CULACHY WIND FARM

Environmental Statement

Planning Statement 2014

power for good

TABLE OF CONTENTS

Statement Prepared by Carolyn Wilson, MRTPI; on behalf of Renewable Energy Systems Ltd.

1. INTRODUCTION

1.1 The Application

Renewable Energy Systems Limited (RES) ("the Applicant") has prepared this Planning Statement ("the Statement") in support of their planning application for 13 wind turbines and ancillary development, comprising the proposed "Culachy Wind Farm" located on the Monadhliath Mountains between Glen Buck and Glen Tarff, approximately 6 km south of Fort Augustus, as submitted to The Highland Council (THC). The proposed wind farm will comprise 13 three bladed horizontal axis wind turbines: 12 turbines will have a height of up to 149.5 m to blade tip and one turbine will have of a height of 132 m to blade tip. The proposed wind farm will also comprise associated access tracks with manoeuvring areas, crane assembly hardstandings, control building with compound, substation building with compound, a communications mast and anemometer mast and ancillary underground cabling. Temporary works including, a gate house compound, construction compound, concrete batching plant, borrow pits, hardstandings, guyed lattice masts and welfare facilities are also proposed during construction of the proposed wind farm.

Access to the proposed wind farm will be via the U1667 (Ardachy Road) from the A82, then utilising the temporary access track alignment used to construct the Beauly–Denny overhead transmission line (BDOHL) by SSE. Approximately 9.8 km of the temporary access track will be upgraded to accommodate the load requirements associated with the proposed wind farm construction.

1.2 The Applicant

The Applicant is one of the world's leading independent renewable energy developers with operations across Europe, North America and Asia Pacific. The Applicant, a British Company, has been at the forefront of wind energy development since the 1970's and has developed and/or built 135 wind farms (8 Gigawatts (GW) of wind energy capacity) around the world, including 10% of the UK's wind energy. This includes eleven wind farms in Scotland, with a total generation capacity of more than 215 MW. In 2013 the Applicant completed construction of Meikle Carewe Wind Farm in Aberdeenshire.

Drawing on decades of experience in the renewable energy and construction industries, the Applicant has the expertise to develop, construct and operate projects of outstanding quality. From its Glasgow office, the applicant has been developing, constructing and operating wind farms in Scotland since 1993. The Applicant has a growing team of over 117 staff in Scotland working across a range of disciplines.

1.3 The Environmental Impact Assessment

Under the Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 ("*the EIA Regulations*")1, an environmental impact assessment (EIA) should be undertaken for all development specified within Schedule 1 of the Regulations, and for those developments that meet the thresholds specified in Schedule 2.

The proposed wind farm does not constitute development specified within Schedule 1 of the Regulations, but does exceed the thresholds specified within Schedule 2 for *"(i) Installations for*

[1] The Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011: http://www.legislation.gov.uk/ssi/2011/139/contents/made

harnessing of wind power for energy production (wind farms)"; and as such the necessary environmental impact assessment has been undertaken and its findings reported within the Environmental Statement which accompanies the planning application.

1.4 Purpose and Structure of this Planning Statement

The main purpose of this planning statement is to assess the proposed wind farm as required by Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended) ("the Planning Act") and to demonstrate the proposed development's acceptability in terms of the proposed development plan and all other material considerations relative to the nature and merits of the proposed development.

Section 25 of the Planning Act states "*Where in making any determination under the planning Acts, regard is to be had to the proposed development plan, the determination is, unless, material considerations indicate otherwise, to be made in accordance with that plan*."

Section 37 of the Planning Act requires planning authorities in determining planning applications, to have regard to the provisions of the proposed development plan in so far that they are material to the application, and to any other material considerations.

This Statement will assess the proposed wind farm against the proposed development plan and further outline the relevant material considerations against which the merits of the proposed wind farm require to be weighted.

2. THE NEED FOR THE PROPOSED DEVELOPMENT

The proposed wind farm is supported by a number of national policies and legislation relating to climate change targets, all of which are material considerations which require weight to be applied in balancing the decision on the planning application.

Scottish Government policy in principle encourages renewable energy generation as the country moves towards a low carbon economy and to improve energy security.

The Climate Change (Scotland) Act 20092 sets targets for the Scottish Government to reduce greenhouse gas emissions by 42% by 2020 and by 80% by 2050 (compared to relevant 1990/95 baseline emissions). This Act also requires Ministers to set annual targets to reduce emissions between 2010 and 2050. The first set of targets were agreed in 2010 for 2010 to 2022, subsequent years' targets were set in 2011 up to 2027 and will continue to be set at 5 year intervals.

The Scottish Government recognise that action to reduce emissions not only addresses climate change, but also provides great opportunities for Scotland to become a low carbon economy, and highlights that renewable energy presents considerable economic opportunities for Scotland. The Government considers a low carbon Scotland will be less reliant on volatile international energy markets, and can ensure that it is an attractive and environmentally conscious place to live and work.

This planning statement will demonstrate both compliance with the proposed development plan in accordance with the Planning Act, and that on balance the assessment of the environmental impacts together with the weight to be attached to the proposed development through national policy support and legislation is such that planning permission should be granted for the proposed Culachy Wind Farm.

[2] The Climate Change (Scotland) Act 2009; http://www.legislation.gov.uk/asp/2009/12/contents

3. THE PROPOSED APPLICATION

The proposed application site is located on the Monadhliath Mountains between Glen Buck and Glen Tarff, approximately 6 km south of Fort Augustus. The site will be accessed via the unclassified Ardachy Road (U1667), which extends approximately 400m from the A82 which lies to northwest of the site.

The application site extends to 29 km² comprises predominantly natural grassland with localised areas of bare ground and peat bog within the vicinity of the Black Burn and between Carn Bad a Circe, Ailrig and Mullach a' Ghlinne. The old BDOHL bisects the application site from its northern boundary running in a south easterly direction almost parallel to the General Wade's Military Road as it extends from Fort Augustus in the west, to Laggan in the southeast.

The application site is located on elevated rolling topography between the Caledonian Canal linking Loch Ness with Loch Lochy to the north and Loch Laggan in the south. It has an overall north westerly aspect, abutting the edge of the Great Glen with undulating land between 350-430 m AOD with steeper graded hills of up to 470 m AOD, with the steepest summit being Carn Ban a Circe towards the southern boundary. The application site forms part of the larger Culachy Estate which is run as a deer stalking and grouse shooting sporting business.

The proposed development comprises 13 three bladed horizontal axis wind turbines: 12 turbines will have a height of up to 149.5 m to blade tip and one turbine will have of a height of 132 m to blade tip. In addition, a substation building and compound and a control building and compound will be constructed, together with a series of upgraded and new access tracks and manoeuvring areas to service the proposed development. A communications mast will be erected adjacent to the control building and lattice wind monitoring mast will be erected west of the track between T11 and T12. Crane hardstandings will be developed at the base of each turbine, with a network of underground cabling linking the turbines to the masts, control and substation buildings. A number of temporary works will be associated with the proposed development including, a gate house compound, construction compound, concrete batching plant, crane hardstandings, borrow pits, welfare facilities and guyed lattice meteorological calibration masts and ancillary track spurs where necessary for access.

3.1 Planning History

A request for an EIA Scoping Opinion was submitted to the Scottish Government's Energy Consents & Deployment Unit (ECDU) on 20th December 2013. The Scoping Opinion was provided by the ECDU on 10th March 2014. As a result of constraints identified by the Applicant through the EIA process and as a result of the Scoping Opinion, the scale of the proposed development was significantly reduced from a Section 36 (+50 MW) application under The Electricity Act 1989, to that of a Major planning application (+20 MW). THC provided a formal scoping opinion to the ECDU: included in the composite opinion and subsequent meetings, discussions have been on-going in respect of the design of the proposed development. The consultation undertaken in respect of the proposed development in outlined in Chapter 3: Design Evolution and Alternatives of the Environmental Statement (ES) that accompanies this application.

4. DEVELOPMENT DESIGN AND DESCRIPTION

Chapter 2: Proposed Development of the ES outlines the proposed development for which planning permission is being sought for a temporary period of 25 years. The proposed development comprises the following:

- 13 three bladed horizontal axis wind turbines: 12 turbines will have a height of up to 149.5 m to blade tip and one turbine will have of a height of 132 m to blade tip.;
- turbine foundations;
- hardstanding areas at each turbine location for use by cranes erecting and maintaining the turbine;
- a single permanent lattice wind monitoring (anemometer) mast and a communications mast;
- 4 temporary guyed lattice calibration and power performance masts with associated hardstandings and track spurs;
- a wind farm substation building and compound;
- a wind farm control building, compound and communications mast;
- a network of underground (buried) on-site electrical and control cables;
- a connection from the substation to the local grid network (not part of the wind farm planning application, but considered briefly in Chapter 2: Proposed Development, Volume II);
- site access tracks and turning points;
- a temporary construction compound;
- a temporary gate house compound (shown as a construction compound in Figure 2.1 (Chapter 2: Proposed Development, Volume II);
- a temporary concrete batching plant;
- temporary welfare facilities;
- 3 borrow pit search areas;
- drainage works;
- associated ancillary works; and
- engineering operations.

The design of wind turbines continues to improve technically, operationally and economically. As such the most suitable candidate turbine with an overall height of 149.5 m and up to 3.4 MW generating capacity has been used for EIA purposes, but the final choice of turbine within the specified parameters would be made prior to construction, and subject to the standard planning condition to agree finish and colour with THC. Planning permission is sought for a temporary period of 25 years, with a decision being made towards the end of this period as to refurbish, remove or replace the turbines. Any subsequent repowering of the proposed development would be subject to whatever planning and EIA regulations were in force at this time.

4.1 Development Description

4.1.1 Wind Turbines

The exact tower and blade dimensions of wind turbines vary marginally between manufacturers, but suitable turbines are produced by Senvion, Siemens, GE, and Vestas amongst others. The turbines will normally be finished in a pale grey colour with semi-matt finish, but this would be subject to agreement with THC. Each turbine would have a transformer and switchgear to increase the generating voltage of 690 V to the 33 kV required to transport the electricity to the grid. A typical 149.5 m overall height turbine is illustrated in Figure 2.2 (Chapter 2: Proposed Development, Volume II).

4.1.2 Meteorological Masts

A lattice design steel meteorological mast of up to 100 m high would be erected on a concrete foundation adjacent to the track between turbines T11 and T12, as illustrated in Figure 2.1 (Chapter 2: Proposed Development, Volume II). This is required for the ongoing monitoring of wind speeds for the duration of the wind farm. A typical elevation of this design of mast is shown in Figure 2.5 (Chapter 2: Proposed Development, Volume II).

4.1.3 Foundations and Hardstanding

The wind turbines would be erected on steel re-enforced concrete foundations. It is anticipated the foundations would be of gravity design; however, piled foundations would be used where ground conditions dictated. Figures 2.8 and 2.9 (Chapter 2: Proposed Development, Volume II) illustrate typical foundations and hardstandings respectively.

4.1.4 Borrow Pits

Three borrow pit areas are illustrated on Figure 2.1(Chapter 2: Proposed Development, Volume II). These are shown as the maximum potential areas for extraction of site won rock to be used in access track and hardstanding construction; however it is not anticipated that all these areas would be fully exploited. The quality and nature of the aggregate will only be understood following the results of the pre-construction detailed site investigation works. Further detail on the proposed borrow pits is contained in Chapter 2: Proposed Development (Volume II).

4.1.5 Concrete Batching

The concrete required for the turbine foundations will be batched on site within a 50 m x 80 m compound located adjacent to the access road, just north of the temporary construction compound. Further details and an indicative plan of the batching plant Figure 2.15 are contained in Chapter 2: Proposed Development (Volume II).

4.1.6 Site Tracks & Access

The access track layout has been designed to minimise environmental disturbance and land take by using as much of the pre-existing BDOHL access tracks formed during construction as practicable. The access track route follows areas of shallower peat where possible and utilises existing watercourse crossings. Any unmapped watercourses would be crossed by forming new crossings as illustrated in Figure 2.12(Chapter 2: Proposed Development, Volume II). Approximately 9.8 km of existing tracks will be upgraded with 8.7 km of new tracks formed, of which 30% are likely to be floated tracks due to areas of deeper peat.

The anticipated port of entry for the turbine components would be Kyle of Lochalsh, then west via the A87 over the Skye Bridge to Broadford Aerodrome for storage. The components would then be routed east on the A87 towards Invergarry, before heading north on the A82 to the access with Ardachy minor road. They would then follow this minor road for approximately 400 m to the application site entrance. This route is indicated in Figure 10.1(Chapter 10: Transport and Traffic, Volume II). Minor works within the public road network would be required in connection with this preferred route. An alternative route via Corpach has been identified (Chapter 2: Project Description, Volume II) in the event the preferred route cannot be utilised.

4.1.7 Electrical Connection & Grid Connection

Each wind turbine would generate 690 V of electricity and would have an ancillary transformer located either within the nacelle or at its base to step up the voltage to the on-site distribution

voltage of 33 kV. Each turbine would be connected to the substation, with underground cabling, typical cable trench sections are illustrated in Figure 2.10 of the ES.

The grid connection route has yet to be confirmed, and will be subject of a separate application under the Electricity Act 1989 by Scottish & Southern Hydro Electric Transmissions (SHET). The connection route is likely to follow the alignment of the access track within the site, to its entrance with Ardachy Road, then head approximately 4 km in a north westerly direction to Auchterawe Substation, located to the southwest of Fort Augustus. The indicative route is indicated in Figure 2.17 (Chapter 2: Proposed Development, Volume II).

4.1.8 Substation & Control Building

The substation building and compound is required to convert the 33 kV distribution voltage to the 132 kV transmission voltage required to connect the wind farm to the national grid. The substation and transformer will be constructed and owned by SHET and is indicatively illustrated in Figure 2.18 (Chapter 2: Proposed Development, Volume II). It would be located north of the turbines, almost equidistant along the length of the access road and would have a footprint of approximately 4000 m2.

The control building and compound would be located to the east of the track south of T8 and would have a footprint of 1,820 m2. This building will accommodate the metering equipment, switchgear, central computer system and electrical control panels, together with the necessary ancillary storage and welfare facilities. A free standing 10 m high communications mast would be erected adjacent to the control building. Figure 2.4 illustrates a typical elevation of the proposed building with a section of the compound fencing, with further detailed contained in Chapter 2: Project Description (Volume II). Figure 2.5 indicates a typical elevation of the communications mast.

4.1.9 Temporary Construction Compound

A temporary construction compound of approximately 4,000 m2 is proposed adjacent to the access track, north of T13. The compound would include:

- temporary portable buildings to be used as site offices, security monitoring and welfare facilities;
- toilet facilities would be provided with a packaged treatment system designed in liaison with SEPA;
- containerised storage areas for tools, small plant and parts;
- parking for construction vehicles;
- a receiving area for incoming vehicles; and
- a bunded area for storage of fuels and greases.

Figure 2.7 (Chapter 2: Proposed Development, Volume II) illustrates a typical layout for the construction compound however it should be noted that the exact layout may be different in practice. All temporary development would be removed following completion of the construction phase and the ground reinstated and re-vegetated to restore to its pre-development state.

4.1.10 Decommissioning

The proposed operational life of the proposed development is 25 years from the date of commissioning. Towards the end of this period, a decision would be taken whether to refurbish, replace or remove the turbines. The relevant planning applications and any other relevant assessments or consents necessary would be applied for if the decision is to refurbish or replace the turbines.

In the event that a decision is taken to decommission the proposed development the turbines and crane hardstandings would be removed. In line with environmental guidance it would be normal practice to cut the cables and seal them and remove the turbine foundations to a depth of 1 m and grade with soil and allow to re-vegetate. The access tracks would either be removed and the ground reinstated, or left in situ to improve access for the land owner. Further detail on the decommissioning is contained within Chapter 2: Proposed Development (Volume II).

5. CONSULTATION

5.1 Community Engagement

There are a number of regulatory and best practice guidance documents which relate to community consultation and engagement of planning applications, these are:

- The Town & Country Planning (Scotland) Act 1997 (as amended)[3];
- The Town & Country Planning (Development Management Procedure)(Scotland) Regulations 2013[4];
- The Town & Country Planning (Hierarchy of Developments) (Scotland) Regulations[5];
- Circular 3/2013: Development Management Procedures[6];
- Scottish Planning Policy (2014)[7];
- PAN 3/2010 Community Engagement[8]; and
- SP=EED; Successful Planning =Effective Engagement & Delivery (PAS)[9].

The Hierarchy of Development Regulations prescribes that the application subject of this planning statement is a "Major" development. Such developments are subject to a certain minimum level of community consultation as prescribed by the proposed Development Management Procedure Regulations which require the notification of such procedures to the planning authority in a Proposal of Application Notice, at least a minimum of 12 weeks prior to the submission of the planning application.

The relevant Proposal of Application Notice (PAN) was sent to THC on 5th September 2014 and outlined the intended consultation to be undertaken in accordance with both the regulations as a minimum, but also that undertaken in addition to this in accordance with the best practice guidance contained in SPP, PAN3/2010 and the PAS developed community engagement tool kit SP=EED. THC did not specify that any additional consultation was required to that specified in the PAN.

The proposed Development Management Procedure Regulations further require that a Pre-application Consultation (PAC) report is submitted with a "Major" planning application, describing the community engagement undertaken and the feedback from such engagement and consultation with the community. The necessary PAC report accompanies this planning application and outlines how as a result of early community engagement with the community, including Fort Augustus and Glenmoriston Community Council and Glengarry Community Council, the original proposal was significantly reduced in scale, primarily to reduce potential effects on Fort Augustus and surrounding communities. This significant alteration to the proposal was subsequently acknowledged by the local community at the public exhibition held in Fort Augustus on 22nd October 2014. Further detail on the alteration to the initial design and the various iterations resulting in the application proposal are outlined in Chapter 3: Design Evolution & Alternatives (Volume II)

[3] The Town & Country Planning (Scotland) Act 1997:http://www.legislation.gov.uk/ukpga/1997/8/contents
[4] The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013: http://www.legislation.gov.uk/ssi/2013/155/contents/made
[5] The Town & Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009: http://www.legislation.gov.uk/ssi/2009/51/contents/made
[6] Circular 3/2013 Development Management Procedures: http://www.scotland.gov.uk/Publications/2013/12/9882
[7] Scottish Planning Policy (June 2014): http://www.scotland.gov.uk/Topics/Built-Environment/planning/Policy
[8] PAN 3/2010 Community Engagement: http://www.scotland.gov.uk/Publications/2010/08/30094454/0
[9] SP=EED; http://www.pas.org.uk/speed/

Further detail on the community engagement and all consultation feedback undertaken in connection with the application proposal are contained in the PAC report submitted with this planning application.

Whilst not material to the planning application, the Applicant has outlined a community benefit package for the local community which would consist of £2,000 per MW for a traditional Community Benefit Fund (CBF), and £3,000 per MW for the RES Local Electricity Discount Scheme (LEDS).

5.2 Consultees

As part of the EIA process a Scoping Opinion was sought from the Scottish Government's Energy Consents & Deployment Unit on the initial proposal in December 2013. As a result the ECDU sought opinions from various consultees which were collated and issued to the Applicant in March 2014. In addition, the Applicant undertook additional consultation with a number of other consultees considered relevant to the design iteration process and the various environmental assessments required as part of the EIA process.

A summary of the consultations undertaken and the responses which informed the design and EIA process are contained within Table 3.1 Summary of Consultation with Chapter 3: Design Evolution & Alternatives of the ES.

5.3 Commentary

The Applicant, as part of the proposed development of the application proposal, undertook early EIA Scoping Requests and consultation with stakeholders including early engagement with the community to understand the key issues and constraints to the proposed development. These were subsequently considered and formed part of an extensive design iteration process, resulting in the current proposal which is considered to be the most appropriate design for the application site which minimises environmental effects and is considered to be the right development in the right location, in accordance with the prevailing guidance in SPP.

6. DEVELOPMENT PLAN ASSESSMENT

6.1 Introduction

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006) ("the Planning Act") states, in part, that:

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

Section 37(2) of the Act states:

"In dealing with such an application the authority shall have regard to the provisions of the proposed development plan, so far as material to the application, and to any other material considerations".

The Adopted Development Plan that covers the proposed development site comprises:

- The Highland-wide Local Development Plan (2012); and
- Inverness Local Plan (2006, as continued in force, April 2012).

THC adopted the Highland-wide Local Development Plan[10] (HwLDP) in April 2012 and replaced the Highland Structure Plan (2001). The HwLDP sets out the overarching vision statement, spatial strategy and general planning policies for the whole of THC area, except the area covered by the Cairngorms National Park Local Plan. Supplementary Guidance covering various topics also forms part of the proposed development Plan.

The HwLDP supersedes the general policies of the Inverness Local Plan (2006, as continued in force April 2012). Other elements of the Local Plan have been retained by Parliamentary Order, and continue in force alongside the HwLDP until it is replaced by the adoption of the replacement emerging Inner Moray Firth Local Development Plan (IMFLDP). The land allocations in the Inverness Local Plan will remain in place until an updated site allocation is given in the IMFLDP, once adopted. The IMFLDP is currently being prepared and is at the Examination of the Proposed Plan stage, with the Examination Report expected late March 2015. Once adopted, it will replace the current Inverness Local Plan and sit alongside the HwLDP. The IMFLDP is considered further in the section 7 ('Material Considerations') of this Statement.

The sections below provides an assessment of the proposed development's accordance with the proposed development Plan, with particular focus upon its aims and objectives, its policies and supporting justifications as relevant to the nature of the proposed development and the application site and its surroundings.

6.2 The Highland-wide Local Development Plan (2012)

6.2.1 Aims and Objectives

The land use planning objectives set out in part 5 of the HwLDP include:

- Safeguarding the environment by ensuring that development of renewable energy resources are managed effectively with clear guidance on where renewable energy developments should and should not be located, and taking a lead in reducing the amount of greenhouse

[10] "Highland-wide Local Development Plan (2012)": http://www.highland.gov.uk/info/178/local_and_statutory_development_plans/199/highland-wide_local_development_plan

gases released into the air, adapted to the effects of climate change and limited the amount of non-renewable resources development uses;
- Supporting a competitive, sustainable and adaptable Highland economy by providing opportunities which encourage economic development and create new employment focusing on key sectors including renewable energy; and
- Providing better opportunities for all and a fairer Highland by promoting opportunities for investment and diversification in the economy in deprived areas and areas at risk of long term unemployment.

For the Inner Moray Firth area, the HwLDP notes that whilst the Council's existing Inverness Local Plan gives further detail on the aspirations for this area and how they can be achieved, there is a need for the spatial strategy set out in the HwLDP to provide further detail on some of the key development areas in the Inner Moray Firth and that this will be the updated context that will be in place until such time as the Inner Moray Firth area LDP is adopted.

The proposed development is supportive of the relevant aims and objectives of the HwLDP.

The relevant HwLDP policies are set out in the tables and are considered in detail under specific topic headings in the following sections.

6.3 Site Specific Policy Designation and Renewable Energy Policy

Table 6.1 sets out the site specific polices and generic renewable energy policy from the HwLDP.

Table 6.1: Site Specific Policy and Renewable Energy Policy

Policy Reference	Policy Title
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 57	Local/Regional Importance for Natural, Built & Heritage Features
HwLDP Policy 67	Renewable Energy Developments

The HwLDP Proposals Map shows that the application site is predominantly designated as Wider Countryside which relates to Policy 36: Development in the Wider Countryside of HwLDP, however pockets of land within the application site carry a local/regional designation under Policy 57 for Natural, Built and Cultural Heritage features.

Policy 36 supports development proposals that are judged to be not significantly detrimental under the terms of the policy. It states that development proposals will be assessed for the extent to which they are acceptable in terms of siting and design; are sympathetic to existing patterns of development in the area; are compatible with landscape character and capacity; and avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics. The policy further requires that locally important crofting land is avoided where possible, the proposed development can be adequately serviced without undue public expenditure, and that infrastructure is in keeping with the rural character of the area.

This policy confirms that renewable energy development proposals will be assessed against the renewable energy development policies (e.g. Policy 67: Renewable Energy Developments set out below) and the non statutory HRES11 and Onshore Wind Energy: Interim Supplementary

[11] "Highland Renewable Energy Strategy and Planning Guidance (2006): http://www.highland.gov.uk/downloads/file/1009/highland_renewable_energy_strategy_may_2006

Guidance12. These non statutory publications are considered in Section 7 ('Material Considerations') of this statement.

Policy 57: Natural, Built and Cultural Heritage requires development proposals to be assessed taking into account the level of importance and type of heritage features, form and scale of the proposed development and any impact on the feature and its setting, in the context of local/regional importance, national importance and international importance. The criteria for specific features is set out below:

1. For features of local/regional importance, developments will be permitted if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment;
2. For features of national importance, developments that can be shown not to comprise the natural environment will be allowed. Where there are significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance; and
3. For features of international importance developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, will be subject to an appropriate assessment. In circumstances where the Council are unable to ascertain if a proposal will not adversely affect the integrity of a site, development will only be permitted if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature.

Where effects are likely, suitable mitigation measures and/or overriding public interest for the proposed development will be required. The Policy further confirms equal application of the policy, notwithstanding the levels of importance, and that supplementary guidance is to be prepared for Wild Areas and in relation to the Highland Historic Environment Strategy.

Policy 67: Renewable Energy Developments states that the Planning Authority will consider the contribution a proposed development will make towards meeting renewable energy generation targets. It sets out the Council's support in principle for renewable energy developments in the Highlands, subject to a number of criteria and consideration of any significant effects on various constraints set out in the policy, including consideration of cumulative effects. It links to HRES and to Onshore Wind Energy Supplementary Guidance (both assessed in section 7 ('Material Considerations')) and provides a clear statement as to how the Council will assess planning applications such as those for onshore wind. Particularly relevant is the visual impact on the character of the surrounding landscape. Any potential cumulative impact is recognised by the Council as an important consideration. This policy is considered in detail below under the specific topic headings.

Policy Considerations & Assessment

Chapter 3: Design Evolution and Alternatives (Volume II)sets out the site selection process undertaken and design strategies that were adopted in arriving at the final design of the proposed development.

The initial turbine layout was the result of four principal iterations, with two iterations of the infrastructure layout to sensitively locate a minimal amount of infrastructure required to facilitate the turbines.

[12] "Interim Supplementary Guidance: Onshore Wind Energy (2012)": http://www.highland.gov.uk/downloads/file/981/onshore_wind_energy_interim_supplementary_guidance

From the outset, the following design principles have been adhered to when designing the infrastructure:

- mitigation by design has sought to reduce potential environmental effects;
- the new Beauly Denny Overhead Transmission Line (BDOHL) to be used as an eastern design buffer in order to preserve the setting of the Corrieyairack Pass;
- utilisation of existing infrastructure, such as the BDOHL access track to reduce potential effects; and
- rock to be won on site to reduce traffic generation.

The final infrastructure layout saw the number of turbines reduced from 25 to 13 turbines. The reduction in turbines was done to mitigate potential impacts upon:

- landscape & visual, including wild land;
- infrastructure associated with the BDOHL;
- GWDTE/hydrology;
- cultural heritage assets;
- peat and soils;
- ecology & ornithology;
- local community.

The final design that has been subject to the EIA process undertaken is shown in Layout 4, Figure 3.2 (Chapter 3: Design Evolution and Alternatives, Volume II). This turbine layout and infrastructure design represents the optimal design when balancing the environmental, technical and engineering considerations. It has been developed using the key principle of mitigation by design, taking cognisance of the views of all stakeholders, including the consultees and local community.

The proposed development is located within a default Stage 3 area (area of search) within the Council's Interim Supplementary Guidance: Onshore Wind Energy (2012). In this respect, it draws substantial support from both this Supplementary Guidance and Policies 36 and 67, which specifically refer to this Supplementary Guidance as set out above.

In terms of the landuse implications of Policy 36, the proposed development does not infringe upon any locally important crofting land, nor adversely impact on local infrastructure resulting in public expense, and can be adequately serviced, as demonstrated in Chapter 2: Project Description (Volume II). The further general landscape and visual provisions of Policy 36 are more appropriately assessed in the subsequent section on Landscape & Visual Policies and using the specific criteria of Policy 67 as it relates to these provisions.

The assessment of the features of local or regional importance as identified under Policy 57 on the proposals map will be subsequently assessed in the relevant sections relating to natural, built and cultural heritage specific policies.

6.4 Landscape and Visual Policy

Chapter 4: Landscape and Visual (Volume II) presents the landscape and visual impact assessment for the proposed development. The relevant HwLDP policies in relation to landscape and visual impact are summarised and assessed below.

Table 6.2: Landscape and Visual Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 29	Design Quality and Place-Making
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 60	Other Important Habitats and Article 10 Features
HwLDP Policy 61	Landscape
HwLDP Policy 67	Renewable Energy Developments

Policies

Policy 28: Sustainable Design identifies criteria against which all developments should be assessed. It states that proposed developments will be assessed on a range of criteria including impact on individual and community residential amenity; landscape; scenery; and the demonstration of sensitive siting and high quality design in keeping with local character and natural environment.

Where environmental impacts of a proposed development are likely to be significant by virtue of nature, size or location, the Council will require the preparation by developers of appropriate impact assessments. Developments that will have significant adverse effects will only be supported if no reasonable alternatives exist, if there is demonstrable over-riding strategic benefit or if satisfactory overall mitigating measures are incorporated.

Policy 29: Design Quality and Place-Making requires applicants to demonstrate sensitivity and respect towards locally distinctive landscape and states that proposals should have regard to the landscape in the locality.

As set out above, **Policy 36: Development in the Wider Countryside** requires general considerations of design and landscape fit, but more specific assessment against the relevant landscape and visual assessment criteria listed in Policy 67 and ancillary guidance for renewable energy developments.

Policy 57: Natural, Built and Cultural Heritage requires development proposals to be assessed taking into account the level of importance and type of heritage features, form and scale of the proposed development and any impact on the feature and its setting, in the context of local/regional importance, national importance and international importance.

Policy 60: Other Important Habitats and Article 10 states that THC will aim to safeguard the integrity of features of the landscape which are of major importance as a result of their linear and continuous structure or combination as habitat "stepping stones" for the movement of wild fauna and flora, whilst actively promoting new habitats which are supportive of this concept. Other Important Habitats which are not protected by nature conservation site designations are also given consideration. In situations where it is judged that the benefits of a proposed development clearly outweigh the desirability of retaining such important habitats THC will look to introduce mitigation measures.

Policy 61: Landscape requires new developments to be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment. Appropriate scale, form, pattern and materials as well as cumulative effects will be considered. Proposals will also be assessed against Landscape Capacity Studies and supplementary guidance, including guidance on Siting and Design and Sustainable Design.

Policy 67: Renewable Energy Developments supports proposals that are located, sited and designed to avoid being significantly detrimental overall, individually or cumulatively, and taking mitigation into account. Particular regard will be had to any significant effects on visual impact and impact on the landscape character of the surrounding area (scale, design, location, character of the landscape). Proposals for the extension of existing facilities will be assessed against the same criteria and material considerations as apply to proposals for new facilities.

Policy Considerations & Assessment

The application site is not subject to any landscape designations. However, there are national and local designations present within the wider study area including the following:

- Glen Affric National Scenic Area, located 22 km northwest of the proposed development;
- Starthconon, Monar and Mullardoch SLA, located 25 km northwest of the proposed development;
- Loch Ness and Duntelchaig SLA, located 6 km north of the proposed development;
- Loch Lochy & Loch Oich SLA, located 1.2 km southeast of the proposed development; and
- Moidart, Morar and Glen Sheil SLA, located 21 km west of the proposed development.

The proposed development is located within the northernmost edge of the Braeroy, Glenshirra and Creag Meagaidh Wild Land Area (WLA), as identified in the SNH map of Wild Land Areas, issued in June 2014.

The wider LVIA study area also contains the Monadhliath WLA which is situated approximately 17 km to the northeast and east of the proposed development. The Kinlochourn – Knoydart and Morar WLA is situated over 16 km west and southwest with the Central Highlands WLA situated over 17.6 km to the northwest of the proposed development.

Chapter 4: Landscape & Visual (Volume II) outlines SNH's criteria for attributing wildness to these areas, including; a high degree of perceived naturalness in the setting, including vegetation cover, wildlife and processes affecting the land; lack of modern artefacts or structures, little evidence of contemporary human use of the land, rugged or physically challenging landform and remoteness or inaccessibility.

As summarised above, the proposed development is situated in a 'Stage 3 (Area of Search)' for wind farm developments (as defined by the Council in their Interim Supplementary Guidance for Onshore Wind Energy). It is however located within SNH mapping Zones 2 and 3 within SNH's Strategic Locational Guidance for Onshore Wind Farms in Respect of the Natural Heritage Resource Policy Statement No. 02/02 (Updated March 2009)13. Zone 2 relates to medium sensitivity and includes areas with some sensitivities to wind farms, careful siting of development can result in acceptable impact in natural heritage terms. Zone 3 relates to high sensitivity where there is greatest constraint on development, and generally development is unacceptable, however there can be some areas within such zones where wind farm development which is very sensitively designed and

[13] SNH Strategic Locational Guidance for Onshore Wind Farms in respect of the Natural Heritage (March 2009): http://www.snh.gov.uk/docs/A247182.pdf

sited can be acceptable in natural heritage terms. The site is located within Zone 3 due to the presence of the Braeroy- Glenshirra- Creag Meagaidh Wild Land Area (WLA). The landscape and visual assessment undertaken in Chapter 4: Landscape and Visual (Volume II) provides more detail, and concludes that given the number of existing infrastructure features, such as drainage ditches, track, borrow pits and power lines, within the application site and its immediate vicinity, the perceived wildness of the area is diminished. This aspect together with the sensitively designed development as a result of the extensive design iteration process outlined in Chapter 3: Design Evolution & Alternatives (Volume II) results in mitigation by design and a locational context to the development which results in an acceptable impact on natural heritage terms, notwithstanding the Zone 3 sensitivity allocation within SNH's guidance.

As summarised within Chapter 4 Landscape and Visual (Volume II), significant landscape and visual effects are predicted to arise from the proposed development within parts of the following:

- Broad Forested Straths Landscape Character Type (LTC) (LBR4);
- Smooth Moorland Ridges LTC (LBR5);
- Rocky Moorland LTC (LBR6);
- Interlocking Sweeping Peaks LTC (LBR8);
- Rugged Massifs LTC (INV1);
- Rolling Uplands LCT (INV2);
- Broad Steep Sided Glen LTC (INV7)
- A87 in Glen Garry (Viewpoint 8 with Landscape & Visual Figure of ES);
- General Wade's Military Road between Meallan Odhar Beag and Creag Dhubh;
- Hill walkers at Ben Tee; and
- Carn Dearg (north and south of Glen Eachach) and Carn Chuillin.

The significant effects of the proposed development on the landscape character types are localised and are of limited geographical extent and the character of the LTC's would not be adversely affected. No significant effects are predicated on the integrity of landscape designations, nor on settlements within the study area. The effects on the A87, are significant, but localised and intermittent due to screening from woodland and topography. The effects from the elevated locations would impact primarily on recreational users and would be over a distance and within the context of wider landscape views. Nine out of the fifteen viewpoints assessed would be subject to significant effects and five of these viewpoints also subject to significant cumulative effects; however these are not widespread, or commonplace, given the screening effect of intervening structures or vegetation. .

The proposed development has been carefully designed and sited to ensure the landscape and visual impacts are mitigated to an acceptable level as dictated by the Council's development plan policies and relevant local and national planning guidance. Effects on the incised settled straths and glens have been significantly reduced to take account of residential and tourism receptors and the design continues the emerging, but clear pattern of wind farm development across the study area within the Monadhliaths, whilst avoiding a significant extension of cumulative effects. As previously highlighted, the reduced perceived wildness of the application site due to the presence of existing infrastructure is such that the proposed development does not adversely impact on the wildness of the wider WLA.

LDP policies 28, 29, and 36 provide generic provisions on sustainable and good design, and the siting of development in the countryside, but are relevant to all forms of development. The design of the proposed development has been undertaken in accordance with the relevant provisions of these policies.

Policies 57, 60 and 61 provide a more detailed policy consideration based on landscape impacts, whilst Policy 67 provides landscape and visual assessment criteria for the nature of the proposed development.

In terms of the relevant provisions of Policies 57 and 60, Chapter 4: Landscape & Visual (Volume II) confirms there will be no adverse effect on local or regional landscape designations, or specific features to enable habitat creation. Both Chapter's 3 and 4 of the ES demonstrate the design evolution of the proposed development, and its subsequent assessment in terms of landscape and visual effects respectively. These confirm compliance with the provisions of Policy 60 in safeguarding landscape character and Policy 67 in relation to consideration of the effects of the nature of the development on natural heritage features, visual impact, landscape character, amenity at sensitive locations, including residential properties, settlements and important tourist and recreational interests, including routes and particularly the A82, which is a Scenic Route as identified in National Planning Framework 3 (June 2014).

6.5 Cultural Heritage Policy

Chapter 5: Cultural Heritage evaluates the effects of the proposed development on cultural heritage resources. The relevant HwLDP policies in relation to cultural heritage are summarised and assessed below.

Table 6.3: Cultural Heritage Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 29	Design Quality and Place-Making
HwLDP Policy 30	Physical Constraints
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 67	Renewable Energy Development

Policies

Policy 28: Sustainable Design will support development, which promote and enhance the social, economic and environmental wellbeing of the people of the Highlands. Proposals will be assessed for the impact they have on the cultural heritage resource, and will need to demonstrate sensitive siting and high quality design in keeping with the local character and historic environment.

Policy 29: Design Quality and Place-Making requires an applicant to demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts in a proposal. The historic pattern of development and landscape should also be regarded.

Policy 30: Physical Constraints requires consideration as to whether a development will be located within an area of constraint as set out in Physical Constraints: Supplementary Guidance. In cases where a development is affected by any of the constraints detailed within the guidance, compatibility with the constraint or mitigation measures must be demonstrated.

Policy 36: Development in the Wider Countryside advises that the Council will support development proposals that are judged to not be significantly detrimental under the terms of the policy.

Policy 57: Natural, Built and Cultural Heritage will allow development that will not have an unacceptable impact on the natural environment in the context of local/regional importance, national importance and international importance. The criteria for specific features is set out below:

For features of local/regional importance, developments will be permitted if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment;

For features of national importance, developments that can be shown not to comprise the natural environment will be allowed. Where there are significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance; and

For features of international importance developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, will be subject to an appropriate assessment. In circumstances where THC are unable to ascertain if a proposal will not adversely affect the integrity of a site, development will only be permitted if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature.

Where effects are likely, suitable mitigation measures and/or overriding public interest for the proposed development will be required.

Policy 67: Renewable Energy Development will have particular regard to any significant effects on built and cultural heritage features. Recognised visitor sites in or outwith a settlement boundary will be considered, as will tourism and recreational interests.

Policy Considerations & Assessment

As set out within Chapter 5: Cultural Heritage (Volume II) an inner archaeological study area comprising the site, and outer study area of up to 20 km for exceptionally important features and 5 km for all other features was identified.

Designated features within the inner study area (application site) identified are the Corrieyairack Pass, General Wade's Military Road (four sections of which comprise Schedule Monument listing) and a Category B Listed bridge on the military road. In addition, there were 21 undesignated heritage assets identified, all of which are post-medieval date and include shielings, farmsteads, bridges and mounds.

There are 34 Listed Buildings within 5 km of the proposed development and within the outer archaeological study area. Three of these are category A listed, twenty-one are B listed and ten C listed. Most are located in Glen Mor to the northwest of the application site, with clusters also located in Fort Augustus and at the northern point of Loch Oich.

There are 13 Scheduled Monuments within 5 km of the proposed development and within the outer archaeological study area. These include further listings for sections of the military rod, the remains of Kilwhimen Barrack and Invergarry Castle, two prehistoric sites comprising a crannog and vitrified fort and features associated with and located alongside the Caledonian Canal.

The central part of Fort Augustus is a designated Conservation Area, including the canal locks and the grounds of the Abbey.

An Inventory Battlefield is recorded near Laggan at the southern tip of Loch Oich.

There are no World Heritage Sites, Designed Gardens and Landscapes identified within the study areas.

Chapter 5: Cultural Heritage (Volume II)confirms that potential effects on heritage assets identified within the study areas have been primarily mitigated by design, and this is further outlined in Chapter 3: Design Evolutions & Alternatives (Volume II). These included: identifying heritage constraint areas during the design evolution process and avoiding and buffering such areas, using the BDOHL as an eastern development limit to reduce impact on the setting of the Corrieyairack Pass military road, and utilising the existing tracks for the BDOHL to limit ground disturbance to any unknown archaeological remains and siting the control and substation buildings sensitively to reduce impact on a farmstead feature and the setting of the military road.

Construction effects can be mitigated by standard planning conditions, in accordance with PAN 2/2011 Planning & Archaeology requiring a series of archaeological monitoring and recording works during the construction phase. Potential for a minor significant effect is identified in respect on an undesignated section of the Corrieyairack Pass military road, due to upgrading of the existing track and construction of the gatehouse compound, however these can be mitigated by the agreed scheme of archaeological works.

Effects on the scheduled monuments designated on the military road are predicated to be of minor significance, with no cumulative effects on this asset identified. Effects on all other identified heritage assets will be of negligible significance.

Policies 28, 29, 30, and 36 all have very general safeguarding provisions for cultural heritage assets and relate to all forms of development. Policy 57 identifies those of different importance levels. In this respect a cultural heritage asset of national importance in terms of the scheduled sections of the military road are identified, but it has been demonstrated that the careful design and siting of the development and intended mitigation construction methods will result in only minor significant effects on this feature with no resultant adverse impact. As such the policy test has been complied with in this respect.

Policy 67 as it relates to the nature of the proposed development, requires appropriate mitigation to ensure that there is no significant detrimental effect, individually or cumulatively on cultural heritage features. As outlined above no significant adverse effects on such features within the site or wider study area are identified and the policy test has been met in this respect.

In terms of cultural heritage there is no contention with the development plan.

6.6 Ornithology Policy

Chapter 6: Ornithology (Volume II) presents the assessment of the effects of the proposed development on ornithological resources. The relevant HwLDP policies in relation to ornithological resources are summarised and assessed below.

Table 6.4: Ornithology Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 30	Physical Constraints
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 58	Protected Species
HwLDP Policy 59	Other Important Species
HwLDP Policy 67	Renewable Energy Developments

Policies

Policy 28: Sustainable Design highlights criteria against which all developments should be assessed. Proposals should demonstrate sensitive siting and high quality design in keeping with the natural environment. The Sustainable Design Guide: Supplementary Guidance requires proposals to minimise the environmental impact of development; Policy 28 also holds this position. Scientific grounds that demonstrate severe damage to the environment will lead to the precautionary principle being applied. Mitigating measures can lead to such developments being supported, or where an over-riding strategic benefit is demonstrated.

Policy 30: Physical Constraints requires consideration as to whether a development will be located within an area of constraint as set out in Physical Constraints: Supplementary Guidance (SG). In cases where a development is affected by any of the constraints detailed within the guidance, compatibility with the constraint or mitigation measures must be demonstrated. The SG confirms in respect of wind farm developments, the specific guidance within the On-Shore Wind Energy Supplementary Guidance should be applied.

Policy 57: Natural, Built and Cultural Heritage will allow development that will not have an unacceptable impact on the natural environment, in the context of local/regional importance, national importance and international importance (Policy 57 criteria is set out above).

Policy 58: Protected Species will require a survey to be carried out where there is good reason to believe that a protected species may be present on site or may be affected by a proposed development. A mitigation plan to avoid or minimise any impacts on the species may also be necessary. Development that is likely to adversely affect European Protected Species will only be permitted in situations where there is no satisfactory alternative; where overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and where the proposed development will not be detrimental to the maintenance of the population of the species concerned. Development that is likely to adversely affect a protected bird species will only be permitted where there is no other satisfactory solution, and where the proposed development is required in the interests of public health or public safety. This includes avoiding adverse effects on the populations of priority birds species listed in Annex 1 of the EC Birds Directive, Annex II of the Birds Directive, Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), and birds of conservation concern.

Policy 59: Other Important Species affords protection to other important species against adverse effects from development proposals, either individually and/or cumulatively, if they are not already protected by other legislation or by nature conservation site designation. Conditions and agreements will ensure detrimental effects are avoided.

Policy 67: Renewable Energy Developments supports proposals that are located, sited and designed such that they will not be significantly detrimental either individually or cumulatively with other developments. Particular regard will be had to a site's natural features, species and habitats.

Policy Considerations & Assessment

As set out within Chapter 6: Ornithology (Volume II), there are no statutory conservation designations for birds within the application site.

The following statutory conservation designations apply within the 20 km study area around the application site.

- Loch Knockie and nearby lochs SPA – 3.2 km east (designated for its breeding Slavonian grebe population);
- Glendoe Lochans SSSI – 3.2 km east (designated for its breeding Slavonian grebe and common scoter populations);
- West Inverness-shire Lochs SPA – 6.2 km west (designated for breeding black-throated diver and common scoter populations);
- West Inverness-shire Lochs SSSI – 6.2 km west (designated for breeding black-throated diver and common scoter populations);
- Knockie Lochs SSSI – 8.7 km northeast (designated for its breeding Slavonian grebe population);
- Creag Meagaidh SPA – 10.1 km southeast (designated for breeding Dotterel)
- Creag Meagaidh SSSI – 10.1 km southeast (breeding bird assemblage, including golden eagle, black grouse, golden plover, dunlin, ring ouzel, wheatear, stonechat, red grouse, meadow pipit and dipper); and
- Monadhliath SSSI – 11 km southeast (breeding Dotterel and breeding bird assemblage, including raptors, golden plover, ring ouzel.

As concluded within Chapter 6: Ornithology(Volume II), overall, there are not likely to be any significant effects on ornithology as a result of the proposed development, or cumulatively, following the implementation of the identified mitigation measures. In addition, no effects would result in any breach of the Habitats Regulations.

Policies 28, 30 and 57 are not development specific, or directly related to the protection of nature conservation, but have provisions generally safeguarding nature conservation interests. As highlighted in the relevant ES chapter, there are no adverse effects on any national or international designations for ornithological interests and provided mitigation measures are applied there will be no significant effects on any such interests.

Policies 58 and 59 require that development does not have an adverse effect either individually or cumulatively on protected species for nature conservation and for other identified important species. As highlighted above subject to the appropriate mitigation, no significant effects are predicated on protected or important bird populations as a result of the proposed development and it is in accordance with the provisions of these policies.

Policy 67 requires there to be no significant detrimental effect on species and habitats, and this has been fully demonstrated by the assessment of the proposed effects on ornithology in Chapter 6: Ornithology and as such no contention with this provision of the policy is identified.

In terms of Ornithology there is no contention with the development plan.

6.7 Ecology Policy

Chapter 7: Ecology (Volume II) presents the assessment of the effects of the proposed development on ecological resources. The relevant HwLDP policies in relation to ecology are summarised and assessed below.

Table 6.5: Ecology Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 30	Physical Constraints
HwLDP Policy 51	Trees and Development
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 58	Protected Species
HwLDP Policy 59	Other Important Species
HwLDP Policy 60	Other Important Habitats and Article 10 Features
HwLDP Policy 67	Renewable Energy Developments

Policies

Policy 28: Sustainable Design states that impact on habitats, freshwater systems, species and marine systems will be considered. Proposals should demonstrate sensitive siting and high quality design in keeping with the natural environment. The Sustainable Design Guide: Supplementary Guidance requires proposals to minimise the environmental impact of development; Policy 28 also holds this position. Scientific grounds that demonstrate severe damage to the environment will lead to the precautionary principle being applied. Mitigating measures can lead to such developments being supported, or where an over-riding strategic benefit is demonstrated.

As set out above, Policy 30: Physical Constraints ensures that proposed development is compatible with the constraints contained in the Physical Constraints Supplementary Planning Guidance, to include risk to safeguarded sites, or the applicant should outline appropriate mitigation measures.

Policy 51: Trees and Development states the Councils intention to support proposed developments that promote significant protection to existing trees, hedges and woodland areas on and around developments.

As set out above, Policy 57: Natural, Built and Cultural Heritage will allow development that will not have an unacceptable impact on the natural environment, in the context of local/regional importance, national importance and international importance.

As set out above, Policy 58: Protected Species will require a survey to be carried out where there is good reason to believe that a protected species may be present on-site or may be affected by a proposed development. A mitigation plan to avoid or minimise any effects on the species may also be necessary.

As set out above, Policy 59: Other Important Species affords protection to other important species against adverse effects from development proposals, either individually and/or cumulatively, if they are not already protected by other legislation or by nature conservation site designation. Conditions and agreements will ensure detrimental effects are avoided.

Policy 60: Other Important Habitats and Article 10 Features will safeguard the integrity of habitat "stepping stones" for the movement of wild fauna and flora. Regard will be had to the value of other important habitats that are not protected by nature conservation site designations. Conditions and agreements will ensure significant harm to the ecological function and integrity is avoided. Satisfactory mitigation measures, that may include compensatory habitat creation, will be sought where reasons in favour of a development outweigh habitat retention.

Policy 67: Renewable Energy Developments supports proposals that are located, sited and designed such that they will not be significantly detrimental either individually or cumulatively with other developments. Particular regard will be had to a site's natural features, species and habitats. Particular regard will be given to any significant effects on species and habitats.

Policy Considerations & Assessment

The application site contains the following ecological designations:

- Ness Woods SAC- 0.25 km (mixed woodland on base rich soils with rocky slopes, Western acidic oak woodland and otters are the qualifying features);
- Glen Tarff SSSI – 0.25 km (upland mixed ash woodland and beetle are the qualifying features);

The ecological designated sites within 5 km of the site are listed below:

- Easter Ness Forest SSSI – 3.9 km (upland mixed ash woodland and upland oak woodland).

The site comprises typical upland habitats, with a peat-based substrate vegetated with blanket bog and wet heath communities dominating. There are a number of burns across the relevant study area, the larger ones consisting of Allt Lagan a' Bhainne in the south and the Connachie Burn which dissects the access survey area to the north. A smaller watercourse, the Black Burn and its tributaries cross the main survey area. The majority of the watercourses flow to the north and east into the River Tarff, except the Allt a'Carnaich in the west which flows into the Calder Burn.

The application site and wider environs are managed for red grouse, pheasant and partridge with large numbers of deer grazing in the area. There is evidence of heavy grazing, localised peat cutting and muirburn.

As concluded within Chapter 7: Ecology (Volume II), ecological receptors identified in the site were considered to be of International (Ness Woods SAC), National (Glen Tarff SSSI), Regional (Water Vole), and Local (Blanket Bog, Wet Heath, Dry Heath & Bats) nature conservation value. With the implementation of the identified mitigation and enhancement measures, it is considered that all effects will not be significant.

Mitigation measures include blanket bog and wet heath restoration across the site, restoration of borrow pits, disturbance reduction measures, inclusion of a Species Protection Plan (SPP) and pollution prevention measures. Additional design mitigation measures for terrestrial ecology and habitats were applied as set out within Chapter 3: Design Evolution and Alternatives (Volume II), and include avoiding potentially sensitive areas and avoidance of ground water dependent terrestrial ecosystems (GWDTE).

Pollution prevention measures and ecological and water quality monitoring during construction will be set out in the Construction and Decommissioning Method Statement (CDMS) and these will be designed to ensure protection of the ecological features in the site.

As previously highlighted Policies 28, 30 and 57 are not development specific, or directly related to the protection of nature conservation, but have provisions generally safeguarding nature conservation interests. As highlighted in the relevant ES chapter, there are no adverse effects on any local, national or international designations for ecological interests provided the identified mitigation measures are applied, in particular the wet heath and blanket bog restoration to be undertaken as part of the Habitat Management Plan, there will be no significant effects on any such interests.

Policy 51 relates to the impact of development on trees and woodland. The area of Ancient woodland located within the northern part of the site and along Glen Tarff on the eastern boundary will be unaffected by the proposed development. No trees are located within the development footprint and as such there is no contention with this policy.

Policies 58, 59 and 60 require that development does not have an adverse effect either individually or cumulatively on protected species for nature conservation and for other identified important species, or on the integrity of landscape features for habitat progression. As highlighted above subject to the appropriate mitigation, no significant effects are predicated on protected or important bird populations as a result of the proposed development. In addition, the linear Glen Tarff feature along the eastern boundary will be unaffected by development and will continue to be used by species moving from one habitat to another, therefore the integrity of this feature will be unaffected. As such the proposed development is in accordance with the provisions of these policies.

Policy 67 requires there to be no significant detrimental effect on species and habitats, and this has been fully demonstrated by the assessment of the proposed effects on ecology in Chapter 7: Ecology (Volume II) and as such no contention with this provision of the policy is identified.

In terms of Ecology there is no contention with the development plan.

6.8 Geology, Hydrology and Hydrogeology Policy

Chapter 8: Geology, Hydrology and Hydrogeology (Volume II) present the assessment of the effects of the proposed development on geology, hydrology and hydrogeology resources. The relevant HwLDP policies in relation to geology, hydrology and hydrogeology resources are summarised and assessed below.

Table 6.6: Geology, Hydrology and Hydrogeology Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 30	Physical Constraints
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 53	Minerals
HwLDP Policy 55	Peat and Soils
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 58	Protected Species
HwLDP Policy 59	Other Important Species
HwLDP Policy 60	Other Important Habitats and Article 10 Features
HwLDP Policy 62	Geodiversity
HwLDP Policy 63	Water Environment
HwLDP Policy 64	Flood Risk
HwLDP Policy 66	Surface Water Drainage
HwLDP Policy 67	Renewable Energy Developments
HwLDP Policy 72	Pollution

Policies

Policy 28: Sustainable Design considers the impact a development will have on habitats, freshwater systems, species, and marine systems, where pollution and discharges will also be considered. Proposals will be required to demonstrate sensitive siting and high quality design in keeping with the natural environment. Compatibility with the Sustainable Design Guide: Supplementary Guidance will need to be demonstrated to minimise the environmental impact of a development. The precautionary principle will be applied where scientific grounds indicate that severe damage could occur to the environment. An over-riding strategic benefit or mitigating measures may lead to such development being consented.

Policy 30 Physical Constraints ensures that proposed development is compatible with the constraints contained in the Physical Constraints Supplementary Planning Guidance, to include risk to safeguarded sites, or the applicant should outline appropriate mitigation measures.

Policy 36: Development in the Wider Countryside ensures that proposed developments address drainage constraints and can be adequately serviced for foul drainage. Proposals may be supported if they are not significantly detrimental under the policy's terms.

Policy 53: Minerals outlines the Council's support for mineral extraction as an extension of an existing site, re-opening of a dormant quarry, or a reserve underlying a proposed development whereby it would be desirable to extract prior to development. In specific relation to the proposed development, the Council will support borrow pits which are near to, or on-site, if they are demonstrated to be the most suitable source of material, are temporary and identify appropriate environmental safeguards during the workings and for reclamation.

Policy 55: Peat and Soils requires proposals to demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance will not be permitted, unless it is shown that the adverse effects of such a disturbance are clearly outweighed by social, environmental or economic benefits arising from the proposed development proposal. A peatland management plan (PMP) will be required where development on peat is clearly demonstrated to be unavoidable, and this will demonstrate how impacts have been minimised and mitigated.

As set out above, Policy 57: Natural, Built and Cultural Heritage will allow development that will not have an unacceptable impact on the natural environment, in the context of local/regional importance, national importance and international importance (Policy 57 criteria is set out above).

As set out above, Policy 58: Protected Species will require a survey to be carried out where there is good reason to believe that a protected species may be present on-site or may be affected by a proposed development. A mitigation plan to avoid or minimise any effects on the species may also be necessary.

As set out above, Policy 59: Other Important Species affords protection to other important species against adverse effects from development proposals, either individually and/or cumulatively, if they are not already protected by other legislation or by nature conservation site designation. Conditions and agreements will ensure detrimental effects are avoided.

As set out above, Policy 60: Other Important Habitats and Article 10 Features requires regard to be had to the value of other important habitats that are not protected by nature conservation site designations.

Policy 62: Geodiversity safeguards and enhances geodiversity interests of international, national and regional/local importance in the wider countryside. Development proposals that include measures to protect and enhance geodiversity interests will be supported. Improved access and interpretation as an educational or geo-tourism resource will be encouraged.

Policy 63: Water Environment ensures that development does not compromise the objectives of the Water Framework Directive (2000/60/EC), which protects Scotland's water environment. In determining a planning application, account will be taken of the River Basin Management Plan for the Scotland River Basin District, and associated Area Management Plans and supporting information.

Policy 64: Flood Risk requires development proposals to avoid areas susceptible to flooding and it also promotes sustainable flood management. Developments may be possible where they are in accord with the flood prevention or management measures as specified within a LDP allocation or a development brief. Developments should not compromise the objectives of the EU Water Framework Directive.

Policy 66: Surface Water Drainage sets out the requirement for all development proposals to utilise Sustainable Drainage Systems (SuDS) in accordance with the SuDS Manual (CIRIA C697) and, where appropriate, the Sewers for Scotland Manual 2nd Edition. Applications should be submitted detailing information in accordance with Planning Advice Note 69: Planning and Building Standards Advice on Flooding (paragraphs 23 and 24).

As set out above, Policy 67: Renewable Energy Developments supports proposals that are located, sited and designed such that they will not be significantly detrimental either individually or cumulatively with other developments. Particular regard will be given to any significant effects on species and habitats, ground water, surface water (including water supply), aquatic ecosystems and fisheries.

Policy 72: Pollution safeguards against significant pollution including water. A detailed assessment report of the levels, character, and transmission and receiving environment of the potential pollution should be provided by the Applicant to show how the pollution can be appropriately avoided and if necessary, mitigated. Conditions may be attached to a permission to deal with pollution matters. This may include subsequent independent monitoring of pollution levels. Developments subject to an EIA will be expected to follow a robust project environmental management process, following the approach set out in the Council's Guidance Note "Construction Environmental Management Process for Large Scale Projects" or a similar approach.

Policy Considerations & Assessment

The site predominantly comprises upland moorland, rough grazing and peat bog. The peat bog has a high capacity to hold water and consequently surface runoff velocity is generally low.

Two surface water catchments have been identified within the site; the western part of the application site is drained by the Calder Burn, whilst the remainder will drain to the River Tarff; both of these watercourses drain into Loch Ness.

The hydrological study area, as identified within Chapter 8: Hydrology, (Geology and Hydrogeology) and Peat (Volume II), is defined by the boundaries of the receptors' catchments, the River Tarff and the Calder Burn. The study area for the consideration of peat and peat landslide hazard assessment is defined by the boundary of survey area shown on Figure A.1: Site Layout of Technical Appendix 8.1: Peat Stability Risk Assessment (Volume IV). This is essentially the area to be developed.

The SNHi interactive map indicates the following designated sites within the hydrological study area; the Glen Tarff SSSI and Ness Wood SAC which are both less than 1 km from the site and the Easter Ness SSSI which is 4 km from the site. The Ness Woods SAC is the main designated site to be potentially sensitive to a change in hydrology.

SEPA have confirmed the majority of the proposed development site lies outwith the 1 in 200 year flood extent, although the indicative extent associated with the Caledonian Canal, River Oich and River Tarff are within the hydrological study area. The online Flood Maps indicate, a small high likelihood (10% Annual Exceedance Probability(AEP)) and medium likelihood fold extend (5% AEP) along the watercourses within the application site. All buildings marked on the O.S map are located outwith this extent.

North of the application site boundary, but within the hydrological study area the flood maps indicate a high and/or medium likelihood of flooding at some buildings located between the B862

and the A82 and across a small section of the B862. Three buildings in Aberchalder and a small section of the A82 are within the flood extent of the Caledonian Canal. Chapter 8: Hydrology, (Geology & Hydrogeology) and Peat (Volume II) confirms that the design of the proposed development will ensure that it does not increase flood risk to the surrounding area.

The Peat Stability Risk Assessment (Technical Appendix 8.1, Volume IV)) confirms the baseline risk rating of the wind farm to be predominantly low, with five very localised medium risk locations in the south of the application site, which were reduced to a low risk following quantitative analysis of the survey results. Chapter 3: Design Evolution and Alternatives (Volume II) confirms that the design iterations took account of siting on deeper areas of peat to ensure a minimisation of disturbance and removal of peat, all in accordance with the current SNH guidance in relation to development on peatlands, and wind farm development, in particular. The draft Peat Management Plan (PMP) (Technical Appendix 8.2 Volume IV), fully outlines the use and reuse of peat within the development site and is a key consideration from a carbon payback, ecological, and hydrological perspective.

SEPA, the Council and Scottish Water have provided details of private water supplies and surface water abstractions and discharges, none of which are adversely affected by the proposed development, provided the relevant mitigation measures are applied during the construction period. Such mitigation measures will further ensure that any pollution risk is negated during the construction phase of the proposed development and are fully outlined in Chapter 8: Hydrology, (Geology & Hydrogeology) and Peat (Volume II) and will comprise part of the finalised and agreed Construction Method Statement.

Chapter 8: Hydrology, (Geology & Hydrogeology) and Peat (Volume II) concludes that no significant effects, including cumulative effects, are predicted on geology, hydrology and hydrogeology resources as a result of the proposed development. This is subject to the relevant identified mitigation measures being deployed which reduce the residual effects in all cases to minor.

Policies 28, 30 and 57 are not development specific, or directly related to the protection of hydrological, geological or hydrogeological matters but have provisions generally safeguarding such interests. As highlighted in the relevant ES chapter, there are no adverse effects on such interests or on local, national or international designations for such interests provided the identified mitigation measures are applied, accordingly there is no conflict with the general provisions of these policies.

Policy 53 relates primarily in respect of this application to the inclusion of borrow pits on-site to reduce the need to transport rock to site and reduce vehicle movements and the associated emissions. Rock can be won on site and the borrow pits used for the restoration of peat removed as part of the construction process. There is appropriate justification for the use of on-site borrow pits in accordance with Policy 53.

Policy 55 relates to the minimisation of the disturbance and removal of peat and other soils and requires appropriate re-use. It further requires the submission of a Peat Management Plan (PMP) where peatland will be affected. A draft PMP is included as Technical Appendix 8.2 (Volume IV) which fully outlines that disturbance and removal of peat has been minimised through careful siting and appropriate design in accordance with current national policy guidance, and that suitable re-use of peat is proposed as an intrinsic and necessary part of the development.

Policies 58, 59 and 60 require that development does not have an adverse effect either individually or cumulatively on protected species for nature conservation and for other identified important species, or on the integrity of landscape features for habitat progression. GWDTE have been safeguarded through design mitigation and the application of appropriate buffers to ensure such systems are not adversely affected by development, or construction activities. As highlighted above subject to the appropriate mitigation, no significant effects are predicated on hydrology, geology or hydrogeology as a result of the proposed development and as such it will be in accordance with the provisions of these policies.

The proposed development does not adversely affect any geodiversity interests within the application site or the wider area and as such there is no conflict with the provisions of Policy 62 in this respect.

Policies 63, 64 and 66 seek to safeguard the water environment from inappropriate development, to prevent/reduce flood risk and to incorporate Sustainable Drainage Systems (SuDS) into the development. Chapter 8: Hydrology, (Geology and Hydrogeology) and Peat (Volume II) confirms all of these matter are addressed by the development and it has been designed in accordance with the provisions of these policies. Final agreement on the SuDS details will be subject of a planning condition to be agreed with THC.

Policy 67 requires that the proposed development does not have any significant effects on ground, or surface water (including water supplies) aquatic ecosystems and fisheries. As previously highlighted all of these matters have been safeguarded through appropriate design, and sensitive siting and identified mitigations measures, pre, during and post construction. Accordingly there is no conflict identified with this provision of the policy as it relates to renewable energy development.

In terms of hydrology, geology and hydrogeology matters there is no contention with the development plan.

6.9 Transport and Traffic Policy

Chapter 10: Transport and Traffic (Volume II)evaluates the effects of the proposed development on the transport and traffic resource. The relevant HwLDP policies in relation to traffic and transport are summarised and assessed below.

Table 6.7: Transport and Traffic Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 31	Developer Contributions
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 56	Travel
HwLDP Policy 67	Renewable Energy Developments

Policies

Policy 31: Developer Contributions seeks fair and reasonable contributions from developers whereby their proposed development would create the need for new or improved public services,

facilities or infrastructure. Such contributions should be appropriate to the scale of the proposed development and can be secured through Section 75 obligations or other legal agreement as necessary.

Policy 36: Development in the Wider Countryside will consider road access and will discourage undue public expenditure or infrastructure that would be out of keeping with the rural character of the area. Development proposals may be supported if they are judged to be not significantly detrimental under the terms of this policy.

Policy 56: Travel generally requires that development proposals that involve travel generation, must include sufficient information with the application to enable the Council to consider any likely on and off-site transport implications of the development. Further considerations apply, but the one relevant to this application relates to the design to be for the safety and convenience of all users.

Policy 67: Renewable Energy Developments will assess the impact a development will have on land and water based traffic and transport interests.

Policy Considerations & Assessment

The Port of Kyle of Lochalsh has been identified as the location for onshore deliveries of the blades, tower sections and nacelles required for turbines. As such, the delivery route from Kyle of Lochalsh would be eastbound along the A87 to Invergarry where it joins the A82 at Fort Augustus. Given the limited storage facilities at the port, an option to store components is available at Broadford Aerodrome on a temporary basis.

Vehicular access to the site will be via the U1667 (Ardachy) minor road from the A82 and will utilise and upgrade the existing site access associated with the construction of the BDOHL. Existing access tracks associated with the BDOHL construction within the application site will be upgraded and used where possible.

To minimise effects on Fort Augustus, the Transport Management Plan (TMP) will seek to limit where practicable traffic from the south/west via Fort Augustus. HGV's will require to exit the site via the A82 due to weight restrictions on the Ardachy Bridge to the east of the site entrance on the minor road.

Road improvements to access infrastructure in the area associated with Stronelairg Wind Farm are anticipated to accommodate the abnormal loads, and these are considered to be sufficient as the proposed turbines will be of a similar or smaller size to those being installed at Stronelairg.

On site borrow pits and an on-site concrete batching plant will be utilised to minimise the impact on the road network.

The IEA Guidelines for the Environmental Assessment of Road Traffic have been followed during the assessment process as set out within Chapter 10: Transport and Traffic (volume II). The study network included the A82, and the U1667 and baseline traffic flows were sourced for these roads.

Chapter 10: Transport and Traffic (Volume II)concludes that the traffic impact is satisfactory when considering absolute flow numbers involved and any potential effects are not significant in EIA terms.

The cumulative effect of the construction phases of Dunmaglass, Corriegarth, Stronelairg or Dell Wind Farms occurring at the same time of the proposed development has been considered within the ES and no significant effects have been predicted.

Nevertheless, mitigation is proposed in the form of a TMP to be implemented during the temporary construction phase of the proposed development.

In terms of Policies 31 and 36 it is not considered that the proposed development will necessitate any public expenditure in terms of infrastructure support, or servicing. As such there is unlikely to be any contention in respect of either policy in this respect.

Policy 56 Travel: sufficient information has been submitted in Chapter 10: Transport and Traffic (Volume II) to enable the likely effect of both on-site and off-site transport implications to be considered. It is concluded that there would be no significant effects arising from the transport and traffic implications of the development, during the construction or operational phases. Amongst other criteria the policy seeks to ensure new developments should be designed for the safety and convenience of all potential users. The proposed development does not have any adverse effects on traffic safety, or the wider public safety in the vicinity or surrounding area. The relevant provisions of policy 56 are therefore complied with.

Policy 67 requires there to be no significant effects on land and water based traffic and transport interests. Chapter 10: Transport and Traffic (Volume II) and the foregoing assessment, confirm that no significant effects are predicated on the local or wider road network, or settlements in respect of traffic generation, and that traffic and public safety will not be adversely affected by the proposed development. Accordingly the proposed development accords with this provision of Policy 67.

In terms of Transport and Traffic issues there is no contention with the development plan.

6.10 Noise Policy

Chapter 11: Noise (Volume II) evaluates the effects of the proposed development on the acoustic environment of the surrounding area. The relevant HwLDP policies in relation to noise are summarised and assessed below.

Table 6.8: Noise Policy

Development Plan Document and Policy Reference	Policy Title
HwLDP Policy 67	Renewable Energy Developments
HwLDP Policy 72	Pollution

Policies

Policy 67: Renewable Energy Developments considers the likely effect of noise generation from Development. Note: this specifically relates to regularly occupied buildings and the grounds that they occupy and does not specifically mention noise generated from the construction and operation of wind turbines.

Policy 72: Pollution protects against significant noise pollution as a result of proposed development. A detailed assessment report on the levels, character and transmission and receiving environment

of the potential pollution will need to be provided by the Applicant to show how the pollution can be appropriately avoided and if necessary, mitigated. If a proposal is granted planning permission, conditions may be attached to deal with pollution matters and these may include subsequent independent monitoring of pollution levels. Development subject to an EIA will be expected to follow a robust project environmental management process, following the approach set out in the Council's Guidance Note "Construction Environmental Management Process for Large Scale Projects" or a similar approach.

Policy Considerations & Assessment

As set out within Chapter 11: Noise (Volume II), operational noise levels were predicted using a noise propagation model, the proposed development layout, terrain data and assumed turbine noise emission data. The predicted noise levels are within derived appropriate noise limits at all considered wind speeds. The proposed development complies with the relevant guidance on wind farm noise and the impact on the amenity of all nearby residential properties would be regarded as acceptable.

A construction noise assessment has been carried out in accordance with BS 5228 1:2009 "Noise control on construction and open sites Part 1 - Noise", and with due regard to mitigation outlined, in Table 11.12 within Chapter 11: Noise(Volume), indicates that predicted noise levels likely to be experienced at representative critical residential properties are below relevant construction noise criteria. As such significant effects are not predicated.

A cumulative operational noise assessment was completed for the potential impact of the proposed development alongside the operational Millennium Ext 1 & 2 Wind Farm, the consented Beinneun, Bhlaraidh and Stronelairg Wind Farms, and the proposed Dell and Millennium South Wind Farms. The predicted noise levels are within derived appropriate noise limits at all considered wind speeds. Therefore the noise impact on the amenity of all nearby residential properties due to the cumulative impact of the proposed development and the operational, consented and approved wind farms would be regarded as acceptable.

The assessment undertaken and as outlined in Chapter 11: Noise (Volume II) confirms that the relevant provisions of Policy 67 in respect of adverse impact on residential amenity due to noise disturbance from the development is not predicated and the provision of Policy 67 is complied with in this respect. Policy 72 in respect of noise pollution has been complied with and the assessment confirms that noise pollution arising from the proposed development in either its construction, or operational phase is not anticipated. Planning conditions would normally be attached to any permission to afford adequate protection of amenity in this respect.

The proposed development is in accordance with the provisions of the above HwLDP policies in relation to noise considerations.

6.11 Other Relevant Policies

For completeness, this section identifies and assesses the relevant provisions of other policies which do not specifically relate to the ES chapter topics as set out above.

6.11.1 Landuse, Recreation and Socioeconomics

Policies

Policy 28: Sustainable Design supports development that promotes and enhances the social, economic and environmental wellbeing of the people of Highland. Proposed development will be

deemed acceptable if it contributes to the economic and social development of the community and enhances the viability of Highland Communities. The precautionary principle will be applied where scientific grounds demonstrate severe damage to the wellbeing of communities. If an over-riding strategic benefit or satisfactory overall mitigation measures are incorporated, development may be supported.

Policy 42: Previously Used Land supports development proposals that bring previously-used land back into beneficial use provided that the applicant can demonstrate that a site is in a condition suitable for the proposed development, and the proposal accords with all other relevant policies of the HwLDP.

Policy 67: Renewable Energy Development will have particular regard to any significant effects on built and cultural heritage features and also recognised visitor sites in or outwith a settlement boundary will be considered, as will tourism and recreational interests.

It will assess the impact a development will have on the amenity of users of any Core Path or other established public access for walking, cycling or horse riding.

Policy 77: Public Access the Council will expect where a core path, or routes with wider access rights are affected by development that the existing path is retained and its amenity value is maintained or enhanced, or an alternative equivalent provision is made which does not disturb species or habitats.

Policy 78: Long Distance Routes the Council and its partners will seek to enhance long distance routes and their settings.

Policy Considerations & Assessment

The site is currently used for red grouse and deer sporting purposes as part of a larger sporting estate. This land use will continue following construction of the proposed development.

Elements of Policy 28, as it relates to sustainable development, have been assessed under the various foregoing topics and demonstrate how the environmental effects of the development are minimised, however the general aims of this policy in respect of individual and community residential amenity, socio-economic benefits and cutting of greenhouse gas emissions are also relevant to the proposed development. The relevant Carbon Balance Assessment has been undertaken in respect of the proposed development and is presented as Technical Appendix 8.6 (Volume IV), and confirms a carbon payback period of 1.6 years.

In relation to Policies 77 and 78, ScotWays confirm that the Corrieyairack Pass and military road constitute a public right of way and are actively used for recreational purposes by walkers and annually for the Corrieyairack Challenge charity race. The proposed development will utilise the existing BDOHL access tracks as far as possible and has been designed to avoid any intrusion onto the military road and Corrieyairack Pass.

Two long range recreational routes that are identified under the provisions of Policy 78 which are anticipated to provide theoretical views of the proposed development: the Great Glen Way and National Cycle Route 78.

The Great Glen Way runs 73 miles (117 km) from Fort William on the Atlantic west coast to Inverness to the north and follows the alignment of the Great Glen. From Loch Linnhe on the

Atlantic coast the route follows canal towpaths, loch shore paths and forestry tracks to reach Inverness. At its closest, this route passes approximately 14 km to the northwest of the proposed development in the vicinity of Drumnadrochit.

National Cycleway 7 links Sunderland and Inverness and passes through the Loch Lomond and Trossachs and Cairngorms National Parks. At its closest, this route is situated 17 km to the north-east of the proposed development at Loch Moy.

In addition to the above routes the study area contains considerable opportunities for access to the countryside of the Highlands under the terms of the Land Reform (Scotland) Act 2003. A key part of this access is mountain walking and the study area contains numerous notable summits, including Munros, Corbetts and Grahams. Some of these provide potential visibility of the proposed development. Chapter 4: Landscape and Visual and Chapter 5: Cultural Heritage (Volume II), and the Design and Access Statement which accompanies this application, outline the various recreational routes within the study area and assess the effects of the proposed development on these receptors.

Policy 67 requires that the proposed development does not result in significant effects on tourism and recreational interests. In their scoping response submitted to the ECDU, VisitScotland commented that given the role of tourism in Scotland's economic and cultural well being, and in particular the importance of scenery and natural environment to tourism, that an application for a renewable development such as that proposed at Culachy should consider the Scottish Government's 2007 research on the impact of wind farms on tourism (Moffat Report 2008) and further suggested that the applicant also consider the inclusion of a Tourist Impact Assessment as part of any subsequent Environmental Impact Assessment.

The findings of the report referred to by VisitScotland confirmed that wind farms do not have an adverse impact on tourism in Scotland. These findings have subsequently been confirmed in further studies into tourist attitudes to wind farms such as the recent report by the James Hutton Institute on behalf of ClimateXchange 'The Impact of Wind Farms on Scottish Tourism'[14], the findings of the 2012 Scottish Parliament's Economy, Energy and Tourism Committee, VisitScotland's 2011 Wind Farm Consumer Research[15] and a recent YouGov Poll undertaken by Scottish Renewables[16].

Given the findings of the various studies undertaken into tourist attitudes of wind farms and that the final proposed layout has reduced the potential visibility to the key sensitive tourism receptors of Fort Augustus, the Great Glen and Loch Ness, the proposed wind farm is not considered to have a significant effect on these receptors. Therefore a Tourist Impact Assessment is not considered necessary. Potential effects on hill walkers and recreational routes are assessed in Chapter 4: Landscape and Visual and also Chapter 5: Cultural Heritage and confirm that limited localised significant effects will occur on elevated routes within the vicinity of the proposed wind farm.

The economic and social benefits associated with the proposed development, include:

- Electricity generation from a renewable source leading to greater security of supply and reducing the UK's dependence of imported fossil fuels and gas;

[14] http://www.climatexchange.org.uk/reducing-emissions/impact-wind-farms-scottish-tourism/
[15] http://www.visitscotland.org/pdf/Windfarm%20Consumer%20Research%20final_docUpdatedx.pdf

[16] http://www.scottishrenewables.com/news/new-poll-scots-twice-favourable-wind-than-nuclear/

- Approximately 44 MW of installed renewable electricity generating capacity thus contributing to regional and national renewable energy targets;
- Expenditure in the local economy;
- Contribution in business rate annually to the Highland economy; and
- A community benefit package.

Expenditure in the local economy during the proposed development, construction and operation of wind farm projects in UK varies from project to project as a function of various factors, including project size, duration and availability of local suppliers. Drawing on experience of its own projects throughout the UK, the Applicant estimates typical spend with local stakeholders, suppliers and service providers has been in the region of £279,000 per wind turbine during the proposed development, construction and first year of project operation. In some cases it has been possible to significantly improve on this number. Using this figure, the Applicant estimates a local spend of approximately £3.627 million (13 turbines x £279,000) may be generated in the local area as a result of the proposed development. This would be concentrated across the construction period and first operational year and could represent a significant boost to the local economy during this time.

In addition to the expenditure during the construction period and first operational year, it is anticipated that the proposed development would contribute approximately £562,000 in business rate annually to the Highland economy.

One of the potentially most significant economic benefits of the proposed development, as far as the local community is concerned, relates to the proposition by the Applicant that a Local Electricity Discount Scheme (LEDS) to the value of £3,000 per MW per annum would be offered to those qualifying within a designated zone of benefit, providing an annual discount on their electricity bills for the lifetime of the proposed development. LEDS will be launched shortly after the submission of the planning application and those entitled to receive a discount via the scheme will be written to and invited to register. Over the proposed operational 25 year life of the proposed development, between £2,700,000 could potentially be made available via LEDS to help local communities reduce the costs of their electricity bills.

The proposed Community Benefit Fund would be £2,000 per MW of installed capacity per year. For the proposed wind farm, such a contribution would equate to an annual minimum payment of £78,000 (if 3 MW wind turbines were installed). Over the proposed 25 year operational life of the proposed development these contributions would equate to £1,950,000 which could be used by local communities for various projects. The detailed mechanism for securing local community benefits would probably most likely be through an appropriately worded legal agreement, the contents of which would only be detailed if planning permission were to be granted.

The proposed development is in accordance with the provisions of the above HwLDP policies in relation to these considerations.

6.11.2 Miscellaneous Issues (including shadow flicker and existing infrastructure)

Policies

Policy 67: Renewable Energy Developments states that a proposal should not be detrimental overall, either cumulatively with other developments or individually. Consideration will be given to the impact on amenity at sensitive locations. The safety and amenity of regularly occupied buildings and their grounds will be considered with regard to visual intrusion or the likely effect of ice throw, shadow flicker and shadow throw. The safe use of airport, defence or emergency service

operations including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MOD low-flying areas, will all be considered. Other communication installations or the quality of radio or TV reception will be considered.

Policy Considerations & Assessment

Other miscellaneous matters, including proposed mitigation, have been considered in Chapter 3: Design Evolution and Alternatives and Chapter 9: EMI, Shadow Flicker and Aviation (Volume II).

The Applicant has consulted with all relevant organisations which could be affected by the proposed development as set out within Chapter 3: Design Evolution and Alternatives (Volume II)and the PAC Report.

NATS En Route (NERL) supplies air traffic service to all En Route aircraft navigating UK airspace. The applicant has consulted the published NATS safe-assessment maps which have been produced to indicate if a wind farm development will impact NERL infrastructure. The proposed development lies outside the safeguarding areas which identify need for further consultation with NERL and therefore the proposed development will have no impact on NERL infrastructure.

DIO (Formerly Defence Estate) safeguard all MOD and Met Office infrastructure that may be impacted by the presence of wind turbines. DIO were consulted and advise of no objection subject to the provision of infra-red aviation lighting to be added to the proposed turbines.

The Applicant has consulted all telecommunications providers /operators and OfCom and there are no microwave or radio links impacted by the proposed development. Should Planning Permission for the proposed development be granted, the Applicant would agree a scheme of assessment and mitigation with the Council to be implemented in the case of complaints associated with television reception. Should interference to reception occur as a result of the proposed development, a range of viable mitigation measures can be considered; any necessary work would be undertaken in a timely manner following receipt of a valid complaint, and would be funded by the wind farm operator.

The nearest turbine to a dwelling is located at a distance of approximately 3.2 km (far more than 10 rotor diameters distant for the largest rotors that could be installed at the site) and therefore there is no potential for any shadow flicker effects to occur.

Due to the remote nature of the site, the potential for ice throw to affect members of the public is considered to be low, with the nearest public roads, or habitations located well beyond the recommended ice throw risk distance. However, mitigation for potential ice throw from the turbines is proposed, as outlined in Technical Appendix 2.1(Volume IV), in order to safeguard potential recreational users of the site.

In terms of health and safety matters in relation to the operation of the proposed development, the Applicant will comply with relevant regulations and best practice guidance.

The proposed development is in accordance with the provisions of the above HwLDP policies in relation to the various policy provisions outlined above.

6.12 The Inverness Local Plan (March, 2006; As Continued in Force April, (2012)

Aims and Objectives

The Inverness Local Plan contains five main themes, one of which is "creating prosperity". This theme recognises the need for a diverse economy and identifies renewable energy development as a way of achieving this:

"harnessing and developing renewable resources could make a significant contribution to national energy objectives and through technological advancement, restore traditional economic links with communities founded on the major post-war hydro-schemes".

The Inverness Local Plan recognises that *"renewable resources could make a significant contribution to national energy objectives"*. There is a clear presumption in favour of renewable energy development within areas which do not conflict with residential amenity and that do not prejudice environmental considerations.

The proposed development is in accordance with the aims and objectives of the Inverness Local Plan and furthermore can draw support from the relevant aims and objectives it contains.

The Inner Moray Firth LDP (IMFLDP) is currently being prepared and is at the Examination of the Proposed Plan stage, with the Examination Report expected in late March 2015. Once adopted, it will replace the current Inverness Local Plan. The IMFLDP is considered further in the Section 7 ('Material Considerations') of this Statement.

6.13 Site Specific Policy Designation

The proposed development site is covered by Background Policy BP3 which relates to the Proposals Map. This policy states that the Council will presume against development, particularly where there would be significant damage to heritage, amenity or public health.

This is a site specific policy which states that the Council will presume against development, particularly where there would be significant damage to heritage, amenity or public health.

As summarised above, the proposed development is not located within an area that is designated for natural, built or cultural importance and the ES predicts no significant effects upon such features or their settings. No significant effects are predicted on habitats, species or cultural heritage.

There are a number of issues that have been discounted as not being significant, in the context of the proposed development and it is not considered that the proposed development will have a significant impact upon air quality.

As explained above, and within Chapter's 3: Design Evolution and Alternatives and Chapter 9: EMI, Shadow Flicker & Aviation (Volume II), the proposed development will not cause shadow flicker and there is a low risk of ice throw occurring.

No significant effects in terms of noise generation and levels during the construction, operation and decommissioning of the proposed development are predicted as confirmed within Chapter 11: Noise (Volume II).

Considering the above, the proposed development will not cause significant damage to heritage, amenity or public health and is therefore in accordance with Policy BP3.

6.14 Environmental Statement Chapter Specific Policies

A small number of the Inverness Local Plan policies continue in force. The Inverness Local Plan Habitats Regulations Appraisal (HRA) has been continued in force and is strengthened by the provision of Policy 57: Natural, Built and Cultural Heritage of the HwLDP. This policy has been assessed above.

6.15 Summary of Assessment of Compliance with the Development Plan

This section of the Statement has considered the proposed development's compliance with the development Plan.

The development Plan has a clear presumption in favour of renewable energy development. The HwLDP encourages economic development and the creation of new employment focusing on key sectors including renewable energy and the Inverness Local Plan recognises that "renewable resources could make a significant contribution to national energy objectives". There is a clear presumption in favour of renewable energy development within areas which do not conflict with residential amenity and that do not prejudice environmental considerations.

The proposed development is consistent with and can draw support from the aims and objectives of the statutory Development Plan.

Policy 67 of the HwLDP is the key policy in assessing the nature of the proposed development. There are also numerous policies which seek to protect resources within the proposed development Plan area. These policies have been fully assessed in the sections above.

Whilst there are some significant landscape and visual effects associated with the proposed development, these limited effects are considered to be acceptable in Planning policy terms and the proposed development is in accordance with the HwLDP policies and associated Supplementary Guidance above. Furthermore, the proposed development is supported by this policy and guidance in terms of the site's specific designation as an 'Area of Search' for wind farms. No significant effects in relation to any other environmental considerations are predicted.

Based on the findings of the accompanying ES and the assessment of the proposed development's compliance with all relevant policies of the proposed development plan as set out above, it is concluded that the proposed development accords with the aims and policies of the statutory development plan.

Section 7 ('Material Considerations') below outlines relevant material considerations in the determination of the planning application for the proposed development and considers their relationship with the proposed development.

7. MATERIAL CONSIDERATIONS

There are a number of material considerations that should be considered in respect of the proposed development. The following material considerations listed are not exhaustive, but this statement focuses on those that relate to the key issues of national policy and best practice guidance and the relevant local policy context and best practice guidance developed by Highland Council in respect of onshore wind energy development. Given that the development plan has primacy in decision making those issues covered in the preceding section on the assessment of the proposed development against the development plan will not be reiterated in this section.

7.1 Renewable Energy Policy Context & Targets

The response to the issues of climate change can be traced through a series of conventions, directives and policy statements at international, European and national levels over the last 19 years. These include the Earth Summits at Rio de Janeiro, Kyoto and Cape Town. The Kyoto Agreement of 1997, to which the UK is a signatory, came into force in February 2005. The latest global development has been the UN Conference in Bali at the end of 2007 which produced a "Road Map" for tackling Climate Change, and the Copenhagen Accord signed on 18 December 2009

The European Union already had its own objectives even before the 1992 Earth Summit, seeking urgent action to support renewable energy sources. The EU targets were to meet 22.1% of the total electricity consumption across the EU by 2010, and this was underpinned by an Energy Review published by the EU early in 2007. EU Directive 2009/28/EC published in June 2009 sets out not only a binding requirement on the UK to provide 15% of its energy from renewables by 2020 but also sets out a series of interim indicative targets for every two years along the way.

7.2 The UK Government

The Scottish Parliament has devolved authority over matters relating to the implementation of energy policy and hence such matters as renewable energy developments under the general planning and environmental powers it operates. The UK Government retains control over the overall direction of energy policy and thus the starting point for a review of the national energy policy begins with that UK Government position.

The UK response to global warming can be traced through a series of papers and measures since the Energy Paper 55 of 1988, and the Electricity Act of 1989, which created the concept of the Non-Fossil Fuel Obligation and then the Renewables Obligation under which supply companies have to purchase increasing amounts of electricity each year from renewable sources. Initial targets of 5% by 2005 and 10% by 2010 were followed by a target for the whole of the UK of 20% of electricity from renewable sources by 2020.

These measures were then followed by the Energy White Paper of 2003 and the Energy Review of 2006. The former set out a new direction for energy policy in which the Government set out on a path to reduce carbon dioxide emissions by 60% by 2050. This milestone in energy policy is based on four pillars

- The environment;
- Energy reliability;
- Affordable energy for the poorest; and
- Competitive markets for business, industry and households.

In the Energy Review, the Prime Minister stated that overcoming the challenges of greenhouse gas emissions and the use of energy required hard decisions to be made. Renewable energy is an integral part of the Government's long-term aim of reducing CO2 emissions by 60% by 2050, and using renewables tackles climate change by reducing our dependence and use of fossil fuels for electricity generation.

The "Renewables Statement of Need" confirms the findings of the Review in a commitment to the important role that renewables will play in helping the UK to meet its energy needs. It goes on to say that:

"Renewable energy as a source of low-carbon, indigenous electricity production is central to reducing emissions and maintaining the reliability of our energy supplies at a time when our indigenous fossil fuels are declining more rapidly than expected. A regulatory environment that enables the proposed development of appropriately sited renewable projects and allows the UK to realise its extensive renewable resources, is vital if we are to make real progress towards our challenging goals."

A major contribution to the climate change debate in the UK came with the publication of the Stern Report. Sir Nick Stern was commissioned by the Chancellor to lead a review of the economics of climate change, to understand more comprehensively the economic challenges and how they can be met, both in the UK and globally. The Prime Minister said the Stern Report showed that scientific evidence of global warming was "overwhelming" and its consequences "disastrous", while the Chancellor promised that the UK would lead the international response to tackle climate change.

In May 2007, the UK Government published a further White Paper which referred to a "clear steer" being given to planning professionals and local authority decision-makers that they should look favourably on renewable energy developments. It restates the Renewables Statement of Need from the 2006 Energy Review as a clear statement that the wider benefits of renewable energy must be taken into account and that any contribution, whatever its size, is a material consideration which should be given significant weight when considering renewable proposals.

At the end of 2008, the Climate Change Act was passed restating the UK Government's commitment to wind and other renewables in the move towards a low carbon economy. The Act looks ahead to reductions in the UK carbon dioxide emissions by 2050 of 80% and making these legally binding on the Government. A new system of annual open and transparent reports to Parliament were introduced with the Committee on Climate Change providing an independent progress report to which the Government must respond. This will ensure that the Government is held to account on its progress towards each five-year carbon budget and towards the 2020 and 2050 targets. As part of the Act, the Government is committed to more investment in renewable energy, specifically in wind and wave energy, so as to provide clarity for business.

A further development of UK energy policy came forward with the publication of the Renewable Energy Strategy in July 2009 alongside the UK Low Carbon Transition Plan. The essence of these is that whereas the Government had been working towards a UK 2020 target of 20% of electricity coming from renewable sources, the adopted scenario in the Renewable Energy Strategy is that this figure is now to be raised dramatically. The UK Government has signed up to the EU requirement that 15% of all energy consumed in the UK should be from renewable sources by 2020, but as the Renewable Energy Strategy points out this also covers fuel and heating, i.e. all energy sources and not just electricity.

In light of the difficulties in providing significant elements of fuel and heating from renewables by 2020, the proportion of electricity supply that will have to come from renewables to balance this out will need to be raised substantially, to 30% or more.

Onshore wind and offshore wind are expected to provide about 64% of all the electricity from renewable sources by 2020, made up of 29% onshore and 35% offshore.

The Renewable Energy Strategy also proposes major changes to the grid infrastructure and indicates new grid interconnectors to facilitate export of both onshore and offshore wind away from the production areas to the areas of greatest consumption. A key change in the strategy is that the EU Directive requires a series of intermediate reports monitoring the extent to which the country is on track to meet the trajectory for its 2020 targets. The first of these intermediate reporting points is 2011/12 with three more before 2020, and this emphasises the need for an early commitment to more installed capacity to get the UK as a whole on course for its new targets.

This has been enshrined in a new Statutory Instrument in March 2011 setting out the thresholds for each of the reporting stages and the legal requirement for the UK to meet that 15% energy target by 2020. The delivery of the targets for renewables is also addressed in the new UK Renewable Energy Roadmap, the White Paper on Electricity Market Reform published by the UK Government in July 2011, and the Updates to the Roadmap in December 2012 and November 2013.

7.3 The Position in Scotland

There have been parallel approaches within Scotland to the United Kingdom's policy on renewable energy, which have resulted in the adoption of commitments for Scotland which are proportionately much higher than those in the UK as a whole. The higher 2010 Scottish target figure is due to the fact that even before there was any significant development of wind energy on a commercial scale, Scotland already derived about 11% of its total electricity consumption from hydro-electricity, whereas in England the level of renewable electricity supply was negligible.

Following a range of consultations on the subject of renewable resources, the Scottish Government laid before the Scottish Parliament the Renewables (Scotland) Orders. These formalised the objectives of the Scottish Climate Change Programme to see the share of electricity supply generated from renewables (including large-scale hydro) rising to 18% by 2010. New guidance was published in NPPG6 and PAN 45, while the Scottish Government then stated in SPP6 and elsewhere that it had a target of 40% of Scotland's electricity demand being met from renewables by 2020 (compared to the overall UK figure of 20% which was the current target of the UK Government).

The First National Planning Framework in 2004 set out the aim of the Scottish Ministers that action was required to tackle climate change and that the proposed development of renewable energy sources to reduce carbon emissions alongside a reduction in energy consumption had a key role to play. It expected wind power to rise significantly over the next ten years as a response to the new targets.

The National Planning Framework 2 issued in June 2009 reinforced that earlier commitment. It identified the Scottish Government's commitment to providing 20% of all energy use from renewables by 2020 (compared to the figure for the UK as a whole of 15% at that time) with 50% of electricity coming from renewables. It expected Scotland to become an energy exporter over the long term and one of the national developments is the provision of a range of new interconnectors to facilitate this.

The position on targets set out in SPP6 in March 2007 has changed radically since then. In the Scottish Budget Spending Review 2007, published in mid-November, the new target figures set out were to raise the proportion of electricity consumed in Scotland from renewable sources to 31% by 2011 and to 50% by 2020; no doubt reflecting the recent growth in consenting of major wind energy projects throughout the country, and the Scottish Ministers' confidence that the 2020 target of 40% was capable of being reached several years early.

The Scottish Ministers raised the target to 80% of Scottish electricity consumption by 2020, and as recently as May 2011 and subsequently raised this again to 100%.

The latest UK target is to secure 15% of all energy (i.e. including heat, lighting, transport and indeed any other use of energy) from renewable sources by 2020, the new Scottish figure set out in the 2020 Routemap for Renewable Energy in Scotland seeks to secure double that figure; 30% of all energy use to come from renewables by 2020. The document welcomes the progress that has been made to date, but urges that Scotland needs to go even further and even faster in securing renewable energy sources.

The Climate Change (Scotland) Act 2009 sets out statutory targets for reductions in CO2 by 2020 and 2050.

A further contribution to the debate on the future of energy supplies in Scotland came with the publication of the Economy, Energy and Tourism Committee Report in June 2009. The Committee accepted that achieving the 2020 target (50% of electricity from renewables) would require a five-fold increase in deployment to date.

One submission from a Scottish Government official (para 161) indicates that "export of electricity is fundamental to the long-term vision for Scottish energy" and that "in the longer term from 2030 to 2040, the exports of Scottish energy production could be very significant indeed. We could be talking about exporting something like three or four times our Scottish consumption to England and countries further afield, if the grid ideas that have been discussed come off."

Since 50% of Scottish electricity consumption equates to about 8GW of installed capacity, this would be equivalent to an export figure of 48-64GW of installed capacity of renewables.

The most recent statement of policy on renewables in Scotland is contained in the Electricity Generation Policy Statement, published by the Scottish Government in June 2013. This confirmed that the renewables potential in the country was such that it would be capable of generating much more than would be needed to meet the domestic demand for electricity and the remainder could be exported to the rest of the UK and to continental Europe to help other countries meet their binding targets.

The Statement contained detailed modelling that demonstrated that the target of at least 100% of domestic consumption coming from renewables by 2020 was achievable. The Statement also noted that in just under three years from April 2010 to January 2013, the renewables industry had announced projects that would support over 9,000 jobs and £13billion of investment in Scotland.

The Statement finally noted that after a record year of deployment in 2012, there was 5.9GW of renewable capacity in operation in Scotland, 1.7GW under construction and 2.6GW consented. Given the figure noted above, that 50% of Scotland's electricity consumption equates to about 8GW

of installed capacity, the current figure of built and under construction has now exceeded that figure given the proposed developments already completed or started in 2013.

The policy ideal that all targets should be regarded as minima, and raised when met subject to environmental capacity, has been highlighted by the recent decision to seek at least 100% of the Scottish domestic electricity consumption from renewables by 2020.

The message for this appeal is that the UK targets for 2020 (which were already double the 2010 target) have been raised by another 50% and this will mean that all avenues for deployment of renewable energy sources will need to be explored over the next 7 years. Given the lead from the Scottish Government in setting targets for Scotland which are ahead of those for the UK as a whole, and the strategic intentions to reinforce the interconnectors between England and Scotland, the scope for Scotland making an even more fundamental contribution to the overall UK targets is clear.

Despite the progress in Scotland, however, the overall UK targets of 30% by 2020 remain to be met as part of our commitment to the European targets; confirmed in the new Renewable Energy Strategy as part of the global dimension to the problem of climate change. National Planning Framework 2 made a commitment to strengthening the transmission system interconnectors between England and Scotland which would enable Scottish renewables to contribute towards the UK target even once the minimum 100% figure of Scottish electricity consumption has been reached.

It is clear that national UK and in particular Scottish Government policy lends significant support to renewable development as a means to reduce the UK's & Scotland's greenhouse gas emissions and to achieve the carbon reduction targets. Onshore wind energy development is a cost effective and proven source of providing renewable energy. This support requires that significant weight is given to Government Policy and Targets in balancing the decision on the proposed Culachy Wind Farm.

7.4 National Planning Policy Framework 3 (June 2014)

National Planning Framework 3 issued in June 2014 has a statutory function in accordance with Part 1A, Section 3A(1) of the Town & Country Planning (Scotland) Act 1997 (as amended) as the Scottish Government's spatial expression of the Government's Economic Strategy, and contains the plans for infrastructure investment to create great places that support sustainable economic growth across Scotland. It provides a clear national vision of what is expected of the planning system and the outcomes that it must deliver for the people of Scotland. It brings together the Government's plans and strategies in economic development, regeneration, energy, environment, climate change, transport and digital infrastructure to provide a coherent vision of how Scotland should evolve over the next 20 or 30 years.

NPF3 confirms that one of four Visions for Scotland is to be "a low carbon place". Scotland aims to be a world leader in low carbon energy generation, both onshore and offshore. To make our built environment more energy efficient, produce less waste and largely decarbonise our travel. The spatial strategy presents opportunities for growth and regeneration, investment in the low carbon economy, environmental enhancement and improved connections across Scotland, and indicates where most change is expected to realise such opportunities.

NPF3 confirms the Scottish Government's ambition to achieve at least 80% reduction in greenhouse gas emissions by 2050, and confirms that Planning will play a key role in delivering the commitments set out in Low Carbon Scotland: Report of Policies & Proposals (RPP2). At present the

energy sector accounts for a significant share of our greenhouse gas emissions and to address this we need to capitalise on our outstanding natural advantages. This includes, hydropower, and our significant onshore and offshore wind resource as sources of clean energy.

NPF3 acknowledges that a planned approach to onshore wind energy development has largely avoided our internationally and nationally protected areas, but that "whilst there is strong public support for wind energy as part of the renewable energy mix, opinions about onshore wind in particular locations can vary. In some areas, concern is expressed about the scale, proximity and impacts of proposed wind energy developments. In others, it is recognised as an opportunity to improve the long-term resilience of rural communities." (NPF3 : Para.3.7)

NPF3 reiterates the Scottish Governments targets of generating at least 30% of overall energy demand from renewable by 2020, including 100% of gross electricity consumption from renewables, with the interim target of 50% by 2015. NPF3 confirms that in time it is expected that the pace of onshore wind energy development will be overtaken by a growing focus on Scotland's significant marine energy opportunities, including wind, wave and tidal energy. However given the current costs associated with marine energy development and generation and reducing subsidy levels in the UK, the proposed development opportunities in this sector are unlikely to be realised at a sufficient level to meet the target deadlines. Onshore wind is an established, cost effective form of renewable development and will therefore continue to make significant contributions to the targets.

NPF3 recognises the above and confirms that onshore wind will continue to make a significant contribution to diversification of energy supplies, however such development should not be contained in National Parks or national Scenic Areas. Scottish Planning Policy also issued in June 2014 to accompany NPF3 sets out the required approach to spatial frameworks to guide wind energy development to appropriate locations.

The recent publication of NPF3 in June 2014 as Scotland's spatial expression of the Government's Economic Strategy and the support it lends to renewable energy development, and in particular the acknowledgement of the significant contribution made by onshore wind requires the appropriate weight to be apportioned in the decision making for the proposed development.

7.5 Scottish Planning Policy (June 2014)

Scottish Planning Policy was published concurrently with NPF3 in June 2014 as a statement of the Scottish Government's policy on nationally important land use planning matters. It replaces Scottish Planning Policy 2010 and Designing Places (2001). SPP does not have a statutory function, but both Strategic Development Plans and Local Development Plans should be prepared in accordance with the statements of national policy as contained in SPP. Given its recent publication SPP carries significant weight as a material consideration in the determination of planning applications and appeals, as an up-to-date statement of the Scottish Government's land use planning policies.

SPP confirms that planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public whilst protecting and enhancing natural and cultural resources. Both SPP and NPF share a single vision for Scotland to have a "growing, low carbon economy with progressively narrowing disparities in well being and opportunity. It is growth that can be achieved whilst reducing our emissions and which respects the quality of the environment, place and life and which makes our country so special." (SPP. Para. 11)

The Scottish Government's 16 National Outcomes articulate the Government's purpose and what they want to achieve over the next 10 years. Planning is broad in scope and cross cutting in nature and therefore contributes to the achievement of all of the national outcomes. SPP confirms the four national planning outcomes which should help support this vision:

- A successful, sustainable place;
- A low carbon place;
- A natural resilient place; and
- A more connected place.

In terms of the outcomes SPP confirms that creating a successful, sustainable place will be achieved by locating the right development in the right place, this will support sustainable economic growth and regeneration and the creation of well designed sustainable places. A low carbon place will be achieved by reducing our carbon emissions and adapting to climate change, SPP sets out how the diversification of the energy sector supported by NPF3 will be delivered on the ground. A natural resilient place will be delivered by the protection and enhancement of our natural and cultural assets, and facilitating their sustainable use. A more connected place will be achieved by supporting better transport and digital connectivity.

SPP introduces a presumption in favour of development that contributes to sustainable development. In order to achieve this policies and decisions regarding development should be guided by a number of principles. Development plans should be consistent with the policies set out in SPP. Development management decisions should, where development plans are out of date, place significant weight on the presumption in favour of development that contributes to sustainable development.

SPP at paragraph 153 states that "Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide infrastructure to appropriate locations. Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities." The planning system should support the proposed development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity. In recognition of its importance as a renewable source of energy generation, specific policy guidance is provided within SPP, in relation to onshore wind energy development.

Planning authorities should set out within their development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. A specified approach to how such frameworks should be prepared is outlined in SPP and further advice is contained in the Scottish Government's online renewable advice: http://www.scotland.gov.uk/Topics/Built-Environment/planning/Policy/Subject-Policies/low-carbon-place/Heat-Electricity/renewables-advice

It should be noted that at the time of writing this statement, this advice was being updated to align it with the new SPP, although some additional guidance was published relating to onshore wind development on 5th December 2014, in relation to the guidance contained in SPP 2014: http://scotgovplanningarchitecture.com/2014/12/05/onshore-wind-questions-answered/

SPP confirms development plans should set out the criteria for consideration in deciding all applications for wind farms of different scales, taking account of certain development management considerations outlined in paragraph 169. Individual properties and those settlements not identified

within the proposed development plan will be protected by the safeguards set out in the LDP policy criteria for determining wind farms and the proposed development management considerations accounted for when determining individual applications.

SPP (2014) continues to provide a supportive national policy context for renewable energy development and for onshore wind energy development as part of this mix. In a wider context SPP clearly advocates sustainable development and support for a growing low carbon economy. In order to achieve this aim it seeks to ensure that development is located in the right place.

It is clear that THCs current spatial framework for onshore wind energy development is based on the previous version of SPP (2010) and in Section 6 previously it was noted that the proposed development lies predominantly within a Stage 3 Area of Search within this framework.

The development management criteria listed in paragraph 169 have been largely addressed under THCs development plan in the previous section and no contention found with any of the listed criteria. Based upon these considerations SPP (2014), as a recent statement of national planning policy lends significant support in favour of the proposed development.

7.6 Highland Council Interim Supplementary Guidance: Onshore Wind Energy (March 2012)

THC guidance was produced as statutory SG in conjunction with the emerging HwLDP in March 2012, to include as required by SPP (2010) their spatial framework for onshore wind energy development, and to provide additional up-to-date guidance for all scales of onshore wind development.

The proposed Culachy Wind Farm lies within a Stage 3 Area of Search within the spatial framework. The eastern application site boundary along Glen Tarff is a Stage 1 Area of Significant Protection, due to its SSSI designation, however all development is proposed towards the south western boundary of the site and outwith this area, as outlined in Section 6 of this statement.

In considering the proposed development against the amplification of Policy 67 of the HwLDP as contained in the SG there are no areas of additional guidance which would conflict with the consideration of the proposed development against each criteria and provision of the policy assessed previously in Section 6. Full cognisance of this additional detail to Policy 67 and the additional guidance provided in the SG has been taken through the conception and design iteration stages of the proposed Culachy Wind Farm. The SG therefore lends additional support as a material consideration to the proposed development.

7.7 Highland Renewable Energy Strategy and Planning Guidelines (2006)

THC produced their Renewable Energy Strategy and Guidelines in 2006 to nurture growth in a wide range of renewable development to help reduce greenhouse gas emissions and combat climate change.

THC recognised that the Highlands had extensive resources required for renewable energy production, wind, hydro, wave, tide and bio-fuel/energy and sought to present a focused and supportive strategy to such development to support the economy of their area and in particular rural economies, and to help achieve national and regional objectives to combat climate change.

This strategy helps to provide a suitable and supportive context for renewable development to assist in the move from more traditional methods of energy generation to cleaner, greener

renewable methods in a bid to keep energy costs down and ensure security of supply. This supportive context requires to be balanced with the impact of development on communities and the environment and in particular the landscape. This balance is provided through EIA and Planning, and as envisaged this continues to evolve at both a local and national level. The foregoing assessment of the proposed Culachy Wind Farm in terms of the development plan and planning policy and guidance and the associated EIA all confirm that in accordance with SPP this is considered to be the right development for this location.

7.8 Proposed Inner Moray Firth Local Development Plan

The Inner Moray Firth LDP (IMFLDP) is currently being prepared and is at the Examination of the Proposed Plan stage, with the Examination Report expected in late March 2015. Once adopted, it will replace the current Inverness Local Plan.

The emerging plan will provide policies and proposals for delivering sustainable economic growth within the Inner Moray Firth area of the Highlands and will sit alongside the HwLDP as the development plan and decision making context for all development within the area defined by the plan. The application site lies just within the southern boundary of the plan area. Given the stage of progress of the plan significant weight can be attached to it in the decision making process for the proposed development.

The plan does not provide any specific policy guidance relative to the current proposal in landuse terms applicable to the application site which requires assessment, nor does it provide policies specific to the nature of development, this is provided by the HwLDP.

In terms of considerations, Loch Ness and Duntelchaig Sensitive Landscape Area (SLA) lies to the northeast of the application site, but as illustrated in Chapter 4: Landscape & Visual of the ES views from this area are limited due to the design mitigation and as such there would be no adverse effect on this SLA.

The IMFLDP presents a spatial strategy for Fort Augustus which promotes tourist led regeneration, based on its accessibility from the Loch Ness corridor. As previously outlined in this statement and in the accompanying ES, the design of the proposed development has taken full cognisance of the views from Fort Augustus and as illustrated in the LVIA Figures contained in the ES, there will be little effect on the views out of Fort Augustus, or any effect to its landscape setting as a result. The amenity of the village is therefore safeguarded in this respect.

It is clear therefore that the proposed development does not pose any contention with the provisions of the emerging IMFLDP.

7.9 Planning Advice Notes (PANs)

PANs provide advice and information on technical planning matters. The following are considered relevant to the proposed development and are available on the Scottish Government website: http://www.scotland.gov.uk/Topics/Built-Environment/planning/Roles/Scottish-Government/Guidance

PAN 3/2010: Community Engagement

PAN 3/2010 provides advice to communities on how they can get involved and advice to Planning Authorities and developers on ways of effectively engaging with communities on planning matters.

It sets out the legal requirements on prospective applicants to engage with the community on certain applications.

As set out within the accompanying PAC Report, consultation with the local community and stakeholders has been undertaken in line with good practice and guidance.

PAN 51: Planning, Environmental Protection and Regulation

PAN 51 seeks to support the existing policy on the role of the planning system in relation to the environmental protection regimes. It also summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system.

The environmental assessments which have informed the ES have taken account of environmental protection regimes to ensure the proposed development has been suitably designed to avoid any unacceptable significant adverse effects on the environment. A number of commonly accepted measures have been proposed in order to assist in implementation of the proposed development in such a manner as to avoid adverse effects.

PAN 1/2013: Environmental Impact Assessment (EIA)

PAN 1/2013 replaces PAN 58 and brings EIA guidance fully in line with the latest regulations. It contains new guidance on the integration of EIA procedures into the proposed development management process with the aim of achieving a more efficient and effective EIA. It specifically relates to EIA for development projects authorised under planning legislation. It provides information and advice on EIAs, including the aims of EIAs; main steps in the EIA process; proportionality in relation to significant environmental effects, screening, scoping and the ES; and resourcing.

The EIA undertaken for the proposed development is consistent with and in accordance with the advice contained within PAN 1/2013.

PAN 2/2011 Planning and Archaeology

PAN 2/2011 is intended to inform the day-to-day work of a range of local authority advisory services and other organisations that have a role in the handling of archaeological matters within the planning process. It states that planning authorities should take into account the relative importance of archaeological sites when considering planning applications.

The ES fully considers the effects of the proposed development on the historic environment and no significant effects in relation to cultural heritage are predicted. The proposed development is considered to be acceptable in cultural heritage and planning terms and is consequently considered to be supported by the principles of PAN 2/2011 in relation to the historic environment.

PAN 60: Planning for Natural Heritage

PAN 60 provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment. It further encourages developers and planning authorities to be positive and creative in addressing natural heritage issues.

As set out within the ES, no significant effects on natural heritage resources are predicted and the proposed development is in accordance with and supportive of the provisions of PAN 60.

PAN 1/2011: Planning and Noise

PAN 1/2011 provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise.

The advice contained in PAN 1/2011 has been considered and included in the noise assessment contained in full within Chapter 11: Noise of the ES. The Government recommended guidance ESTU-R-97 has been followed and the noise assessment and the proposed development fully accords with the ETSU-R-97 methodology.

PAN 73: Rural Diversification

PAN 73 provides advice to all those involved in rural diversification projects and highlights how the planning system can assist in rural diversification. It states that "there are many activities that make a valuable contribution to the rural economy that are less immediately obvious such as large scale industrial activities like quarrying and waste disposal, hydro-electric schemes and wind turbines". In the context of the proposed development rural diversification will be achieved in the form of economic activity within the countryside.

PAN 75: Planning for Transport

PAN 75 sets out good practice guidance which Planning Authorities, developers and others should carry out in their policy development, proposal assessment and project delivery. The document aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information.

The Transport and Traffic Assessment for the proposed development is set out in Chapter 10: Transport and Traffic (Volume II). A Traffic Management Plan is proposed for the temporary construction phase of the proposed development.

Transport Assessment and Implementation: A Guide

The Transport Assessment and Implementation document17 provides a guide to help identify and deal with the likely transport effects of development proposals. It sets out requirements according to the scale of development being proposed; from a minimal change requiring a simple transport statement or explanation of transport issues through to a major complex development where detailed technical analyses will be required.

The Transport and Traffic Assessment for the proposed development is set out in Chapter 10: Transport and Traffic of the ES.

PAN 61: Planning and Sustainable Urban Drainage Systems

[17] The Scottish Government (2005), "Transport Assessment and Implementation: A Guide", Available Online At: http://www.scotland.gov.uk/Resource/Doc/57346/0016796.pdf

PAN 61 provides good practice advice for planners and the proposed development industry which complements the Sustainable Urban Drainage Systems (SUDS) Design Manual for Scotland and Northern Ireland. SUDS are most commonly found within urban or "built" developments such as housing estates and commercial developments. However, the principles can be applied to other types of developments.

Consideration has been given to the potential impact upon hydrological features within Chapter 8: Geology, Hydrology and Hydrogeology of the ES as summarised above. The finalised SuDS details would be agreed with THC as the subject of a planning condition.

8. CONCLUSIONS

8.1 Introduction

In accordance with Section 25 and Section 37(2) of the 1997 Act as amended, this Statement has assessed the proposed development against the relevant provisions of the Development Plan and other material planning considerations in respect of the determination of the planning application for the Culachy Wind Farm.

The Development

The primary aim of the proposed development is to generate energy from a renewable resource. With this there are clear environmental, economic and social benefits, including:

- Electricity generation from a renewable source leading to greater security of supply and reducing the UK's dependence of imported fossil fuels and gas;
- Up to 36 MW of installed renewable electricity generating capacity thus contributing to regional and national renewable energy targets;
- A community benefit package that is equivalent to £5,000/MW that is split £2,000/MW to a traditional Community Benefit Fund linked to the Consumer Price Index and £3,000/MW to RES' LEDS;
- Expenditure in the local economy; and
- Contribution in business rate annually to the Highland economy.

The Development has been through an extensive iterative design process which considered site constraints and likely environmental issues, in order to maximise renewable energy potential without causing unacceptable environmental effects.

The resultant design of the proposed development cumulated by addressing issues raised during the EIA scoping process, pre-application engagement with the Council, the views of key stakeholders, and the local community through a series of engagement in accordance with best practice guidance, full details of which are provided in the PAC Report prepared by the Applicant and submitted with the planning application.

A thorough site selection and design process has been undertaken for the Development and this has resulted in a turbine layout and infrastructure design which represents optimal design when balancing environmental, technical and engineering considerations.

As a result of this good practice approach, the final project design presented in this application is considered to be in accordance with both the Development Plan and all other relevant material considerations in the determination of the application for the Development.

The Need for the Development

There is a clear need for renewable energy development in Scotland. Scotland has set ambitious targets of having an installed renewable energy capacity equivalent to 50% of national electricity needs by 2015, and 100% of national electricity needs by 2020.

Considerable support can be drawn from national planning and energy policy which is wholly supportive of renewable energy development, recognising the contribution towards sustainable development and tackling climate change, to safeguarding the UK and Scotland's energy supply and, increasingly, its economic benefits. The proposed development would make a valuable contribution towards the UK's legally binding targets for reductions in carbon emissions and energy from renewable resources where there is a current shortfall.

There is strong support for the proposed development due to the need for, and the benefits of, renewable energy. There is also a need to consider a number of environmental and amenity considerations, and in balancing these considerations in assessing the proposed development. There are limited landscape and visual effects resulting from the proposed development which must be weighed against the benefits that it will bring, specifically in relation to rural diversification and renewable energy targets.

The Development Plan and Material Considerations

The adopted HwLDP has a clear presumption in favour of renewable energy development. A full assessment has been made of the proposed development's compliance with the development plan within this Statement in terms of its wider aims and objectives and detailed landuse and generic policies. The proposed development is considered to be in accordance with the aims and objectives set out in the plan, and not to pose any conflict with the provisions of the relevant policies, or any ancillary Supplementary Guidance, within the plan as they relate to the nature of the development or to the application site. This assessment is outlined in Section 6 of this Statement.

The proposed development is situated predominantly within a Stage 3 'Area of Search' for wind farm developments within the Council's Spatial Framework. The proposed development would have localised and limited significant landscape and visual effects as presented in the ES, which have been mitigated by careful design and sited as far as possible, especially in relation to effect on Fort Augustus and key receptors such as the military road. It is considered that there is capacity within this part of the Highlands to accommodate the proposed development and it is in accordance with the emerging pattern and scale of developments in the area.

This Statement has demonstrated that the proposed development accords with the provisions of the development plan. Furthermore the material considerations outlined in Section 7 of this Statement, including national planning and energy policy, lend full support to it. No material considerations have been outlined which would override the proposed development's accordance with the development plan.

In line with Section 25 of the Planning Act, we respectfully request that the Council concur with the above assessment and conclusions and grant planning permission for the proposed Culachy Wind Farm.

9. APPENDIX A – LIST OF RELEVANT DEVELOPMENT PLAN POLICIES

Applicable Current Local Development Plan Policies (HwLDP)

Policy Reference	Current LDP Policy Title
HwLDP Policy 28	Sustainable Design
HwLDP Policy 29	Design Quality and Place-Making
HwLDP Policy 30	Physical Constraints
HwLDP Policy 31	Developer Contributions
HwLDP Policy 36	Development in the Wider Countryside
HwLDP Policy 42	Previously Used Land
HwLDP Policy 51	Trees and Development
HwLDP Policy 53	Minerals
HwLDP Policy 55	Peat and Soils
HwLDP Policy 56	Travel
HwLDP Policy 57	Natural, Built and Cultural Heritage
HwLDP Policy 58	Protected Species
HwLDP Policy 59	Other Important Species
HwLDP Policy 60	Other Important Habitats and Article 10 Features
HwLDP Policy 61	Landscape
HwLDP Policy 62	Geodiversity
HwLDP Policy 63	Water Environment
HwLDP Policy 64	Flood Risk
HwLDP Policy 66	Surface Water Drainage
HwLDP Policy 67	Renewable Energy Developments
HwLDP Policy 72	Pollution
HwLDP Policy 73	Public Access
HwLDP Policy 73	Long Distance Routes

Applicable Local Plan Policies (Inverness Local Plan)

Policy Reference	**Local Plan Policy Title**
ILP Background Policy BP3	Background Policy to the Proposals Map