the spatial framework as required by Scottish Planning Policy (SPP) as published in 2014 (Scottish Government, 2014). The SPP has now been superseded with the adoption of NPF4, accordingly the spatial approach set out within this Supplementary Guidance no longer applies.

However, as noted in above, the Proposed Development Site lies within Group 3 on the Spatial Framework map for Scottish Planning Policy and OWESG. Group 3 is assigned as an area with potential for wind farm development.

The Supplementary Guidance is therefore considered to provide an indication of the approach to wind energy development within the Highland Council area as opposed to a policy on the spatial approach to wind energy development.

Consistencies with NPF4 within the guidance such as the role of community benefits, and the positive effect onshore wind proposals can have in the region are also recognised, with further guidance available in the Scottish Government: Good Practice Principles Community Benefits Onshore Renewable Energy Developments (Scottish Government, 2019a).

9 Conclusion

This Planning Statement has sought to evaluate and apply the key policies and provisions of National and Local Policy which are applicable to the determination of the planning application for the Proposed Development.

This evaluation has considered the Scottish Government's guidelines regarding the transitional arrangements following the adoption of NPF4, prioritizing NPF4 provisions over THC LDP policies if any conflicts arise.

As detailed in Chapter 3 Description of Development, the Proposed Development will encompass 2 turbines up to a maximum 149.9m tip height, up to 12 MW of battery storage and associated infrastructure.

The Proposed Development will make a valuable contribution to Scotland's renewable electricity and emissions reduction targets. Since the publication of the NPF4, policy wording has become stronger and the challenge in meeting renewable energy targets and addressing the climate emergency has become more urgent.

The renewable energy generated by the Proposed Development will offer further assistance in the urgent need to decrease the reliance of the UK on fossil fuels. As shown in the recent Climate Change Committee (CCC) June 2023 Report to the UK Parliament (CCC 2023) the deployment of onshore wind is "*slightly off-track*", noting that deployment is progressing more slowly than other forms of renewable energy "*despite being among the cheapest forms of electricity generation*".

There is a need to apply significant weight to the emphasis which must be placed on addressing the climate emergency through the roll out of further developments which enable renewable electricity generation whilst giving due consideration to energy policy and targets in the planning balance.

Furthermore, clear direction regarding the approach which local development plans are advised to take on renewable developments is provided in NPF4 Policy 11 Energy, noting that:

> *"LDPs should seek to realise their area's full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development."*

Accordingly, the Proposed Development presents the opportunity to make a direct contribution to achieving renewable energy deployment and carbon reduction objectives before 2030.

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