

Breackerie Wind Farm

Environmental Impact Assessment Report Volume I Chapter 5: Renewable Energy and Planning Policy

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5 RENEWABLE ENERGY AND PLANNING POLICY

Introduction

- 5.1 This chapter provides an outline of the national and local planning policies, guidance and other material considerations that are considered to be relevant in underpinning the EIA Report for the proposed development.
- 5.2 To maintain the impartiality of the EIA Report this chapter does not assess whether the proposed development would comply with the identified policies. A separate Planning Statement which assesses the compliance of the proposed development with the Development Plan and other material considerations is provided.
- 5.3 Whilst this EIA Report relates to an application for consent under Section 36 of the Electricity Act 1989 ('the Electricity Act'), deemed planning consent is also sought under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) (the TCPA).
- 5.4 Whilst the Development Plan is the starting point for the decision-making process, it must also be considered in the context of the ever-evolving policy hierarchy which in turn is informed by the wider suite of Scottish, UK and international policy and law relating to renewable energy development and climate change.
- 5.5 This review of the relevant policy and material considerations therefore adopts the following structure:
- The Development Plan
 - Argyll and Bute Local Development Plan 2015 (LDP) (and its Supplementary Guidance adopted 2016); and
 - National Planning Framework 4 (NPF4).
 - Other Material Considerations
 - Argyll and Bute Proposed LDP2
 - Scottish and UK Renewable energy and climate change legislation and policy; and
 - Argyll and Bute Wind Landscape Capacity Study (LWECS)

Planning Policy

The Development Plan

- 5.6 The statutory Development Plan applicable to the proposed development consists of the adopted Argyll and Bute Local Development Plan 2015, along with its Supplementary Guidance adopted in 2016, along with the NPF4.

Argyll and Bute Local Development Plan 2015

5.7 The LDP sets out a settlement strategy and spatial framework for how Argyll & Bute Council envision the development of Argyll and Bute until 2024 and beyond. The introduction to the plan identifies a number of challenges which must be overcome within the Argyll & Bute council area, including:

- the need to take action to mitigate climate change;
- the need to protect and enhance natural, built and cultural heritage assets; and
- the need to improve quality of life for all.

5.8 The LDP is underpinned by an overarching vision statement:

"The overall vision for Argyll and Bute is one of an economically successful, outward looking and highly adaptable area, which enjoys an outstanding natural and historic environment, where all people, working together, are able to meet their full potential and essential needs, locally as far as practicable, without prejudicing the quality of life of future generations".

5.9 The following policies require to be considered within the Planning Statement and eventual determination of the application. They are separated thematically and include additional Supplementary Guidance policies.

Overarching Renewable Policy

5.10 **Policy LDP 1 Strat 1: Sustainable Development** highlights considerations around sustainable development that the Council should take when making decisions on applications. These include maximising opportunity for local community benefit, maximising opportunities for sustainable design and reducing carbon footprint, conserving and enhancing the natural and built environment and avoiding significant adverse effects on biodiversity and the natural and built heritage resource, respecting the landscape character of an area and the setting and character of settlements, and avoiding having significant adverse effects upon land, air and water quality.

5.11 **Policy LDP 6: Supporting the Sustainable Growth of Renewables** notes that the Council will support renewable energy developments where these are consistent with the principals of sustainable development, and it can adequately be demonstrated that there is no unacceptable significant adverse effect, whether individual or cumulative, on local communities, natural and historic environments, landscape character, visual amenity, and that proposals are consistent with adjacent land uses.

5.12 The **Supplementary Guidance** offers additional details on factors which the Council will take into consideration when determining applications, in support of Policy LDP 6. The Supplementary Guidance provides a draft spatial framework which applies to all turbines over 50m in height.

Landscape and Visual

5.13 **Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment** states that a development will be contrary to the Council's conservation and enhancement aims where it does not protect, conserve or where possible enhance the

established character and local distinctiveness of the landscape and seascape in terms of its location, scale and design. It also states that a development proposal will not be supported when it does not protect, conserve or where possible enhance the established character of the built environment in terms of location, scale, form and design.

- 5.14 **Policy LDP9: Development Setting, Layout and Design** requires that development shall be sited and positioned so as to pay regard to the context in which it is located, where layouts are adapted to take into account the location or sensitivity of the area. Developments should be compatible with their surroundings and take account of local and statutory planning, landscape and cultural heritage designations.
- 5.15 Within **Supplementary Guidance, policies SG LDP ENV 9, ENV 12 and ENV 13** provide guidance and protection for Wild Land, National Scenic Areas, and Areas of Panoramic Qualities, respectively. Policy SG LDP ENV 14: Landscape, states that outside of the areas covered under Policies SG LDP ENV 9, 12 and 13, the Council will consider landscape impact when assessing development proposals. The Council will resist development when its scale, location or design will have a significant adverse impact on the character of the landscape unless it is demonstrated that a) any such effects on landscape quality are clearly outweighed by social, economic or environmental benefits or community wide importance, and b) the Council is satisfied that all possible mitigation measures have been incorporated into the development proposal to minimise adverse effects.

Hydrology, Geology and Peat

- 5.16 **Policy LDP Strat 1: Sustainable Development** (part k) states that the Council will ensure that development proposals avoid having significant adverse impacts on land and water.
- 5.17 **Policy LDP 3: Supporting the Protection, Conservation and Enhancement** of our Environment states that a development will not be in accordance with the policy where it does not protect, conserve or where possible enhance geodiversity, soils and peat.
- 5.18 **Policy LDP 10: Maximising our Resources and Reducing our Consumption** states that developments will be supported where they minimise impacts upon the water environment both in terms of pollution and abstraction, and avoid areas subject to flood risk or erosion.
- 5.19 Additional detailed policies are found within Supplementary Guidance. **Policy SG LDP ENV 7 Water Quality and the Environment** provides additional criteria upon which to assess potential impact, including water quality and quantity, riparian habitats and wildlife, geomorphic processes, leisure and recreational use and economic activity. Developments which are likely to have detrimental impacts will not be permitted unless mitigation can ensure that waterbody status is maintained.
- 5.20 **Policy SG LDP ENV 11: Protection of Soil and Peat Resources** states that development that would have a potentially significant adverse effect on soil resources or peat will not be supported unless it is satisfactorily demonstrated that such adverse effects are clearly outweighed by social, environmental or economic benefits and a soil or peatland management plan clearly demonstrates mitigation.

Ecology and Ornithology

- 5.21 **Policy LDP Strat 1: Sustainable Development**, part h states that the Council will ensure that development proposals will conserve the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources.
- 5.22 **Policy LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment**, part a), states that a development will not be in accordance with the LDP where it does not protect, conserve or where possible enhance biodiversity, geodiversity, soils and peat, woodland, green networks, wild land, water environment and the marine environment.
- 5.23 **Policy LDP 10: Maximising our Resources and Reducing our Consumption** states that the Council will support development which maximise resources whilst reducing consumption, where the development minimises the impact upon biodiversity and the natural environment.
- 5.24 **Policy SG LDP ENV 1 – Development Impact on Habitats, Species and our Biodiversity** sets out the key protected species legislation and its interaction with the requirements by developers.
- 5.25 **Policy SG LDP ENV 2 – Development Impact upon European Sites** outlines that developments which would adversely impact a European protected site will not be permitted unless it can be demonstrated that there is no other alternative and there are imperative reasons of overriding public interest.
- 5.26 **Policy SG LDP ENV 4 – Development Impact on Sites of Special Scientific Interest and National Nature Reserves** provides emphasis on conserving SSSIs and provides the consenting test for developments which may adversely impact them.

Cultural Heritage

- 5.27 **Policy LDP Strat 1: Sustainable Development**, part h, states that the Council will ensure that development proposals are in line with sustainable development principles and conserve the natural and built environment.
- 5.28 **Policy LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment** states that a development will not be in accordance with the policy where it either does not protect, conserve or where possible enhance the established character of the built environment, and where the development has not avoided adverse effects on the integrity or special qualities of international or nationally designated natural and built environment sites.
- 5.29 **Policy SG LDP ENV 15 Development Impact on Historic Gardens and Designed Landscapes** provides additional criteria upon which to assess the proposal against the special qualities of the Garden and Designed Landscape.
- 5.30 **Policy SG LDP ENV 16(a): Development Impact upon Listed Buildings** provides detail on the criteria by which Listed Buildings and their setting should be protected.

5.31 **Policy SG LDP ENV 19: Development Impact of Scheduled Ancient Monuments** sets out that there is a presumption in favour of retaining, protecting, preserving and enhancing Scheduled Monuments. Development which has an adverse effect upon the setting will not be permitted unless there are exceptional circumstances.

5.32 **Policy SG LDP ENV 20: Development Impact on Sites of Archaeological Importance** outlines that there is a presumption in favour of retaining, protecting, preserving and enhancing the existing archaeological heritage and any future discoveries found in Argyll and Bute.

Transport and Access

5.33 **Policy LDP 11: Improving our Connectivity and Infrastructure** states that the Council will support development proposals which seek to maintain and improve existing internal and external connectivity.

5.34 **Policy SG LDP TRAN 2: Development and Public Transport Accessibility** states that where considered appropriate, a Traffic Impact Assessment may be required, with developers required to mitigate the impacts of their development, preserving the performance and safety of the road network.

Socio-economics and Tourism

5.35 **Policy LDP STRAT 1: Sustainable Development** states that the Council will seek to ensure that developments maximise opportunities for local communities and the use of existing services.

5.36 **Policy LDP 5: Supporting the Sustainable Growth of Our Economy** supports proposal for new industry and business opportunities which will help to promote sustainable economic growth,

5.37 **Policy LDP 8: Supporting the Strength of our Communities** outlines that the Council will seek to encourage sustainable development proposals which strengthen the communities of Argyll and Bute, making them better places to work, live and visit.

5.38 **Policy LDP 11: Improving our Connectivity and Infrastructure** states that the Council will support development which safeguard rights of way and public access, and make provision for new public access within the development, whilst considering the core path network and wider green network.

5.39 **Policy SG LDP REC/COM 1 Safeguarding and Promotion of Sport, Leisure, Recreation, Open Space and Key Rural Services** provides a presumption in favour of development which provide new or improved sport, recreation and other community facilities.

5.40 **Policy SG LDP TRAN 1: Access to the Outdoors** states that development proposals should preserve and enhance rights of access to the outdoors, including core paths, rights of way and public rights of access to land and water.

Forestry

- 5.41 **Policy LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment** states that proposals will not be supported where they do not protect, conserve or enhance woodland.
- 5.42 **Policy LDP 10: Maximising our Resources and Reducing our Consumption** outlines that the Council will support development where they avoid the loss of trees and woodland.
- 5.43 **Policy SG LDP ENV 6: Development Impact on Trees / Woodlands** ensures that developments that would have an adverse impact upon trees are required to provide provision for the preservation and where appropriate planting of new trees.

Other Issues

- 5.44 **Policy LDP 6: Supporting the Sustainable Growth of Renewables** states that all application for onshore wind developments will be assessed against criteria including impacts upon aviation and defence interests and impacts upon telecommunications and broadcasting installations.
- 5.45 **Policy LDP 10 Maximising our Resources and Reducing our Consumption** states that the Council will support developments which seek to avoid the disturbance of carbon rich soils, thus safeguarding areas of deep peat deposit.
- 5.46 **Policy SG LDP TRAN 7: Safeguarding of Airports** details that there will be a presumption against developments which affect the present and future operations of existing airports and airfields.

National Planning Framework 4

- 5.47 Formally adopted in February 2023, NPF4 now forms part of the Development Plan alongside the LDP.
- 5.48 A key provision legislated within section 13 of the Planning (Scotland) Act 2019 is that Section 24 of the Town and Country Planning (Scotland) Act 1997 is now amended to state that in the event of any incompatibility between a provision of NPF4 and the provision of an LDP, then whichever of them is later will prevail.
- 5.49 NPF 4 states that the global climate emergency has resulted in the need for reductions in greenhouse gas emissions and changes required to adapt to future impacts of climate change. NPF4 further states that while significant steps have been taken towards the decarbonisation of energy and land use, choices remain on how Scotland can sustainably utilise national assets.
- 5.50 This is reinforced by Scotland's Climate Change Plan, backed by legislation, which has set the approach to achieving net zero emissions by 2045, however significant progress towards this goal must be met by 2030.
- 5.51 NPF4 provides clear policy and legislative support for renewables and specifically onshore wind energy as a principle, in order to reach our Net Zero obligations by 2045 as set out in law.

- 5.52 The Scottish Government is clear and unequivocal about the requirement for new onshore wind generation through legislation and policy.
- 5.53 The inclusion of 'Strategic Renewable Electricity Generation and Transmission Infrastructure' as a 'national development' demonstrates the importance that the Scottish Government places upon the increase in onshore renewable generation. Annex B of NPF4 provides a statement of need. This states that *"a large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its Net Zero emissions targets"*.
- 5.54 Wind farms in excess of 50MW generating capacity will comprise national development. The proposed development, at 85.8MW (plus storage) exceeds this threshold and therefore be classed as a national development. Page 97 of NPF4 sets out that national developments are described as *"significant developments of national importance that will help to deliver the spatial strategy"*. It adds that *"their designation means that the principle for development does not need to be agreed in later consenting processes"*.
- 5.55 In conclusion, there is and remains a clear support at a national level for the further development of renewable and low carbon technologies however greater emphasis has been placed on the pace at which these technologies are rolled out. It is then appropriate to examine the contents of particular policies of NPF4.
- 5.56 **Policy 1: Tackling the climate and nature crises** acts as an overarching policy which in turn filters into each individual policy detailed within NPF4, stating that when considering all development proposals, significant weight should be given to the global climate and nature crises, in order to ensure that they are recognised as a priority in all plans and decisions.
- 5.57 The intent behind Policy 1 is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The proposed development inherently seeks to address the climate crisis by providing low carbon energy and reduces greenhouse gas emissions by contributing to a more sustainable energy mix across Scotland.
- 5.58 Therefore, NPF4 introduces a key, prominent policy which states that the global climate emergency is a priority and significant weight must be attached to this. Onshore wind, as a national development, accords fully with the aspirations of this policy and can draw immediate and full support.
- 5.59 **Policy 2: Climate change and Mitigation** aims to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. Policy 2 states:
- a) *Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*
 - b) *Development proposals will be sited and designed to adapt to current and future risks from climate change.*
 - c) *Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.*

- 5.60 **Policy 3: Biodiversity** requires that “development proposals contribute to the enhancement of biodiversity, including where relevant restoring degraded habitats and building and strengthening nature networks”, integrating “nature-based solutions where possible”.
- 5.61 **Policy 4: Natural Places** of NPF4 reinforces the need for the protection, restoration and enhancement of natural assets making best use of nature-based solutions. Part a) of this policy states that development proposals which would have an unacceptable impact upon the natural environment by virtue of type, location or scale will not be supported.
- 5.62 Criteria is provided for proposals that impact upon European or national designations, such as SACs, SPAs, National Parks, National Scenic Areas, SSSIs, Ramsar sites. Part d) discusses impacts upon local designations and states where a site is designated as a “local nature conservation site or landscape area in the LDP, it will only be supported where development will not have significant adverse effects on the integrity of the area and qualities for which it has been identified”. Part ii) of d) states the second criteria for support, which is where “*any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits or at least local importance*”.
- 5.63 Part e) states that the precautionary principle is to be applied.
- 5.64 Part f) states that development proposals that are likely to have an adverse effect upon species protected by legislation will only be supported where it meets the statutory test.
- 5.65 **Policy 5: Soils** focuses on the protection of carbon-rich soils, the restoration of peatlands and the minimisation of disturbance to soils from development with wording as follows:
- Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:*
- i) *Essential infrastructure and there is a specific locational need and no other suitable site;*
 - ii) *The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emission reductions targets;*
 - iii) *Small-scale development directly linked to a rural business, farm or croft;*
 - iv) *Supporting a fragile community in a rural or island area; or*
 - v) *Restoration of peatland habitats.*
- 5.66 The design of the proposed development has aimed to maximise the most amount of renewable energy with the least amount of infrastructure possible. By applying this principle, the proposed development layout, including turbines and associated infrastructure, has been designed to avoid the areas of deep peat identified, wherever possible, and areas where peat landslide may occur.
- 5.67 **Policy 6: Forestry, Woodland and Trees** states under part c) that proposals involving woodland removal will “only be supported where they achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal”.

- 5.68 **Policy 7: Historic Assets and Places** details under part a) that “development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place”. Part h) is also useful and relevant, where it is stated that development proposals affecting scheduled monuments will only be supported “where i) direct impacts on the scheduled monument are avoided, ii) significant adverse effects on the integrity of the setting are avoided or iii) exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised”.
- 5.69 The key policy pertaining to energy is **Policy 11: Energy**, which contains the intent 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).’
- 5.70 At a local level, the policy also states that Local Development Plans (LDPs) should seek to realise their areas’ full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development.
- 5.71 Policy 11 a) sets out that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, which include:
- i) *wind farms including repowering, extending, expanding and extending the life of existing wind farms;*
 - ii) *enabling works, such as grid transmission and distribution infrastructure;*
 - iii) *energy storage, such as battery storage and pumped storage hydro;*
 - iv) *small scale renewable energy generation technology;*
 - v) *solar arrays;*
 - vi) *proposals associated with negative emissions technologies and carbon capture; and*
 - vii) *proposals including co-location of these technologies.*
- 5.72 Policy 11 reiterates support for renewable and low carbon technologies, however there is a clear and direct reference to onshore wind farms, recognising this form of energy generation as a key component to achieving the outcomes of Policy 11 as well as wider overarching climate change policy and legislation which aim to expand renewable, low-carbon and zero emissions technologies at a national level.
- 5.73 While repowering, extensions and expansions are also supported, the creation of new onshore wind development must be supported to ensure there is a continued pipeline of new onshore wind farm schemes, such as the proposed development, which can be revisited for future repowering, extension and expansion. In addition, the policy also includes support for battery storage which has been included as part of the development with 5MW of storage proposed.
- 5.74 Policy 11 (e) provides further information on the topics which should be addressed as part of renewable, low-carbon and zero emissions technologies. It states that:

In addition, project design and mitigation will demonstrate how the following impacts are addressed:

- i) impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
- ii) significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
- iii) public access, including impact on long distance walking and cycling routes and scenic routes;*
- iv) impacts on aviation and defence interests including seismological recording;*
- v) impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- vi) impacts on road traffic and on adjacent trunk roads, including during construction;*
- vii) impacts on historic environment;*
- viii) effects on hydrology, the water environment and flood risk;*
- ix) biodiversity including impacts on birds;*
- x) impacts on trees, woods and forests;*
- xi) proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
- xii) the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
- xiii) cumulative impacts.*

5.75 Throughout the EIA Report, each topic listed within Policy 11 (e) has been fully assessed

5.76 Policy 11 states that “in considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emission targets”.

5.77 A key point of policy is that Policy 11 e) ii) recognises that where some landscape and visual impacts are to be expected, localised impacts and/ or the application of appropriate design mitigation has been employed, then effects are considered to be acceptable.

Other Material Considerations

5.78 This section sets out the most relevant material policy considerations at the time of writing and includes national planning policy in Scotland, the latest developments in Scottish and UK Government policy, and other local material considerations, such as the Argyll and Bute Landscape Wind Capacity Study.

UK Renewable Energy Policy and Legislation

- 5.79 The UK Government is legally committed to the delivery of a reduction in emissions to 'net zero' by 2050 (with the Scottish Government committing to 2045).
- 5.80 This section identifies recent shifts in UK-wide Renewable Energy Policy to accommodate this and summarises some key documents including:
- The CCC Annual Report to UK Parliament (June 2020);
 - National Audit Office report 'Achieving Net Zero' (December 2020);
 - The UK's Sixth Carbon Budget (December 2020);
 - The UK Energy White Paper (December 2020); and
 - The UK Net Zero Strategy (October 2021).
- 5.81 The CCC published a landmark report entitled 'Net Zero – UK's Contribution to Stopping Global Warming' in May 2019. The foreword sets out that "the CCC has reviewed the latest scientific evidence on climate change, including last year's IPCC special report on global warming of 1.50C and considered the appropriate role of the UK in the global challenge to limit future temperature increases". It adds, "Net Zero is a more fundamental aim than previous targets. By reducing emissions produced in the UK to zero, we *also end our contribution to rising global temperatures*".
- 5.82 The report makes recommendations for the UK economy including a new tougher emissions target of net zero green gases by 2050, therefore ending the UK's contribution to global warming within 30 years. This replaces the previous target of an 80% reduction by 2050 from a 1990 baseline and accords with the obligations under the Paris Agreement.
- 5.83 The report makes clear that at a UK level "current policy is insufficient for even the existing targets".
- 5.84 In June 2019 the Prime Minister Theresa May brought forward legislation to turn Net Zero into law, and the UK became the first major economy in the world to pass legislation to end its global warming contribution by 2050. The target is now legally binding via the provisions of the Climate Change Act 2008 (2050 Target Amendment) Order 2019.
- 5.85 The CCC Annual Report to Parliament (2020) offered an update on the progress towards Net Zero following adoption of the Net Zero Target.
- 5.86 The report states that in terms of building a resilient post-Covid economy, "*success requires that net zero emissions and improved climate resilience are integral*", whilst investments towards achieving net zero will "*help create jobs and stimulate economic recovery, whilst changing the course of UK emissions and improving our resilience to climate change*".
- 5.87 The National Audit Office offered an update report 'Achieving Net Zero' in December 2020 regarding progress on achieving Net Zero following the change to legislation in June 2019.
- 5.88 Key points from the report include that reducing emissions to achieve net zero will require wide ranging changes to the UK economy including further investment in renewable energy, changes "*unprecedented in their overall scale*".

- 5.89 Page 22 of the report sets out that a national fourfold increase in renewable energy capacity is needed.
- 5.90 The CCC set out the Sixth UK-wide carbon budget in December 2020 with recommendations from 2033 to 2037. This sets out the path the UK must follow to achieve Net Zero by 2050.
- 5.91 A key point includes the CCC's clear statement that new demand for electricity will mean that demand will rise 50% by 2035 and perhaps doubling or trebling by 2050.
- 5.92 The UK Energy White Paper in December 2020 set out a major shift in UK policy and highlights the importance of renewable forms of electricity. Page 38 states that a key objective is to "*accelerate the deployment of clean electricity generation through the 2020s*".
- 5.93 The UK Government then published the UK Net Zero Strategy in October 2021 which sets out the long term pathway to net zero by 2050, setting out the UK Government's plans to reduce emissions from each sector of the economy. It sets out within page 103 that the Government will support sustained deployment of low carbon generation and that there is a need to continue to drive rapid deployment of renewables.

Scottish Renewable Energy Policy

- 5.94 A climate emergency was declared in Scotland in April 2019, with Argyll and Bute Council opting to declare an emergency in late 2021.
- 5.95 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. However, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amends the 2009 Act and sets even more ambitious targets – which reflect the recommendations of the Committee on Climate Change (CCC) for a net zero greenhouse gas (GHG) emissions target by 2045 at the latest, with challenging interim stages – a 75% reduction target by 2030 and 90% by 2040.
- 5.96 This section identifies recent shifts in Scottish Renewable Energy Policy and summarises some key documents including:
- The Scottish Energy Strategy (2017)
 - Draft Energy Strategy and Just Transition Plan (2023)
 - The Committee on Climate Change (CCC) advice to the Scottish Government on recovery from the Covid-19 crisis (May 2020);
 - The recommendations from the Scottish Government's Advisory Group on Economic Recovery (June 2020);
 - The Report from the Climate Emergency Response Group (CERG) 'Eight Policy Packages for Scotland's Green Recovery' (July 2020);
 - The Update to the Climate Change Plan (December 2020);
 - The Scottish Energy Strategy Position Statement (March 2021);
 - Scottish Government's 'Bute House Agreement' (August 2021);

- Scottish Government Programme for Government 2021 – 2022; and
- The Onshore Wind Policy Statement (2022).

- 5.97 The Scottish Energy Strategy 2017 sets out the Scottish Government's overarching position on many forms of energy, including onshore wind. Specifically it states that "*onshore wind must continue to play a vital role in Scotland's future*"..."*which can be done in a way which is compatible with Scotland's magnificent landscapes*". The Energy Strategy is currently being updated, with a draft Energy Strategy accompanying the Just Transition Plan in early 2023. These reiterate the findings of the Onshore Wind Policy Statement, and aim to drive Scotland towards Net Zero by 20245, with a clear focus on the delivery of 12GW of new installed capacity by 2030.
- 5.98 The Draft Energy Strategy and Just Transition Plan (2023) states that we need to transform the way Scotland generates, transports and uses energy, in order to realise climate change ambitions. The requirement for an additional 12GW of onshore wind is a key policy facet of this document.
- 5.99 The CCC advice to the Scottish Government in May 2020 came after the Scottish Government approached the CCC requesting advice on a green recovery for Scotland in light of the Covid 19 pandemic. Within its response, the CCC sets out that "reducing greenhouse gas emissions and adapting to climate change should be integral to any recovery package". The CCC also note that many of the large infrastructure programmes are "*critical to preparing for climate change and achieving net zero emissions*". Reference is specifically made to onshore wind as part of the large infrastructure required, and the CCC add that "*acceleration of these projects should take priority*".
- 5.100 The Scottish Government's Advisory Group on Economic Recovery was formed to provide input to Government on Scotland's economic recovery post-Covid 19. The report provided to the Government in June 2020 recognises that there is a need to "*grasp the tremendous opportunities for a green recovery which such a transition offers*", and that the net zero imperative presents "*an increased and urgent challenge for existing policy, planning and licencing frameworks to identify and consent suitable projects with a sufficient level of impact in the light of the climate emergency*".
- 5.101 Shortly following the Economic Advisory Group's Report, the Report of the Climate Emergency Response Group (CERG) to the Scottish Government was published in July 2020, titled 'Eight Packages for Scotland's Green Recovery'. The CERG Report states that it "encourages the Scottish Government to embrace these policy packages as key components of its economic recovery plan for a fairer and greener Scotland", and that these should be reflected in key policy milestones. It states that green recovery must be investment led, and the Scottish Government must create "*an attractive policy environment for investors, resulting in a stronger business case for a climate neutral economy*". The Report concludes with the view that "*Scotland's response to Covid-19 is a massive opportunity to catapult and prioritise a just transition to a net carbon economy*".
- 5.102 In December 2020, the Scottish Government published an update to the Climate Change Plan, covering the period 2018 to 2032, and responding to the new requirement in Scotland to meet net zero by 2045. Page 9 in particular sets out the strategic goal of achieving "*decarbonisation across the whole energy system, including electricity*".

transport, industry and buildings" and "integrating climate change action into all of the decisions we make across Government".

- 5.103 The Update sets out the intention to prepare an Energy Strategy in 2021 and an updated Electricity Generation Policy Statement by 2022. Page 19 refers to a 2032 'pathway' whereby decisions take account of benefits across all energy sectors as well as economic and social benefits they create across Scotland. By 2032 it is intended that we will generate at least the equivalent of 50% of our energy from renewable sources. It is stated on page 18, importantly, that *"there will be a substantial increase in renewable generation, particularly through new offshore and onshore wind capacity"*.
- 5.104 The planning and consenting systems are recognised (p78) as remaining a *"critical enabler of rapid renewables deployment in Scotland"*. The Climate Change Plan Update expects that renewable energy generation is expected to increase substantially between now and 2032 with an expectation of the development of between 11 and 16GW of new capacity to meet a rapidly increasing electricity demand.
- 5.105 The Scottish Energy Strategy Position Statement (March 2021) reinforces the consistent theme of the Scottish Government's support for a green, fair and resilient economy. Onshore renewables is addressed within section 8 of the Statement where it is reported that *"the continued growth of Scotland's renewable energy industry is fundamental to enable us to achieve our ambition of creating sustainable jobs as we transition to net zero"*. It adds that the Scottish Government *"is committed to supporting the increase of onshore wind in the right places to help meet the target of net zero"*.
- 5.106 On 20th August 2021 the SNP-led Scottish Government and the Scottish Green Party signed the Bute House Agreement which represents a formal co-operation agreement for the next five years of Government. Page 12 of this agreement the Government set out that *"the climate emergency means we need to use the limited powers we have to accelerate the decarbonisation of our energy system...our plans will see a significant increase in electricity demand for heating and transport. To accommodate this, we will support the continued and accelerated deployment of renewable energy"*.
- 5.107 In order to achieve this, subject to consultation the Government and Green Party state they aim to deliver *"an additional 8 to 12 GW of installed onshore wind by 2030, supported by changes to the planning system needed to permit the growth of this essential zero carbon sector"*.
- 5.108 The Scottish Government's Programme for Government 2021-2022 followed the Bute House Agreement and is titled *"A Fairer, Greener Scotland"*. It is the intention of the Government that all applications over 50MW have 'National Development' status which if adopted would give further importance and status to Section 36 applications. The Programme again re-iterates the importance of securing a further 8 to 12 GW of onshore wind capacity by 2030.
- 5.109 The Onshore Wind Policy Statement (OWPS, 2022) replaces the previous version published in 2017 and makes it explicitly clear that seeking greater security of supply and lower cost electricity are now key drivers alongside the need to deal with the climate emergency. It

requires a minimum installed capacity of 20GW of onshore wind by 2030, with an additional 12GW installed between 2023 and 2030.

- 5.110 The OWPS states that deployment of onshore wind is “mission critical for meeting our climate targets” as an “affordable and reliable source of electricity generation”.

Argyll and Bute Landscape Wind Capacity Study

- 5.111 The LWECS was adopted in 2017 and whilst it is not part of the Development Plan, it forms a material consideration in the determination of onshore wind energy developments. It aims to guide decision makers in which areas of Argyll and Bute have landscape capacity for wind turbines. As has been recognised in several recent decisions, the LWECS does not contain up to date turbine technology but its characterisation of the Argyll landscape is useful.
- 5.112 The proposed development is situated within Landscape Character Type 6c: Mull of Kintyre Upland Forest Moor Mosaic. Full analysis of the proposed development against the LWECS is provided within the Planning Statement and Chapter 6: Landscape and Visual.

Summary

- 5.113 This chapter outlines the key national and local planning policies, guidance and other material considerations that are relevant to the proposed development, and which inform the EIA Report and design.
- 5.114 To maintain the impartiality of the EIA Report, the chapter does not assess whether the proposed development would comply with the identified policies. A separate Planning Statement which assesses the compliance of the proposed development with the Development Plan and other material considerations is also submitted as part of the application. The Planning Statement is separate from the EIA Report.