



Crossaig North, Argyll Proposed 275 kV Substation

Planning statement

February 2023

Contents

1.	Introduction and Overview	3
1.1	Background	3
1.2	Approach	3
1.3	The Development Plan	4
1.4	Key Facts	5
1.5	Structure of this Planning Statement	5
2.	The Site, Proposed Development & Design Approach	6
2.1	Site Location & Description	6
2.2	Site Selection and Planning History	6
2.3	The Proposed Development	7
2.4	Associated Development	8
2.5	Design Approach	9
3.	Appraisal against NPF4	10
3.1	How NPF4 is to be used	10
3.2	The National Spatial Strategy – Delivery of Sustainable Places	10
3.3	National Development	11
3.4	National Planning Policy	12
3.5	NPF4 Policy 1: Tackling the Climate and Nature Crisis	13
3.6	NPF4 Policy 11: Energy	14
3.7	NPF4 Policy 3: Biodiversity	19
3.8	NPF4 Policy 4: Natural Places	20
3.9	NPF4 Policy 5: Soils	20
3.10	NPF4 Policy 6: Forestry, Woodland and Trees	21
3.11	NPF4 Policy 7: Historic Assets and Places	22
3.12	Conclusions on NPF4 Appraisal	22
4.	Appraisal against the Local Development Plan	23
4.1	Introduction	23
4.2	The Local Development Plan (2015)	23
4.3	Supplementary Guidance	26
4.4	LDP2 – Proposed Plan	28
4.5	Conclusions on the LDP and related Guidance	28
5.	Do Material Considerations indicate otherwise?	29
5.1	Introduction	29
5.2	Local Guidance	29
5.3	The Climate Change and Renewable Energy legislative & Policy Framework	29
5.4	Conclusions on Material Considerations	36
6.	Conclusions	37
6.1	Conclusions	37
6.2	The Planning Balance	37
6.3	Overall Conclusion	39

1. Introduction and Overview

1.1 Background

- 1.1.1 Scottish Hydro Electric Transmission plc ('the Applicant') who, operating and known as Scottish and Southern Electricity Networks Transmission ('SSEN Transmission') has submitted a planning application for a National Development: namely for the "*Erection of high voltage electricity substation and formation of associated access, landscaping, drainage and means of enclosure and platform extension at existing Crossaig substation*" (the 'Proposed Development').
- 1.1.2 A new overhead line (OHL) with two steel lattice towers (the 'Associated Development') to connect the substation to the transmission network, will be consented separately under Section 37 of the Electricity Act 1989 ('the 1989 Act'). The Proposed Development and the Associated Development is hereafter referred to as 'the Project'.
- 1.1.3 This is an application for full planning permission for a development categorised as 'national development' within National Planning Framework 4 under National Development 3 (NAD3) entitled '*Strategic Renewable Electricity Generation and Transmission Infrastructure*'. The application therefore needs to be determined under national development procedures as outlined within the Development Management Regulations.
- 1.1.4 As the Transmission License holder in the North of Scotland, SSEN Transmission has a duty under section 9 of the 1989 Act to facilitate competition in the generation and supply of electricity. SSEN Transmission is obliged to offer non-discriminatory terms for connection to the Transmission system both for new generation and for new sources of electricity demand.
- 1.1.5 The proposal is to construct a new 275 / 132 kV substation immediately west of the existing Crossaig substation with an OHL tie-in to the existing Inveraray to Crossaig OHL, in order to provide reinforcement to the existing network which will be able to support the continued generation of renewable energy. The existing 132 kV Crossaig Substation is insufficient in size and capacity to accommodate the new 275 kV OHL and associated apparatus.
- 1.1.6 The primary driver for the Proposed Development arises from a sustained increase in renewable energy generation proposals applying to connect to the Argyll and Kintyre network. Analysis of these applications, alongside an assessment of existing infrastructure demonstrated that the existing network capability required to be reinforced. The new substation will connect with the recently constructed 275kV Inveraray to Crossaig OHL network delivered to enhance transmission and connection capacity. As such, reinforcement is being delivered in order to maintain compliance with the standards required as the network operator and to deliver provision for the projected increase capacity for existing and predicted new generation connections.
- 1.1.7 This report provides a Planning Statement to support the case for the Proposed Development, setting out what are considered to be the determining planning issues and highlighting material considerations. This provides clarity on the case for approval both in land use planning policy terms at the local (Argyll & Bute) level, and in relation to the wider national policy context for the delivery of electricity infrastructure to deliver the Government's legally binding 'net zero' commitments.

1.2 Approach

- 1.2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) (the "1997 Act") requires that planning decisions are taken in accordance with the statutory Development Plan unless material considerations indicate otherwise.
- 1.2.2 As such the key questions for the Proposed Development at Crossaig North Substation are:

- > Is the development as proposed consistent with Development Plan policy as set within the adopted Development Plan?
- > Are there material considerations that determine a decision should be made contrary to the Development Plan? Or do material matters further support the position that the Proposed Development should be approved?

1.2.3 In answering these questions consideration is given to whether:

- > the proposal is in the national interest;
- > there is an identifiable need for the Proposed Development; and
- > the environmental effects of the Proposed Development would be acceptable when considered against the Development Plan policy framework and material considerations.

1.2.4 The planning application is supported by an **Environmental Appraisal Report** (EA Report) which examines the environmental effects of the Proposed Development. Due to the nature of the proposal as engineering operations / plant and machinery, under exemptions stated at Regulation 13 (3) of the Development Management Regulations a Design and Access Statement (DAS) is not a statutory requirement for this application.

1.3 The Development Plan

1.3.1 The Fourth National Planning Framework (NPF4) came into force on 13th February 2023. As a result, the statutory Development Plan covering the Site comprises:

- > National Planning Framework 4 (NPF4) (February 2023);
- > The Argyll & Bute Local Development Plan (adopted March 2015) (ABLDP);
- > Supplementary Guidance (March 2016); and
- > Supplementary Guidance 2 (December 2016).

1.3.2 The ABLDP sets out the general planning policies for the Council area. A review is underway and consultation on the Proposed Plan (November 2019) was completed in January 2020. The LDP Examination has been concluded but adoption of a new LDP has not yet been confirmed. The Council has advised that all planning assessments will now include a dual assessment against the adopted LDP and any issues raised by relevant, unopposed elements of LDP2.

1.3.3 It is noted that the general LDP policy support for necessary infrastructure to facilitate sustainable development benefits in the area has not materially altered in LDP2.

1.3.4 The publication of NPF4 has coincided with the implementation of certain parts of the Planning (Scotland) Act 2019 (the 2019 Act). A key provision is that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, then whichever of them is the later in date will prevail. That will include where a LDP is silent on an issue that is now provided for in NPF4.

1.3.5 Section 13 of the 2019 Act amends Section 24 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act) to provide 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.”

1.3.6 In terms of emerging LDPs prepared prior to the adoption and publication of NPF4, the Chief Planner's Letter of 8th February states that it may be that there are opportunities to reconcile identified inconsistencies with NPF4 through the Examination process. In this case, the

emerging Argyll & Bute LDP is still in its Examination phase and is not expected to be adopted until spring 2023.

1.4 Key Facts

1.4.1 Key facts relevant to this planning application are:

- > The Proposed Development is identified in NPF4 as a **National Development under NAD3 Strategic Renewable Electricity Generation and Transmission Infrastructure** which recognises that “*the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity.*” The designation of classes of development that qualify as ND3 includes “**(b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132 kV or more**”.
- > The Proposed Development is for a **new 275kV substation to support a wider reinforcement and extension to the OHL infrastructure in the region enabling increased capacity to 275kV.**
- > The Proposed Development will contribute to **security of supply and provide increased and more resilient infrastructure capacity to facilitate renewable energy connections** in the wider area – all of which forms **vital elements to deliver reinforced network and grid infrastructure required to deliver the Government’s legally binding targets for net zero emissions and renewable energy electricity generation objectives.**
- > The Proposed Development will be delivered in such a way that it is environmentally acceptable and will include a **co-ordinated scheme of landscaping and screening** for the site.

1.5 Structure of this Planning Statement

1.5.1 This report seeks to address the pertinent issues relevant to the determination of the application to aide decision makers in their assessment and conclusions on the proposal.

1.5.2 The report is structured as follows:

- > Chapter 2 sets out a summary description of the site and Proposed Development. The siting and design approach is also referenced, with cross references as appropriate to the Design principles for the Proposed Development.
- > Chapter 3 addresses whether the Proposed Development is in accordance with the National Planning Framework 4.
- > Chapter 4 contains the consideration of the Proposed Development against the relevant policies of the Local Development Plan and Supplementary Guidance.
- > Chapter 5 examines relevant material considerations including energy policy matters.
- > Chapter 5 presents overall conclusions and a recommendation with regard to the application of section 25 of the 1997 Act.

2. The Site, Proposed Development & Design Approach

2.1 Site Location & Description

- 2.1.1 The Proposed Development is located in Argyll & Bute approximately 8 km southwest of the village of Claonaig and 1 km from the Firth of Clyde and would be accessed from the A83 using the existing Cross Kintyre Haul Road and the existing Cour Estate track (however cars and light goods vehicles (LGVs) may also use the B842).
- 2.1.2 The topography of the application Site is gently undulating throughout. The elevation of the Site ranges from 80 m Above Ordnance Survey Datum (AOD) to around 96 m AOD in the area of the proposed substation.
- 2.1.3 The Proposed Development is located in an area of commercial forestry with low conservation value, as well as an area of semi-natural broadleaved woodland with higher ecological importance. A watercourse is located adjacent to the south west corner of the Proposed Development. A number of Private Water Supplies (PWS) are located in proximity to the Proposed Development within the wider area.
- 2.1.4 Habitat is dominated by the mature conifer plantation woodland which has a boggy understorey in places that are associated with natural watercourses or dysfunctional drainage. Other habitats occur to the east, with marshy and neutral grassland and areas of broadleaved woodland and continuous scrub being the most frequent characteristics.
- 2.1.5 No sites designated for their nature conservation importance lie within the Proposed Development site. Ten sites lie within 10 km of the Site with the closest being Kintyre Goose Roosts Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI), which are located approximately 2.5 km north west of the proposed substation Site.
- 2.1.6 The existing access track runs from the west coast of the Kintyre peninsula, starting at the A83 near Killean, heading east before finishing south of the existing Crossaig substation. Adjacent to the access track, heath communities are present, including an expanse of blanket bog at the highest point. The nearest designated site to the existing access track is the Sound of Gigha SPA which is located approximately 0.67 km west of the track. Eight woodlands listed on the Ancient Woodland Inventory (AWI) also lie adjacent to the existing track.
- 2.1.7 There are no designated heritage assets within the Proposed Development area. One Category A Listed Building, Cour House, is located within 1.8 km of the Proposed Development. One group of A Listed Buildings – North Wing, North Range, The Doll's House, Killean are located approximately 40 m from the existing works access track, and one Schedule Monument, Fort NE of Killean lies approximately 45 m from the same.
- 2.1.8 The nearest residential receptor to the Project is South Crossaig, located approximately 800 m north of the Proposed Development.

2.2 Site Selection and Planning History

- 2.2.1 The need for a new substation in the location to support the Inverary – Crossaig 275kV OHL project instigated a site selection exercise. A draft Environmental Site Selection Study was completed in June 2021 which sought to identify potential site options and evaluate them against an agreed set of environmental criteria, in order to identify and environmentally preferred site options and clarify any further environmental issues to be considered at the detailed design stage.

- 2.2.2 A total of seven potential Site Options were identified. The selection of the preferred substation Site Option (known as CG2) was undertaken through an appraisal of operational technical, health and safety, economic and environmental factors. Further detailed information on each site option and the appraisal process is provided in Chapter 2 of the EA Report. Importantly key issues for each site were assessed enabling a balanced decision to be taken considering factors such as risk of significant effect on designated sites, potential to design in mitigation that reduces significant effects, potential to reduce carbon footprint and pollution, potential impacts on visual amenity and potential cumulative effects.
- 2.2.3 The preferred site was chosen as it has lower potential for environmental, engineering and cost constraints and greater opportunities to mitigate potential constraints such as providing an appropriate watercourse buffer and the use of micro-siting to minimise adverse effects thereof. Critically the preferred site option gives rise to lesser noise and salt pollution effects than other preferred sites. The site benefits from proximity to the existing substation and this is an important consideration.

2.3 The Proposed Development

- 2.3.1 The Proposed Development comprises a new 275 / 132 kV electricity substation, which will connect to the recently constructed 275kV Inverary to Crossaig OHL network to reinforce the existing network in order to support continued renewable energy generation connections and the wider electricity network.

The Proposed Development – Summary Elements

- 2.3.2 The Proposed Development comprises a number of key elements as follows:
- > A substation platform of approximately 2.4 hectares (ha) for the new Crossaig North Substation;
 - > 275 kV Gas Insulated Switchgear (GIS) Building, maximum height 16 m;
 - > 132 kV Gas Insulated Switchgear (GIS) Building, maximum height 16 m;
 - > Two 275/132 kV Supergrid Transformers (SGTs), rated at 480 MVA, each located in a ventilated building of maximum height 18m;
 - > Two gantries and electrical equipment to connect the OHL and the proposed substation;
 - > A temporary works areas (TWA) adjacent to the substation site, of approximately 3 ha, and areas for temporary peat storage;
 - > Diesel generator and two automatic voltage regulators;
 - > Borehole for water and septic tank;
 - > Turning and parking areas;
 - > Foul and surface water drainage (Sustainable Urban Drainage System (SUDs) pond and outfall pipe;
 - > Use of existing forestry track (Cross Kintyre Haul Road and Cour Estate Track), approximately 25 km in length to the existing Crossaig substation. Maintenance of this track will be required;
 - > Construction of permanent access track, approximately 660 m in length between the existing Crossaig and the proposed Crossaig North substation and for SUDs pond access;
 - > A 2.4 m high security fence of palisade construction around the substation perimeter;

- > An extension to the south of the substation platform at the existing Crossaig substation of approximately 0.13 ha to support electrical equipment and associated access provision.

2.3.3 In addition, tree felling will be required as described in Chapter 5 Forestry of the EA Report.

2.3.4 Works within the existing operational Crossaig Substation platform area will be undertaken under Permitted Development Rights, including the construction of a single storey building extension to extend the protection room and enable installation of new electrical equipment. The proposed 132 kV interconnector cables between the existing substation and the proposed substation will be undergrounded via Permitted Development rights.

2.3.5 A full description of the construction and access works programme is provided at Section 2 of the EA. It is proposed that a Traffic Management Plan (TMP) will be prepared and agreed with ABC in advance of construction. This will include traffic management measures to ensure that the proposed development will not have an unacceptable impact on the public road network of nearby road users.

2.3.6 An outline Peat Management Plan has been prepared to manage potential impacts on peat. This will be updated by the applicant's appointed Contractor.

2.3.7 It is not proposed to illuminate the substation at night for normal operation. Flood lights would be installed but only used in the event of a fault during the hours of darkness, or during the over-run of planned maintenance works, or when sensor activated as security lighting for night-time access.

2.3.8 Other potential effects of construction will be considered within a Construction Environmental Management Plan (CEMP) to ensure that commitments to mitigate environmental impacts that may arise are delivered.

2.4 Associated Development

2.4.1 The Associated Development comprises the construction of a new OHL section and associated towers in order to connect the proposed development to the new 275kV OHL. The Associated Development would comprise:

- > Construction of one new terminal lattice steel tower and one new lattice steel angle tower to support a new OHL connection from the existing Inveraray to Crossaig OHL into the new 275 kV Crossaig North substation including new downlead terminations from the terminal tower to the substation gantries;
- > Four temporary towers or masts and associated temporary OHL diversion to facilitate the build of the new towers to avoid double-circuit network outages;
- > A new section of permanent access track of approximately 225 m long connecting the Crossaig North substation to the southern most proposed permanent (terminal) tower and a 25 m long track connecting the northern most proposed permanent (angle) tower to the existing track;
- > A temporary access track of 134 m long, connecting the existing private forestry tracks to the northern most proposed temporary tower;
- > A temporary access track of 22.7 m long connecting existing private forestry tracks to the third most southerly proposed temporary tower; and
- > Dismantling of three redundant lattice steel towers, situated on entry to the existing Crossaig substation.
- > In addition tree felling will be required.

2.4.2 These works will be progressed via a separate Section 37 application to the Electricity Consents Unit (ECU) in tandem with the Proposed Development planning application.

2.4.3 A detailed **Project Description is provided in Chapter 2 of the EA Report.**

2.5 Design Approach

2.5.1 The substation design is driven by a number of technical considerations and once operational will have restricted access for security and health and safety reasons. As such, no public access will be allowed to the site.

2.5.2 Along with the technical requirements which determine the design, it has also been important to consider the site context, layout and screening provisions within the existing landscape.

2.5.3 The key design principles followed are in summary:

- > Optimise the development 'footprint' to minimise visual impact in the wider landscape and utilise existing screening afforded by forestry and landform.
- > Minimise the disturbance or displacement of protected species.
- > Utilise existing access and minimise need for land take with regard to reducing potential disturbance on natural and human environment.
- > Minimise traffic required during construction.
- > Minimise the potential impact on nearby sensitive human receptors during construction and operation.
- > Propose appropriate architectural form, colour and materials.
- > Avoid sensitive habitats and look to replace any valuable habitats as part of the long-term management of the Site.
- > Locating the substation a distance of up to 1km on either side of the recently constructed Inveraray to Crossaig 275 kV OHL.
- > Ensure the layout is carefully considered to minimise impact on peat and ensure reuse where possible.
- > Landscape mitigation measures, using locally native species.

3. Appraisal against NPF4

3.1 How NPF4 is to be used

3.1.1 NPF4 came into force and became part of the statutory Development Plan on 13th February 2023.

3.1.2 Annex A (page 94) of the document explains how NPF4 is to be used. It states:

"The purpose of planning is to manage the development and use of land in the long-term public interest ... Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places."

3.1.3 Annex A states that NPF4 is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It adds:

"It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals¹. NPF4 includes a long-term spatial strategy to 2045."

3.1.4 NPF4 contains a Spatial Strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan² (IIP).

3.1.5 NPF4 therefore for the first time, introduces centralised development management policies which are to be applied Scotland wide. It also provides guidance to Planning Authorities with regard to the content and preparation of LDPs.

3.2 The National Spatial Strategy – Delivery of Sustainable Places

3.2.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):

"The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change."

3.2.2 The principles are stated as playing a key role in delivering the United Nations Sustainable Development Goals and the Scottish Government's National Performance Framework³.

3.2.3 The Spatial Strategy is aimed at supporting the delivery of:

- > 'Sustainable Places': "where we reduce emissions, restore and better connect biodiversity";
- > 'Liveable Places': "where we can all live better, healthier lives"; and

¹ The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include *inter alia* 'affordable and clean energy' and 'climate action'.

² The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive net zero emissions economy.

³ The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

- > 'Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".

3.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

"Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030.....Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment."

3.2.5 The new Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4) was published as a consultative draft on 10 January 2023 (see below).

3.2.6 The National Spatial Strategy in relation to 'sustainable places' is described (page 7) as follows:

"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."

Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.

Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."

3.2.7 Six National Developments (NADs) support the delivery of sustainable places, one (NAD3) being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

3.2.8 A summary description of NAD3 is provided at page 7 of NPF4 as follows:

"Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply".

3.2.9 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regard to reducing greenhouse gas emissions. It states:

"The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment."

3.2.10 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy. Recognising that tackling climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

3.3 National Development

3.3.1 NPF4 describes 'National Developments' as "*significant developments of national importance that will help to deliver the spatial strategy ... National development status does not grant planning permission for the development and all relevant consents are required*".

3.3.2 NAD3 states in full:

"This national development supports renewable electricity generation, repowering, and expansion of the electricity grid."

A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions.

3.3.3 The location for NAD3 is set out as being all of Scotland and in terms of need it is described as:

"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."

3.3.4 Reference is made to the designation and classes of development which would qualify as NAD3, and it states in this regard:

"A development contributing to 'Strategic Renewable Electricity Generation and Transmission' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development:

(a) on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity;

(b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and

(c) new and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations."

3.3.5 The Proposed Development comprises proposals for a substation in excess of 132 kV and subsection (b) is therefore applicable and it has National Development status.

3.4 National Planning Policy

3.4.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.

3.4.2 Page 98 of NPF4 states that with regard to LDPs, the focus should be on land allocation through the spatial strategy and interpreting national policy in a local context. It states:

"There is no need for LDPs to replicate policies within NPF4, but authorities can add further detail including local specific policies should they consider to be a need to do so, based on the area's individual characteristics".

3.4.3 In terms of planning, development management and the application of the national level policies, NPF4 states:

"The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision

maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies".

3.4.4 In terms of “sustainable places” relevant policies to the proposed development include the following:

- > Policy 1: Tackling the Climate and Nature Crisis;
- > Policy 3: Biodiversity;
- > Policy 4: Natural Places;
- > Policy 5: Soils;
- > Policy 6: Forestry, Woodland and Trees;
- > Policy 7: Historic Assets and Places; and
- > Policy 11: Energy.

3.4.5 The Chief Planner’s Letter of 8th February 2023 provides advice in relation to applying NPF4 policy. It states that the application of planning judgement to the circumstances of an individual situation remains essential for all decision making, informed by principles of proportionality and reasonableness. It states:

“It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement.”

3.4.6 The Letter adds:

“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 the provision of NPF and the 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”.

3.5 NPF4 Policy 1: Tackling the Climate and Nature Crisis

3.5.1 The intent of Policy 1 is “to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis”.

3.5.2 **Policy 1** directs decision makers that “when considering all development proposals significant weight will be given to the global climate and nature crises.”

3.5.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker.

3.5.4 The Chief Planner’s Letter of 8th February 2023 gives some guidance with regard to Policy 1. It states that the policy should be applied together with the other policies in NPF4 and that:

“It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crisis”.

3.5.5 It is considered that given the nature of the Proposed Development and its specific contribution to delivering grid reinforcement including new infrastructure to connect and transmit the output from new generation sources, that it should be afforded significant weight in terms of tackling the climate and indeed the nature crisis.

3.6 NPF4 Policy 11: Energy

3.6.1 For the consideration of electricity grid reinforcement proposals, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

"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 emission technologies including hydrogen and carbon capture utilisation and storage."

3.6.2 Policy Outcomes are identified as: *"expansion of renewable, low carbon and zero emission technologies"*.

3.6.3 The policy wording is set out below:

"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These 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.*

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) 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.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity”.

- 3.6.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation of grid infrastructure which the proposed development, as a nationally important development would help further.
- 3.6.5 The wording of **Policy 11(a)(ii)** makes it clear that the policy directly supports new grid transmission and distribution infrastructure. This is corroborated by the statement of need of NAD3 as detailed above.
- 3.6.6 **Policy 11 (b)** is not relevant to the consideration of the Proposed Development as the project is not for a wind farm.
- 3.6.7 **Part c) of Policy 11** states that proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. In terms of employment opportunities, Chapter 1 of the EA states that: “Employment of construction staff will be the responsibility of the Principal Contractor but SSEN Transmission encourages the Principal Contractor to make use of suitable labour and resources from areas local to the location of the works”. In a wider context, the Project will facilitate the transmission of energy generated from renewable energy developments and therefore make an additional indirect contribution to the local economy.
- 3.6.8 **Part d) of Policy 11** states that development proposals that impact on international and national designations “*will be assessed in relation to Policy 4*”. An assessment of environmental impacts is provided within the EA Report however no impacts on national or international designations are identified for the Project.
- 3.6.9 **Paragraph e) of Policy 11** states that project and design and mitigation “*will demonstrate how*” impacts are addressed. These are listed in the quotation of the policy above. An EA Report has been provided in support of the application which provides and assessment of each of these issues in more detail. The EA Report provides a clear description of where mitigation has been utilised to minimise effect through both embedded mitigation via design

and additional mitigation to ensure residual effects are not significant. This demonstrates that there are no issues arising with regard to the various considerations listed.

3.6.10 A summary relevant to the key criteria listed in Policy 11 (e) is provided below:

Amenity (noise)

3.6.11 **Criteria e) (i) of Policy 11** states that impacts on communities and individual dwellings including as relevant in this instance, noise, should be addressed within submission. The EA Report, Chapter 8 provides the findings of a noise (and vibration) assessment and considers the effects of noise on noise-sensitive receptors (NSRs) due to potential construction noise and potential noise emissions from the operational substation. The findings show that no significant adverse effects will arise as a consequence of the construction or operation of the Proposed Development. There are no other negative issues arising from the Proposed Development in terms of impact on communities given the rural screened location.

Landscape and visual)

3.6.12 **Criteria e) (ii) of Policy 11** states that significant landscape and visual impacts should be assessed and addressed within proposals and provides that where impacts are localised and / or appropriate design mitigation has been applied, they will generally be considered to be acceptable.

3.6.13 Chapter 3 of the EA Report addresses landscape and visual matters. In summary the proposed Crossaig North substation will extend a pocket of generally well-enclosed electricity infrastructure within a wider rural setting. It is concluded that the Proposed Development could be accommodated with very limited localised effects on landscape character and visual amenity and is wholly consistent with the provisions of Policy 11.

3.6.14 The Proposed Development is located in an area of actively managed commercial forestry and will result in the permanent loss of a localised area of that forestry, which represents an extremely small parcel of land within the wider expansive area, immediately adjacent to existing electricity infrastructure. The infrastructure nearby includes the existing Crossaig Substation and associated high voltage overhead power lines.

3.6.15 An assessment of the landscape effects is considered to be very localised, primarily focused within approximately 100-200m, accounting for a small part of the Plateau Moor and Forest LCT. The effects on the overall LCT are considered to be extremely limited. No notable effects on surrounding landscape character areas or designations are predicted .

3.6.16 Visual effects are considered to be extremely restricted based on the location of the Proposed Development which benefits from a high degree of visual enclosure based on surrounding forestry and nearby elements of infrastructure. Potential views would be restricted by a combination of intervening landform, woodland and forestry. It is considered that the Proposed Development would represent a very minor element within the most open views and would in the main be fully screened in wider vistas.

3.6.17 An assessment of the Associated Development has also been undertaken and it is stated that this would be visible over a wider area (due to its height), although it would also be part-screened by forestry and will be viewed in the context of existing tower infrastructure located in the foreground. The effects would also be offset by the removal of three towers on the existing Inveraray to Crossaig OHL. On balance the assessment considers that there will be no notable effects on views experienced by residents, road users or recreational receptors.

3.6.18 Cumulatively the Project further reinforces the presence of power-related infrastructure in the area, with a particular relationship to the existing Crossaig Substation, the consented High Constellation Substation and associated overhead power lines. The assessment concludes that the end result would be a very slight increase in the influences of electricity infrastructure in a westerly direction – moving further into a larger surrounding area of commercial forestry. The effect of the cover from the forestry helps to contain the development and prevents the

spread of potential cumulative effects on landscape character. It is assessed therefore that the Proposed Development would not have notable effects on landscape designations or views experienced by residents, road users or recreational receptors.

- 3.6.19 No significant effects on the natural environment are predicted. The design and siting of the proposal does not give rise to an adverse effect on national, regional or local designated sites. The development is of strategic importance for the delivery of essential new grid transmission infrastructure to support renewable generation projects and the enhance security of supply. No designated sites are affected by the Proposed Development.

Roads & Traffic

- 3.6.20 **Criteria e) (vi) of Policy 11** relates to impacts on road traffic and on adjacent trunk roads, including during construction, Chapter 9 of the EA Report considers this in detail and determines that no significant adverse effects, after mitigation, are identified during construction or operation.

- 3.6.21 The estimated number of combined vehicle movements during construction in the peak construction period is identified as resulting in a 2.8% increase in daily total vehicle movements on the A83 which is not assessed as significant. The proposed mitigation will be provided by way of a Construction Traffic Management Plan (CTMP) identifying appropriate and safe routes and laying out measures for the delivery of abnormal loads to be restricted outwith peak hours, measures to minimise dust and use of appropriate signage to warn motorists of construction traffic, with restricted speeds and other associated measures.

Historic Environment

- 3.6.22 **Criteria e) (vii) of Policy 11** seeks clarification on the design and mitigation proposed to address potential impacts on the historic environment. An assessment of effects of the Proposed Development on cultural heritage and archaeology has been undertaken and is reported in Chapter 7 of the EA Report.
- 3.6.23 No adverse effects on historic assets are predicted and mitigation measures are proposed, in line with best practise, to protect any unidentified assets found during construction e.g. a watching brief. Where potential effects on known assets are identified - potential along the access track depending on extent of upgrades required – mitigation has been proposed including fencing to protect assets and implementation of a watching brief – such that the predicted effects are again assessed as not significant. However, as only maintenance work is being undertaken as part of this application, these impacts and mitigation are not relevant.
- 3.6.24 No designated assets are affected by the Proposed Development and appropriate mitigation by design and secondary mitigation are proposed to provide a further level of protection to known and unknown assets.

Hydrology, Hydrogeology & Flooding

- 3.6.25 **Criteria e) (viii) of Policy 11** seeks assurances on the effects on hydrology, the water environment and flood risk. Chapter 6 of the EA Report provides an assessment of the Proposed Development in this regard. The Applicant has proposed appropriate design, mitigation and restoration for peatland and carbon rich soil matters as outlined in Annex O Peat Management Plan and Annex P Peat Landslide Hazard Risk Assessment. The proposed forestry felling will enhance areas of the site to be reinstated as bog / mire habitat through removal of the commercial forestry plantation.

Biodiversity

- 3.6.26 **Criteria e) (ix) of Policy 11** relate to biodiversity including impacts on birds. An EA Report has been submitted which identifies that no significant adverse effects on habitats or nature networks are predicted as a result of the construction or operation of the Proposed Development. The site is located within commercial forestry adjacent to an area

characterised by existing transmission infrastructure and established disturbances from their operation thereof.

- 3.6.27 No sites designated for their nature conservation importance lie within the Proposed Development boundary. Ten sites lie within 10 km with the closes being approximately 5 km west and south west of the site, being the Kintyre Goose Roosts Special Protected Area (SPA). The Sound of Gigha SPA is located circa 0.67 km west of the red line boundary of the access track to the site. In the main the project area is dominated by commercial forestry (felled on rotational basis) and habitat in and around the Proposed Development footprint is dominated by mature conifer woodland with boggy understorey that are associated with natural watercourses and dysfunctional drainage. A Habitats Regulations Appraisal (HRA) is included as Annex I of the EA, due to potential disturbance to Loch na Naich, adjacent to the Cross Kintyre Haul Road, which supports qualifying species of the Kintyre Goose Roosts SPA. This HRA concludes that there will be no adverse effect on site integrity.
- 3.6.28 The habitats and flora identified within the footprint of the Proposed Development were found to be of low botanical value and are common in the wider area. No signs of protected species were found, and habitat present within the footprint are unlikely to supported protected species. Mitigation to protect any unidentified species is proposed in the form of a pre-construction check.
- 3.6.29 The mitigation hierarchy has been followed to avoid harm to ecological features through careful site selection and mitigating effects through embedded and additional mitigation measures to ensure no residual effects. Mitigation measures include site selection to avoid sensitive areas for biodiversity, Construction Environmental Management Plans (CEMP), General Environmental Management Plan (GEMPs), Species Protection Plans (SPPs) and the Construction Traffic Management Plan (CTMP). A number of additional mitigation measures including fencing off and signage identifying key features to protect, avoiding night time works, reptile removal to adjacent habitats if required, avoiding habitat removal in breeding bird seasons, and controlling light pollution are also proposed.
- 3.6.30 Following the implementation of these measures no significant residual impacts on sensitive receptors are predicted as a result of the Proposed Development.
- 3.6.31 Compensation for the permanent loss of habitat due to the Proposed Development has been implemented through the use of the Applicant's Biodiversity Net Gain metric which will lead to the reinstatement of peatland edge woodland and bog / mire habitats. Any further biodiversity enhancement will be undertaken offsite and could be subject to an appropriately worded condition to agree approach and degree of enhancement relative to effect at that time.

Trees, woods and forests

- 3.6.32 **Paragraph e)(x) of Policy 11** pertains to impacts on trees, woods and forests. In this instance whilst loss of commercial forestry will result due to clearance to accommodate the Project, the overall effect is considered 'not significant' given the percentage of overall loss to the wide resource in this area is 0.009% and full compensatory planting is proposed. Further consideration of this is provided below relative to Policy 6: Forestry, Woodland and Trees.

Cumulative impacts

- 3.6.33 **Paragraph e) (xiii) of Policy 11** require the consideration of the cumulative effects of development. The assessment of cumulative impacts is provided in each EA Report chapter and concludes no predicted significant adverse effects.

Other Matters

- 3.6.34 The other criteria listed in Policy 11 (iii, iv, xi and xii) covering public access, aviation, decommissioning and site restoration are scoped out of the EA Report and pertain to wind farm proposals rather than grid transmission infrastructure. No contravention of the purposes of these criteria arises as a result of the Proposed Development.

Balancing the Contribution of a Development and Conclusions on Policy 11

- 3.6.35 The Proposed Development is therefore considered to be acceptable in relation to all of Policy 11's criteria.
- 3.6.36 The second last paragraph of **Part e) of Policy 11** is expressly clear that in considering any identified impacts of developments, that significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets.
- 3.6.37 The "contributions" are inextricably related to the scale of the proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.
- 3.6.38 In terms of contribution to targets, as a national development, the primary driver for the Proposed Development arises from a sustained increase in renewable energy generation proposals applying to connect to the Argyll and Kintyre network. The grid enhancement is required to support this increase in renewable generation. Other benefits arising from the delivery of new infrastructure relate to enhanced security of supply and efficiencies in new infrastructure and equipment.
- 3.6.39 The Proposed Development facilitates renewable connections and transmission and is of national importance.

3.7 NPF4 Policy 3: Biodiversity

- 3.7.1 **Policy 3** requires developments to, wherever feasible, provide nature-based solutions that have been integrated and made best use of, and for, significant biodiversity enhancements to be provided.
- 3.7.2 It should be noted that Policy 3 does not provide any guidance on how 'significant enhancements' will be measured and assessed, simply referring to "*best practice assessment methods*". In addition, in relation to the relevant wording in Policy 3, the Explanatory Report (as noted, issued alongside Revised Draft NPF4) states:
- "The Scottish Government have commissioned research to explore options for developing a biodiversity metric or other tool, specifically for use in Scotland. This work is at early stages, we will work with NatureScot on a programme of engagement with stakeholders as this work progresses.*
- 3.7.3 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance, but timescale for the production of this is at present unclear. The Scottish Government also issued a draft Biodiversity Strategy in December 2022 however it does not contain national biodiversity targets – these are to be prepared on a statutory basis later in 2023 and will be subject to a Bill in Parliament.
- 3.7.4 The Chief Planner's Letter of 8th February 2023 provides some further guidance with regard to Policy 3. It confirms that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and it reiterates that research has been commissioned to explore options for developing a biodiversity metric or other tool for use in Scotland. It adds that there will be some proposals which will not give rise to opportunities to contribute to the enhancement of biodiversity "*and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case*".
- 3.7.5 An EA Report has been submitted which identifies that no significant adverse effects on habitats or nature networks are predicted as a result of the construction or operation of the Proposed Development. The site is located within commercial forestry adjacent to an area characterised by existing transmission infrastructure and established disturbances from their operation thereof.

- 3.7.6 The Applicant recognises the significant environmental interaction that arise through the activities we undertake in Scotland. With this work comes a responsibility to design and build projects in a manner which accounts for impacts on biodiversity. As a result, the Applicant has a commitment to designing biodiversity enhancements in all projects so that they leave the natural environment in a demonstrable better state than before development started. The aim is to reduce biodiversity loss, protect the vital ecosystem services provided, consider all opportunities for habitat restoration, and strengthen natural ecosystem reliance.
- 3.7.7 The Applicant is working towards halting the trend of habitat decline and degradation and is developing mechanisms to transform how they develop infrastructure in a way that produces tangibly positive impacts for biodiversity.
- 3.7.8 For this project the removing of non-native conifers from around the substation will allow for natural regeneration of the surrounding wetlands. More detailed information on the proposed biodiversity enhancement strategy for this project will be specified in a separate document to follow. It is proposed that a suitably worded condition can manage the detail and delivery of agreed approaches appropriately.

3.8 NPF4 Policy 4: Natural Places

Policy 4 deals with national and local landscape designations. Policy states that proposals which *“have an unacceptable impact on the natural environment will not be supported. Where significant adverse effects arise on nationally important designations they must be clearly outweighed by social, environmental or economic benefits of national importance”*. Equally, *“Development proposals that affect a site designated as ...a local landscape area in the LDP will only be supported where:*

- > *Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- > *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance”*.

- 3.8.1 Policy 4 provides that the precautionary principle will be applied and states that where adverse effects on species protected by legislation occur, proposals will only be supported where they meet the relevant statutory tests. Importantly NPF4 Policy 4 introduces a new balancing mechanism between adverse effects and the benefits of the Proposed Development overall with the threshold to be used of ‘at least local importance’ in terms of landscape effects.
- 3.8.2 No designated sites are located within the site and no adverse effects on adjacent nationally or internationally designated sites are identified. Information has been submitted to support an appropriate assessment to geese on a loch which is considered a supporting habitat for the Kintyre Goose Roosts SPA along the access, track, but the assessment has concluded no adverse effect on site integrity, after mitigation. As such, no significant adverse effects on national or local designations arise as a result of the proposed Development. The Proposals are not therefore required to be assessed further against Policy 4.

3.9 NPF4 Policy 5: Soils

- 3.9.1 In terms of soils, **Policy 5** states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects. The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position previously referenced in Scottish Planning Policy (SPP); however, a key difference is that essential infrastructure is one of the types of development expressly envisaged to be acceptable in principle on peatlands (Paragraph c (i)). The delivery of grid transmission network infrastructure is considered compatible in this regard in terms of its requirement to facilitate renewable energy proposals.

3.9.2 A site-specific assessment has been carried out and confirms that the likely effects on carbon rich soils / priority peatland are not significant. The Peat Management Plan (PMP) in Annex O of the EIA Report sets out that excavated peat will be sensitively handled and stored on-site to allow for effective re-use and that micro-siting will be used to avoid areas of deeper peat where possible.

3.9.3 The Proposed Development is considered to be in accordance with NPF4 Policy 5.

3.10 NPF4 Policy 6: Forestry, Woodland and Trees

3.10.1 Policy 6 seeks to protect and expand forests, woodlands and trees ensuring that existing woodland and trees are protected, and cover is expanded and seeks to ensure that woodland and trees on development sites are sustainably managed. The Policy supports proposals that enhance and expand or improve woodland and tree cover and will not support proposals where they result in the loss of ancient woodland, or have an adverse impact on their ecological condition, or where adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value will occur. Fragmentation or severing woodland habitats, unless mitigated will not be supported.

3.10.2 Where woodland removal is required it “*will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.*” (Part c) of Policy 6).

3.10.3 Chapter 5 of the EA Report considers Forestry and Woodland. The loss of woodland associated with the Proposed and Associated Developments would equate to 0.009% of the commercial plantation resource in this area. The loss of young coniferous woodland required to facilitate the development has been assessed as having a low magnitude of change, while the loss of mature coniferous woodland has been assessed as having a high magnitude of change. This is based on the context of the regional resource and the low sensitivity type of the woodland present within the site boundary.

3.10.4 Due to the loss of woodland required to facilitate the Proposed Development and its Associated Development, a number of mitigation measures are proposed. In terms of the construction of the Proposed Development routine visual inspections of the conifer felling boundary will be undertaken to monitor tree stability. Once areas within the site boundary are replanted with broadleaved trees and shrubs as indicated on plans, and sufficient time has passed to enable woodland establishment, windfirm woodland edges will develop. This, alongside good practice working methods will ensure significant effects on ecological and hydrological receptors and the wider forest receptors are avoided.

3.10.5 To address potential significant effects on forest land-use management, the Applicant has produced a Woodland Report which identifies all areas of felling required and will be coordinated with the woodland properties felling programme. The proposed felling operations will comply with UKFS guidelines to further mitigate the effect on the wider forest.

3.10.6 During operation the Applicant is fully committed to meeting the Control of Woodland Removal Policy objectives set out by the Scottish Government. The primary objective is no net loss of woodland resulting from the development. This will be achieved through Compensatory Planting Schemes which will involve replanting on-site and agreements with off-site landowners within the Argyll and Bute Authority area, as well as working with landowners to address potential effects on LTFPs or management systems.

3.10.7 A total of 11.13 ha is targeted with a total of 4.97 ha off-site compensatory planting required. In terms of the mitigation for woodland loss, it has been deemed acceptable that woodland loss will be recovered through a compensatory planting scheme and no other mitigation has been recommended. Compensatory planting is proposed both on-site and off-site so that there will be no net loss of woodland.

3.10.8 The Proposed Development for the Crossaig North substation will result in the loss of 0.009% of the commercial woodland resource in the area. No adverse effect on ecological or hydrological condition is predicted after mitigation. The area of development is assessed within the EA Report as low biodiversity/ecological value given the commercial operation on site, and the associated poor soil condition. In addition, the delivery of the Proposed Development brings significant public and environmental benefit through the required upgrade and enhancement of the grid required in order to deliver increased capacity for renewable connections and to deliver security of supply to the area. The proposals are national development as described in NAD3 and are consistent with Policy 11 – Energy as discussed previously.

3.10.9 The Proposed Development is therefore considered to be in accordance with NPF4 Policy 6.

3.11 NPF4 Policy 7: Historic Assets and Places

3.11.1 In terms of Historic Assets and Places, Policy 7 seeks to protect assets to enable positive change as a catalyst for regeneration of places. Proposals which have potential significant impacts must be accompanied by an assessment and identify clearly their impact and provide a sound basis for managing the impact of change. Development which affects scheduled monuments will only be supported where direct impacts and significant adverse impact on integrity of setting are avoided, or where exceptional circumstances have been demonstrated and effects have been shown to be minimised.

3.11.2 An assessment of potential effects on cultural heritage assets has been completed and no significant impacts are predicted as a result of the Proposed Development on historic assets or places, and as such proposals are consistent with NPF4 Policy 7.

3.12 Conclusions on NPF4 Appraisal

3.12.1 The assessment demonstrates how environmental interests have been considered in terms of design mitigation, embedded within the design and siting approach for the Proposed Development. Delivery of this key strategic electricity infrastructure project will play a critical role in the drive to enhance grid transmission and is identified within NPF4 as ‘national development’.

3.12.2 The Proposed Development is in accordance with the relevant policies of NPF4. Significant weight is afforded in relation to Policy 1 in terms of tackling the climate and nature crisis, the Chief Planners letter dated 8th February 2023 provides clarity in this regard and directs that priority should be given in all decisions to proposals which seek to address the climate and nature crises, and provides that “*it is for the decision maker to determine whether the significant weight to be applied tips the balance in favour of, or against a proposal based on the basis of its positive or negative contribution to the climate and nature crises*”.

3.12.3 In this case the project seeks to deliver necessary grid enhancement to facilitate committed and projected renewable generation connections and ensure security of supply. In doing so, every effort has been made to ensure the environmental impact of development is minimised and where possible, in tandem, the development seeks to ensure nature benefits and enhancements are achieved. Policy 11 is the lead policy for the Proposed Development and it has been demonstrated that the criteria in 11 (e) have been addressed satisfactorily. The effects of the development need to be considered in the context of the benefits it would give rise to, which Policy 11 states need to be afforded significant weight in the determination process.

4. Appraisal against the Local Development Plan

4.1 Introduction

4.1.1 The other elements of the statutory Development Plan covering the Site comprise the following:-

- > The Argyll & Bute Local Development Plan (adopted March 2015) (LDP);
- > Supplementary Guidance 1 (March 2016); and
- > Supplementary Guidance 2 'Renewable Energy' (December 2016).

4.1.2 The LDP sets out the general planning policies for the Council area. A review is underway and consultation on the Proposed Plan (November 2019) was completed in January 2020. The Examination process is in its final stages and adoption of 'LDP2' is expected in Spring 2023.

4.2 The Local Development Plan (2015)

4.2.1 The key LDP policies relevant to the Proposed Development are:

- > LDP STRAT 1 – 'Sustainable Development';
- > LDP DM1 – 'Development within the Development Management Zones';
- > LDP3 – 'Supporting the Protection, Conservation and Enhancement of our Environment';
- > LDP5 – 'Supporting the Sustainable Growth of our Economy';
- > LDP6 – 'Supporting the Sustainable Growth of Renewables'; and
- > LDP10 – 'Maximising our Resources and Reducing our Consumption';

4.2.2 LDP primary policy is supported by ABC Supplementary Guidance 1 (SG1) and 2 (SG2) which provides a series of more detailed policy provisions to support primary policy (particularly in respect of Policy LDP3) and as such provides supporting policy detail behind protection of environmental resources, heritage assets, road improvements and other renewable energy forms.

LDP Policies: Summary Appraisal

4.2.3 **Policy STRAT 1** is an over-riding policy which sets the sustainable development principles which should influence decision making on land use, regeneration, transport and strategic transportation proposals. Policy provides that developers should seek to demonstrate that the sustainable development principles as set are demonstrated within their proposed development, including:

- A) Maximise the opportunity for local community benefit;
- B) Make efficient use of vacant and /or derelict land including appropriate buildings;
- C) Support existing communities and maximise the use of existing infrastructure and services;
- D) Maximise the opportunities for sustainable forms of design including minimising waste, reducing our carbon footprint and increasing energy efficiency;

- E) Avoid the use of locally important good quality agricultural land;
- F) Utilise public transport corridors and active travel networks;
- G) Avoid the loss of important recreational and amenity open space;
- H) Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
- I) Respect the landscape character of an area and the setting and character of settlements;
- J) Avoid places with significant risk of flooding, tidal inundation, coastal erosion or ground instability; and
- K) Avoid having significant adverse impact on land, air and water environment.

- 4.2.4 Policy **LDP DM1** establishes the acceptable scales of development in each of the development management zones as set by the LDP Proposals Map but importantly supports the delivery of renewable energy development and recognises that proposals which *“directly support the provision of essential infrastructure”* will accord with policy.
- 4.2.5 The strategic importance of the Proposed Development, essential to delivering the transmission of electricity from renewable generation is therefore considered to be wholly consistent with this policy provision. Further, policy recognises that ‘Renewable Energy Related Development’ can also be considered an appropriate use in sensitive countryside locations. The Proposed Development is directly related to renewable energy development.
- 4.2.6 The strategic importance and need for the development is therefore clear and is considered to be a matter that should be afforded great weight.
- 4.2.7 **Policy LDP3** seeks to maintain and enhance the quality of the environment though the policy detail in LDP3 and associated policies within Supplementary Guidance. LDP3 provides that applications for planning permission will be assessed with *“the aim of protecting conserving and where possible enhancing the built, human and natural environment”*.
- 4.2.8 Proposals will not be supported where they do not meet these aims and where it *“has not been ascertained that it will avoid adverse effects, including cumulative effects, on the integrity or special qualities of international or nationally designated natural and built environment sites”*. Likewise, proposals that have significant adverse effects, including cumulative, on the special qualities or integrity of locally designated natural and built environment sites will not be supported.
- 4.2.9 **Policy LDP5** relates to Supporting the Sustainable Growth of the Economy with a view to supporting sustainable economic growth throughout the Council area. Further detail is provided within Supplementary Guidance with the main potential growth sectors including renewables (and supporting infrastructure).
- 4.2.10 **Policy LDP6** supports renewable energy developments where they are consistent with the principles of sustainable development where it can be demonstrated that there would be no unacceptable significant adverse effects, individually or cumulatively on communities, the environment, landscape character or visual amenity, and where proposals would be compatible with adjoining land uses.
- 4.2.11 The LDP does not however provide specific policy or a statement within its renewable energy policy (LDP6) to provide for transmission or grid connection for such renewables. However, through the provision of support for the growth of renewables, consideration of reinforcing and enhancing transmission and grid connection requirements directly follows as being necessary and critical infrastructure in order to achieve the aims of Policy.
- 4.2.12 Further information and detail on matters relating to the growth of renewables is provided within **Supplementary Guidance 2**. In this regard, SG2 provides further detail on the

delivery of renewables with again limited reference to transmission infrastructure or grid requirements or support. SG2 does however cite the **Argyll & Bute Renewable Energy Action Plan (2010)** as setting out key delivery priorities required to deliver sustainable renewable energy development in the area which states the Council will:

- > *“Work with partners to secure capacity within the transmission network in order to unlock the future potential of our considerable renewable energy assets and provide confidence to investors”.*
- > *“Ensure the grid is fit for purpose to meet renewable energy opportunities – Inverary – Crossaig Overhead line replacement, Northern Argyll substation....”*

4.2.13 Policy LDP 9 provides guidance on Development Setting, Layout and Design and requires developers to produce and execute a high standard of appropriate design with particular focus on siting and position to pay regard to context and location, ensuring integration with setting and sensitivity of the area. In terms of design of development and structures must be compatible with the surroundings with attention to massing, form, sensitive / designation locations, with the need for higher quality design in higher sensitivity areas.

4.2.14 **Policy LDP 10** provides support for all development proposals which seek to maximise the area’s resources and reduce consumption where they accord with the following:

- > The settlement strategy;
- > Sustainable Design principles;
- > Minimising waste and / or contributing to recycling;
- > Minimising the impact on the water environment both in terms of pollution and abstraction;
- > Avoiding areas subject to flood risk or erosion;
- > Minimising the impact on biodiversity and the natural environment;
- > Safeguarding our mineral resources and minimising the need for extraction;
- > Avoiding the loss of trees and woodland;
- > Contributing to renewable energy generation;
- > Avoiding the disturbance of carbon rich soils; and
- > Safeguarding our best agricultural land.

4.2.15 Overall, the approach within Policy LDP10 and the supporting LDP written statement seeks to address climate change by reducing emissions and refers to climate change targets relevant at the time of publication (in 2015). Paragraph 6.3.4 states that *“Achieving these targets will require coordinated action and a significant commitment to adapting the built environment to reduce energy and other resource consumption as well as providing a framework for the development and deployment of renewable electricity generation technologies”.*

4.2.16 **LDP11** provides support for the Council’s desire to maintain and improve internal and external connectivity and make best use of existing infrastructure by ensuring maintenance of public access, rights of way, provision of public transport links, integration of transport modes etc, but also ‘ensure the location and design of new infrastructure is appropriate’. Again, no specific reference to electricity infrastructure is provided and the driver is transportation. As such the policy is most relevant in considering access to the Proposed Development. Paragraph 7.3.1 states *“The distinctive geography, environmental sensitivities and landscape character of Argyll and Bute present a range of issues related to this. Delivery of connectivity and infrastructure that integrate with the settlement and spatial strategy will help us deliver successful sustainable development of the area for all”.*

4.3 Supplementary Guidance

4.3.1 The Supplementary Guidance policies of relevance are summarised in **Table 4.1** below.

Table 4.1: Other Supplementary Guidance Policies (SG1) (March 1016)

ABLDP SG Policy	Policy Summary
SG LDP ENV1	Additional detail to LDP3 guiding assessment of development impact on habitats, species and biodiversity. Requires habitat surveys and mitigation for national and local interest.
SG LDP ENV 2	Supports LDP3 in regard to protection of European designations with support not being given to development giving rise to adverse impact unless there is not alternative and there are imperative reasons of over-riding public interest.
SG LDP ENV 4	Policy with presumption against development which affects SSSIs and NNRs unless the objectives of designation and overall integrity will not be compromised and/or any significant adverse effects on the qualities of designation are outweighed by social, environmental or economic benefits of national importance and no other less ecologically damaging locations can be reasonably utilised.
SG LDP ENV 6	Supports LDP 3 via presumption to protect trees, groups of trees and areas of woodland. Resisting development likely to have an adverse impact on trees and ensuring adequate provision is made for preservation and where appropriate planting of new including compensatory planning and management agreements.
SG LDP ENV 7	Supporting policy regarding water quality, providing protection for water quality and quantity alongside ecological status with a presumption against development that have a significant detrimental impact which cannot be satisfactorily mitigated to requirements of EU Water Framework Directive.
SG LDP ENV11	<p>Policy presumption regarding protection of soil and peat resources with development only supported where appropriate measures are taken to maintain soil resources and functions relevant and proportionate to scale of development.</p> <p>Development with potential significant adverse effect on soil resources and functions or peat structure and function in terms of disturbance, degradation or erosion will not be supported unless it is demonstrated:</p> <ul style="list-style-type: none"> • Adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from proposals, AND • A soil or peatland management plan is submitted which clearly demonstrates how unnecessary disturbance, degradation or erosion will be avoided and how any impacts will be mitigated as much as possible. Evidence of best practise in movement, storage, management and reinstatement of soils must be submitted with planning application.
SG LDP ENV12	Provides that ABC will resist any development in or affecting an NSA which would have adverse effect on integrity or would undermine its Special Qualities unless it can be demonstrated there is no significant adverse effects on the landscape quality for which it is designated, or that this is outweighed by social, environmental or economic benefits of national importance.
SG LDP ENV13	Resists development in or affected and Area of Panoramic Quality (APQ) where there will be significant adverse impact on character of the landscape unless it can be demonstrated that this is outweighed

ABLDP SG Policy	Policy Summary
	by social, economic or environmental benefits of community wide importance. Requires highest standards of design, siting, landscape and boundary treatment in all proposals with potential effect.
SG LDP ENV14	Landscape policy supporting LDP3 relating to areas outwith NSAs or APQs and provides that ABC will consider landscape impact and will resist development when its scale, location or design will have significant adverse impact on character unless it is demonstrated that effects are outweighed by social, economic or environmental benefits of community wide importance, and that the Council is satisfied that all possible mitigation has been incorporated into proposals.
SG LDP ENV15	Provides that where development would affect a heritage asset or its setting it will be expected that the impact is assessed and appropriate measures to protect and preserve the special asset proposed.
SG LDP ENV16a	Provides guidance on the assessment of proposals with an impact on Listed Buildings and their setting requiring detailed assessment and suitable mitigation / design to protect the integrity of the asset.
SG LDP ENV19	Presumption in favour of retaining, protecting and preserving Scheduled Monuments and the integrity of their settings. Proposals with and adverse impact will not be permitted unless there are exceptional circumstances.
SG LDP ENV20	Provides guidance on the assessment of proposals with an impact on Sites of Archaeological Importance, requiring appropriate assessment, mitigation and recording. Preservation in situ is preferred where possible. Requirement for detailed mitigation and consultation with West of Scotland Archaeology Service (WoSAS).
SG LDP TRAN4	Provides additional detail to Policy LDP11 on utilising new and existing public roads, private roads and private access solutions to development subject to road safety and design issues being satisfied and in appropriate circumstances.
SG LDP TRAN5	Provision that where development proposals will significantly increase vehicular or pedestrian traffic on substandard private or public approach roads, then developments will be required to contribute proportionately to improvements to an agree section of the network.

4.3.2 Whilst the above policies have also been taken into account, it is considered that the following are the most relevant policies with in the adopted LDP:

- > **Policy LDP DM1**, which supports the delivery of appropriate development in the countryside and very sensitive countryside zones, including renewable energy related development;
- > **Policy STRAT1**, supporting sustainable development in appropriate locations;
- > **Policy LDP6**, supporting the growth and delivery of renewable energy; and
- > **Policy LDP10** which supports development that seeks to maximise the areas resources;

4.3.3 It is considered that the Proposed Development would be in accordance with these policies.

4.4 LDP2 – Proposed Plan

- 4.4.1 As noted, LDP2 is submitted to Ministers for Examination with adoption placed on hold until after NPF4 is adopted. ABC has indicated that proposals will be dual assessed against the LDP2 Proposed Plan and the adopted LDP.
- 4.4.2 Critically, it has been noted to SSEN Transmission within pre-application responses on this (and associated) projects within the Argyll and Bute area, that the general LDP policy support for necessary infrastructure to facilitate sustainable development benefits in the area has not materially altered in LDP2.
- 4.4.3 As regards supporting renewable energy, LDP2 recognises the diverse mix of potential renewable energy generation opportunities within their area and acknowledges the significant contribution ABC can make towards meeting the Scottish Government’s targets for renewable generation. The written statement notes *“These targets are important given the compelling need to secure more sustainable forms of energy production in order to reduce out carbon footprint”*. The main aim of planning policy in this regard is therefore to *“ensure that renewable energy projects are delivered in an all-round sustainable manner”*.
- 4.4.4 LDP2 does not introduce specific consideration of electricity transmission within the written statement, nor is specific policy on the matter introduced.

4.5 Conclusions on the LDP and related Guidance

- 4.5.1 The approach to the assessment undertaken is consistent with STRAT 1 and DM1. The proposals are sustainable in that they deliver critical enhanced capacity and security of supply within the electricity transmission grid. They enable connections of new renewable generation and the location of the development adjacent to existing transmission infrastructure within commercial forestry is the right development in the right place to delivery these important improvements. Site selection has been key, along with the embedded mitigation which has heavily influenced design and layout, such that Proposed Development effects are considered to be acceptable.
- 4.5.2 There is considered to be no conflict with adopted LDP policy arising as a result of the Proposed Development.

5. Do Material Considerations indicate otherwise?

5.1 Introduction

5.1.1 Having established that the Proposed Development would be consistent with the Development Plan, it is necessary to consider the following:

- > Are there material considerations that determine a decision should be made contrary to the Development Plan?
- > Do the relevant material matters further support the position that the Proposed Development should be approved?

5.2 Local Guidance

5.2.1 In addition to the LDP and associated SG, the Council published the Argyll and Bute Renewable Energy Action Plan (2017) to assist in realising its vision for the development of the renewable energy sector in their area. The Council recognises the important role it has to play in responding to the Climate Emergency due to the area's unique mix of indigenous renewable resources. The Council aims to maximise the opportunities for sustainable economic growth which will benefit their communities and Scotland as a whole.

5.2.2 Consideration of grid infrastructure is central to this Action Plan and this is also noted within SG 2 Renewable Energy. Specifically, Ref TC1 of the Action plan references a need to:

"Ensure the grid is fit for purpose to meet renewable energy opportunities – Inveraray-Crossaig overhead line replacement, Northern Argyll substation, overhead line to Taynuilt and submarine cable replacement programme".

5.2.3 It is recognised therein that support for these essential grid improvements is provided within the Council to enable renewable energy generation throughout the area, and whilst the support does not automatically make development acceptable, there is recognition that delivery is difficult without some localised impacts. The management of these impacts in terms of mitigation and siting to ensure that significant environmental and landscape impacts are minimised and carefully considered is promoted and will be assessed within the overall balanced assessment of proposal of this nature.

5.3 The Climate Change and Renewable Energy legislative & Policy Framework

5.3.1 The Scottish Government's legislative and renewable energy policy framework and associated targets are considerations of the highest importance. It is important to be clear on the current position as it is a fast-moving topic of public policy.

The Climate Emergency

5.3.2 Scottish First Minister Nicola Sturgeon declared a "Climate Emergency" in her speech to the SNP Conference in April 2019. Furthermore, Climate Change Secretary Roseanna Cunningham made a statement on 14 May to the Scottish Parliament on the 'Global Climate Emergency' and stated:

"There is a global climate emergency. The evidence is irrefutable. The science is clear and people have been clear: they expect action. The Intergovernmental Panel on Climate Change issued a stark warning last year the world must act now by 2030 it will be too late to limit warming to 1.5 degrees.

We acted immediately with amendments to our Climate Change Bill to set a 2045 target for net zero emissions - as we said we'd do. If agreed by Parliament, these will be the most stringent legislative targets anywhere in the world and Scotland's contribution to climate change will end, definitively, within a generation. The CCC was clear that this will be enormously challenging...."

5.3.3 The key issue in relation to these statements is that they acknowledge the very pressing need to achieve radical change and that by 2030 it will be too late to limit warming to 1.5 degrees. The Scottish Government therefore acted on the Climate Emergency in 2019 by bringing in legislation.

5.3.4 Furthermore, the declaration of the emergency is not simply a political declaration, it is now the key priority of Government at all levels. Indeed, defining the issue as an emergency is a reflection of both the seriousness of climate change, its potential effects and the need for urgent action to cut carbon dioxide and other GHG emissions.

5.3.5 The scale of the challenge presented by the new targets for net zero within the timescale adopted by the Scottish Government on the advice of the CCC is considerable, especially given the requirements for decarbonisation of heat and transport – this will require very substantial increases in renewable electricity generation by 2030.

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

5.3.6 Against this severe backdrop, the Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve “net zero” by 2045, with interim targets of 75% by 2030 and 90% by 2040, further supported by annual targets. It is clear that to have any hope of achieving the net zero target, much needs to happen by 2030.

5.3.7 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 new Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amends the 2009 Act and sets even more ambitious targets.

5.3.8 The 75% target required to be met by 2030 is especially challenging⁴. Indeed, when the matter was proceeding through Parliament, it was the Scottish Parliament that increased the requirement from a 70 to 75% reduction by 2030. This acts upon the declaration of the Climate Emergency and recognises the urgent response that is required.

5.3.9 The Scottish Government publishes an annual report that sets out whether each annual emissions reduction target has been met. **Table 5.1** below sets out the annual targets for every year to net-zero. The report for the 2019 target year was published in June 2021. The report states that the ‘GHG Account’ reduced by only 51.5% between the baseline period and 2019. As noted, the 2019 Act specifies a 55% reduction over the same period – therefore the targets for 2018 and 2019 were not met.

5.3.10 The Scottish GHG Statistics for 2020 were released in June 2022. These show that the GHG account reduced by some 58.7% between the baseline period and 2020. However according to the report⁵, the drop in emissions between 2019 and 2020 was mainly down to lower emissions from domestic transport, international flights and shipping and energy supply. All other sectors demonstrated modest reductions over this period, except the housing sector.

5.3.11 Coronavirus restrictions were responsible for the large drop in emissions from transport, while residential emissions increased by 0.1 MtCO₂e as more people worked from home during the pandemic. The Scottish Cabinet Secretary for Net Zero, Energy and Transport Michael

⁴ As set out in this Statement (paragraph 6.10), none of the five scenarios modelled by the CCC – even its most optimistic and stretching – suggests Scotland is close to achieving the 75% emissions reduction by 2030.

⁵ Scottish Government. Official Statistics, Scottish Greenhouse Gas Statistics 2020, (June 2022).

Matheson made a Statement⁶ to the Scottish Parliament on 07 June 2022 on the release of the latest statistics. In the Statement he commented as follows:

5.3.12 The Scottish Net Zero Secretary Michael Mathewson stated in June 2022 on the release of the latest statistics:

“Nonetheless, the most significant changes are in the transport sector and are associated with the temporary measures taken in response to the Covid-19 pandemic. We must be prepared for these figures to substantially rebound in 2021. There can be no satisfaction taken in emissions reductions resulting from the health, economic and social harms of the pandemic.” (emphasis added)

5.3.13 This demonstrates the scale of change required over the next decade to achieve the 2030 target. This also means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and the 2020s is a critical decade.

Table 5.1: Scotland’s Annual Emission Reduction Targets to Net Zero

Year	% Reduction Target	Actual Emissions Reduction %	Year	% Reduction Target
2018	54	50	2032	78
2019	55	51.5	2033	79.5
2020	56	58.7	2034	81
2021	57.9	-	2035	82.5
2022	59.8	-	2036	84
2023	61.7	-	2037	85.5
2024	63.6	-	2038	87
2025	65.5	-	2039	88.5
2026	67.4	-	2040	90 (Interim)
2027	69.3	-	2041	92
2028	71.2	-	2042	94
2029	73.1	-	2043	96
2030	75	Interim Target	2044	98
2031	76.5	-	2045	100% Net Zero

Note: Current available data shown in yellow

5.3.14 The targets set out in the above Table clearly illustrate the speed and scale of change that is required, essentially prior to 2030. This also demonstrates that up to 2020 the annual percentage reduction that was required was 1% but this then increases each year from 2020 to 2030. It increases to 1.9% for each year between 2020 and 2030. This is the level of change that is required to achieve the 2030 target and represents a near doubling of the response.

⁶ Ministerial Statement to Scottish Parliament by Cabinet Secretary for Net Zero, Energy and Transport on 07 June 2022, ‘Greenhouse gas emission statistics 2020’.

- 5.3.15 This means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and the 2020s is a critical decade.
- 5.3.16 It is no exaggeration to say that there is a 'mountain to climb' to meet Scotland's 75% target for 2030. The CCC modelled five scenarios in CB6 and in none – even its most optimistic – is Scotland close to achieving a 75% emissions reduction by 2030: *“Scotland’s 75% target for 2030 will be extremely challenging to meet, even if Scotland gets on track for net zero by 2045, Our balance net zero pathway for the UK would not meet Scotland’s 2030 target – reaching a 64% reduction by 2030 – while our most stretching tail winds scenario reaches a 69% reduction”* (CB6, page 229).

The Scottish Energy Strategy (2017)

- 5.3.17 The Scottish Energy Strategy (SES) was published in December 2017. The SES preceded the important events and publications referred to above but nevertheless sets out that onshore wind is recognised as a key contributor to the delivery of renewable energy targets – specifically 50% energy from renewable sources to be attained by 2030. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain the new legally binding 'net zero' targets so it is out of date in that respect.
- 5.3.18 The SES refers to *“Renewable and Low Carbon Solutions”* as a strategic priority (page 41) and states *“we will continue to champion and explore the potential of Scotland’s huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets”*.
- 5.3.19 The SES sets out what is termed the “opportunity” for onshore wind and there is explicit recognition that onshore wind is amongst the lowest cost forms of power generation. It is also recognised as *“a vital component of the huge industrial opportunity that renewables creates for Scotland”*.
- 5.3.20 The SES sets out the Government’s clear position on onshore wind namely:
“our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland’s future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.”
- 5.3.21 The SES goes on to cross refer to further detail in relation to onshore wind as contained within the Onshore Wind Policy Statement (OWPS, 2017) which was published alongside the SES. The SES therefore, in addition to setting new stretching renewable energy and electricity targets, gives unequivocal strong policy support for the further development of onshore wind.

The Onshore Wind Policy Statement (2022)

- 5.3.22 The Scottish Government published an updated Onshore Wind Policy Statement (OWPS) on 21 December 2022. It replaces the version published in November 2017.
- 5.3.23 The Ministerial Foreword makes it explicitly clear that seeking greater security of supply and lower cost electricity generation are now key drivers alongside the need to deal with the climate emergency. In this regard, the Cabinet Secretary for Net Zero, Energy and Transport states (page 3):
“that is why we must accelerate our transition towards a net zero society. Scotland already has some of the most ambitious targets in the world to meet net zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage”.
“Scotland has been a frontrunner in onshore wind and, while other renewable technologies are starting to reach commercial maturity, continued deployment of onshore wind will be key to ensuring our 2030 targets are met”.

- 5.3.24 The Foreword states that onshore wind has the ability to be deployed quickly, is good value for consumers and is also widely supported by the public. The Minister further states that:
- "This Statement, which is the culmination of an extensive consultative process with industry, our statutory consultees and the public, sets an overall ambition of 20 GW of installed onshore wind capacity in Scotland by 2030.*
- While imperative to meet our net zero targets it is also vital that this ambition is delivered in a way that is fully aligned with, and continues to enhance, our rich natural heritage and native flora and fauna, and supports our actions to address the nature crisis and the climate crisis".*
- 5.3.25 The OWPS is structured on the basis of eight chapters which contain a mix of policy guidance and also technical information. Key content of relevance to the Proposed Varied Development is referenced below.
- 5.3.26 The OWPS Chapter 1 "Ambitions and Aspirations" (page 5) refers to current deployment of onshore wind in Scotland and states:
- "We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes."*
- 5.3.27 It is explained that National Grid's Future Energy Scenarios project concludes that Scotland's peak demand for electricity will at least double within the next two decades and that this will require a substantial increase in installed capacity across all renewable technologies.
- 5.3.28 Paragraph 1.1.4 states *"our aim is to maintain the supportive policy and regulatory framework which will enable us to increase that deployment"*.
- 5.3.29 Section 1.3 of the OWPS further refers to the new 20 GW ambition and acknowledges that the Scottish Government's Programme for Government 2022/2023 committed Government to enabling up to 12 GW of onshore wind to be developed and it is stated that:
- "It is vital to send a strong signal and set a clear expectation on what we believe onshore wind capacity will contribute in the coming years.*
- In line with this commitment, and reflecting the natural life cycles of existing wind farms, this statement sets a new ambition for the deployment of onshore wind in Scotland:*
- A minimum installed capacity of 20 GW of onshore wind in Scotland by 2030.*
- This ambition will help support the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to net zero whilst other technologies reach maturity".*
- 5.3.30 This statement is followed by reference to the "Legislative Context", in particular the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the related Net Zero greenhouse gas emissions targets. The OWPS states (paragraph 1.4.1) *"meeting these targets will require decisive and meaningful action across all sectors"*.
- 5.3.31 Paragraph 2.4.2 states that *"onshore wind will play a crucial role in delivering our legally binding climate change targets"*.
- 5.3.32 The Scottish Government has made clear that the 20 GW ambition of installed capacity is a "minimum". In short, there is a substantial 'hill to climb' to attain that figure and projects that are not yet in the planning system are unlikely to provide installed capacity by 2030. This underlines the importance of the benefits that the Proposed Development can deliver – namely enabling the transmission of installed capacity.
- 5.3.33 This new target means that the Scottish Government's ambition, as stated in December 2022, is to increase the installed capacity of onshore wind in Scotland by a minimum amount equivalent to about 130% of the entire installed capacity of all current operational onshore

wind farms in Scotland in a period of around eight years. The Proposed Development and its contribution must be considered in the context of the sheer scale and urgency of the stated Scottish Government's position.

5.3.34 Chapter 8 of the OWPS deals with 'Onshore Wind, Energy Systems and Regulation'. Section 8.2 refers to network planning and delivery and states:

"Delivering our ambition of 20GW of onshore wind by 2030 will create demands on our electricity infrastructure. New developments will need to connect quickly to Scotland's distribution and transmission networks. Networks must be able to invest quickly and ahead of need in order to ensure swift and efficient connections for onshore wind developments".
(emphasis added)

5.3.35 The Proposed Development will enable onshore wind projects to contribute to the 2030 target.

5.3.36 Page 49 of the OWPS sets out overall conclusions and these include *inter alia* the following key points:

- > Deployment of onshore wind is "mission critical for meeting our climate targets".
(emphasis added)
- > The Government has established "*a clear expectation of delivery with our ambition for a **minimum** installed capacity of 20GW of onshore wind in Scotland by 2030 and providing a vehicle for that delivery through the creation of our Onshore Wind Strategic Leadership Group*". (emphasis added)

5.3.37 The term "mission critical" referred to above is strong language and indicates onshore wind is crucial and extremely important to the attainment of the Government's policy and legislative objectives. This is fundamentally different policy language to that contained within NPF3 and SPP.

The Draft Energy Strategy & Just Transition Plan (2023)

5.3.38 The Scottish Government published a new draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. The new Strategy is to replace the one previously published in 2017. The consultation period on the draft runs up until 4 April 2023.

5.3.39 The Ministerial Foreword states:

"The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supply safe and secure energy for all, generate economic opportunities, and build a just transition..."

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises.

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas as that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities.

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

5.3.40 The Foreword adds that the draft Strategy sets out key ambitions for Scotland's energy future including:

- > More than 20 GW of additional renewal electricity on and offshore by 2030.

- > Accelerated decarbonisation of domestic industry, transport and heat.
- > Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- > Energy security through development of our own resources and additional energy storage.
- > A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

5.3.41 A Ministerial Statement by the Cabinet Secretary for Net Zero, Energy and Transport was also published on 10 January 2023 which states that Scotland is at a pivotal point in its transition to net zero and the Strategy "*charts a clear course for the transformation of the energy sector, one of Scotland's most important industries, to 2030 and beyond*".

5.3.42 The Ministerial Statement adds:

"wind power is one of the lowest cost forms of electricity and the Scottish Government is clear that this is where we should focus – reducing costs in the long term and addressing vulnerability to future energy cost crisis.

This Strategy gives certainty to investors that Scotland is a place that supports renewable energy wholeheartedly.industry must accelerate investment in key sectors and infrastructure, and continue to build capacity in the Scottish supply chain and the skills of the energy workforce".

5.3.43 The draft Strategy states (page 7, Executive Summary) that the vision for Scotland's energy system is:

"That by 2045 Scotland will have a flourishing, climate friendly energy system that delivers affordable, resilient and clean energy supplies for Scotland's households, communities and business. This will deliver maximum benefit for Scotland, enabling us to achieve a wider climate and environmental ambitions, drive the development of a wellbeing economy and deliver a just transition for our workers, businesses, communities and regions.

In order to deliver that vision, this Strategy sets out clear policy positions and a route map of actions with a focus out to 2030".

5.3.44 A fundamental part of the Strategy is expanding the energy generation sector. The Executive Summary states (page 8) that Scotland's renewable resources mean that:

"we can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.

We are setting an ambition of more than 20 GW of additional low cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind....

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030....."

5.3.45 In terms of policy and onshore wind, the draft Strategy cross refers to NPF4 and the recently published OWPS and reiterates the new ambition for a deployment of a minimum further 12 GW of onshore wind by 2030.

5.3.46 The draft Strategy specifically addresses energy networks (page 36) and states "*significant infrastructure investment in Scotland's transmission system is needed to ameliorate constraints and enable more renewable power to flow to centres of demand.*"

- 5.3.47 It states that National Grid has identified the requirement for over £21 billion of investment in GB electricity transmission infrastructure to meet 2030 targets and that over half of this investment will involve Scottish transmission owners SPEN and SSEN.
- 5.3.48 The draft Strategy adds that: “*the Scottish Government is working closely with network companies to support timely delivery of this infrastructure*”.
- 5.3.49 Reference is made to the ambitious business plans of transmission businesses which “*reflect the scale and pace of delivery required to meet Scottish Government ambitions*”.

5.4 Conclusions on Material Considerations

- 5.4.1 Overall, the draft Energy Strategy forms part of the new policy approach alongside the OWPS and NPF4 and confirms the Scottish Government’s policy objectives and related targets reaffirming the crucial role that onshore wind and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies. Both the OWPS and the Draft Energy Strategy are important material considerations. It is acknowledged that the Draft Energy Strategy is subject to consultation, however the OWPS has been published in its final form.

6. Conclusions

6.1 Conclusions

6.1.1 The answers to the key questions posed are:

- > The Proposed Development is consistent with the relevant policies of the Development Plan and with the plan when read as a whole.
- > The relevant material considerations further support the position that the Proposed Development should be granted planning permission.

6.2 The Planning Balance

- 6.2.1 The application for the Proposed Development will enable an increase renewable energy generation capacity and enhance transmission and supply across the region and the GB network and will contribute significantly to delivering the Government's Net Zero policy and legislative targets. Provision for reinforcement and enhancement of the transmission network as 'National Development' was clearly stated within NPF3, and this policy approach continues and is strengthened in NPF4.
- 6.2.2 The Proposed Development is an essential component within the transmission network to strengthen the existing transmission system and facilitate existing, committed and proposed connection of low carbon generation into the wider transmission network. This will support obligations to deliver an economic, efficient and coordinated transmission system for Net Zero.
- 6.2.3 Achieving Net Zero is a legal requirement, and the Scottish Government has recognised, most recently in the new OWPS, that a very substantial quantity of new onshore wind is required to meet the legal emissions reduction requirement by 2030 – namely a minimum of 20GW of operational capacity. Deployment of more onshore wind is described as being “*mission critical for meeting our climate targets*” in the OWPS.
- 6.2.4 The Climate Emergency is not just a consideration but a factor of considerable importance and is now a fundamental guiding principle in NPF4 for all decisions. The Needs Case should be afforded substantial weight in the planning balance. It is not an over-riding consideration; however, it must be acted on. It is the cumulative effect of a large number of individual renewable projects together with a reinforced transmission network which will move Scotland towards where it needs to be. It is critical that the necessary transmission infrastructure is in place to enable these renewable projects to be realised.
- 6.2.5 The revised OWPS has been published. NPF4 came into force on 13 February 2023. Both are up to date statements of Scottish Government policy, directly applicable to determination of these section 37 applications. Both documents should be afforded very considerable weight in decision-making.
- 6.2.6 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required. As described in this Planning Statement:
- > The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are “*at the heart of our vision for a future Scotland*” so that “*the decisions we make today will be in the long-term interest of our country*”⁷. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that under NPF3 and SPP;

⁷ NPF4, page 2.

- > NPF4 Policy 1 directs decision-makers to give significant weight to the global Climate Emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and
- > Both NPF4 and the OWPS are clear that further onshore wind development has a crucial role in combatting climate change, transitioning to a net-zero Scotland and ensuring security of energy supply. NPF4 Policy 11 strongly supports proposals for grid transmission infrastructure.

- 6.2.7 It is important to fully recognise both the scale and urgency of the challenge set out in these new policy documents and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030 requiring, as set out in the OWPS, that “*we must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes*”⁸.
- 6.2.8 By any measure, the identified need for delivery of this additional capacity and associated transmission infrastructure is a massive challenge requiring an urgent and positive response. The urgency is to ensure consents are delivered to allow infrastructure to be in place such that the transmission of renewable energy can take place before 2030.
- 6.2.9 National Developments are significant developments of national importance that will help to deliver the Spatial Strategy. As the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains⁹ “*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets.*”
- 6.2.10 The recognition of national development relates to the attainment of Government renewable generation and emission reduction targets. Moreover, it relates to the importance of developing electricity supplies which are not dependent on volatile international markets and are located within the UK’s national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels is now enormous, in order to protect consumers from high and volatile energy prices, and to reduce opportunities for destructive geopolitical intrusion into national electricity supplies and economics has grown in importance in recent months. The ‘window’ until the key date of 2030 for Scottish Government targets is also getting narrower.
- 6.2.11 NPF4 requires that the decision-maker must also identify and weigh the adverse effects of a proposed development and that weight is entirely a matter for the decision maker. However, the way that decision makers can recognise the strengthening policy imperative and the increased weight that should be given to the benefits of the Proposed Development is by giving relatively more weight in the planning balance to the seriousness and importance of energy policy related considerations and the contribution of a proposed development in meeting green energy targets.
- 6.2.12 It is submitted that this approach is very clearly reflected and articulated in NPF4 (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development’s contribution towards meeting targets).
- 6.2.13 In this case, the Proposed Development will enable renewable capacity. It is submitted that very substantial weight should be given to this contribution when weighing the need for the development and its identified effects within the planning balance.

⁸ OWPS 2022, paragraph 1.1.2.

⁹ NPF4, page 103.

6.2.14 The limited effects of the proposed development, including now relevant effects listed in NPF Policy 11(e) have been addressed, are detailed in the application and have been the subject of assessment in the EA for the application.

6.2.15 In terms of Policy 11, in considering the identified impacts of the Proposed Development significant weight must be placed on its nationally important contribution to renewable energy generation and greenhouse gas emissions reduction targets. In addition, an appropriate set of conditions can be drafted to further ensure that the project can be implemented in an environmentally acceptable way.

6.3 Overall Conclusion

6.3.1 It is considered that the benefits that would arise from the Proposed Development should be afforded substantial weight in the planning balance. The delivery of this infrastructure will substantially assist in facilitating existing and future transmission of energy to help delivery of the Net Zero legislative targets and policy imperative.

6.3.2 The development has been sensitively sited and designed to minimise visual impact with enhanced landscaping and screening and appropriately designed buildings and equipment enclosures such that visual and noise concerns have been mitigated satisfactorily. The proposal has been sited and designed in such a way that it can confidently be regarded as *“the right development in the right place”*.

6.3.3 The site selection consolidates required new infrastructure in an area of existing electricity use with the existing substation and OHL already a core feature in the landscape. The siting maximises the use of existing access and forestry tracks minimising further disruption to the ground and environment in that regard.

6.3.4 The development is a strategically important national Transmission site essential to capture the energy production of renewable energy generators in the Argyll & Bute area and to reinforce existing critical transmission infrastructure to serve the immediate and wider area.

6.3.5 It is therefore concluded that the Proposed Development is in accordance with the Development Plan and that there are material considerations of local and national importance which further support the delivery of this key development within the electricity transmission network which will support and deliver the net zero agenda.

David Bell Planning Ltd
26 Alva Street
Edinburgh
EH2 4PY

dbplanning.co.uk

© David Bell Planning Ltd Copyright 2022

