DAVID BELL PLANNING
CHARTERED TOWN PLANNERS

# Hurlie
## New 400 kV Substation

### Planning Statement

November 2024

Scottish & Southern Electricity Networks

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# 1. Introduction and Overview

## 1.1 Introduction

1.1.1 Scottish Hydro Electric Transmission plc ("the Applicant"), operating and known as Scottish and Southern Scottish Hydro Electric Transmission plc ("the Applicant"), operating and known as Scottish and Southern Electricity Networks Transmission ("SSEN Transmission")[1], operate and develop the high voltage electricity transmission system in the north of Scotland and remote islands. This Planning Statement is submitted in support of a full major (national) planning application under the Town and Country Planning (Scotland) Act 1997 (as amended) to construct and operate a new 400 kV substation known as Hurlie Substation, hereafter referred to as “the Proposed Development”, in Fetteresso Forest, Aberdeenshire. The area proposed for the construction and operation of the Proposed Development is here on referred to as “the Site”.

1.1.2 In July 2022, National Grid, the Electricity System Operator (ESO), published the Pathway to 2030 Holistic Network Design (HND), setting out the blueprint for the onshore and offshore electricity transmission network infrastructure required to enable the forecasted growth in renewable electricity across Great Britain, including the UK and Scottish Government’s 2030 offshore wind targets of 50 GW and 11 GW respectively.

1.1.3 The extensive studies completed to inform the ESO’s Pathway to 2030 HND confirmed the requirement to increase the power transfer capacity of the onshore corridor from Kintore to Tealing. This requires a new 400 kV connection between these locations to enable the significant power transfer capability needed to take power from onshore and large scale offshore renewable generation which is proposed to connect at onshore locations on the East Coast of Scotland and transport it to areas of demand.

1.1.4 To achieve this, SSEN Transmission is proposing a new 400 kV overhead transmission line (OHL) between Kintore and Tealing. This new connection also requires two new 400 kV substations to be constructed near Tealing in Angus and in Fetteresso Forest in Aberdeenshire to enable future connections and export routes to areas of demand. In addition, two of the existing 275kV OHLs from the existing substation at Tealing, and Alyth and Westfield substations require to be upgraded to 400kV and connected to the new 400kV substation near Tealing. Additional short 275kV connections between the new 400kV and existing Tealing substation are also required. Planning applications under the Town and Country Planning (Scotland) Act 1997 are being submitted in respect of both substation applications, while consent is being sought for the new and upgraded OHL developments via applications under the Electricity Act 1989.

1.1.5 Extensive studies[2] have led to the selection of a site in Fetteresso Forrest for the new 400 kV Hurlie substation. A Proposal of Application Notice in respect of this application was submitted to Aberdeenshire Council on 31 January 2024, following which the Applicant undertook pre-application consultation, publicity of consultation events, and took on board feedback received from members of the public and key stakeholders. This has been documented and summarised in the submitted Pre-application Consultation Report.

1.1.6 This Planning Statement considers the case for approval in land use planning policy terms at the national (National Planning Framework 4 (NPF4)) and local (Aberdeenshire Council) level, with reference to the Development Plan and national planning and energy policy which supports the delivery of electricity infrastructure that will assist in the delivery of the

[1] In this Planning Statement, the Applicant and SSEN Transmission are used interchangeably unless the context requires otherwise.
[2] Reported in Chapter 4 of the EIA Report

Government's legally binding 'Net Zero' commitments and will ensure security of supply to customers.

1.1.7 An Environmental Impact Assessment (EIA) has been undertaken for the Proposed Development in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the EIA Regulations") to assess the likely significant effects of the Proposed Development. The findings of the EIA are referred to, including the measures which would be taken to prevent, reduce and, where possible, offset predicted likely significant adverse effects. The scope of the EIA report has been determined with reference to the EIA scoping opinion of Aberdeenshire Council, adopted on 11th September 2024[3]. This followed a request for a scoping opinion under Regulation 17 of the EIA Regulations, submitted on 8th August 2024.

## 1.2 Site Location and Setting

1.2.1 The Site is located west of Stonehaven in Aberdeenshire, approximately 575 m north east of the existing Fetteresso 275 kV Substation, an established substation characterised by extensive electricity infrastructure (see Planning History below (Section 1.4). The Site currently comprises a conifer plantation forming part of an active commercial enterprise, and covers an area of relatively elevated land which lies within the eastern extent of the Highland Boundary Fault, a major fault zone which runs from Arran on the west coast to Stonehaven in the east. The Site is afforested and comprises a conifer plantation forming part of an active commercial enterprise. The Site is dominated by two bluffs with a steep valley between them containing the upper reaches of the Burn of Day. The bluffs have relatively level upper elevations, where the Proposed Development will be sited, however to the west the landform rises steeply. To the east and south-east the elevation drops sharply with the landform shaped by the Burn of Day and Burn of Baulks. There is little built infrastructure in the wider environment with exception of the existing Fetteresso Substation.

1.2.2 The likely principal access route, from both north and south, would be the A90 Aberdeen Western Peripheral Route (AWPR), exiting at the Peterculter Junction, and joining the B9077, then joining the A957 (Slug Road) at Crathes, and arriving at the principal access to the Site from the north. Abnormal Indivisible Loads (AILs) are proposed to use the A93 from the A90 to its junction with the A957 at Crathes. From Slug Road, access to the Site would be along the existing forest tracks which are used currently for commercial forest operations. Some LGV deliveries and construction staff may access the Site from the south of Slug Road, via west Stonehaven, and from the unclassified Auchenblae Road to the south of the Site.

## 1.3 The Proposed Development

1.3.1 Volume 2, Chapter 3 of the EIA report describes the elements required for the construction and operation of the Proposed Development, including a description of the key components and information regarding the maintenance of the substation.

1.3.2 In summary, the Proposed Development comprises the construction and operation of a new 400 kV air insulated substation located on a level platform and the formation of associated earthworks, access, drainage, landscaping, security, and the creation of a temporary construction compound, as well as set-down/equipment and materials storage areas.

1.3.3 Site development would principally involve cut and fill earthworks to create a level platform of approximate dimensions 685 m x 300 m along a north-west orientation in the centre of the Site, to accommodate the electrical infrastructure. The platform has been located to maximise the degree of screening provided by the existing landforms, which would be increased by cutting the platform into the higher ground to the west. Landscape planting around the platform would screen the electrical infrastructure. Access would be provided by upgrades and extensions to the existing forestry roads.

[3] Aberdeenshire Council ref. ENQ/2024/1176

1.3.4 The key design elements of the Proposed Development are described below:

- Woodland clearance and site preparation
- Cut and fill operations to create a development platform to accommodate the electrical infrastructure;
- The formation of new permanent access tracks within the Site;
- The erection and commissioning of electrical equipment;
- The erection of a single storey control building approximately 7 m in height;
- New landscape planting to deliver landscape and visual mitigation, habitat loss mitigation and biodiversity net gain (BNG) measures (both on and off site);
- Creation of Sustainable Drainage System (SuDS), to the north-east of the platform, draining into the Burn of Baulks and the Burn of Day;
- Internal accesses and vehicle parking within the substation platform area;
- Perimeter fence, potentially up to 4 m height;
- Temporary site compound lay down area, material storage areas, and internal access tracks; and
- Temporary site offices and welfare facilities for on-site construction workers.

1.3.5 The substation would use 400 kV Air Insulated Switchgear (AIS) equipment with an approximate height of 18 m above platform level, including shunt reactors, transformers, connection bays, and gantries.

**Control Building**

1.3.6 As Proposed Development comprises an AIS substation, formed using switchgear which relies on open air components, fewer components of the substation are housed within buildings compared with a GIS[4] substation. One building is required – the Control Building – which would comprise a steel portal frame with metal cladding and roof, with a footprint no greater than 53 m x 23 m with an elevation no higher than 6.5 m.

**Enabling Works**

1.3.7 The enabling works will include (but not be limited to) the establishment of a temporary construction compound including welfare facilities and laydown areas. The requirement and specifications would be defined in a Construction Traffic Management Plan which would be submitted by the Principal Contractor as part of discharge of planning conditions.

**Construction Programme**

1.3.8 It is anticipated that construction of the Proposed Development would take place over a three-year programme, following the granting of planning permission and discharge of all pre-commencement planning conditions. Construction is expected to begin in April 2026, although detailed programming of the works would be the responsibility of the Principal Contractor in agreement with SSEN Transmission.

1.3.9 Construction hours, including construction deliveries, are proposed to be as follows, unless otherwise agreed with Angus Council:

Monday to Sunday – 07:00 to 19:00

[4] Gas Insulated Switchgear

1.3.10 The Principal Contractor may, following prior agreement with Angus Council, undertake construction works outside of these hours when there is a programme critical operation that cannot be postponed until the next working day, or where it is more appropriate to undertake the works outside these hours.

1.3.11 There may also be occasions where, for example to deal with emergencies, there is the need to undertake construction work outside of these hours without the prior agreement of Angus Council. The Contractor will endeavour to keep these measures to a minimum and for no longer than is strictly necessary.

## 1.4 The Statutory Framework

### The Electricity Act 1989

1.4.1 As the Transmission License holder in the North of Scotland, the Applicant has a duty under section 9 of the Electricity Act to facilitate competition in the generation and supply of electricity. The Applicant is obliged to offer non-discriminatory terms for connection to the transmission system both for new generation and for new sources of electricity demand.

1.4.2 Section 9(2) also requires the Applicant to ensure that the transmission system is developed and maintained in an economic, co-ordinated and efficient manner in the interests of existing and future electricity consumers.

1.4.3 Separately it is also the Applicant's duty to consider the possible environmental impacts of new electric lines and to do what can 'reasonably be done' to mitigate adverse impacts, in line with Section 38 of, and Schedule 9 to, the Electricity Act. In terms of its statutory duties and licence obligations, the Applicant must therefore balance technical, cost (economic) and environmental factors.

### The Town & Country Planning (Scotland) Act 1997

1.4.4 The principal planning statute in Scotland is the Town and Country Planning Act (Scotland) 1997 (as amended) amended by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019.

1.4.5 Section 25 of the 1997 Act states that:

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

1.4.6 Accordingly, the purpose of this Planning Statement is to provide an assessment of the Proposed Development in the context of relevant national and local planning and energy policies and other material considerations. As such it is important to establish:

> Is the development as proposed consistent with the Development Plan policies?

> If not, 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?

1.4.7 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;

> the proposal contributes positively to national or local policy priorities; and

> the environmental effects of the Proposed Development would be acceptable when considered against the Development Plan policy framework and material considerations.

1.4.8 The planning application is supported by an Environmental Impact Assessment Report (EIA Report) which examines the environmental effects of the Proposed Development. A Design and Access Statement (DAS) has also been prepared to support the application.

## 1.5 Key Facts

1.5.1 Key facts relevant to this application are:

> The Proposed Development is identified as a National Development (ND) under the provisions of NPF4. As mentioned in NPF4 Annex B – National Developments Statement of Need, point 3: Strategic Renewable Electricity Generation and Transmission Infrastructure:

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*".

> ND3 supports renewable electricity generation, repowering, and expansion of the electricity grid. The Socio-economic assessments as part of a wider 'needs case' form an integral part of the justification for development of Scotland's 'Strategic Renewable Electricity Generation and Transmission Infrastructure.' As noted, this infrastructure is designated as a National Development and explicitly supported by NPF4 under the provisions set out in Policy 11(a)(ii) (Energy).

> The Statement of Need for the Proposed Development as contained in NPF4 is as follows:

'*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.*

*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. Island transmission connections in particular can facilitate capturing the significant renewable energy potential in those areas as well as delivering significant social and economic benefits.'*

> The Proposed Development is for a critical reinforcement of the transmission network to ensure security of supply by constructing a new substation to, and to enable renewable connections and transmission of energy to the wider GB network.

> The Proposed Development will deliver important network and grid infrastructure required to deliver the Government's legally binding targets for Net Zero emissions and renewable energy electricity generation targets and policy objectives.

> The Proposed Development will be delivered in such a way that it is environmentally acceptable and will include a co-ordinated scheme of environmental mitigation to ensure the long-term protection of the local and wider environment and to deliver development which is sustainable.

## 1.6 Structure of Planning Statement

1.6.1 This Report seeks to address the pertinent planning policy matters relevant to the determination of the application, to aid decision makers in their assessment and conclusions on the proposal.

1.6.2 The planning policy framework changed significantly in early 2023 when NPF4 came into force. This Planning Statement provides an assessment of the Proposed Development against relevant policy provisions and the statutory Development Plan. The appraisal highlights where there are incompatibilities between new national planning policies and those of the Aberdeenshire Local Development Plan (ALDP).

1.6.3 This Statement is structured as follows:

- **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emissions reduction legislative framework and includes reference to the Scottish Government's Draft Energy Strategy and Just Transition Plan;
- **Chapter 3** sets out the benefits of the Proposed Development;
- **Chapter 4** appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- **Chapter 5** appraises the Proposed Development against the relevant provisions of the Highland wide Local Development Plan and related guidance; and
- **Chapter 6** examines the planning balance and presents overall conclusions.

# 2. The Renewable Energy Policy & Legislative Framework

## 2.1 Introduction

2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions (GHG) reduction law is based. This underpins what can be termed the need case for renewable energy and associate transmission infrastructure from which the Proposed Development can draw a high level of support.

2.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These taken together provide very strong support for onshore wind in principle.

2.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

2.1.4 The Proposed Development, reinforcing grid and increasing capacity and security of supply would make a valuable contribution to help Scotland meet its renewable energy and electricity production targets, while supporting emissions reduction to combat climate change in the current Climate Emergency.

2.1.5 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

## 2.2 International Commitments

### The Paris Agreement (2016)

2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below $2^0$C above pre-industrial levels and to pursue efforts to limit global warming to $1.5^0$C.

2.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's (CCC) advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into new legislative provisions and targets for both 2045 (Scotland) and 2050 (UK). This is referred to below.

2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

**United Nations - Intergovernmental Panel on Climate Change**

2.2.4 The Intergovernmental Panel on Climate Change (IPCC) is the United Nations Body for assessing the science related to climate change.

2.2.5 The IPCC prepares comprehensive assessment reports about the state of scientific, technical, and socio-economic knowledge on climate change, its impacts and future risks and options for reducing the rate at which climate change is taking place. IPCC reports are commissioned by the worlds' Governments and are an agreed basis for COP[5] negotiations.

2.2.6 The IPCC's Special Report on Warming of 1.5°C, published in 2018, was a key piece of evidence for the CCC's recommendation to the UK Government for a 2050 net zero greenhouse gas emission target. The IPCC's reports since 2018 have provided an up-to-date estimate of how close global temperatures are to 1.5°C of warming above pre-industrial levels and the remaining volume of global cumulative carbon dioxide that could be emitted to be consistent with keeping global warming below any particular threshold (such as the 1.5°C and 2°C levels referred to in the Paris Agreement).

2.2.7 The IPCC's 6th Assessment Report was published in March 2023. The Summary for Policymakers Report (page 10) states that it is likely that warming will exceed 1.5°C during the 21st Century and make it harder to limit warming 2°C. It states (page 12):

"*Continued greenhouse gas emissions will lead to increasing global warming, with the best estimate of reaching 1.5°C in the near term in considered scenarios and modelled pathways. Every increment of global warming will intensify multiple and concurrent hazards (high confidence). Deep, rapid and sustained reductions in greenhouse gas emissions would lead to a discernible slowdown in global warming within around two decades, and also to discernible changes in atmospheric composition within a few years (high confidence)*".

2.2.8 Page 24 of the report states "*There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence)*".

**COP 28, Dubai 2023**

2.2.9 The United Nations Climate Change Conference (COP28) closed on 13 December 2023. The UN press release of the same date states that the agreement reached "Signals the 'beginning of the end' of the fossil fuel era by laying the ground for swift, just and equitable transition, underpinned by deep emissions cuts and scaled up finance."

2.2.10 The statement adds:

"*The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to 2019 levels, to limit global warming to 1.5°C. But it notes parties are off track when it comes to meeting their Paris Agreement goals*.

*The stocktake calls on parties to take actions towards achieving, at a global scale, a tripling of renewable energy capacity and doubling of energy efficiency improvements by 2030. The list also includes accelerating efforts towards the phase down of unabated coal power, phasing out inefficient fossil fuel subsidies, and other measures that drive the transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, with developed countries continuing to take the lead*." (underlining added)

**UN Emissions Gap Report (2024)**

2.2.11 The UN Emissions Gap Report (October 2024) and its 'key messages' summary provides the annual independent science-based assessment of the gap between the pledged GHG) reductions, and the reductions required to align with the long-term temperature goal of the Paris Agreement.

[5] United Nations Framework Convention on Climate Change, Conference of the Parties (COP).

2.2.12 The Report states that against the background of GHG emissions reaching new highs and climate impacts intensifying globally, nations are preparing what are termed Nationally Determined Contributions (NDCs) for submission in early 2025, ahead of COP30 in Brazil.

2.2.13 The Report states that in order to avoid the present trajectory of temperature increase far beyond $2^0$C over the course of this century:

"*Nations must use COP29 in Baku, Azerbaijan, as the launch pad to increase ambition and ensure the NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5$^0$C will be gone within a few years and the 2$^0$C target will be in danger*".

2.2.14 The Report adds "*It remains technically possible to get on a 1.5$^0$C pathway, with solar, wind and forests holding real promise for sweeping and fast emissions cuts*".

2.2.15 The Report also states (page 1) that there must be "*unprecedented cuts to greenhouse gas emissions by 2030 to keep 1.5$^0$C alive*".

2.2.16 In order to put the challenge of emissions reduction in context, the key messages document (page 2), sets out that if only current NDCs are implemented and no further ambition is shown in the new pledges to come, "*the best we could expect to achieve is catastrophic global warming of up to 2.6$^0$C over the course of the century*".

## 2.3 UK Climate Change & Energy Legislation & Policy

### The Climate Emergency

2.3.1 A critical part of the response to the challenge of climate change was the Climate Emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of Climate Emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new emissions reduction law).

### The Climate Change Act 2008 & Carbon Budgets

2.3.2 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.

2.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

2.3.4 The CCC has produced six four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below. Essentially, they are five yearly caps on emissions.

2.3.5 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament. All six carbon budgets have been put into law and run up to 2037.

**Table 2.1: Carbon Budgets and Progress[6]**

| 2.3.6 Budget | 2.3.7 Carbon budget level | 2.3.8 Reduction below 1990 levels | 2.3.9 Progress on Budgetary Period |
|---|---|---|---|
| 1st carbon budget (2008 – 2012) | 3,018 $MtCO_2e$ | 26% | -27% |
| 2nd carbon budget (2013 – 2017) | 2,782 $MtCO_2e$ | 32% | -42% |
| 3rd carbon budget (2018 – 2022) | 2,544 $MtCO_2e$ | 38% by 2020 | 48.7%[7] |
| 4th carbon budget (2023 – 2027) | 1,950 $MtCO_2e$ | 52% by 2025 | n/a |
| 5th carbon budget (2028 – 2032) | 1,725 $MtCO_2e$ | 57% by 2030 | n/a |
| 6th carbon budget (2033 – 2037) | 965 $MtCO_2e$ | 78% by 2035 | n/a |
| 7th carbon budget (2038 – 2042) | To be set in 2025 | - | n/a |
| 2.3.10 Net Zero Target | 100% | By 2050 | |

2.3.11 The Sixth Carbon Budget (CB6) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "*decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement*" (CB6, page 13).

2.3.12 Page 23 of CB6 refers to the devolved nations and sets out that UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland. Key points from CB6 include:

> The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.

> CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.

> The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.

2.3.13 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)[8]) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

[6] Source: CCC.

[7] This figure is a provisional estimate and will not be confirmed by HM Government until later in 2024.
[8] The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

### The UK Energy White Paper (December 2020)

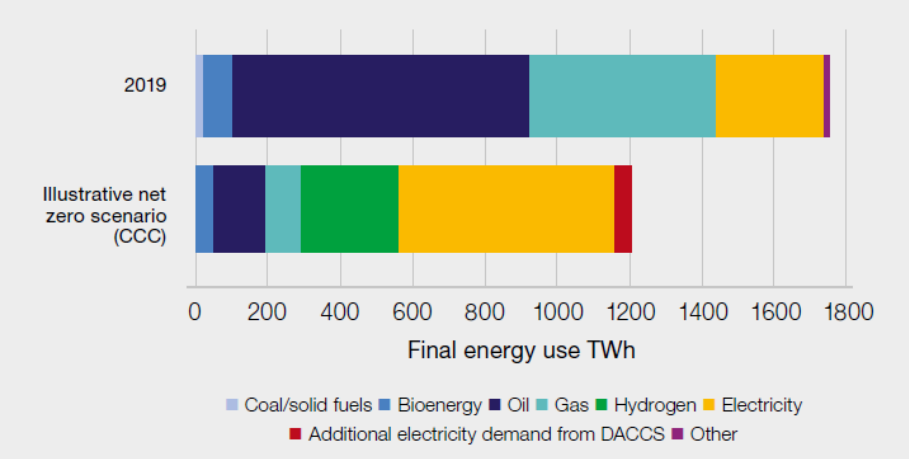
2.3.14 The Energy White Paper 'Powering our Net Zero Future' was published on 14 December 2020, represents a sea change in UK policy, and highlights the importance of renewable electricity.

2.3.15 It sets out that "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050". A key objective is to "accelerate the deployment of clean electricity generation through the 2020s*" (page 38).

2.3.16 Electricity demand is forecast to double out to 2050, which will "*require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target*" (page 42).

2.3.17 This anticipated growth of renewable electricity is illustrated in the graph below – **Figure 2.1**.

**Figure 2.1: Illustrative UK Final Energy Use in 2050[9]**




2.3.18 Whilst offshore renewables are expected to grow significantly, the White Paper also sets out that "*onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios*" (page 45).

### The British Energy Security Strategy (April 2022)

2.3.19 The British Energy Security Strategy ("the Strategy") was published by the UK Government on 07 April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

"*this government will reverse decades of myopia and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power….*

*Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables….*

*The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets. Indeed, without the renewables we are putting on the grid today, and the green levies that support them, energy bills would be higher than they are now. But*

[9] Source: Energy White Paper page 9 (2020).

*now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies*."

2.3.20 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

**CCC - Report on COP28: Key Outcomes and Next Steps for the UK (January 2024)**

2.3.21 The CCC issued a report and related Statement10 in January 2024 with reference to COP28 and next steps for the UK. The Statement set out that:

"*2023 was the hottest year on record, with worsening extreme weather events across the world. With global greenhouse gas emissions at an all-time high, COP28 took important steps to try to change the direction of travel.*

*The UK played an important role in this hard-fought COP28 outcome. We may be further into the decarbonisation journey than many nations, but the obligation on every country is now to push even harder. This also frames the economic challenge for the UK. We must rapidly replace fossil fuels with low-carbon alternatives to get back on track to meet our 2030 goal*."

2.3.22 In terms of next steps for the UK, the Statement sets out that:

"*In June 2023, the Committee noted a significant delivery gap to the UK's Nationally Determined Contribution (NDC) of reducing emissions by 68% by 2030. The agreements made at COP28 require a sharper domestic response and time is now short for the gap to be bridged.*

*Achieving the 2030 NDC will require the rate of emission reductions outside of the electricity sector to quadruple from that of recent years. Addressing these gaps in a transparent way remains one of the most important ways for the UK to show climate leadership*."

2.3.23 The related Outcomes Report, in addressing next steps for the UK sets out the following points (page 5) *inter alia*:

- "*The Global Stocktake undertaken at COP28 marks the first formal assessment of progress of the Paris Agreement process and it reinforced the growing momentum in renewables and other low carbon technology deployment.*
- *Countries were called upon to support a trebling of renewables globally….. Alongside this was the crucial brokering of recognition of the need to transition away from all fossil fuels to achieve a net zero energy system by 2050.*
- *The UK can continue to lead by example and support actions elsewhere to accelerate the pace of the low carbon transition and develop resilience to climate impacts. It must demonstrate delivery towards to its ambitious 2030 and 2035 targets on the path to Net Zero*."

2.3.24 Section 1.2.2 of the Outcomes Report specifically addresses 'next steps for the UK'. Reference is made to opportunities for climate leadership and in terms of energy there is a clear statement (page 21) which refers to a number of actions that will be important for ensuring domestic action is consistent with the language the UK signed up to at COP28. This includes *inter alia*:

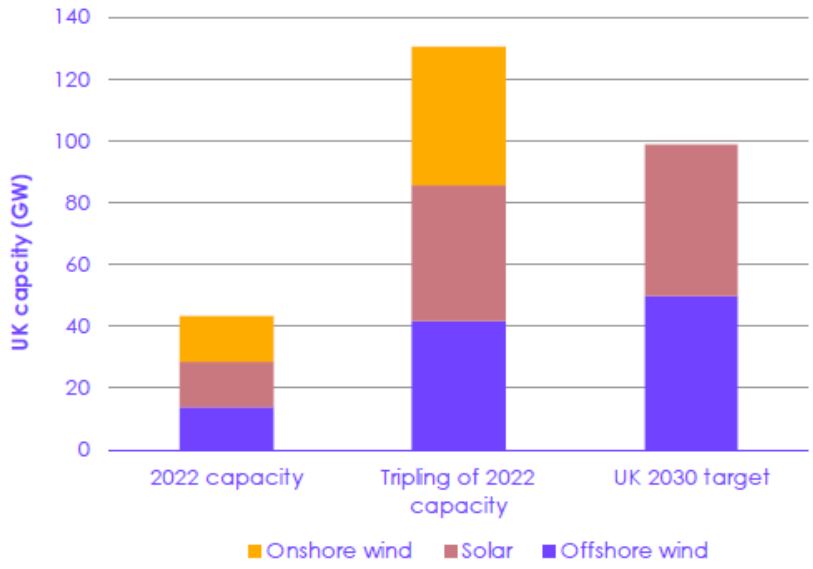
- Delivering rapid deployment of renewables. The report states that solar and onshore wind is progressing too slowly due to barriers around planning and consenting and access to network connections, despite being the cheapest form of generation.

[10] CCC Statement 'COP28 outcomes must lead to acceleration of action in the UK' (30 January 2024).

- In terms of the UK's 2030 NDC, the report states that the UK must continue to focus on addressing delivery gaps to the 2030 NDC. Reference is made to the CCC's 2023 Progress Report which established that if the UK is to achieve its 2030 NDC then the rate of emissions reduction "*outside electricity supply must almost quadruple from 1.2% annual reductions to 4.7%*".
- In terms of the tripling of renewable energy capacity by 2030, the Outcomes Report sets out (page 23) that the UK Government only has renewables deployment targets for offshore wind (aiming for up to 50 GW by 2030) and solar PV (aiming for up to 70 GW by 2035).

2.3.25 **Figure 2.2** below contrasts the level of deployment implied by a tripling of 2022 levels with UK targets.

**Figure 2.2: The tripling of Renewable Energy Capacity in a UK Context**[11]




2.3.37 The CCC report makes it clear that (page 23) that:

"*UK targets for offshore wind and solar PV are broadly consistent with COP28 calls to triple renewable energy capacity by 2030. However, a tripling of total renewable energy capacity (on 2022 levels) would also require growth in onshore wind.*"

2.3.38 The CCC also highlight that their 2023 Progress Report (referred to above) showed that the Government is currently off-track to meeting its renewables targets. It states that in order to support the ambitions agreed at COP28 "*and to meet the target of a decarbonised electricity supply by 2035, the Government must increase efforts to deliver against its existing targets on time*". (page 23)

**Climate Change Committee Report to UK Parliament (2024)**

2.3.39 The Climate Change Committee (CCC) published the report 'Progress in Reducing Emissions 2024 Report to Parliament' in July 2024 (the "CCC Report"). The Executive Summary (page 8) states:

"*The previous Government signalled the slowing of pace and reversed or delayed key policies. The new Government will have to act fast to hit the country's commitments.*

[11] Source: CCC, COP28: Key Outcomes and next steps for the UK, page 24, (January 2024).

*The cost of key low-carbon technologies is falling, creating an opportunity for the UK to boost investment, reclaim global climate leadership and enhance energy security by accelerating take-up. British-based renewable energy is the cheapest and fastest way to reduce vulnerability to volatile global fossil fuel markets. The faster we get off fossil fuels, the more secure we become*."

2.3.40 The CCC Report makes it clear that urgent action is needed to get on track for the UK's 2030 emissions reduction target. In this regard it states:

"*The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well.*

*Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm*."

2.3.41 The CCC Report sets out priority actions (page 9) and they include:

> The UK should now be in a phase of rapid investment and delivery, however CCC note that all indicators for low carbon technology roll out are "*off track, with rates needing to significant ramp up*." In this regard in terms of renewable technologies it states onshore wind installations will need to double.

2.3.42 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however "*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero*." (Page 33).

2.3.43 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:

"*emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero*."

2.3.44 Chapter 3 of the CCC Report examines indicators of current delivery progress and it sets out (page 50) it references a number of key points including *inter alia*:

"*Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas…*

*Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five*."

2.3.45 Reference is made to electricity supply (page 56). With regard to onshore wind it states that only 0.5 GW of new onshore wind was installed in 2023 and "*this is considerably below the peak of 1.8 GW in 2017. Onshore wind installation rates will need to more than double compared to the average pace of deployment over the past three years*."

2.3.46 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.

2.3.47 With regard to the Fourth Carbon Budget (2023-2027) it states that although credible plans cover almost all of the emissions reductions required to meet it "*this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero*…."

2.3.48 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

**Labour Government & Commitment to Renewables (2024)**

2.3.49 The recent UK Government change at Westminster and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero. The Labour Party Manifesto states that it has "a national mission for clean power by 2030" and it explicitly states that this is achievable "and should be prioritised". The Manifesto sees the clean energy transition as a huge opportunity to generate growth and also to tackle the cost-of-living crisis. This objective is set out as Labour's "second mission" for the UK.

2.3.50 The policy detail has yet to be seen; however, from the information available it is clear that the new administration will accelerate the pace of renewable development to achieve net zero. Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important material consideration.

2.3.51 The Department for Energy Security and Net Zero issued a Statement on 08 July 2024 which included references to doubling UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.

## 2.4 Climate Change & Renewable Energy Policy: Scotland

**The Scottish Energy Strategy (2017)**

2.4.1 The Scottish Energy Strategy (SES) was published in December 2017. The SES 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.

2.4.2 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*".

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

2.4.3 Against this backdrop, the Scottish Government has set legal obligations to decarbonise and reduce emissions. The Scottish Government has a statutory target to achieve "net zero" by 2045. It is clear that to have any hope of achieving the net zero target, much needs to happen by 2030.

2.4.4 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. However, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and has set the even more ambitious targets.

2.4.5 The Cabinet Secretary for Wellbeing Economy, Net Zero and Energy made a Statement to the Scottish Parliament on 18 April 2024 with regard to the report to the Scottish Parliament

prepared by the (CCC, 'Progress in reducing emissions in Scotland' (March 2024). The Statement focussed on the implications the CCC report contains for Scottish emission reduction targets as set out in legislation, namely as set out in the Climate Change (Scotland) Act 2009. The Statement sets out that the Scottish Government will bring forward expedited legislation to address matters raised by the CCC and this is expected to be a change to the 2030 emissions reduction target. This is further referenced below.

## 2.5 Scottish Emission Reduction Targets

### Current Progress against Emission Reduction Targets

2.5.1 The Scottish Government publishes an annual report that sets out whether each annual emissions reduction target has been met. **Table 2.2** below sets out the annual targets for every year to Net Zero.

2.5.2 In their 2024 Progress in Reducing Emissions in Scotland report, the CCC stated that Scotland has missed its annual emission reduction targets eight times and Table 2.2 shows that in the years since 2018 where data is available, Scotland has only met its emissions reduction target once. This was in 2020, during which lockdown restrictions severely reduced commercial, industrial and transport emissions.

**Table 2.2: Scotland's Annual Emission Reduction Targets to Net Zero**

| Year | Original % Reduction Target | New Targets (2023) | % Actual Emissions Reduction | Year | Original % Reduction Target |
|---|---|---|---|---|---|
| 2018 | 54 | - | 50 | 2032 | 78 |
| 2019 | 55 | - | 51.5 | 2033 | 79.5 |
| **2020** | **56** | **48.5** | **58.7** | 2034 | 81 |
| 2021 | 57.9 | 51.1 | 49.9 | 2035 | 82.5 |
| 2022 | 59.8 | 53.8 | - | 2036 | 84 |
| 2023 | 61.7 | 56.4 | - | 2037 | 85.5 |
| 2024 | 63.6 | 59.1 | - | 2038 | 87 |
| 2025 | 65.5 | 61.7 | - | 2039 | 88.5 |
| 2026 | 67.4 | 64.4 | - | **2040** | **90 (Interim)** |
| 2027 | 69.3 | 67.0 | - | 2041 | 92 |
| 2028 | 71.2 | 69.7 | - | 2042 | 94 |
| 2029 | 73.1 | 72.3 | - | 2043 | 96 |
| **2030** | **75** | **75** | **Interim Target** | 2044 | 98 |
| *2031* | *76.5* | | - | ***2045*** | ***100% Net Zero*** |

2.5.3 Notwithstanding as noted above, the Scottish Government has stated that they are to move away from annual targets, the targets set out in the above Table clearly illustrate the speed and scale of change that is required up to and beyond 2030. If there is a continuous growing shortfall each year, then it will be increasingly difficult to attain targets.

2.5.4 This means the trajectory, in terms of the scale and pace of action to reduce carbon dioxide emissions, is steeper than before and although the 2020s is a critical decade, all the indicators are that the 2030s will be even more critical, because of slower-than-planned action to date.

**CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024)**

2.5.5 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland' in March 2024. The related press release of the same date states that Scotland's 2030 climate goals are no longer credible. It states:

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.*

*The Scottish Government delayed its draft Climate Change Plan last year despite the 2030 target being only six years away. This has left a significant period without sufficient actions or policies to reach the target; the required acceleration in emissions reduction in Scotland is now beyond what is credible*."

2.5.6 The CCC calls in the report for Scotland's Climate Change Plan to be published urgently in order that the CCC can assess it and identify the actions which will deliver on its future targets.

2.5.7 The press release states that there is a path to Scotland's post-2030 targets, but stronger action is needed to reduce emissions across the economy.

2.5.8 The main report (page 10) states that "*The Scottish Government should build on its high ambition and implement policies that enable the 75% emissions reduction target to be achieved at the earliest date possible*."

2.5.9 Page 18 of the report addresses electricity supply, and it states that there has been some progress in delivering renewable electricity generation in Scotland. Reference is made to the Government aim to develop 8-11 GW of offshore wind and 20 GW on onshore wind capacity, both by 2030. The report notes that "*The growth in onshore wind capacity has slowed, however, and is slightly off track to deliver its 2030 target, which will require operational capacity to more than double.*"

2.5.10 Page 40 states that in terms of onshore wind, Scotland must increase the deployment rate by more than a factor of 4 to an average annual rate of 1.4 GW.

**Statement to Scottish Parliament (18 April 2024)**

2.5.11 In light of the CCC Report, the Cabinet Secretary made a statement to the Scottish Parliament on 18 April 2024 entitled 'Climate Change Committee Scotland Report – Next Steps: Net Zero Secretary Statement'.

2.5.12 The key points in the statement include:

- The Scottish Government has an "*unwavering commitment to ending our contribution to global emissions by 2045 at the latest, as agreed by Parliament on a cross-party basis*".
- The Cabinet Secretary states that she is "*announcing a new package of climate action measures which we will deliver with partners to support Scotland's transition to net zero*" and the Statement goes out to reference these specific measures.
- The Statement states sets out that in terms of the policies for these measures that "*they sit alongside extensive ongoing work that will be built upon through our next Climate Change Plan and Green Industrial Strategy*."

> The Cabinet Secretary states that, "*The Climate Change Committee is clear that the 'UK is already substantially off track for 2030' and achieving future UK carbon budgets 'will require a sustained increase in the pace and breadth of decarbonisation across most major sectors'. Indeed, we do see climate backtracking at UK level*."

2.5.13 The Cabinet Secretary added:

> "*And with this in mind, I can today confirm that, working with Parliament on a timetable, the Scottish Government will bring forward expedited legislation to address matters raised by the CCC and ensure our legislative framework better reflects the reality of long term climate policy making*."

2.5.14 The last reference in the Statement (as set out above) is key, namely that the Scottish Government intends to work with Parliament to amend existing legislation. This is anticipated to be a change from the current 75% emissions reductions target by 2030 to a lower figure and possibly to a system of carbon budgets, consistent with the approach taken at a UK level.

2.5.15 A further key point in the Statement is that the Scottish Government has reiterated its commitment to achieving net zero by 2045. It would seem therefore that the proposed approach to dealing with the position set out by the CCC in relation to the 2030 target being unachievable, is to amend the emissions reduction target for 2030 such that it better reflects reality and move to a carbon budget approach to measuring emissions reduction which would bring the Scottish Parliament in line with the Welsh and UK approaches. There is as yet, no clarity on what the new target will be, however it will remain a 'stepping stone' en route to achieving the net zero legally binding target by 2045.

2.5.16 Furthermore, in the CCC's May 2024 letter to the Scottish Government advising on the approach to carbon budgets they recommended 5 yearly approach in line with UK and Wales. Among the key messages is:

"*The Committee strongly urges the Scottish Government to act quickly to implement a new legal framework, bringing its approach in line with the other nations of the UK. This is crucial to restore confidence and avoid a vacuum of ambition around Net Zero*."

2.5.17 On 5 September 2024 the Scottish Government introduced the Climate Change (Emission Reduction Targets) (Scotland) Bill to the Scottish Parliament. The Bill was passed on 05 November 2024. When enacted it will repeal the annual and interim emissions reduction target framework established under the 2009 Act and establish a carbon budget approach to target setting, with budgets set through secondary legislation using the latest advice from the CCC once available to replace the concept of statutory annual and interim targets.

2.5.18 The Act will also make provision for a new Climate Change Plan to be published that reflects the carbon budgets. As explained, the Bill followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved. The Bill does not change the existing statutory target of net zero emissions by 2045.

## 2.6 The Draft Energy Strategy and Just Transition Plan

2.6.1 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 ended in April 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.

2.6.2 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, supplies safe and secure energy for all, generate economic opportunities, and builds 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 and 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."*

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

- More than 20 GW of additional renewable 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.

2.6.4 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".*

2.6.5 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……"*

2.6.6 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*."

2.6.7 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 (the Applicant).

2.6.8 The draft Strategy adds that: "*the Scottish Government is working closely with network companies to support timely delivery of this infrastructure*".

2.6.9 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*".

2.6.10 Chapter 5 of the Strategy refers to 'creating the conditions for a net zero energy system'. It states (page 125) that "*As we transition to a net zero energy system, renewables and other zero carbon technologies… will need to provide all the services required to ensure a secure energy system*".

2.6.11 The Chapter goes on to reference in this regard energy markets and network regulation and with regard to network investment (page 126), it states that the Government is working closely with the network companies "*to support timely delivery of required electricity network infrastructure*".

2.6.12 It further adds with regard to constraint costs that the Government will continue to work with National Grid ESO, transmission owners and Ofgem "*to explore opportunities to accelerate planned network investment to relieve constraints*".

2.6.13 Therefore, a key aspect of the Energy Strategy in terms of network investment is the need for speed of delivery of infrastructure to ensure not only that need can be met, but that there can be energy security and resilience within the wider energy system.

## 2.7 Conclusions on the Renewable Energy Policy & Legislative Framework

2.7.1 The Applicant's position is that the Proposed Development is strongly supported by the current renewable energy policy and legislative framework.

2.7.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper than before and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the legally binding target of net zero by 2045 will not be met.

2.7.3 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

2.7.4 The CCC has stated (June 2023) that there is declining confidence in the UK meeting its target obligations. Following COP28 the CCC has advised that the agreements made at COP28 require a sharper domestic response and "*time is now short for the gap to be bridged*".

2.7.5 Any amendments that may be made to Scottish statute to reflect the CCC's advice (in relation to the 2030 emissions reduction target not being credible) does not dilute the Applicant's position that the Proposed Development can make a valuable contribution to targets and would deliver important benefits. Whilst emission reduction targets may be adjusted at the interim stage (2030) in terms of attaining net zero, all this means is that there is a change to the trajectory, but the overall target of net zero remains unchanged. Indeed, as set out in the Cabinet Secretary's Statement referenced above, the Government retains its "unwavering" commitment to attaining that legally binding target for net zero.

2.7.6 Decisions through the planning system must be responsive to this changed position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance.

2.7.7 This was demonstrated most recently in the decision by Scottish Ministers on 21st August 2024 to approve the Creag Dhubh to Dalmally 275 kV Overhead Line Connection, in Argyll & Bute, where it is stated in the Ministers' Decision Letter at paragraph 78 that

> *"**The Proposed Development will provide the resilience necessary to maintain secure and reliable supplies of energy to homes and business as our energy transition takes place. It will support the connection of significant amount of renewable energy generation to the national electricity system, making an important contribution to reducing our reliance on fossil fuels. Scottish Ministers conclude that the proposed Development is supported by the Energy Strategy.** The Draft Scottish Energy Strategy and Just Transition Plan 2023 signals that strong support from the Scottish Government for upgrade transmission infrastructure remains".* (emphasis added)

2.7.8 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge of Net Zero and the need to substantially increase renewable energy capacity.

2.7.9 Overall, the Draft Energy Strategy forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the crucial role that new electricity infrastructure will play in response to the climate crisis which is at the heart of all these policies.

2.7.10 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper than before and it is essential that rapid progress is made through the 2020s.

# 3. The Benefits of the Proposed Development

## 3.1 The Benefits: Summary

3.1.1 This chapter summarise the benefits that would arise from the Proposed Development:

**Renewable Energy Transmission**

> The Proposed Development will deliver new grid infrastructure, which will enable the operation at 400 kV of the upgraded Alyth to Tealing and Tealing to Westfield OHLs, and enable the new proposed Kintore to Tealing 400 kV OHL;

> The Proposed Development will result in enhanced transmission and connection capacity, supporting new onshore and offshore connections;

> SSEN Transmission has a licence obligation to invest new assets to maintain and deliver network capacity. The Proposed Development represents a long-term approach in relation to planning for future transmission infrastructure requirements, particularly having regard to the targets fixed by the Scottish and UK Governments to achieve Net Zero, as the Proposed Development will help enable an increase in renewable energy projects for which access to the electricity transmission network to be connected and allows transmission across the grid, at increased capacity via the upgraded OHLs; and

> The Proposed Development will provide additional capacity on the transmission network for new renewable generation (which is defined as "essential infrastructure" in NPF4[12]). This is consistent with the core aims of NPF4 National Development 3, page 103, which states *"Additional electricity generation from renewables and electricity capacity of scale is fundamental to achieving a Net Zero economy"*.

**Security of Supply**

> The British Energy Security Strategy emphasises the urgency of delivering new low carbon generation capacity at scale for reasons of national security of supply and affordability, as well as for decarbonisation;

> Within this context, the delivery of grid infrastructure improvements to deliver significant benefits to consumers through decarbonisation, security of supply and enhanced capacity to transmit renewable energy is clear; and

> The Proposed Development, if consented, would provide a valuable contribution to security of supply for Aberdeenshire, Scotland and Great Britain.

**Socio-Economic Benefits / Local Supply Chain Opportunities**

> The Applicant has in place Sustainable Procurement Codes and Supplier Guidance to oblige suppliers and contractors to maximise local employment and economic gain and social benefits as a result of the investment in new energy infrastructure in their area with measures to be put in place to maximise opportunities for local people and businesses close to the Site and in the wider region;

> A further obligation is that suppliers and contractors are expected to "*have in place education and employability programmes which promote the development of employee skills as well as local employment…";* and

[12] NPF4 Annex F, page 148.

- The Applicant's guidance as a basic commitment in this regard requires 'decent work and economic growth' alongside addressing environmental obligations, with a key objective to ensure the economic value is shared with particular focus on local supply chains.

**Economic Benefits**

- The Applicant has obtained an independent Socio-Economic Assessment, in which it is estimated, under the 'core' scenario, that the construction of the Proposed Development could generate £97.8 million Gross Value Added (GVA) and 887 years of employment shared across Scotland during its development and construction. Of this, £7.5 million GVA and 70 years of employment would be generated across Aberdeenshire and Aberdeen City.

**Biodiversity Enhancement**

- The greatest threat to biodiversity is climate change, and delivering an enhanced grid transmission network with enhanced capacity for renewable energy is a critical step to meet net zero. The proposed development works towards this aim.
- With regards to Hurlie substation specifically, the Applicant has undertaken a BNG Report which identifies the level of BNG that will be provided through the Proposed Development. The assessment has determined that the Proposed Development will result in a net gain of 4%. The Applicant will enter into agreements with third parties to procure the remaining 6%.
- The Applicant is committed to compensating for any loss of woodland by procuring an equivalent extent of woodland through new planting and will enter into agreements with third parties to procure this.

# 4. Appraisal against NPF4

## 4.1 Introduction

4.1.1 NPF4 was approved by resolution of the Scottish Parliament on 11th January 2023, and it was formally adopted by the Scottish Ministers at 9am on 13th February 2023.

4.1.2 A Chief Planner's Letter was issued on 8th February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contains advice intended to support consistency in decision making ahead of new style Local Development Plans being in place.

4.1.3 In relation to the Proposed Development, we have undertaken an assessment of Aberdeenshire Local Development Plan 2023 (ALDP) policies against NPF4 and presented our findings in Section 5 of this Planning statement.

## 4.2 Development Management

4.2.1 Section 13 of the Planning (Scotland) Act 2019 Act (the "2019 Act") amends Section 24 of the 1997 Act regarding the meaning of the statutory Development Plan, such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:

> The National Planning Framework; and

> Any Local Development Plan (LDP).

4.2.2 Therefore, the statutory Development Plan covering the Site consists of NPF4 and the ALDP. The latter provides area specific proposals and policies only and as such the plan is considered the key LDP for determining the current submission.

4.2.3 The publication of NPF4 coincided with the implementation of certain parts of 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 an LDP is silent on an issue that is now provided for in NPF4.

4.2.4 The Chief Planner's Letter also states with regard to Supplementary Guidance associated with LDPs which were in force before 12th February 2023 (the date on which Section 13 of the 2019 Act came into force) that they will continue to be in force and be part of the Development Plan.

## 4.3 How NPF4 is to be used

4.3.1 Annex A (page 94) of NPF4 explains how it 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*."

4.3.2 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 Goals[13]. NPF4 includes a long-term spatial strategy to 2045*."

[13] 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'.

4.3.3 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 Plan[14] (IIP).

4.3.4 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.

4.3.5 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Proposed Development, "*meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity*".

## 4.4 The National Spatial Strategy – Delivery of Sustainable Places

4.4.1 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*."

4.4.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework[15].

4.4.3 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
- 'Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".

4.4.4 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*."

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

4.4.6 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.*

[14] 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.

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

*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*."

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

4.4.8 A summary description of this ND 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*".

4.4.9 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*."

4.4.10 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.

## 4.5 National Developments

**Overview**

4.5.1 Page 97 of NPF4 sets out that 18 National Developments have been identified. These are described 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*".

4.5.2 It adds that:

"*Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors. … In addition to the statement of need at Annex B, decision makers for applications for consent for national developments should take into account all relevant policies*".

4.5.3 Annex B of NPF4 sets out the various NDs and related Statements of Need. It explains that NDs are significant developments of national importance that will help to deliver the Spatial Strategy. It states (page 99) that:

"*The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes*".

**National Development 3 "Strategic Renewable Electricity Generation and Transmission Infrastructure"**

4.5.4 Page 103 of NPF4 describes ND3 and it states:

"*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*."

4.5.5 The location for ND3 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*."

4.5.6 The designation of classes of development confirms that the Proposed Development is National Development being of a scale or type that otherwise would have been classified as major by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 (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."*

4.5.7 The Proposed Development will further the delivery of the national Spatial Strategy. The Strategy requires a "*large and rapid increase*" in electricity generation and the delivery of an enhanced transmission network to enable this, it is recognised (NPF4, page 6) that "*we must make significant progress*" by 2030.

4.5.8 The Proposed Development will make a meaningful contribution to targets within this key timescale and that is a very important consideration.

## 4.6 National Planning Policy

4.6.1 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.

4.6.2 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*".

4.6.3 In terms of "sustainable places" the 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.
- Policy 11: Energy, and
- Policy 22: Flood Risk and Water Management.

4.6.4 These policies are addressed below.

4.6.5 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*."

4.6.6 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*".

## 4.7 NPF4 Policy 1: Tackling the Climate and Nature Crisis

**Policy 1 & Principles**

4.7.1 The intent of Policy 1 is "*to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

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

4.7.3 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. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1 and would make a positive contribution by helping to attain its outcome of net zero.

4.7.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

"*This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. 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 crises*."

4.7.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal. The Proposed Development's contribution is positive and therefore the significant weight in this case is for the Proposed Development.

4.7.6 The term "Tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with

regard to Policy 1 that the policy gives significant weight "*to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions*".

**The Application of Policy 1**

4.7.7 Given the nature of the Proposed Development, it would make a valuable contribution in relation to targets, as it will allow additional renewable energy sources to connect to the grid and facilitate wider works that permit the transmission of renewable energy. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The specific emission and carbon saving benefits (set out in Chapter 3 above) also need to be recognised in the context of NPF4 Policy 11 (Energy) which requires the contribution that a development would make to targets to be taken into account.

4.7.8 A further important point is the need to recognise that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a valuable contribution of renewable energy, by enabling renewable energy generators to connect to the grid. Through this, the Proposed Development will facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.7.9 Though not directly referencing substation infrastructure, the Reporter's comments on this particular policy in the Sanquhar II Wind Farm Inquiry Report[16] are informative. At paragraph 2.48 of the Supplementary Report, the Reporter addresses NPF4 Policy 1 and states that:

"*tackling the nature crisis is required to be given significant weight alongside the climate crisis. There is no indication that one strand should be given greater priority over the other. That does not necessarily mean that an individual proposal must be shown to respond to both crises in equal measure, however. The two matters are also inextricably linked, with the nature crisis being, in part, exacerbated by climate change*."

4.7.10 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development.

## 4.8 NPF4 Policy 11: Energy

**Policy 11 & Principles**

4.8.1 For the consideration of energy transmission 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.*"

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

4.8.3 Policy 11 is as follows:

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

[16] Sanquhar II Wind Farm, Section 36 Decision dated 31 August 2023, Supplementary Report of Inquiry dated 20 February 2023 (Case Reference WIN-170-2006) and Scottish Ministers' Decision dated 31 August 2023.

*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*".

4.8.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development will help to deliver.

4.8.5 The wording of Policy 11 Paragraph (a)(ii) makes it clear that the policy supports new and replacement grid transmission and distribution infrastructure.

**The application of Policy 11**

4.8.6 **Paragraph c) of Policy 11** requires socio-economic benefits to be maximised, rather than just taken into account.

4.8.7 It is also important to note in regard to community benefit, guidance issued via the Chief Planners letter of 20th September 2024 which provides clarity on the application of Policy 11(c) and the role of community benefits alongside policy considerations on maximising economic impact. The Chief Planner states explicitly *that "We are, however, clear that these are voluntary agreements that sit independent of our planning and consenting systems, and NPF4 Policy 11 (c) does not alter this"*.

4.8.8 With regard to maximising socio-economic benefits, the Applicant has adopted a 'Sustainable Procurement Code' and its related 'Sustainable Procurement Code – Supplier Guidance' and these are relevant to take into account. The Sustainable Procurement Code is applied to development projects that the Applicant progresses, and its principal purpose is to ensure that the Applicant's key values are supported, managed and where possible improved.

4.8.9 This Code sets out various obligations on suppliers and contractors covering climate action and in relation to providing affordable clean energy. The Code also addresses environmental obligations and also sets out a clear commitment to "decent work and economic growth" (Page 10). A key objective is to ensure that economic value is shared.

4.8.10 A Socio-Economic Assessment of the proposed Hurlie Substation development has been prepared by BIGGAR Economics to accompany the Applicant's planning application, has found that the project could deliver a total of £97.8 million Gross Value Added (GVA) and 887 years of employment shared across Scotland during its development and construction. Of this, £7.5 million GVA and 70 years of employment would be generated across Aberdeenshire and Aberdeen City under the core scenario, which is based on the minimum level of content that could realistically be achieved locally. This can be considered as a worst-case scenario, and further GVA can be added through additional engagement with local supply chains.

4.8.11 Amongst the various specific obligations on the Applicant and suppliers, is reference to local supply chains. In that regard, page 10 sets out that:

"*SSE has committed to being a global leader for a just energy transition to net zero, with a guarantee of fair work and commitment to paying fair tax and sharing economic value*".

4.8.12 Furthermore, within the obligations on suppliers and contractors are provisions that require the formation of "*constructive local relationships so that communities have the opportunity to directly benefit from significant capital investments… and to have measures in place to*

*maximise opportunities for local people and businesses close to SSE sites and the wider region*".

4.8.13 A further obligation is that suppliers and contractors are expected to "*have in place education and employability programmes which promote the development of employee skills as well as local employment, including graduate programmes and apprenticeships*".

4.8.14 With regard to local supply chains, "*SSE is committed to ensuring that real economic and social benefits flow to local businesses as a result of its investment in new energy infrastructure. It aims to promote sustainable domestic employment, increased local content and more competitive domestic supply chains. It does this through engagement with its suppliers as well as government regulators and trade unions".*

4.8.15 The related Supplier Guidance document sets out with specific regard to local supply chains that suppliers and contractors are:

> Required to have measures in place to maximise opportunities for local people, supply chains and economies surrounding SSE sites. There may be a requirement to provide evidence of site-specific plans to SSE.

> Encouraged to work closely with SSE to promote and support the development of competitive domestic and local supply chains.

> Required to provide details of spend with local suppliers and subcontractors, when requested by SSE ("local" is defined as either, within a 50-mile radius of the site or the Local Authority area, unless otherwise defined).

> Required to provide reporting of attributed spend with Small Medium Enterprises (SMEs).

4.8.16 The Socio-Economic Assessment referred to above indicates that through a full implementation of a local supply chain development plan, the scale of the economic impacts from the Proposed Development could be maximised. This scenario is referred to as the *"ambition scenario"*. Under the ambition scenario, where several initiatives to increase the contracts awarded to businesses within the regional and Scottish economies are implemented, an increase in the proportion of the economic benefits that would be retained within these economies could generate £26.7 million GVA and 265 years of employment across Aberdeenshire and Aberdeen City; and £138.7 million GVA and 1,356 years of employment across Scotland.

4.8.17 Specific reference to the Sustainable Procurement Code and Sustainable Procurement Code – Supplier Guidance, and the associated obligations would be set out in any invitation to tender for construction works for the Proposed Development. Therefore, there is clear evidence that beyond the capital spend for the project and the direct, indirect and induced employment and economic benefits that would result, that the Applicant has policies and measures in place that seek to maximise the opportunity for socio-economic benefits as a result of the project.

4.8.18 It should also be noted appointed contractors are required to inform the Applicant of the supply chain engaged, within Aberdeenshire and indeed further afield.

4.8.19 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations "*will be assessed in relation to Policy* 4". Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such national and local designations is examined further below with specific regard to the provisions of Policy 4.

4.8.20 **Paragraph e) of Policy 11** states that project design and mitigation "will demonstrate how" impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below.

**Impacts on Communities and Individual Dwellings**

4.8.21 The settlement pattern across the region surrounding the Proposed Development is sparse, with small settlements and more isolated properties scattered along the minor road network.

4.8.22 The settlement of Drumlithie is located approximately 4.5 km from the Site. Drumlithie however has no theoretical visibility of the Site, as outlined in the LVIA assessment. The closest large settlement is Stonehaven, located at a distance of approximately 5.2 km east of the Site at its closest point. No significant effects from the proposed development are expected at this distance. The small community of Rickarton is located within an area of theoretical visibility and includes at least 10 distinct properties.

4.8.23 There are a number of individual residential properties within around 5 km of the Site that are not located within a recognised settlement and are well scattered. The closest properties to the wider Site are at Clachanshiels and Whitehall located approximately 410 m and 750 m respectively to the north of the Site and over 1 km from the Proposed Substation itself, two dwellings at Upper Baulk approximately 630 m to the east and approximately 965m from the Proposed Substation, Upper Wyndings approximately 770 m to the southeast and over 1 km from the Proposed Substation and Elfstone approximately 470 m to the south of the Site and over 1 km from the Proposed Substation. The majority of properties are located alongside the minor road network in the valleys to the north and south, and to the east across gently undulating farmland. There are fewer properties in the west and northwestern portion of the study area, due to heavy forestry use and fewer roads.

4.8.24 The LVIA concludes that, since the closest property to Hurlie Substation does not have any theoretical visibility of it and remaining properties within the study area are located beyond 1 km from the Proposed Substation itself, at distances where effects on effects on residential visual amenity are unlikely to affect living conditions.

**Noise and Shadow Flicker**

4.8.1 The consideration of shadow flicker is not relevant to the consideration of the Proposed Development.

4.8.2 With regards to noise, Chapter 14 of the EIA Report provides an assessment of the potential effects of noise and vibration from the construction and operation of the Proposed Development on sensitive receptors. The nearest receptor is Clachanshiels located approximately 410 m to the north of the Site and over 1 km from the Proposed Substation itself.

4.8.3 An assessment of construction noise, and construction traffic noise along the A957, A93, A90, and B9077, predicts that the effects of noise would not be significant. During construction it is recommended that an updated construction noise impact assessment and Construction Noise Management Plan (CNMP) is produced.

4.8.4 Results of cumulative noise assessments indicate that there are no anticipated significant effects from any identified developments in the vicinity of the Proposed Development.

4.8.5 Vibrations associated with construction traffic and blasting are also assessed to be not significant.

4.8.6 As no significant effects are anticipated, no additional mitigation methods are proposed.

4.8.7 The assessment concludes that the construction, operation, maintenance, and decommissioning of the Proposed Development will have no significant effects with regards to noise. There will also be no significant residual effects from construction or operation of the proposed development.

**Landscape and Visual Considerations**

4.8.8 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy and transmission infrastructure. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable.

*Overview of Design Approach*

4.8.9 The proposed substation design has been progressed through an iterative process integrating electrical and civil engineering and environmental considerations. The design process has sought to reduce the potential for significant environmental effects at the outset taking account of site topography, slope, drainage, existing land uses and vegetation. Figure 3.2 shows the design of the Proposed Development.

4.8.10 The principal iterations have focused on reducing the extent of the Site and on optimising the cut and fill works. As a result, the overall footprint of the works area has been reduced from approximately 45 ha to just under 24.5 ha, which has allowed an increase in new planting by an equivalent extent.

4.8.11 The main platform length has been reduced from 760 m to 685 m, narrowing the western edge, and rounding the north-east corner. The reduction of the platform has allowed the SuDS to be repositioned allowing areas of new planting eastwards. Work to optimise the alignment of the site access road west of the platform has enabled areas of new woodland block and shrub/scrub planting. The shrub/scrub planting extends further south and along the southern edge of the substation. The western, north and eastern edges of the platform are wrapped in woodland block planting, comprising a mix of deciduous and evergreen species, which will add both biodiversity and strengthen visual screening to what is already a well-screened platform as a result of the topography of the site.

4.8.12 *Landscape and Visual Effects*

4.8.13 An assessment of landscape and visual impact has been undertaken as part of the EIA and is presented in Chapter 8 of the EIA Report.

4.8.14 During both construction and once completed and operating, Major (Significant) landscape effects are predicted for the Site landscape. Moderate (Significant) landscape effects are predicted on the two Landscape Character Types (LCT29 Summits and Plateaux and LCT24 Coastal Farmed Ridges and Hills) within close proximity (1.5km and 4km respectively) of the Site reducing to Minor effects beyond these distances. Moderate (Significant) visual effects are predicted at only two of the five viewpoints selected, VP1 which represents views to the northwest experienced by residential receptors on the elevated land to the south of the Site and east of Carmont Hill around Hillhead of Auquhirie, and VP5 which represents open views to the southwest experienced by recreational receptors walking or cycling along forest tracks within Fetteresso Forest. Moderate (Signifiacnt) effects are also predicted from the local minor road network to the east/southeast of the Site (corresponding to VP1) and from forest recreational tracks serving Upper Baulk, Hill of Trusta and Garrison Hill. From all other viewpoints and locations assessed, effects are Minor during construction reducing to non existent once the landscape design has matured.

4.8.15 Landscape and visual effects are mitigated through the positioning of the substation platform and by the creation of cut slopes along the west and southwestern edges of the platform and fill slopes to the northeast, east and southeast which serves to screen views looking towards the Proposed Development, particularly from the west and southwest. Further mitigation is achieved by the Landscape Design comprising trees, shrubs and woodland planting around the Proposed Substation to the north, east and south, which serves to better integrate the

Proposed Development into the landscape and provide filtering and screening to reduce the visibility of the Proposed Development over time.

4.8.16 Based on the foregoing, it is considered that the Proposed Development is consistent with Policy 11.

*Designated Landscapes*

*4.8.17* There are no nationally, regionally or locally designated landscapes or Wild Land Areas within the study area

*Cumulative Effects*

Construction

4.8.18 During construction of the Proposed Development, the construction period may overlap with various SSEN developments and other developments. These include:

- The Kintore to Tealing 400 kV OH.
- Fetteresso 400kV substation extension.
- Network Rail Drumlithie project.
- Fiddes 132 kV replacement.
- SSEN Transmission offshore grids project.
- Glendyn Wind Farm grid connection.
- Bowdun Offshore Wind Onshore Cable Connection.
- Quithel BESS.
- Fetteresso Wind Farm.
- Craigneil Wind Farm.

4.8.19 Due to the scale of construction activities associated with the Proposed Development and the Kintore to Tealing 400 kV OHL, and the overlap of construction phases, significant cumulative landscape and visual effects are expected. Construction activity associated with the Proposed Development would be experienced from much of the area surrounding the Site particularly to the southeast and within Fetteresso Forest and would be experienced alongside large-scale construction of new steel lattice towers associated with the Tealing to Kintore 400 kV OHL. However, as this is construction related activity, this effect can be partially removed once construction ends.

4.8.20 Where the construction period overlaps between the Proposed Development and other inter-project developments there is potential for the Proposed Development to give rise to localised significant cumulative landscape and visual effects. Localised effects on landscape character are likely to occur within the central and southern parts of the Site, primarily within LCT 29 within and around Fetteresso Forest where the Proposed Development and most of the Other SSEN Transmission Developments are located. Significant cumulative visual effects are also likely to be experienced within the central and southern parts of the study area, primarily related to in-combination effects with the numerous proposed grid infrastructure projects within and to the south of Fetteresso Forest. There is limited potential for significant cumulative visual effects with the Glendye wind farm grid connection as significant effects during the construction of this development alone are not expected to be significant.

4.8.21 Localised effects on landscape character are likely to occur within the central and southern parts of the Site, primarily within LCT 29 within and around Fetteresso Forest where the Proposed Development and most of the Other Developments are located. Significant cumulative visual effects are also likely to be experienced within the central, southern and

southeastern parts of the study area, primarily related to in-combination effects with the Bowdun Offshore Wind Farm Onshore Cable Connection, within Fetteresso Forest and the Quithel BESS to the south of Fetteresso Forest. There is limited potential for significant cumulative visual effects with the Fetteresso Wind Farm grid connection and Craigneil Wind Farm as significant effects during the construction of these developments alone are not expected to be significant.

4.8.22 As the construction related effects are predominantly temporary and localised, the Proposed Development is considered to be acceptable in terms of Policy 11. Furthermore, there is a high level of uncertainty associated with a number of cumulative developments in the region surrounding the Proposed Development. Therefore, it is difficult to predict the cumulative effects that may arise as a result of the combination of the Proposed Development and the inter-projects during construction, and some of these effects may not occur or be less significant.

Operation

4.8.23 The Proposed Development is expected to give rise to significant and permanent cumulative landscape and visual effects when combined with the Other Developments during its operational phase. This is largely due to the Proposed Development and most of the Other Developments being located within or near Fetteresso Forest, which together would intensify the presence of electrical infrastructure within this area.

4.8.24 The Proposed Development is expected to give rise to significant cumulative landscape and visual effects when combined with the Kintore to Tealing 400 kV OHL, during its operational phase. This is largely due to the spatial scale of Proposed Development, combined with the vertical prominence of the numerous new steel lattice towers associated with Tealing to Kintore 400 kV OHL. Significant effects on visual receptors would be largely concentrated and localised to the southeast and within the surrounding Fetteresso Forest. In these locations, the Tealing to Kintore 400 kV OHL would form the most prominent feature in views rather than the Proposed Development.

4.8.25 Localised significant cumulative effects on landscape character are likely to occur within the central and southern parts of the Site, primarily within LCT 29 which the Proposed Development and most of the Other Developments are located within. Significant effects on visual receptors would be largely concentrated within the central, southern and southeastern part of the study area, including from parts of Fetteresso Forest where receptors would be in close proximity and have some open views towards a number of the Other Developments adjacent to the Site. Significant effects on visual receptors would also occur within some southern and southeastern parts of the study area where some open combined, successive and sequential views of the Proposed Development and some of the Other Developments may be available.

4.8.26 As with cumulative visual effects during construction, there is a high level of uncertainty associated with a number of cumulative developments in the region surrounding the Proposed Development. Therefore, it is difficult to predict the cumulative effects that may arise as a result of the combination of the Proposed Development and the inter-projects during operation, and some of these effects may not occur or be less significant. Ultimately, although effects on the landscape would remain significant, the proposed Landscape Design is considered to provide appropriate mitigation, restricting significant effects from the Proposed Development alone to small or medium sized geographical areas arising from only the few tallest infrastructure elements. Policy 11 does not require complete amelioration of these effects, and so the Proposed Development is considered to be generally in line with the Policy, especially when considered against the wider benefits the Proposed Development will bring.

**Public Access**

4.8.27 The Proposed Development will not give rise to any negative effects over and above existing in this regard. No construction or operational effects are considered to give rise to use of undesignated paths or tourist traffic routes in this regard.

**Aviation, Defence Interests and Telecommunications**

4.8.28 The Proposed Development will not give rise to any negative effects in this regard.

**Impacts on Road Traffic and Trunk Roads**

4.8.29 An assessment of the effects of construction traffic has been undertaken as part of the EIA and is presented in Chapter 12 of the EIA Report.

4.8.30 The assessment found that the peak of construction activities is predicted to occur in February 2028 and will result daily traffic flows of 208 (two way) traffic flows. Of these, 56 would be HGV movements, the remaining 152 being car or LGV movements.

4.8.31 Some mitigation measures to ameliorate potential impacts arising from traffic movements associated with the Proposed Development are embedded into the project design. These are:

> Traffic management measures, including the provision of direction signage at the proposed site access junction.

> The use of local material suppliers to reduce traffic impacts and overall project mileage.

4.8.32 Ultimately, the assessed traffic flows would generate no potential significant effects on the study area traffic network.

4.8.33 Whilst the proposed significance of effects indicated that no additional applied mitigation measures would be required, several mitigation methods will be implemented to provide the highest standard of highway management for the benefit of all road users, and will develop an enhanced CTMP, a public information campaign and an abnormal load management plan. Mitigation relative to traffic movements associated with the Proposed Development would be focused primarily on HGV construction traffic as additional car trips will have a negligible effect.

4.8.34 Post-mitigation, no residual effects are predicted.

4.8.35 A Construction Traffic Management Plan (CTMP) will be prepared by the Contractor to manage the effects of construction traffic and to ensure that there will be no adverse impacts. The control of this can be secured via an appropriately worded condition attached to planning permission.

**Historic Environment**

4.8.36 An assessment of the potential effects on cultural heritage assets has been undertaken as part of the EIA and is presented in Chapter 9 of the EIA Report.

4.8.37 The assessment identified various heritage assets within the study area. These assets include 20 non-designated heritage assets, and one Scheduled Monument, the Cowie Line pillbox and earthworks (SM 6437), that lies partly within the Site on the route of the proposed access track. As a Scheduled Monument, the Cowie Line pillbox and earthworks is the most significant historic asset identified within the study area. There are no other designated heritage assets (world heritage sites, listed buildings, inventory gardens and designed landscapes, inventory historic battlefields, or conservation areas) within the Study Area.

4.8.38 There was some suggestion expressed at one of the pre-application consultation events that a Second World War military aircraft may survive within the Site. Should this be the case any surviving remains would be of high sensitivity, however based on all available desk records,

the potential for any remains to survive within the Site is assessed as being negligible. The current land-use (commercial forestry plantation) means that the potential for hitherto undiscovered buried archaeological remains to survive in the Site is also low to negligible.

4.8.39 There is potential, in the absence of additional mitigation, for construction works to result in direct impacts on the following heritage assets recorded within the Study Area:

- Trackways (NO78NE0059, NO78NE0058, NO78NE0056, NO88NW0115, NO88NW0096): potential adverse effect of negligible significance (not significant in EIA terms);
- Cryne Corse Road (NO79SE0010): potential adverse effect of minor significance (not significance in EIA terms) on any buried remains that may survive within the Site;
- Buildings and enclosure (NO78NE0035) and Farmstead (NO78NW0011 and associated enclosure NO78NE0060): potential adverse effect of minor significance (not significant in EIA terms) on surviving upstanding remains.

4.8.40 No significant effects from operational phase of the Proposed Development were identified, or any significant cumulative effects.

4.8.41 The Proposed Development incorporates embedded, applied, and additional mitigation to reduce any potential impacts from the Proposed Development on the identified heritage assets.

4.8.42 Embedded mitigation includes mitigation planting to reduce visibility of the proposed Development from heritage assets, and avoidance of the identified Scheduled Monument.

4.8.43 Applied mitigation includes construction works only proceeding in accordance with the CEMP, and construction machinery operating only within defined working areas. Should previously unidentified archaeological remains be encountered, they would be subject to a programme of archaeological works to be developed in consultation with ACAS and detailed in a Written Scheme of Investigation (WSI).

4.8.44 Written guidelines outlining the possibility that remains of a military aircraft crash site may survive within the Site should be implemented, outlining that there is a need to avoid causing unnecessary damage to these remains should any be encountered. The guidelines will make clear that military aircraft crash sites are protected by legislation and will set out arrangements for calling upon an appointed Archaeological Clerk of Works (ACoW) if any military aircraft crash site remains should be discovered during any construction activities.

4.8.45 Following the implementation of these mitigation strategies, the assessment found that there should be no residual effects form the proposed development on the identified heritage assets.

**Hydrology, the Water Environment and Flood Risk**

4.8.46 Chapter 12 of the EIA Report presents the appraisal of potential effects on hydrology, hydrogeology, geology and soils resulting from the Proposed Development.

4.8.47 The assessment found that, prior to additional mitigation, the effects during construction on hydrology, hydrogeology, geology and soils were assessed to be moderate, minor or negligible.

4.8.48 The only moderate effects during the construction period were predicted for Cowie Water, a watercourse which is crossed by the access track and has tributaries to the north of the Site. Minor effects were predicted for the Carron Water, which is crossed by access tracks to the south of the Site. All other effects were assessed to be negligible and not significant.

4.8.49 To mitigate the effects of the proposed development, the assessment recommends that the following methods are implemented:

- Additional pollution control mitigation and SuDS (e.g. silt fences) installed at the 10 existing watercourse crossings during construction to reduce the risk of sediment/silt runoff and spills to the water environment during construction.
- No construction materials to be placed within the flood risk area of the Burn of Day, Cowie Water or Black Burn (on the existing access track) during construction.
- The contractor is to sign up to SEPA's flood warning service and follow weather forecasts and warning in order to receive advance warning of flood events. Use of access tracks (if flooded) should cease during flood events.
- No construction materials should be placed within the flood risk area of the Burn of Day, Cowie Water or Black Burn during construction/upgrading of the access track/crossings.
- Peat has been avoided in the detailed design. An exclusion zone should be established downslope (east) of the forestry track on the east side of the Proposed Development to prevent any construction works access to the area of peat around the Burn of Baulks.

4.8.50 Protection measures for watercourses, soils and groundwater will be set out in a Construction Environmental Management Plan (CEMP) to be prepared in consultation with SEPA and approved subject to an appropriately worded condition prior to commencement of development.

4.8.51 Following the application of mitigation methods, there are no predicted significant (moderate or major) effects of the Proposed Development on hydrology, hydrogeology, geology and soils.

4.8.52 With site-specific additional mitigation, the residual construction effects were assessed to be negligible for all receptors.

4.8.53 During operation, the effects were assessed to be negligible. No additional mitigation during operation was required. Cumulative effects were also assessed to be negligible.

**Biodiversity**

*Ecology and Ornithology*

4.8.54 Chapters 10 and 11 of the EIA Report presents the assessments of the potential effects on ecology and ornithology resulting from the Proposed Development.

*Ecology*

4.8.55 With regards to non-ornithological ecological features, construction of the Proposed Development has potential to impact Mergie LNCS, habitats of conservation concern and to disturb individual bats, otter, badger, red squirrel and pine marten via direct habitat loss and habitat fragmentation. However, the appraisal has not identified any significant environmental effects as a result of the Proposed Development on sensitive ecological receptors or designated sites.

4.8.56 The contribution of adverse effects accrued by the Proposed Development to designated sites and habitats of conservation concern within the area would be minimal and so cumulative effects of the Proposed Development with existing and planned electricity network developments in the region are judged as being unlikely to have a significant effect on these ecological features. Ultimately, no significant negative effects are predicted during the operation of this Proposed Development, nor on any other ecological feature.

4.8.57 Although a number of protected species have been scoped out of detailed assessment because they are not considered to be significant in EIA terms, the need to ensure compliance with nature conservation legislation still applies. The legislative protections afforded to these will be included in the CEMP which is assumed to be secured through an appropriately worded planning condition and adopted Species Protection Plans (SPPs)

published by SSEN Transmission, adherence to which is a contractual requirement of the Principal Contractor.

4.8.58 The Applicant will submit General Environmental Management Plans (GEMPS) and Species Protection Plans (SPPs) for approval by Aberdeenshire Council in consultation with NatureScot as necessary prior to the commencement of construction. It is proposed that this is handled by a suitably worded conditions with any resultant permission. The GEMPs would detail specific requirements for enhancement measures e.g. heathland creation, woodland enhancement and creation etc...

4.8.59 Embedded mitigation measures in relation to sensitive ecological features include:

- Landform of the screening bunds around the substation platform has been varied to provide opportunities for different ecological niches as part of the habitat creation proposals that will help to deliver enhancement through Biodiversity Net Gain (BNG).
- Avoidance of irreplaceable habitats, and minimisation of impacts upon woodland listed on the AWI as long-established of plantation origin wherever possible.
- Inclusion of a 15 m buffer between watercourses / waterbodies and key operational infrastructure (substation infrastructure and permanent access tracks) wherever possible.
- Retention of woodland and riparian habitats that provide commuting and foraging opportunities for a range of protected species.
- Adherence to all SSEN GEMPs and SPPs. Implementation would be overseen by a suitably experienced Advisory Environmental Clerk of Works (ECoW) with further detail on the definition of this role and implementation as part of an outline Construction Environment Management Plan.
- Preparation and implementation of CEMP which will incorporate an Ecological and Ornithological Management Plan pursuant to the contractual requirements of the Principal Contractor
- The Applicant will implement on-site and off-site BNG measures, as defined in the BNG Report. BNG measures will deliver no less than a 10% net gain in biodiversity units and will be underpinned by sound ecological principles to deliver broad benefits for a range of ecological features.

4.8.60 The requirement for an ECoW is provided for under the Applicant's permission and Environmental Specification. The ECoW will be present during construction to provide onsite support and advice, and will monitor compliance with the CEMP, General Environmental Management Plans (GEMPs), Species protection Plans (SPPs), the environmental requirements that the Applicant places upon the Principal Contractor, and relevant legislation.

4.8.61 An outline Biodiversity Net Gain (BNG) Report has been submitted as part of the EIA Report, detailing the ecological value of the baseline, and the measures that will be implemented within the Site through the landscape design to *"conserve, restore and enhance biodiversity"* in accordance with NPF4 policy 3(b).

*Ornithology*

4.8.62 The ornithological assessment for the Proposed Development concluded that construction and operation of the Proposed Development would not have a significant effect on any bird species.

4.8.63 Though the construction phase of the Proposed Development will lead to increased levels of noise and visual disturbance due to the presence of vehicles, site machinery and site personnel (which can lead to indirect habitat loss, as it has the potential to displace birds from key foraging habitats or important sites like nesting or roosting areas), habitat loss and associated displacement effects are considered as producing a minimal effect. This is

because of commercial forestry within the wider area, and because SSEN have committed to the adherence to a Bird Species Protection Plan (BSPP). Furthermore, the Principal Contractor would be required to prepare additional plans, as a requirement of the Principal Contract which will include an Ecological and Ornithological Management Plan.

4.8.64 The design of the Proposed Development also includes embedded mitigation in the form of screening bunds around the substation platform which are developed as part of habitat creation proposals. In conjunction with ecology, the areas will be used to include areas of native deciduous tree planting, areas of scrub, and grassland planting, together with the creation of wet grassland habitats

4.8.65 No proposed additional mitigation is required as there are no likely significant effects identified, and so no additional mitigation is proposed. Since no mitigation is proposed, the residual construction and operational effects are the same and are predicted as being Negligible and not significant for all bird species.

4.8.66 Although no significant effects have been identified, mitigation methods outlined within the EIA Report will be adopted as part of both good environmental management practice and necessary to ensure compliance with the Wildlife and Countryside Act, 1981 (WCA). These mitigation methods include:

> Implementation and adherence to the BSPP. This will be employed to ensure careful timing of construction activities near to sensitive locations to avoid effects on all breeding birds. Appropriate species-specific working buffers would be employed to assure that minimal disturbance is achieved. Implementation of the BSPP would be overseen by a suitably experienced Environmental Clerk of Works (ECoW) with further detail on the definition of this role and implementation as part of an outline Construction Environment Management Plan.

> Preparation and implementation of CEMP which will incorporate an Ecological Management Plan pursuant to the contractual requirements of the Principal Contractor.

> The Applicant will implement on-site and off-site BNG measures, as defined in the BNG Report included with the planning application. BNG measures will deliver no less than a 10% net gain in biodiversity units which will include measures designed to provide habitat for ornithological species.

4.8.67 In addition to delivering this Applied Mitigation through contract, the Applicant expects that such mitigation will also be secured by Aberdeenshire Council through planning conditions.

4.8.68 Finally, it is also proposed that the mitigation elements derived from the ecology assessment of the Site will also benefit bird species.

**Balancing the Contribution of a Development and Conclusions on Policy 11**

4.8.69 Part e) ii) of NPF4 Policy 11 (Energy) makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of energy proposals. This is a very different starting point compared to the position in SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.

4.8.70 The assessment acknowledges that there are significant adverse landscape effects associated with the Proposed Development. However, these effects are localised (see paragraph 4.8.13) and, when balanced against the substantial benefits arising from the Proposed Development, they are considered acceptable in accordance with NPF4 Policy 11's environmental and technical criteria.

4.8.71 The second last paragraph of Paragraph e) of Policy 11 is expressly clear that in considering any identified impacts of developments, significant weight must be placed on the contribution

of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets.

4.8.72 The "contributions" are inextricably related to the scale of a proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.

4.8.73 In terms of contribution to targets, the Proposed Development's contributions have been detailed in the Socio-Economic Impact Assessment Report prepared by BiGGAR Economics on behalf of the Applicant. This report builds a strategic economic case for the Proposed Development, supporting Scotland and the UK's ambitious energy goals. It also provides a socio-economic baseline, assesses economic impacts, and evaluates tourism effects related to the Proposed Development.

4.8.74 The scale of the energy output and emissions savings linked to the new substation and other works included within the Proposed Development is an enabling factor directly related to renewable transmission capacity and security of supply are valuable and should be afforded significant weight.

## 4.9 NPF4 Policy 3: Biodiversity

### Policy 3 & Principles

4.9.1 In summary, there are no unacceptable effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 **Policies 3 and 4** (the latter in terms of designations – see below) respectively address.

4.9.2 **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.

### Current Guidance Position

4.9.3 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*".

4.9.4 The **letter from the Chief Planner issued on 08 February 2023** refers to the application of new policy where specific supporting guidance / parameters for assessment are not yet available to aid assessments. The letter states:

*"recognising that currently there is not a single accepted methodology for calculating and / or measuring biodiversity 'enhancement' – we have commissioned research to explore options for development a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise for 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".* (underlining added)

4.9.5 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance.

4.9.6 **NatureScot Guidance** was issued in Summer 2023 in support of NPF4 Policy 3c. This states that the selection and design of enhancement measures will be a matter of judgment based on the circumstances of the individual case but should take into account a number of considerations. These considerations include:

> The location of the development site and the opportunities for enhancing biodiversity;

> The character and scale of development;

> The requirements and cost of maintenance and future management of the measures proposed;

- The distinctiveness and scale of the biodiversity damaged or lost; and
- The time required to deliver biodiversity benefits and any risks or uncertainty in achieving this.

4.9.7 In addition, in September 2023 the Scottish Government issued a consultation on **'Scotland's Strategic Framework for Biodiversity - Tackling the Nature Emergency'**. This document states that Scotland's 'Biodiversity Strategic Framework' consists of three parts, namely:

- The Scottish Biodiversity Strategy – which sets out a vision to halt and reduce biodiversity loss;
- The first 5-Yearly Delivery Plan – which contains the actions to deliver the vision; and
- The proposed Natural Environment Bill - which is to provide a framework for establishing statutory nature targets to drive delivery and the transformational change that the Government consider is required.

4.9.8 The scope of the consultation covers the final draft of the Scottish Biodiversity Strategy, the first 5-year Delivery Plan and also policy frameworks for Nature Networks "*protecting at least 30% of our lands and seas by 2030 (30 by 30)*" (page 7).

4.9.9 The second part of the consultation relates to the necessary legislation required, specifically with regard to statutory targets for nature restoration.

4.9.10 The Scottish Government also published '**Draft Planning Guidance: Biodiversity**' in November 2023. Paragraph 1.1 states that it:

"*Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity*."

4.9.11 The draft guidance makes reference to Scotland's Biodiversity Strategy, which it states sets targets for halting biodiversity loss by 2030 and restoring and regenerating biodiversity by 2045.

4.9.12 Section 1.9 of the guidance states that NPF4 Policy 3 (Biodiversity) "*in particular plays a critical role in ensuring that development will secure positive effects for biodiversity*".

4.9.13 The guidance refers to 'key terms' and with regard to 'enhancement', states at Paragraph 1.10:

"*The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver*".

4.9.14 The guidance addresses development planning and, in terms of development proposals, references 'core principles.' At Paragraph 3.1 the guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal. Section 3.2 of the guidance states:

"*Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time*."

4.9.15 The principles set out are as follows:

- Apply the mitigation hierarchy;

- Consider biodiversity from the outset;
- Provide synergies and connectivity for nature;
- Integrate nature to deliver multiple benefits;
- Prioritise on-site enhancement before off-site delivery;
- Take a place-based and inclusive approach;
- Ensure long term enhancement is secured and
- Additionality.

4.9.16 These core principles have been applied as appropriate with regard to the Proposed Development.

4.9.17 Page 15 of the draft guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points in the guidance include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised;
- Assessments can be qualitative or quantitative (for example through use of a metric); and
- It is stated that NatureScot is to shortly commence work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 Policy 3 b). The draft guidance states that further information will be provided on this work "in due course".

4.9.18 Section 4.12 of the guidance states:

"*In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required. Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out*".

4.9.19 Section 4.14 of the guidance states that it will be for a planning authority to determine whether the relevant policy criteria have been met, taking into account the circumstances of the particular proposal. The guidance adds:

"*NPF4 does not specify how much enhancement or 'net gain' should be delivered, though biodiversity should clearly be left in a 'demonstrably better state' than without intervention. Rather, the selection and design of enhancements will be a matter of judgement based on the circumstances of the individual case, taking into account a range of considerations*."

4.9.20 The guidance makes reference to the various considerations which are already set out in the NatureScot guidance issued in the Summer of 2023 with regard to NPF4 Policy 3 (as listed above).

4.9.21 The draft guidance also makes reference to off-site delivery of enhancement proposals and states at Paragraph 4.19 that:

"*Where the relevant policy tests cannot be met on site, off-site provision may be considered alongside on site. In these circumstances, off-site delivery should be as close as possible to*

*the development site, with consideration being given firstly to the immediate landscape context and existing ecological value of the site*."

4.9.22 In early 2024 **NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'.** The consultation ended on 10 May 2024. The consultation paper outlines work that NatureScot has been commissioned by the Scottish Government to develop a biodiversity metric for Scotland's planning system, to support delivery of NPF4 policy 3(b).

4.9.23 This consultation paper does not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlight here the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, as referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making.

4.9.24 The commission's final outputs will include:

> A Scottish biodiversity planning metric tool (to be hosted on the NatureScot website), which is based on current understanding of science and evidence, clear and transparent in its workings, accessible and easy to use by relevant professionals with outputs understandable by decision makers, and which informs siting and design of development as well as evidence-based decision making.

> A user guide supporting the metric (together with any supporting information).

> Recommendations on any requirements for maintaining and updating the metric and supporting information.

4.9.25 An important point is that the proposed guidance is proposed as a *"living document".* Paragraph 5.1 of the draft guidance states that it is the Government's intention that it will be updated as practice *"beds in across planning authorities".*

**The application of Policy 3**

4.9.26 Notwithstanding the lack of policy guidance at National level at the present time, in terms of environmental benefit, there will be a permanent enhancement delivered through the Applicant's proposed enhancements to the natural habitat within the Site, as well as offsite enhancements.

4.9.27 Biodiversity Net Gain (BNG) is a process which leaves nature in a better state than it started. Although it is an internationally recognised process and tool within the development industry, it is not a term that is widely used or implemented in Scotland and a small handful of businesses are making voluntary commitments to incorporating BNG into their projects, including SSEN Transmission.

4.9.28 A BNG Report is submitted as part of the EIA Report (Volume 4, Technical Appendices), which sets out the calculation of baseline Biodiversity Units (BU) across different habitat types and the BU that can be replaced through enhancements on the site. It concludes that the Proposed Development is capable of delivering a net gain of 4%. As a result, the Applicant will engage with third party BNG project developers and landowners to procure the balance of 6% necessary to deliver its policy commitment.

4.9.29 Given the lack of significant adverse effects of the Proposed Development, and the scale of the habitat enhancements proposed, the Proposed Development will demonstrably deliver significant positive effects and strengthen nature networks and the connections between them so they are in a demonstrably better state than without intervention consistent with the provisions of Policy 3.

4.9.30 It is important to keep in mind that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of

energy transmission and security within a modern grid network with enhanced capacity, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

## 4.10 NPF4 Policy 4: Natural Places

**Policy 4 & Principles**

4.10.1 Policy 4, Paragraph c) deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or NSA should be addressed.

4.10.2 Policy 4, Part c) states that:

"*Development proposals that will affect the National Park or National Scenic Area(…) will only be supported where:*

- *the objectives of designation and the overall integrity of the areas will not be compromised; or*
- *any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance."*

4.10.3 There are no national landscape interests that would be affected by the Proposed Development.

4.10.4 **Policy 4**, **Paragraph d)** deals with local landscape designations and contains a different policy approach to that which was contained within the former SPP. Policy 4 is as follows:

"*Development proposals that affect a site designated as (…) 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*".

4.10.5 The policy now follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "*integrity*" of the area or "*the qualities for which it has been identified*".

4.10.6 The policy set out in the second limb of NPF4 Policy 4, Part d) provides that development proposals that affect a site designated as a local landscape area will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:

> this is a new policy provision, reflecting the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or National Scenic Area) must be balanced against the benefits of a proposed development;

> the second limb is independent of the first ("or") and is to be applied where a decision-maker concludes that a proposed development will have significant adverse effects on the integrity of a local designation;

> NPF4, Policy 4, Part d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").

**The application of Policy 4**

4.10.7 As explained above in the context of NPF4 Policy 11 (Energy), the EIA Report contains an assessment of the effects of the Proposed Development and concludes that the Proposed Development would result in significant localised effects on landscape character and visual receptors within the study area. However, with design mitigation measures the Proposed Development can be integrated into the context of the surrounding landscape and that the Site has the capacity to accommodate the scale and type of development proposed.

4.10.8 There are potential effects predicted for LCT 29: Summits and Plateaux - Aberdeenshire, within 1.5 km of the Proposed Development during both construction and operation, reducing to Minor (Not Significant) elsewhere during both construction and operation. Effects on LCT 24: Coastal Farmed Ridges and Hills – Aberdeenshire are predicted to be Moderate (Significant) within 4 km during both construction and operation. However, the platform is located below the crest of the surrounding hills thereby ensuring infrastructure is predominately screened from local receptors by the local landform. The western, north and eastern edges of the platform are wrapped in woodland block planting, comprising a mix of deciduous and evergreen species, which will add both biodiversity and strengthen visual screening to what is already a well-screened platform as a result of the topography of the Site.

4.10.9 The principles of this landscape design are to help screen the Proposed Substation at both year 0 and year 10 (woodland which would have started to mature). The landscape design would also help to compensate the loss of any landscape features, including agricultural fields and hedgerows with gaps within the Site. The landscape design has been designed to help better integrate the Proposed Substation into the landscape.

4.10.10 Therefore, as mentioned in the application of Policy 11, the assessment acknowledges that there are significant adverse landscape effects associated with the Proposed Development. However, these effects are localised and, when balanced against the substantial benefits arising from the Proposed Development, the Proposed Development is considered to be in accordance with Policy 4.

4.10.11 The Proposed Development would however result in benefits of national importance with no significant national or local landscape effects. The Proposed Development is considered to be in accordance with Policy 4.

## 4.11 NPF4 Policy 5: Soils

**Policy 5 & Principles**

4.11.1 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 that was in SPP; however, a key difference is that essential infrastructure with a specific locational need is a type of development expressly envisaged to be acceptable in principle on peatlands (Paragraph c).

**The application of Policy 5**

4.11.2 Chapter 12 of the EIA Report assesses the potential impacts of the Proposed Development on geology, hydrogeology and peat. It concludes that following the application of additional mitigation (, there are no predicted significant (moderate or major) effects of the Hurlie 400 kV substation project on hydrology, hydrogeology, geology and soils.

4.11.3 The majority of the Proposed Development area is comprised of Class 4 soils, areas unlikely to be associated with peatland habitats or to include carbon-rich soils. They are

predominantly mineral soil with some peat soil. There is a small area of Mineral Soil in the north and a small area of Class 5 peat in the east.

4.11.4 A Phase 1 peat depth survey was undertaken during the initial phase of project development, finding that the only a small, contained area of peat (with peat depths ranging from 0.5 m to 1.3 m) within the Site, concentrated in a valley in the south-eastern part of the Site boundary. The majority of the Proposed Development area had probe depths of less than 0.5 m, which is not considered to be peat. Overall, from the combination of peat probe and core data, most of the Proposed Development area is comprised of mineral soils, with peaty material.

4.11.5 The area of peat in the east of the site has been fully avoided in the design of the Site, so the magnitude of effect on peat during construction and operation is negligible and the significance of effect on peat is also considered to be negligible. The Outline CEMP includes a commitment to avoid this area of peat during construction, through the establishment of an exclusion zone downslope (east) of the forestry track on the east side of the Proposed Development to prevent any construction works access to the area of peat. With this applied mitigation in place, The residual effect on peat is negligible.

4.11.6 As explained above with regard to NPF4 Policy 11, the Applicant has proposed an appropriate design, mitigation and restoration approach to protect resources.

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

## 4.12 NPF4 Policy 6: Forestry, Woodland and Trees

**Policy 6 & Principles**

4.12.1 The policy intent is to protect and expand forests, woodland and trees. It states that development proposals that enhance, expand and improve woodland and tree cover will be supported.

*4.12.2* **Policy 6 Paragraph b)** states that "*development proposals will not be supported where they will result in:*

"*i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;*

*ii. Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;*

*iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;*

*Iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry*."

4.12.3 **Policy 6 Paragraph c)** states that:

"*Development proposals involving woodland removal 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*".

**The application of Policy 6**

4.12.4 Chapter 7 of the EIA Report assesses the potential impacts of the Proposed Development on woodland and concludes that there are no significant effects during the operational phase or any significant cumulative effects, based on the information available.

4.12.5 The design of the Proposed Development incorporates embedded mitigation in the form of planting to reduce effects of the Proposed Development on Forestry, and to ensure compliance with the Control of Woodland Removal Policy.

4.12.6 With this embedded mitigation in place, the changes in the structure of the woodlands due to the Proposed Development can be summarised as follows:

- There would be a net reduction in the total area of woodland of 87.4 ha;
- Permanent open ground would total 87.4 ha; and
- The net reduction in stocked woodland area within the Study Area would be equivalent to 17.6%.

4.12.7 Ultimately, the proposed development will lead to some loss of woodland, and some woodland fragmentation, but the significance of effects on Net Woodland Loss, Woodland Fragmentation, and Windblow Risk even prior to any mitigation is assessed to be Minor.

4.12.8 Although the significance of effects on woodlands are expected to be minor prior to any additional mitigation methods being implemented, the Applicant is committed to the implementation of applied mitigation methods to reduce the significance of effects further:

- Adherence to relevant policy documents
- On and off-site BNG measures
- Off-site compensatory planting
- Management felling to suitable coupe boundaries
- Management felling to wind firm edges

4.12.9 Following the implementation of these mitigation measures, the significance of any residual effects on forestry is assessed to be negligible.

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

## 4.13 NPF4 Policy 7: Historic Assets and Places

**Policy 7 & Principles**

4.13.1 Finally, in terms of **Policy 7** which deals with Historic Assets and Places, the policy is very similar to that which was in SPP (paragraph 145).

4.13.2 The intent of the policy is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:

- **Paragraph c)** states that “development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest”.
- **Paragraph d)** states that “development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced”.
- **Paragraph h)** states that “development proposals affecting Scheduled Monuments will only be supported where:

*i) direct impact on the Scheduled Monument are avoided;*
*ii) significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or*

*iii) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised*.

- **Paragraph l)** states that "development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site or its setting".
- **Paragraph o)** states that "non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact".

**The application of Policy 7**

4.13.3 Chapter 9 of the EIA Report assesses the potential impacts of the Proposed Development on cultural heritage assets and determined that there was a single Scheduled Monument within the Site. No other designated heritage assets, or Conservation areas were identified as being within the site.

4.13.4 There are also 20 non-designated heritage assets have been assessed as having the potential to be directly impacted by the Proposed Development.

4.13.5 There is the potential for undiscovered buried archaeological remains in the form of a military crash site, that would be of high sensitivity if present, but the current land use suggests that the potential for the discovery of such remains is negligible.

4.13.6 Following the application of mitigation planting, avoidance of the Scheduled Monument, construction works only proceeding in accordance with the CEMP, and the implementation of archaeological investigations prior or during development, there would be no significant effects on any identified designated or non-designated historic asset.

4.13.7 In the event that sensitive archaeological remains do survive within the Site and are encountered, there is a commitment from the Applicant that suitable guidelines will be in place that outline the need to avoid causing unnecessary damage to these sites should any be encountered. The guidelines will make clear that military aircraft crash sites are protected by legislation and will set out arrangements for calling upon an appointed Archaeological Clerk of Works (ACoW) if any military aircraft crash site, or other buried archaeological remains should be discovered during any construction activities

4.13.8 The Proposed Development is therefore considered to comply with the provisions of Policy 7 so far as they are relevant to the nature of the development as proposed.

## 4.14 NPF4 Policy 14: Design, Quality and Place

**Policy 14 & Principles**

*4.14.1* Policy 14 aims to encourage, promote and facilitate development proposals that are well-designed and which help create successful, quality places, spaces and environments which *"consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities".* Development proposals should follow a design that is mindful of the local context and characteristics.

*4.14.2* Key parts of the policy include the following:

- **Paragraph a)** states that *"Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale".*

- **Paragraph b)** states that proposals *"will be supported"* where they are consistent with the following 6 qualities of successful places:
  - *"Healthy;*
  - *Pleasant;*
  - *Connected;*
  - *Distinctive;*
  - *Sustainable; and*
  - *Adaptable."*
- **Paragraph c)** states that *"Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported".*

4.14.3 According to this policy, it is important that a development supports the efficient use of resources that ensures climate resilience and integrating *"nature positive, biodiversity solutions."*

**The application of Policy 14**

4.14.4 An assessment of the Proposed Development against Policy 14 is provided separately in the Design and Access Statement which has also been submitted as part of this Planning Application.

## 4.15 NPF4 Policy 22: Flood Risk and Water Management

**Policy 22 & Principles**

4.15.1 The intent of Policy 22 is to strengthen resilience to flood risk by first promoting avoidance and reducing the vulnerability of existing and future development to flooding. **Paragraph c)** of this policy is the most relevant:

- *"Development proposals will*
  - *i. Not increase the risk of surface water flooding to others, or itself be at risk.*
  - *ii. Manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer;*
  - *iii. Seek to minimise the area of impermeable surface."*

4.15.2 **Paragraph e)** of the policy also states how support will be afforded to *"development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure".*

**The Application of Policy 22**

4.15.3 The water environment and flood risk are an assessment criterion within NPF4 Policy 11 (Energy). Chapter 12 of the EIA Report addresses hydrology matters in detail, including flood risk and sustainable drainage, and there are no issues arising with regard to these topics. The Proposed Development is therefore considered to be in accordance with Policy 22.

## 4.16 Conclusions on NPF4 Appraisal: Sustainable Place

4.16.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.16.2 A key point within Policy 11 (Energy) is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case.

4.16.3 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crises). The term *"tackling"* the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.16.4 The National Spatial Strategy set out in NPF4 is intended to support the delivery of three types of 'place' in Scotland: namely, Sustainable, Liveable and Productive places.

4.16.5 Eighteen National Developments are identified to support the strategy, and they are to be a *"focus for delivery"* (NPF4 page 4). National Development 3 (strategic renewable electricity generation and transmission infrastructure) is one of six National Developments which support the delivery of Sustainable Places.

4.16.6 Sustainable Places are primarily concerned with dealing with the climate crisis, and this issue is seen as a fundamental threat to the capacity of the natural environment to provide the services and amenities relied on, including clean air, water and food (NPF4, page 6).

4.16.7 In order to deliver Sustainable Places, NPF4 makes it clear that there must be significant progress in achieving Net Zero emissions by 2030 in order to hit the overall target of Net Zero by 2045.

4.16.8 Furthermore, it sets out that meeting the Government's climate ambition will require a rapid transformation across all sectors of the economy and society and that this means ensuring "the right development happens in the right place". (Page 7)

4.16.9 The importance of applying NPF4 and its aims and objective holistically and as a whole is demonstrated within the recent Creag Dhubh to Dalmally 275 kV Section 37 decision which recognised that conflict with some areas of policy can arise (in that case Policy 6 (Ancient Woodland loss) and Policy 14 to lesser degree due to localised amenity harm). In applying NPF4 as a whole there was recognition of the wider benefits and accordance with policy. The Ministers' stated:

*4.16.10* *"However, it would satisfy the requirements of all other development plan policies and would benefit from being a national development in NPF4 and from the support that is given within NPF4 to developments that contribute to renewable energy generation and greenhouse gas emissions reduction. Therefore, the Scottish Ministers conclude that the Development is, overall, in accordance with and supported by NPF4".*

4.16.11 In a development management context, this is to be achieved by the application of NPF4 policies which are to be read as a whole. Therefore, the policy appraisal contained in this Statement has demonstrated that the Proposed Development would accord with NPF4 when it is read as a whole, and as a consequence, the Proposed Development is considered to be the right one in the right location and one which will contribute to Scotland being a Sustainable Place.

# 5. Appraisal against the Local Development Plan

## 5.1 Introduction

5.1.1 The other element of the statutory Development Plan covering the Site is the Aberdeenshire Local Development Plan (2023) (ALDP).

5.1.2 The ALDP was designed to identify detailed policies to be used as a basis for determining planning applications on a local scale within the Aberdeenshire local authority area. Adopted in January 2023, the ALDP aims to promote sustainable development and protect communities throughout future development proposals.

5.1.3 While the ALDP was adopted relatively recently, it predates the adoption of NFP4 (February 2023). The ALDP was formulated to interpret and implement the policy positions stated in the now superseded Aberdeen City and Shire Strategic Development Plan and some policy positions within the ALDP may therefore be inconsistent with those contained in NPF4. As previously explained, it is important to note that the Town and Country Planning (Scotland) Act 1997 (as amended) makes it clear that where policy positions differ between NPF4 and an LDP which was adopted prior to the adoption of NFP4, the NPF4 policy provisions will prevail.

5.1.4 While NPF4 takes precedence and is now the primary material consideration when making planning decisions in Scotland, it is still important to consider the ALDP and the policies and strategies that are outlined within it.

## 5.2 Relevant LDP Policies

5.2.1 The policies of relevance in the ALDP are summarised below in **Table 5.1** with brief commentary added with regard to how the policies relate to the policies of NPF4, where relevant:

**Table 5.1: Policy Summaries**

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| Policy R2 | Development Proposals Elsewhere in the Countryside | The policy places the siting and design of any new development as a primary consideration in the decision-making process alongside compliance with other relevant policies.<br><br>Policy R2 prefers the reuse of brownfield land is over the development of greenfield sites and permits small-scale rural development that is compatible with its location.<br><br>The policy focuses primarily on the development of residential development and the redevelopment of brownfield sites. | The provisions of this policy insofar as relevant are contained within the scope of NPF4 Policy 29 Rural Development.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy R2. |
| Policy P4 | Hazardous and Potentially Polluting Developments | Development will be refused if there is the potential that it will cause significant pollution, create a significant nuisance (for | The provisions of this policy insofar as relevant are contained within the scope of NPF4 Policy |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| | and Contaminated Land | example through air quality or noise) or present an unacceptable danger to the public or the environment.<br><br>The Council will consult with and take full account of advice from the Health and Safety Executive (HSE), the Competent Authority (in the case of Control of Major Accident Hazardous sites) and the facility's owners and operators and will seek to ensure that any risk to public safety is not increased when considering planning applications for development proposals situated within the consultation zones for hazardous installations (including oil and gas pipelines).<br><br>Planning permission may be refused for potentially hazardous developments, or (in the event that insufficient information has been submitted) for developments in close proximity to existing hazardous developments.<br><br>The Policy requires the provision of appropriate mitigation measures where an Air Quality Assessment or a Noise Impact Assessment indicates that a development proposal could have a significant detrimental impact on air quality or noise levels. | 11 Energy and Policy 23 Health and Safety.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy P4. |
| Policy E1 | Natural Heritage | This policy seeks to protect sites designated for nature conservation interests at European, National, and local levels, seeks to avoid unacceptable adverse impacts on protected species and seeks to generally enhance the wider biodiversity and geodiversity of development sites.<br><br>The Council will not permit new development which may unacceptably adversely impact on a site designated for nature conservation interests at a European level unless there are no alternative solutions; there are imperative reasons of overriding public interest; and compensatory measures have been identified and agreed. Similarly for sites designated at the national and local levels, development will only be | NPF4 Policy 4 Nature Places deals with natural heritage matters and NAPF4 Policy 3 Biodiversity covers the protection and enhancement of biodiversity. The provisions of Policy E1 are contained within the scope of NPF4 Policy 4 and Policy 3.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy E1. |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| | | permitted where assessments demonstrate that the designation objectives and overarching site integrity will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits. In all cases, there is a requirement that any impacts are minimised through careful design and mitigation measures.<br><br>Development proposals must seek to avoid any unacceptable detrimental impact on protected species. Where it is believed protected species may exist on or adjacent to the site, a Protected Species Survey will be required and a Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development which will impact protected species will be refused unless justified in accordance with the relevant protected species legislation.<br><br>The Council will only approve development proposals when evidence of a baseline ecological survey is provided; when proposals have been designed to avoid impacts where possible; when an ecological or geological management plan is provided that includes necessary mitigation and compensation measures to result in ecological net gain; and, where impacts cannot be avoided, the public benefits clearly outweigh the site's ecological or geological value.<br><br>Development proposals must also identify what the proportionate measures are that will be taken to enhance biodiversity on Site. | |
| Policy E2 | Landscape | The Council will refuse development that causes unacceptable impacts as a result of its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character (as defined in the Landscape Character Assessments produced by NatureScot) whether impacts are | NPF4 Policy 11 Energy deals with landscape and visual impacts and Policy 4 Natural Places deals with natural heritage matters including landscape designations.<br><br>The provisions of policy E2 insofar as relevant are contained |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| | | alone or cumulatively with other recent developments.<br><br>The policy outlines that a Landscape and Visual Impact Assessment (LVIA) may be required to assess the effects of change on a landscape as a result of a development proposal. The Council also requires appropriate mitigation be included in a proposal to address adverse impacts on the landscape and ensure that there are not unacceptable. | within the scope of NPF4 Policy 11 and Policy 4.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy E2. |
| Policy E3 | Forestry and Woodland | This policy stresses the importance of protecting and enhancing forests and woodland to safeguard the environment, habitats, species and local culture, whilst benefitting and supporting the local and national economy.<br><br>Policy E3 presents a presumption against the removal of safe and healthy trees, non-commercial woodland and hedgerow. | NPF4 Policy 6 deals with forestry, woodland and trees.<br><br>The general provisions of policy E3 are contained within the scope of NPF4 Policy 6 with regards to protecting and expanding forests, woodland and trees. Nonetheless, **a conflict is identified i**n that Policy E3 has a presumption against the removal of safe and healthy trees, non-commercial woodland and hedgerow whereas NPF4 Policy 6 explains that development proposals which involve woodland removal will be supported in instances where they *"will achieve significant and clearly defined additional public benefits".* |
| Policy HE1 | Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings) | The Council will resist developments that have an adverse impact on the character, integrity or setting of Listed Buildings, Scheduled Monuments, or other archaeological sites. In situations where adverse impacts are not avoidable, the Council require these to be minimises through the exploration of mitigation measures and other alternatives.<br><br>Development on nationally or locally important sites (or which will have an adverse impact on their setting) will only be permitted under exceptional circumstances, including those of a social or economic nature, and so long as there is no alternative Site. Development proposals should include details of any mitigation measures for the conservation of important sites. | NPF4 Policy 7 Historic Assets and Places seeks to protect and enhance historic environment assets and places, and Policy 11 Energy requires project design and mitigation to demonstrate how impacts on the historic environment will be addressed.<br><br>The provisions of policy E2 insofar as relevant HE1 contained within the scope of NPF4 Policy 7 and Policy 11.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy HE1. |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| Policy PR1 | Protecting Important Resources | This policy seeks to protect important environmental resources associated with air quality, the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and important trees and woodland. Development proposals which will impact any of these resources will only be permitted when public economic or social benefits clearly outweigh any negative effects on the protected resource, and where there are no reasonable alternative sites.<br><br>Development proposals which will impact water bodies, or their catchment areas must not prejudice water quality or flow rates, or their ability to achieve or maintain good ecological status. Policy PR1 requires opportunities for the improvement of water quality, physical enhancement of waterbodies and for the creation, enhancement and management of habitats to be included in development proposals where feasible.<br><br>Policy PR1 establishes a strong presumption in favour of retaining woodland on development sites. Development resulting in the loss of, or serious damage to, trees and woodlands of significant ecological, recreational, historical, landscape or shelter value will not normally be permitted. In order to determine whether there are significant public benefits that would outweigh any loss or damage to trees and woodlands, developers are required to submit a Tree Survey to the British Standard for Trees 5837. Where removal is considered appropriate, damage to existing trees must be minimised and compensatory planting will be required. | NPF4 Policies 11 Energy and 22 Flood Risk and Water Management deal with hydrology and the water environment.<br><br>The provisions of policy PR1 insofar as relevant to hydrology and the water environment are contained within the scope of NPF4 Policy 11 and Policy 22.<br><br>When considering hydrology and the water environment, no conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy PR1.<br><br>Separately, NPF4 Policy 6 deals with forestry, woodland and trees.<br><br>The general provisions of policy PR1 with regard to forestry, woodland and trees are contained within the scope of NPF4 Policy 6. Nonetheless, **a conflict is identified i**n that NPF4 Policy 6 does not require a specific Tree Survey to be submitted to establish whether the public benefits from the development proposal outweigh any proposed tree or woodland loss and/or damage. |
| Policy C2 | Renewable Energy | Policy C2 supports solar, wind, biomass and hydro-electricity projects, as well as energy storage projects, which are located and designed appropriately.<br><br>The Council's assessment of the acceptability of such development proposals will take | Policy 11 'Energy' states renewable energy developments (including grid transmission infrastructure) will generally be considered to be acceptable where any significant landscape and visual impacts are localised, and where appropriate design mitigation has been incorporated. Furthermore, Policy 11 also |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| | | into consideration anticipated impacts on socio-economic aspects; renewable energy targets; greenhouse gas emissions; communities; landscape and visual aspects; natural heritage; carbon rich soils; the historic environment; tourism and recreation; aviation, defence, telecommunications and broadcasting interests; road traffic; hydrology; and opportunities for energy storage. | places significant weight on the contribution of the proposal to renewable energy generation targets, which also encompasses associated grid transmission infrastructure.<br><br>There is no conflict between Policy C2 and NPF4 Policy 11, as Policy C2 does not explicitly set a compliance threshold for renewable energy developments and grid transmission infrastructure. |
| Policy C4 | Flooding | This policy requires Flood Risk Assessments to be undertaken (in accordance with SEPA's Technical Flood Risk Guidance) for development proposals that are located in the medium to high flood risk category.<br><br>Development should avoid location within areas of medium to high flood risk, functional floodplains or other areas where the risks are otherwise assessed as heightened or unacceptable, except, *inter alia*, where it is essential infrastructure, and an alternative lower risk location is not available.<br><br>Policy C4 states that developments should not increase flood risk vulnerability on site or elsewhere. Developments will not be approved if they enclose culverting of watercourses for land gain and all developments are subject to Sustainable Urban Drainage principles. | NPF4 Policies 11 Energy and 22 Flood Risk and Water Management deal with hydrology and the water environment.<br><br>The provisions of policy C1 insofar as relevant are contained within the scope of NPF4 Policy 11 and Policy 22.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy C4. |
| Policy RD1 | Providing Suitable Services | Developments that are located and designed to take advantage of or incorporate the services, facilities and infrastructure necessary to support the development will be permitted.<br><br>Developments must be well related to existing developments and is close to existing public transport services (if available) or deliver major improvements to these. Safe and convenient access should also be provided for service, delivery and other goods vehicles required by the development. | NFP4 Policy 18 Infrastructure First encourages, promotes and facilitates an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.<br><br>NPF4 Policies 13 Sustainable Transport and 11 Energy consider access, traffic and transport while NPF4 Policies 11 Energy and 22 Flood Risk and Water Management consider the water environment and drainage.<br><br>The provisions of policy RD1 insofar as relevant to the Proposed Development are |

| Policy | Topic | Policy Summary | Comment re NPF4 |
|---|---|---|---|
| | | When development proposals require the formation of new accesses, Policy RD1 requires these to be designed to the agreed standard and should minimally impact the character of the site and surrounding area. Satisfactory arrangements for future maintenance of any new access facilities should also be made.<br><br>If a new private access onto a public road is require, this must be designed to the satisfaction of Aberdeenshire Council's Road and Transportation Service and, in the case of a trunk road, Transport Scotland. The policy also explains that a Transport Assessment or Statement may be required to illustrate how the development proposal will not significantly impact existing transport infrastructure and services.<br><br>The Council will support development where the required standards for water, wastewater and surface-water drainage servicing are satisfactorily met. Surface water drainage must be dealt with in a sustainable way, in ways that promote its biodiversity value, and in ways that avoid pollution and flooding, through the use of an integrated Sustainable Drainage System. | contained within the scope of NPF4 Policy 11, Policy 13 and Policy 22.<br><br>No conflicts or contradictions have been identified with NPF4 in relation to ALDP Policy RD1. |

## 5.3 Planning Guidance

5.3.1 Aberdeenshire Council policy advice provides best practice guidance[17] on how to meet the requirements of the Local Development Plan. The most relevant guidance polices are listed below:

- PA2023-01 – Aberdeenshire Forestry and Woodland Strategy;
- PA2023-05 – Energy Statements;
- PA2023-07b - Woodlands and Valley Landscape Character Types;
- PA2023-08 – Landscaping Design (previous reference 13/2015);
- PA2023-11 – Development in the Countryside Policies R1 and R2 including Organic Growth of Settlements;
- PA2023-12 – Outdoor Access and Development (previous reference 10/2015);

[17] Aberdeenshire Council (2015) *Planning advice: meeting LDP requirements* [online] Available at: Planning advice: meeting LDP requirements - Aberdeenshire Council (Accessed 27/08/2024)

- PA2023-20 – Trees and Development (previous reference 11/2015); and
- PA2023-22 – Providing Drainage for New Developments where Public Sewers are not available (previous reference 1/2008).

5.3.2 As stated on their website, Aberdeenshire Council's most up to date planning advice published reflects NFP4 and thus, no significant incompatibilities, conflicts or contradictions were identified between the Aberdeenshire LDP policy advice and NPF4 in the case of the Proposed Development.

## 5.4 Conclusions on the LDP

5.4.1 The relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and are not repeated with reference to the ALDP.

5.4.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of the relevant policies within the ALDP.

5.4.3 The policy provisions of the ALDP pre-date the adoption of NPF4 and, as explained above, there are a select few incompatibilities between the ALDP and the policies of NPF4. This means, as per the amendments made to the 1997 Act, the provisions of NPF4 (which is the most recent part of the Development Plan) must prevail.

5.4.4 Insofar as there are other relevant policies within the ALDP, they are considered to be generally consistent with those of NPF4 and given the appraisal set out above in Chapter 4 in relation to the various environmental and technical topics of relevance to the proposal, there would be no conflict with their terms

# 6. Conclusions

## 6.1 The Climate Crisis & Renewable Energy Policy Framework

6.1.1 The nationally important benefits of the Proposed Development have been set out in the context of the current Climate Emergency – the Proposed Development would help address the issue of global heating and very challenging 'net zero' targets and contribute to improving security of supply.

## 6.2 The Planning Balance

6.2.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the Climate Emergency and the contribution of individual developments to tackling climate change.

6.2.2 NPF4 came into force on 13th February 2023 and provides up to date statements of Scottish Government policy, directly applicable to determination of this application. This should be afforded very considerable weight in decision-making.

6.2.3 NPF4 is unambiguous as regards the policy imperative to combat climate change, the crucial role of facilitating further renewable energy production and transmission and the scale and urgency of renewables 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*"[18]. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that which was set out in NPF3 and SPP;
- NPF4 Policy 1 (Tackling the climate and nature crises) 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
- NPF4 is clear that grid transmission infrastructure plays a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including transmission infrastructure.

6.2.4 NPF4 designates transmission infrastructure applications as National Developments. 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 explains.

6.2.5 The development has been designed with embedded mitigation to ensure a satisfactory relationship with the receiving environment and to protect residents and communities from undue impact. Where potential significant effects arise, appropriate mitigation measures are proposed such that significant residual effects are eliminated or minimised where possible. For the Proposed Development, once construction ends, the only permanent significant impacts remaining after mitigation relate to landscape and visual impact, and these are restricted to localided areas in close proximity to the Site, and on limited areas of high ground in the surrounding landscape, arising from only the few tallest elements of the Site. The Proposed Development does not give rise to any policy conflicts with the Development Plan when read as a whole, and the benefits of the proposed Development are taken into account

[18] NPF4, page 2.

versus the limited localised significant impacts, which are themselves expected to accompany renewable energy infrastructure such as this.

6.2.6 The Proposed Development is considered to be in accordance with policy and delivers essential infrastructure improvements whilst ensuring biodiversity enhancement and local socio-economic benefits where possible, in order to contribute to Net Zero and in doing so addresses both the global climate and nature crisis.

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