

# **Harestanes West**

# **Windfarm**

**Environmental Impact Assessment  
Report**

**Volume 2**

**Chapter 4: Renewable Energy and  
Planning Policy**

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## Abbreviations

<b>CCC</b>	Climate Change Committee
<b>DGC</b>	Dumfries and Galloway Council
<b>ECU</b>	Energy Consents Unit
<b>EIA</b>	Environmental Impact Assessment
<b>GHG</b>	Greenhouse Gas
<b>GW</b>	Gigawatt
<b>IPCC</b>	International Panel on Climate Change
<b>LDP</b>	Local Development Plan
<b>LDP2</b>	Dumfries and Galloway Local Development Plan 2
<b>MW</b>	Megawatt
<b>ND3</b>	National Development 3 of NPF4
<b>NPF4</b>	National Planning Framework 4
<b>OWPS</b>	Onshore Wind Policy Statement
<b>PAN</b>	Planning Advice Note
<b>SES</b>	Scottish Energy Strategy
<b>SPR</b>	ScottishPower Renewables

## 4. Renewable Energy Planning Policy

### 4.1. Executive Summary

1. As the proposed Harestanes West Windfarm (hereafter 'the proposed Development') exceeds 50 megawatts (MW), an application under Section 36 of the Electricity Act 1989 ('the Electricity Act') is being made to the Scottish Government's Energy Consents Unit (ECU) for consent to develop and operate a renewable energy development. Deemed planning permission is also sought under Section 57 (2) of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The proposed Development constitutes a Schedule 2 development, as provided for by the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations).
3. ScottishPower Renewables (SPR), the Applicant, is a licenced generator and has obligations under Schedule 9 of the Electricity Act to: *"have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest"; and "do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects"*.
4. The Applicant is also obliged under sub-paragraph 3(3) to: *"avoid, so far as possible, causing injury to fisheries or to the stock of fish in any waters."*
5. The requirements set out under Schedule 9 of the Electricity Act have been fully considered and accounted for throughout the design and EIA assessment processes.
6. The climate change legislation and renewable energy policy framework is an important relevant consideration in the determination of a Section 36 application from an international level to local level.
7. The Paris Agreement was adopted at the UN Climate Change Conference (COP21). It is a legally binding international treaty, and its goal is: *"Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change"*.
8. At the UK Government level, The Climate Change Act 2008 sets out the requirement for GHG emissions to be reduced by 100% of 1990 levels by 2050. In Scotland, The Climate Change (Scotland) Act 2009 as amended by The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 has a legally binding target date of 2045 for Net Zero emissions. It also sets yearly and interim targets.
9. In response to the Climate Change Committee's Progress in reducing emissions in Scotland – 2023 Report to Parliament which set out: *"The acceleration required in emissions reduction to meet the 2030 target is now beyond what is credible."* the Scottish



Government accepted that the 2030 target is out of reach and that they: *“must now act to chart a course to 2045 at a pace and scale that is feasible, fair and just.”*

10. Energy policies and strategies prepared by the Scottish Government and UK Government set out how they are going to achieve the delivery of Net Zero by 2045 and 2050 respectively, as well as onshore wind targets in Scotland. The Onshore Wind Policy Statement sets a target to deploy 20 GW of onshore wind by 2030. The renewable energy capacity in June 2024 for onshore wind is 9.756 GW (Scottish Government, Energy Statistics for Scotland – Q2 2024).
11. The Development Plan for the Site comprises the National Planning Policy Framework 4 (NPF4) (adopted February 2023) and the Dumfries and Galloway Local Development Plan 2 (LDP2) (adopted October 2019) and its associated Supplementary Guidance.
12. In Section 36 applications, the Development Plan does not have primacy in the decision-making process, however it is an important relevant consideration.
13. It is considered the lead NPF4 policy in respect of the proposed Development is Policy 11 Energy, which states that: *“Development proposals for all forms of renewable, low carbon and zero emissions technologies will be supported.”*
14. Policy 11 Energy includes a number of impacts which are to be addressed as part of the project design and mitigation and the policy states: *“In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.”*
15. The proposed Development is classed as a National Development as part of National Development 3. Strategic Renewable Electricity Generation and Transmission Infrastructure as the proposed capacity will exceed 50 MW. The NPF4 states in relation to this National Development: *“A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets”.*
16. The Need for the National Development outlines: *“Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas.”.*

## 4.2. Introduction

17. This Chapter of the Harestanes West Windfarm (hereafter the ‘proposed Development’) Environmental Impact Assessment (EIA) Report provides the legal, renewable energy and planning policy context considered relevant to the proposed Development.
18. It sets out the climate change legislation at an international, national and local level, relevant UK and Scottish Government energy policy, the Development Plan and relevant Scottish planning guidance. legislation, planning policy and guidance specific to each technical discipline are considered in the Technical Chapters (**Chapters 7-14**).
19. A more detailed analysis of the policies is provided in the Planning Statement which does not form part of the EIA Report and has been submitted with the application to the Energy Consents Unit (ECU) as a standalone document.

### 4.3. The Electricity Act 1989

20. This EIA Report has been prepared regarding a proposed Development for which consent and deemed planning permission will be sought under Section 36 of the Electricity Act 1989 (Electricity Act). The generating capacity of the proposed Development would exceed 50 megawatts (MW). Therefore, in accordance with the Electricity Act, onshore renewable energy developments that have an installed capacity exceeding 50 MW require consent from the Scottish Ministers. Consequently, the decision is not made by the Planning Authority, in this case, Dumfries and Galloway Council (DGC). However, they are a statutory consultee.
21. In an application under Section 36 of the Electricity Act, the Development Plan does not have primacy in the decision-making process. The provisions of Schedule 9 of the Electricity Act are relevant to the assessment of the proposed Development.
22. Scottish Ministers are required under Schedule 9, Sub-paragraph 3(2), to have regard to:
  - *"(a) the desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) above; and*
  - *(b) the extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of the sub-paragraph."*
23. The duties referred to in Schedule 9 sub-paragraph 3 (1) (a) and (b) of the Electricity Act do apply to the Applicant. Therefore, the Applicant as a licence holder to generate, distribute, supply or participate in the transmission of electricity shall:
  - *"(a) have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and*
  - *(b) do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects."*
24. The Applicant is also obliged under sub-paragraph 3(3) to: *"avoid, so far as possible, causing injury to fisheries or to the stock of fish in any waters."*
25. The requirements set out under Schedule 9 of the Electricity Act have been fully considered and accounted for throughout the design and EIA assessment processes.
26. The role of the Development Plan under Section 36 applications differs from those considered under the Town and Country Planning (Scotland) Act 1997, as amended (the 1997 Act). The test set out in Section 25 of the 1997 Act, which requires the determination of an application to be made in accordance with the Development Plan unless material considerations indicate otherwise, is not engaged in the case of a Section 36 application. Nonetheless, the Development Plan is a relevant and important consideration in the determination of a Section 36 application.

### 4.4. International Energy and Climate Context

27. The following section sets out, at a strategic level, the international and provides an overall framework for the proposed Development in respect of climate change.

#### 4.4.1. The Paris Agreement

28. The Paris Agreement was adopted at the UN Climate Change Conference (COP21), which was held in Paris in 2015. It is a legally binding international treaty on climate change, and its goal is to hold: "*the increase in the global average temperature to well below 2°C above pre-industrial levels*" and to pursue efforts "*to limit the temperature increase to 1.5°C above pre-industrial levels.*"

#### 4.4.2. The United Nations Gap Emissions Report 2024

29. The United Nations Environment Programme (UNEP) prepare a yearly report on the progress in meeting the Paris Agreement. The October 2024 Key Messages reports "*...nations must use COP29 in Baku, Azerbaijan, as a launchpad to increase ambition and ensure the new NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of the commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5°C will be gone within a few years and the 2°C target will be in danger.*"

*It remains technically possible to get on a 1.5°C pathway, with solar, wind and forests holding real promise for sweeping and fast emissions cuts. To deliver on this potential, sufficiently strong NDCs would need to be backed urgently by a whole-of-government approach, measures that maximize socioeconomic and environmental co-benefits, enhanced international collaboration that includes reform of the global financial architecture, strong private sector action and a minimum six-fold increase in mitigation investment. G20 nations, particularly the largest-emitting members, would need to do the heavy lifting."*

#### 4.4.3. The IPCC's AR6 Synthesis Report: Climate Change 2023

30. The International Panel on Climate Change (IPCC) prepares comprehensive Assessment Reports relating to the gathering of knowledge on climate change, including its impacts, further risks and possible mitigation measures. The IPCC's recent Sixth Assessment Report consists of three Working Group contributions and a Synthesis Report.
31. Released in March 2023, the AR6 Synthesis Report: Climate Change 2023 integrates the main findings from the working groups and outlines the impacts of global warming and recognises that human activity, principally through the emission of greenhouse gases (GHG), has unequivocally caused global warming. The report finds that limiting human-caused global warming required Net Zero CO<sub>2</sub> emissions.
32. The report emphasises that the severity of future climate change and its impacts are dependent on the level of future emissions. It also notes that not only have carbon dioxide concentrations increased, but the rate of increase has also accelerated. Over the next 20 years, global temperatures are expected to exceed or reach 1.5°C of warming. It is evident that without large-scale, sustained reductions in GHG emissions like carbon dioxide and methane, limiting global warming to 1.5°C is an improbable goal.

### 4.5. UK Energy and Climate Context

33. This section provides an overview of climate change legislation, the climate emergency declaration and the policies and reports which followed this within a UK context.

#### 4.5.1. The Climate Change Act 2008

34. The Climate Change Act 2008, which was amended by The Climate Change Act 2008 (2050 Target Amendment) Order 2019, provides the basis for the UK's approach to adapting to and tackling climate change. The Act sets out the requirement for carbon dioxide and other GHG emissions to be reduced by 100% of 1990 levels by 2050 and the need for the UK to adapt to the impacts of climate change. The Act provides a framework to achieve these requirements.
35. The Act requires the UK Government to set out legally binding 'carbon budgets' towards achieving Net Zero. Once a carbon budget has been set, the UK Government is obliged to prepare policies to achieve the set target. Under the Act, the Climate Change Committee (CCC) was established as an independent advisor to advise the UK and devolved Governments on emission targets and progress towards the reduction of GHG emissions and adapting to climate change.

#### 4.5.2. The Climate Emergency

36. On the 09 May 2019, the UK Government and Opposition parties unilaterally agreed to pass a motion to declare an environmental and climate emergency.
37. The UK Government reinforced the need to tackle the climate crisis at COP29 when, on 12 November 2024, Prime Minister Keir Starmer remarked that the *"government recognises that the world stands at a critical juncture in the climate crisis. and the United Kingdom not only has a critical role to play but also, an opportunity to grasp the chance to maximise opportunities for Britain and make us more secure in the here and now."*

#### 4.5.3. The Sixth Carbon Budget: The UK's Path to Net Zero

38. On 09 December 2020 the CCC released the Sixth Carbon Budget which updates intermediary targets for the UK's progress to Net Zero and states in the Foreword: *"Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this."*
39. The Foreword continues by stating: *"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge - the UK will not deliver Net Zero by 2050. The 2020s must be the decisive decade of progress and action."*

#### 4.5.4. Net Zero Strategy: Build Back Greener

40. On 19 October 2021, the then UK Government published the Net Zero Strategy: Build Back Greener, which set out the UK Government's policies and proposals for decarbonising the UK economy to meet Net Zero targets by 2050.
41. The strategy states that: *"the Net Zero economy will be underpinned by cheap clean electricity, made in Britain. A clean, reliable power system is the foundation of a productive Net Zero economy as we electrify other sectors – so we will fully decarbonise our power system by 2035, subject to security of supply. Our power system will consist of abundant, cheap British renewables, cutting edge new nuclear power stations, and be underpinned*





*by flexibility including storage, gas with CCS, hydrogen and ensure reliable power is always there at the flick of a switch."*

#### 4.5.5. Progress in Reducing Emissions 2024 Report to Parliament Climate Change Committee

42. On 18 July 2024, the CCC's published their latest report to the UK Parliament on the progress to date in reducing emissions.
43. In relation to the UK commitment to reduce emissions in 2030 by 68% compared to 1990 levels, the Executive Summary states: *"...the country is not on track to hit this target despite a significant reduction in emissions in 2023."*
44. The Executive Summary outlines that there was significant fall in emissions last year but notes: *"However, this is not enough. Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low-carbon technologies becoming the norm."*
45. In relation to priority actions, the Executive Summary states:
46. *"The UK should now be in a phase of rapid investment and delivery. Yet almost all our indicators for low-carbon technology roll-out are off track, with rates needing to significantly ramp up. By 2030:*
  - *Annual offshore wind installations must increase by at least three times, onshore wind installations will need to double and solar installations must increase by five times;*
  - *Approximately 10% of existing homes in the UK will need to be heated by a heat pump, compared to only approximately 1% today; and*
  - *The market share of new electric cars needs to increase from 16.5% today to nearly 100%."*

## 4.6. UK Energy and Climate Policy

47. The following section provides a summary of the UK Government's key energy policies and strategies. It should be noted that a number of these policies and strategies were published under the previous Conservative UK Government.
48. The Right Honourable Ed Miliband, Secretary of State for Energy Security and Net Zero set out his priorities for the Department of Energy Security and Net Zero on 8 July 2024 following the election of the Labour UK Government on 5 July 2024. His priorities are:
  - "delivering our mission to boost energy independence and cutting bills through clean power by 2030;*
  - taking back control of our energy with Great British Energy;*
  - upgrading Britain's homes and cutting fuel poverty through our Warm Homes Plan;*
  - standing up for consumers by reforming our energy system;*
  - creating good jobs in Britain's industrial heartlands, including a just transition for the industries based in the North Sea; and*



*leading on international climate action, based on our domestic achievements.”*

49. **Table 4.1** provides a summary of UK Government energy policies and strategies.

*Table 4.1 UK Government Energy Policies and Strategies*

Document Title	Summary
<b>Energy White Paper</b>	<p>On 13 December 2020, the UK Government published the Energy White Paper: Powering Our Net Zero Future, which sets out the UK Government's measures to transform the electricity and energy system and meet Net Zero emissions by 2050. The Energy White Paper advises that even though the energy sector will need to replace retiring capacity, it predicts that the overall demand for energy could double by 2050. The Energy White Paper also states that this would require four times more clean electricity generation, with the decarbonisation of electricity increasingly becoming the foundation for achieving the UK's Net Zero target.</p> <p>The Energy White Paper sets out 3 key strategy points for the generation of a wider energy system that:  <i>"Transforms energy, building a cleaner, greener future for our country, our people and our planet.            Supports a green recovery, growing our economy, supporting thousands of green jobs across the country in new green industries and leveraging new green export opportunities.            Creates a fair deal for consumers, protecting the fuel poor, providing opportunities to save money on bills, giving us warmer, more comfortable homes and balancing investment against bill impacts."</i></p> <p>Page 45 of the Energy White Paper recognises the importance of onshore wind and states: <i>"Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet Net Zero emissions in all demand scenarios."</i></p>
<b>British Energy Security Strategy</b>	<p>The previous Conservative UK Government published the British Energy Security Strategy in April 2022. The strategy sets out the progress that has been made since the publication of the Ten Point Plan. It states: <i>"Accelerating the transition from fossil fuels depends critically on how quickly we can roll out new renewables. Our Ten Point Plan for a Green Industrial Revolution has already put the UK at the forefront of many renewable technologies, delivering £40 billion of private investment in under two years. By the end of 2023 we are set to increase our capacity by a further 15 per cent. But now we must go further and faster, building on our global leadership in offshore wind."</i></p> <p>The UK Government acknowledged that onshore wind is one of the cheapest forms of renewable energy and they are: <i>"...serious about delivering cheaper, cleaner, more secure power, so we need to consider all options. That is why we included onshore wind in the latest Contracts for Difference auction round and will include it in future rounds."</i></p>
<b>Powering Up Britain: Energy Security Plan</b>	<p>The previous Conservative UK Government published the Updated Energy Security Plan on 4 April 2023. The Plan is complemented by the Net Zero Growth Plan which should be read in conjunction with the Energy Security Plan. The Plan</p>

Document Title	Summary
	<p>outlines the UK Government's strategy to ensure the UK is more energy-independent, secure, and resilient. The Plan outlines the UK's ambitions to ensure a smooth transition to abundant, low-carbon British energy. It states: <i>"Our strategy to increase supply of low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. This includes the infrastructure to produce, store and transport low-carbon energy around the country and to capture, transport and store carbon dioxide. We aim to remove barriers and address blockages, whilst developing new options."</i></p>
<p><b>Powering Up Britain: Net Zero Growth Plan</b></p>	<p>The previous Conservative UK Government published the Updated Net Zero Growth Plan on 4 April 2023. The Plan outlines the UK Governments strategy to replace imported fossil fuels with cheaper, cleaner, domestic energy sources. The Plan states: <i>"In response to high household energy bills resulting from Putin's invasion of Ukraine, the Government stepped in, paying around half of the average household's energy bills over winter and around half of wholesale energy costs for some businesses. But the way to maintain lower cost energy for everyone is to move to cleaner and cheaper energy to protect us from volatile international energy markets, while underpinning our clean energy transition, so the UK becomes a Net Zero economy by 2050."</i></p> <p>The purpose of the Plan is to bolster the delivery of Net Zero by 2050.</p> <p>The UK Government recognises in the Plan that Net Zero and energy security are <b>"two sides of the same coin"</b>.</p>

## 4.7. Scottish Energy and Climate Context

50. The Scottish Government are committed to transforming the energy system and ending Scotland's contribution to climate change. The following section provides an overview of the climate change legislation, relevant climate change and energy policy and the progress towards meeting the GHG emissions reduction and renewable energy targets.

### 4.7.1. The Climate Change (Scotland) Act 2009 and The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

51. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to revise the Act to set a target date of 2045 for reaching Net Zero emissions.

52. The Scottish Ministers are legally bound by the Act.

53. On 18 April 2024, the Net Zero Secretary Mairi McAllan confirmed the Scottish Government's commitment to Net Zero by 2045. In response to the CCC's Progress in reducing emissions in Scotland – 2023 Report to Parliament the Net Zero Secretary confirmed: *"that the 2030 target for emissions reduction is not achievable, this will no longer be a statutory target."*



54. The Net Zero Secretary stated that: *"new legislation will be brought forward to introduce multi-year 'Carbon budgets' replacing the current, annual targets."*
55. It is therefore understood that the annual targets and 2030 target will no longer be statutory targets when the legislative changes are made but the at least 90% lower than the baseline target of 1990 by 2040 and Net Zero by 2045 will remain.

#### 4.7.2. The Climate Change (Emissions Reduction Targets) (Scotland) Bill

56. The Climate Change (Emissions Reduction Targets) Scotland Bill was introduced on 05 September 2024 and was passed on 05 November 2024. A Royal Assent is required for it to become an Act.
57. The Act will replace annual emissions targets, which are vulnerable to year-to-year fluctuations, with five-year carbon budgets from 2026-2045. Additionally, it will change the current deadline for finalising the next Climate Change Plan for Scotland to align with the time scale for carbon budgets.

#### 4.7.3. The Climate Emergency

58. On 14 May 2019, the then Climate Change Secretary, Roseanna Cunningham, declared a climate emergency in her statement to the Scottish Parliament.
59. The Climate Change Secretary's statement indicates that the Scottish Government has placed climate change at the core of its ambitious agenda. The Scottish Government recognises that responding to climate change is essential as the *"cost of inaction far outweighs the cost of action."*
60. On 27 June 2019, DGC declared a climate emergency. DGC agreed on 28 March 2024 that they will seek to become a carbon neutral organisation by 2033 and that they support the region becoming Net Zero on or before 2040, with a move to becoming carbon negative by 2045.

#### 4.7.4. Securing a Green Recovery on a Path to Net Zero: Climate Change Plan Update

61. The Climate Change Plan was adopted on 16 December 2020 and provides an update to the Climate Change Plan published in 2018. The updated document sets out the Scottish Government's pathway to achieving the targets set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.
62. The Plan focuses the ambitious target to address Net Zero by 2045 and delivering a green recovery and states: *"The green recovery and transition to Net Zero present considerable economic opportunities for Scotland. By capitalising on Scotland's strengths in energy, natural capital, innovation and our skilled workforce and universities, we can set Scotland at the forefront of growing global."*

### 4.8. Scottish Energy Policy

63. On 28 September 2023, the Minister for Energy and the Environment, Gillian Martin, in a statement to the Scottish Parliament, restated the Scottish Government's vision for the future of Scotland's energy system outlining: *"We remain committed to a Net Zero future,*



*and we will use every power at our disposal to support sustainable economic growth and maximise the opportunities of the green economy.”*

64. Furthermore, the statement goes on to emphasise: *“Our focus must be on meeting our energy security needs, reducing emissions, delivering affordable energy supplies, whilst ensuring a just transition”.*

65. The table below provides a summary of policy context for the energy sector in Scotland.

*Table 4.2 Scottish Energy Policy and Strategies*

Policy	Summary
<b>The Scottish Energy Strategy</b>	<p>Published in December 2017, the Scottish Energy Strategy (SES) provides a framework, for the period to 2050, for Scottish Government decision making and outlines the vision for the future energy schemes in Scotland. The SES set the target of the equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources.</p> <p>The Scottish 2050 energy vision aims to create a thriving, competitive energy sector that provides secure, affordable, and clean energy to households, communities, and businesses. The vision is centred around six priorities, including: <i>“exploiting Scotland’s huge renewable energy resources; and innovative local energy systems which empower communities”.</i></p>
<b>Onshore Wind Policy Statement</b>	<p>On 21 December 2022, Scottish Ministers published The Onshore Wind Policy Statement (OWPS). The OWPS sets out the Scottish Government’s ambition to deploy 20 GW of onshore wind by 2030.</p> <p>The Ministerial Foreword states that the world is facing a climate emergency and, in addition: <i>“Russia’s illegal invasion of Ukraine and the resulting extraordinary rise in the price of fossil fuels, in particular gas, demonstrates that continuing to rely on commodities that are subject to global price shocks is no longer an option. That is why we must accelerate our transition towards a Net Zero society. Scotland already has some of the most ambitious targets in the world to meet Net Zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage.”</i></p> <p>Renewable energy has the ability to generate significant benefits for the Scottish public, particularly in the case of onshore wind, which <i>“has the ability to be deployed quickly, is good value for consumers and is widely supported by the public.”</i></p> <p>The OWPS recognises that the deployment of wind energy projects must be delivered quickly. In paragraph 1.1.2 of the OWPS states: <i>“We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support Net Zero delivery across all sectors, including heat, transport and industrial processes”.</i></p> <p>This ambition has been set to allow: <i>“the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to Net Zero whilst other technologies reach maturity.”</i></p> <p>The OWPS outlines the Scottish Government’s approach to environmental considerations in Chapter 3. The OWPS clearly outlines that to achieve the ambitious target of 20GW there will</p>

Policy	Summary
	<p>be impacts to the landscape. Paragraph 3.6.1 states: <i>"Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."</i></p> <p>Chapter 5: Onshore Wind and Benefits to Scotland of the OWPS outlines, that onshore wind developments already provide significant socio-economic benefits through investment, innovation and the creation of jobs. The Scottish Government anticipate that all onshore wind development will support the national and local supply chains.</p> <p>The conclusion of the OWPS states that: <i>"Deployment of onshore wind is mission-critical for meeting our climate targets. As an affordable and reliable source of electricity generation, we must continue to maximise our natural resource and deliver Net Zero in a way that is fully aligned with, and continues to protect, our natural heritage and native flora and fauna"</i>.</p>
<b>Draft Energy Strategy and Just Transition Plan</b>	<p>The Scottish Government Published the Draft Energy Strategy and Just Transition Plan on 10 January 2023 for consultation. The Ministerial Foreword clearly states that we are entering a decade that will be critical in determining the future of Scotland's energy system and that: <i>"we must deliver an energy system that meets the challenge of becoming a Net Zero nation by 2045, supplies safe and secure energy for all, generates economic opportunities, and builds a just transition."</i></p> <p>The draft Strategy outlines the need for a transformation of the energy sector at a time of increasing uncertainty and change and that delivery of the draft Strategy will address issues with affordability, fluctuation in energy costs and reduce the likelihood of future energy crises.</p> <p>The draft Strategy sets out key ambitions for Scotland's energy transition and those considered to be of particular relevance to the proposed Development are:</p> <ul style="list-style-type: none"><li>• <i>"More than 20 GW of additional renewable electricity on- and offshore by 2030;</i></li><li>• <i>Accelerated decarbonisation of domestic industry, transport and heat;</i></li><li>• <i>Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe;</i></li><li>• <i>Energy security through development of our own resources and additional energy storage; and</i></li><li>• <i>A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production."</i></li></ul> <p>Chapter 3: Energy supply outlines that Scotland will be a renewable powerhouse and sets what the Scottish Government will do to achieve this transformation. In terms of onshore wind, it refers to the additional 12 GW of installed onshore wind by 2030. The draft Strategy refers to scaling up renewable energy and section 3.1 states: <i>"We will continue to build a diverse renewable energy mix, with significant offshore and onshore wind deployment supported by technologies such as hydro and solar."</i></p>





Policy	Summary
<p><b>Onshore Wind Sector Deal</b></p>	<p>The Onshore Wind Sector Deal outlines the Scottish Government's commitments to the onshore wind industry to deliver the target of 20 GW of onshore wind by 2030. The deal encapsulates the Scottish Government's vision for wind energy to drive economic growth, reduce emissions and benefit local communities.</p> <p>The deal aims to reduce the time required for the consideration of Section 36 applications and insists that: <i>“The ambition of 20GW of installed onshore wind capacity by 2030 will require a significant number of new sites, the repowering and extension of existing sites and the realisation of unbuilt consented sites. Meeting this ambition will require the determination of applications to be made much more quickly than in recent years. Success in expediting the decision-making process will only be possible if a number of key commitments are made and acted upon collectively. This acceleration of both the determination of applications for development and the discharge of conditions can be achieved, but only if all stakeholders act in concert”</i>.</p> <p>The deal references NPF4 Policy 1 which places significant weight on the impact of global climate change and the nature crisis in the consideration of development. The deal states new onshore wind projects will: <i>“enhance biodiversity and optimise land use and environmental benefits.”</i></p> <p>Additionally, the deal states: <i>“Balancing the need for more wind farms with the safeguards defined in NPF4 will be a crucial aspect of achieving the 2030 onshore wind ambition. Scotland will continue to be a world leader in responsible onshore wind development, demonstrating how onshore wind can co-exist with a diversity of species, sensitive habitats, peatland, carbon-rich soils and forestry, ensuring positive outcomes for the climate and nature.”</i></p>
<p><b>Green Industrial Strategy</b></p>	<p>The Green Industrial Strategy was published by the Scottish Government on 11 September 2024 and identified areas of competitive global growth and opportunity for Scotland to realise the maximum possible economic benefit in the transition to Net Zero.</p> <p>The Joint Ministerial Foreword notes that: <i>“We now stand in the midst of the next energy transition – to clean and renewable power. Scotland can, and should, play a leading role in this next revolution, just as it did in the growth of the fossil fuel economy in earlier decades”</i>.</p> <p>Under Part Two: Opportunity Areas on page 20, the Strategy outlines the significant opportunities for attracting onshore and offshore wind. Page 21 continues by stating: <i>“Onshore wind is the biggest single technology in Scotland’s current mix of renewable electricity generation, comprising 62% of installed capacity. A thriving onshore wind sector is therefore critical to the decarbonisation in Scotland and the UK.”</i></p>

## 4.9. Scottish Energy Targets and Progress

66. It is considered that the key targets for Scotland are:

- to reach Net Zero GHG emissions by 2045;



- to generate the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030; and
- A minimum installed capacity of 20 GW of onshore wind by 2030.

67. **Table 4.3** presents the current position based on these key targets.

*Table 4.3 Energy targets and current position*

Target	Timescale	Source	Current Position
Annual and Domestic Effort Targets 53.8% reduction from 1990 baseline (2022 target)	Annual 2022	The Climate Change (Scotland) Act 2009	Emissions reduced by 50% of 1990 emissions in 2022; therefore, the target was not met.
50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources	2030	Scottish Energy Strategy: The future of energy in Scotland (2017)	The Q2 2024 Energy Statistics for Scotland outline that Scotland now generates the equivalent of nearly 29.5% of total final energy consumption from renewable sources.
Minimum installed capacity of 20 GW of onshore wind in Scotland by 2030	2030	Onshore Wind Policy Statement (2022)	9.756 GW grid-connected in June 2024

#### 4.9.1. Progress Towards Scottish Targets

68. The Scottish Government has confirmed that the 70% reduction in GHG emissions set out under the Scottish Government's 2030 climate change target is now "out of reach". However, the Net Zero target by 2045 still remains. It is also understood the interim target of a 90% reduction by 2040 is still in place.

#### 4.9.2. Energy Statistics for Scotland Q2 2024

69. The Energy Statistics for Scotland – Q2 2024, published in September 2024, outlines that: "Scotland's renewable electricity generation in 2024 quarter 2 was 7,312 GWh - a 27.9% increase from 5,716 GWh in the same quarter in 2023. In the first half of 2024, Scotland generated 18,084 GWh of renewable electricity, up 13.7% on 2023".

70. The latest energy statistics published by the Scottish Government, demonstrate that as of June 2024, there is 9.756 GW of onshore wind capacity in Scotland, with 14.7 GW in the pipeline (7.527 GW in planning, 5.296 GW awaiting construction, 1.857 GW<sup>1</sup> under construction).

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<sup>1</sup> <https://scotland.shinyapps.io/Energy/?Section=RenLowCarbon&Subsection=RenElec&Chart=RenElecPipeline>



### 4.9.3. Scottish Greenhouse Gas Statistics 2022

71. The Scottish Government, Scottish Greenhouse Gas Statistics 2022, was published on 18 June 2024 and confirmed the GHG emissions reduced by 50% between the baseline period and 2022. Therefore, the target of 53.8% was not met.

## 4.10. The Development Plan

72. The Development Plan for the proposed Development comprises:

- **National Planning Framework 4 (NPF4)**, which was adopted in February 2023 and provides a national spatial strategy for development in Scotland. The NPF4 replaces the NPF3 and Scottish Planning Policy; and
- **Dumfries and Galloway Local Development Plan 2 (LDP2)** which was adopted in October 2019 and relevant statutory Supplementary Guidance, including the Wind Energy Development: Development Management Considerations Supplementary Guidance (February 2020).

73. The Chief Planner letter published on 08 February 2023 outlined that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is later in date is to prevail (Town and Country Planning (Scotland) Act 1997 (as amended), Section 24 (3)). Provisions that are contradictory or in conflict would be likely to be considered incompatible.

74. Therefore, at present, in the event of incompatibility between a provision of the NPF4 or the LDP, the NPF4 is to prevail due to the later adoption date.

75. The following section provides details on the Development Plan and other relevant planning considerations.

### 4.10.1. National Planning Framework 4

76. The Scottish Government adopted and published NPF4 on 13 February 2023.

77. Annex A of NPF4 explains that the policies are to be read as a whole. The weight to be attached to policies is for the decision-maker to determine. It explains that: "*where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies.*"

78. The NPF4 includes three parts:

- Part 1 – A National Spatial Strategy for Scotland 2045;
- Part 2 – National Planning Policy; and
- Part 3 – Annexes.

#### *The National Spatial Strategy*

79. The opening paragraph to Part 1 demonstrates the national importance placed on addressing the impacts of climate change and enabling development that reduces GHG emissions.

80. Part 1 – A National Spatial Strategy for Scotland 2045 states: "*The world is facing unprecedented challenges. The global climate emergency means that we will need to*



*reduce greenhouse gas emissions and adapt to the future impacts of climate change. We will need to respond to a growing nature crisis, and to work together to enable development that addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality”.*

81. 'Sustainable places' are described under the National Spatial Strategy as: *"Scotland's future places will be Net Zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."*
82. Part 1 of NPF4 outlines the Spatial Strategy for Scotland to 2045 based on six spatial principles, which will influence all plans and decisions. The National Spatial Strategy begins with stating: *"The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change"*.
83. Page 4 of NPF4 details the six overarching spatial principles. The principles will play a critical role in delivering the Scottish Government's National Performance Framework and the United Nations Sustainable Development Goals. Those considered to be of particular relevance to the proposed Development are:
  - **"Just transition.** *We will empower people to shape their places and ensure the transition to Net Zero is fair and inclusive;*
  - **Conserving and recycling assets.** *We will make productive use of existing buildings places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy;*
  - **Rebalanced development.** *We will target development to create opportunities for communities and investment in areas of past decline, and manage development sustainably in areas of high demand; and*
  - **Rural revitalisation.** *We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together."*
84. Page 4 sets out how these principles will be applied in practice and states: *"By applying these spatial principles, our national spatial strategy will support the planning and delivery of:*
  - *sustainable places, where we reduce emissions, restore and better connect biodiversity;*
  - *liveable places, where we can all live better, healthier lives; and*
  - *productive places, where we have a greener, fairer and more inclusive wellbeing economy"*.
85. Page 6 of NPF4 concerns the impact of climate change on Scotland and the delivery of sustainable places. It states: *"Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving Net Zero emissions by 2045, and we must make significant*



*progress towards this by 2030... Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment."*

86. Paragraphs 1 and 2 of page 7 of NPF4 outline the national spatial strategy for sustainable places: *"Scotland's future places will be Net Zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development in the right place."*
87. Paragraph 3 of page 7 details that the Scottish Government will encourage the: *"expansion of renewable energy generation"*.
88. The NPF4 confirms there are six national developments to support the delivery of sustainable development, including Strategic Renewable Electricity Generation and Transmission Infrastructure, noting on page 7 that the Scottish Government. *"Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply."*
89. Cross-cutting Outcome and Policy Links are outlined on page 8 of NPF4 which concerns the reduction of GHG emissions: *"The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment."*

### **National Developments**

90. NPF4 has identified eighteen national developments, which are defined within Annex A as: *"...significant developments of national importance that will help to deliver the spatial strategy. National development status does not grant planning permission for the development and all relevant consents are required. Their designation means that the principle of the development does not need to be agreed in later consenting processes, providing more certainty for communities, business and investors."*
91. Therefore, whilst national developments will need to apply for consent, the principle of the development has been accepted and the national need for such developments has been explicitly recognised.
92. As a development over 50 MW, the proposed Development is designated as a national development in NPF4 under National Development 3 Strategic Renewable Electricity Generation and Transmission Infrastructure (ND3).
93. Page 103 sets out ND3 of NPF4 and it asserts that: *"This national development supports renewable electricity generation, repowering, and expansion of the electricity grid. A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its Net Zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits. The electricity transmission grid will need substantial reinforcement*



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

94. NPF4 outlines that the need for ND3 is: *"Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a Net Zero economy and supports improved network resilience in rural and island areas."*

### **National Planning Policy**

95. It is considered Policy 11 Energy is the lead policy for the proposed Development.
96. Policy 11 Energy's stated intent is: *"To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisations and storage (CCUS)".*
97. The policy outcome is for: *"Expansion of renewable, low-carbon and zero emissions technologies."*
98. Following the policy outcome, it outlines in relation to LDPs that: *"LDPs should seek to realise their area's full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development."*
99. Policy 11 is supportive of all forms of renewable, low-carbon and zero-emission energy developments (as detailed in criteria a) and includes (i) wind farms.
100. Policy 11 'Energy' states: *"a) development proposals for all forms of renewable, low carbon and zero emissions technologies will be supported. These include:*
- i. Wind farms including repowering, extending, expanding and extending the life of existing wind farms.*
  - ii. Enabling works such as grid transmission and distribution infrastructure;*
  - iii. Energy storage such as battery storage and pumped storage hydro;*
  - vi. Small scale renewable energy generation technology;*
  - v. Solar arrays;*
  - vi. Proposals associated with negative emissions technologies and carbon capture; and*
  - vii. Proposals including co-location of these technologies.*
- b) development proposals for wind farms in National Park and National Scenic Areas will not be supported.*
- c) development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- d) development proposals that impact on international or national designations will be assessed in relation to Policy 4.*



- *e) in addition, project design and mitigation will demonstrate how the following impacts are addressed:*
  - *i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
  - *ii. significant landscape and visual impacts, recognising that some impacts are to be expected from some forms of renewable energy. Where impacts are localised and /or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
  - *iii. public access, including impact on long distance walking and cycling routes and scenic routes;*
  - *iv. impacts on aviation and defence interests including seismological recording;*
  - *v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
  - *vi. impacts on road traffic and on adjacent trunk roads, including during construction;*
  - *vii. impacts on historic environment;*
  - *viii. effects on hydrology, the water environment and flood risk;*
  - *ix. biodiversity including impacts on birds;*
  - *x. impacts on trees, woods and forests;*
  - *xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
  - *xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
  - *xiii. cumulative impacts.*
  - *In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.*
  - *Grid capacity should not constrain renewable energy development, it is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.*
  - *f) consents for development proposals may be time limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity."*
101. It is considered that the following policies, set out in **Table 4.4**, are also relevant to the proposed Development:

Table 4.4 Other NPF4 Policies relevant to the proposed Development

Policy Number	Summary of Policy Text
<b>Policy 1: Tackling the Climate and Nature Crisis</b>	Policy 1 is relevant to all development and states: <i>"When considering all development proposals, significant weight will be given to the global climate and nature crisis."</i>
<b>Policy 3: Biodiversity</b>	<p>The policy intent for Policy 3 is to protect and to ensure that biodiversity is fully addressed so that enhancement can be achieved to secure a net positive impact from the baseline. It aims:</p> <p><i>"To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks."</i></p> <p>Policy 3 also confirms that:</p> <p><i>"LDPs should protect, conserve, restore and enhance biodiversity in line with the mitigation hierarchy. They should also promote nature recovery and nature restoration across the development plan area, including by: facilitating the creation of nature networks and strengthening connections between them to support improved ecological connectivity; restoring degraded habitats or creating new habitats; and incorporating measures to increase biodiversity, including populations of priority species."</i></p> <p><i>a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.</i></p> <p><i>b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:</i></p> <ul style="list-style-type: none"> <li><i>i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;</i></li> <li><i>ii. wherever feasible, nature-based solutions have been integrated and made best use of;</i></li> <li><i>iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;</i></li> <li><i>iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and</i></li> </ul>



Policy Number	Summary of Policy Text
	<p>v. <i>local community benefits of the biodiversity and/or nature networks have been considered. c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement...</i></p> <p>d) <i>Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration."</i></p>
<b>Policy 4: Natural Places</b>	<p>The policy intent for Policy 4 is to ensure that developments seek to protect, restore and enhance natural assets. It seeks to:</p> <p><i>"To protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development."</i></p> <p>The policy goes on to state:</p> <p><i>"LDPs will identify and protect locally, regionally, nationally and internationally important natural assets, on land and along coasts. The spatial strategy should safeguard them and take into account the objectives and level of their protected status in allocating land for development. Spatial strategies should also better connect nature rich areas by establishing and growing nature networks to help protect and restore the biodiversity, ecosystems and natural processes in their area.</i></p> <p>a) <i>Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.</i></p> <p>b) <i>Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.</i></p> <p>c) <i>Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:</i></p> <ul style="list-style-type: none"> <li>i. <i>The objectives of designation and the overall integrity of the areas will not be compromised; or</i></li> <li>ii. <i>Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. All Ramsar sites are also European sites and/or Sites of Special Scientific Interest and are extended protection under the relevant statutory</i></li> </ul>

Policy Number	Summary of Policy Text
	<p><i>regimes.</i></p> <p><i>d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:</i></p> <ul style="list-style-type: none"> <li><i>i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or</i></li> <li><i>ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.</i></li> </ul> <p><i>e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.</i></p> <p><i>f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.</i></p> <p><i>g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:</i></p> <ul style="list-style-type: none"> <li><i>i. will support meeting renewable energy targets; or,</i></li> <li><i>ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.</i></li> </ul> <p><i>All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration”.</i></p>
<p><b>Policy 5: Soils</b></p>	<p>Policy 5 protects carbon-rich soils and seeks to secure the restoration of peatlands and minimise any disturbance to carbon-rich soils from development. The policy states:</p> <p><i>“LDPs should protect locally, regionally, nationally and internationally valued soils, including land of lesser quality that is culturally or locally important for primary use.</i></p> <p><i>a) Development proposals will only be supported if they are designed and constructed:</i></p> <ul style="list-style-type: none"> <li><i>i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and</i></li> </ul>



Policy Number	Summary of Policy Text
	<p><i>ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.</i></p> <p><i>b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:</i></p> <ul style="list-style-type: none"> <li><i>i. Essential infrastructure and there is a specific locational need and no other suitable site;</i></li> <li><i>ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;</i></li> <li><i>iii. The development of production and processing facilities associated with the land produce where no other local site is suitable; and</i></li> <li><i>iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration.</i></li> </ul> <p><i>In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.</i></p> <p><i>c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:</i></p> <ul style="list-style-type: none"> <li><i>i. Essential infrastructure and there is a specific locational need and no other suitable site;</i></li> <li><i>ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;</i></li> <li><i>iii. Small-scale development directly linked to a rural business, farm or croft;</i></li> <li><i>iv. Supporting a fragile community in a rural or island area; or</i></li> <li><i>v. Restoration of peatland habitats.</i></li> </ul> <p><i>d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:</i></p> <ul style="list-style-type: none"> <li><i>i. the baseline depth, habitat condition, quality and stability of carbon-rich soils;</i></li> <li><i>ii. the likely effects of the development on peatland, including on soil disturbance; and</i></li> <li><i>iii. the likely net effects of the development on climate emissions and loss of carbon.</i></li> </ul> <p><i>This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed,</i></p>

Policy Number	Summary of Policy Text
	<p><i>alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.</i></p> <p><i>e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:</i></p> <ul style="list-style-type: none"> <li><i>i. the extracted peat is supporting the Scottish whisky industry;</i></li> <li><i>ii. there is no reasonable substitute;</i></li> <li><i>iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of part of at least 1 metre across the whole site, including drainage features;</i></li> <li><i>iv. the time period for extraction is the minimum necessary; and</i></li> <li><i>v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration”.</i></li> </ul>
<p><b>Policy 6: Forestry, Woodland and Trees</b></p>	<p>Policy 6 is intended to protect and expand forests, woodland and trees and secure connectivity. It states:</p> <p><i>“LDPs should identify and protect existing woodland and the potential for its enhancement or expansion to avoid habitat fragmentation and improve ecological connectivity, helping to support and expand nature networks. The spatial strategy should identify and set out proposals for forestry, woodlands and trees in the area, including their development, protection and enhancement, resilience to climate change, and the expansion of a range of types to provide multiple benefits. This will be supported and informed by an up to date Forestry and Woodland Strategy.</i></p> <p><i>a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.</i></p> <p><i>b) Development proposals will not be supported where they will result in:</i></p> <ul style="list-style-type: none"> <li><i>i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;</i></li> <li><i>ii. Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;</i></li> <li><i>iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy; and</i></li> <li><i>iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish</i></li> </ul>

Policy Number	Summary of Policy Text
	<p style="text-align: center;"><i>Forestry.</i></p> <p><i>c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.</i></p> <p><i>d) Development proposals onsite which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design”.</i></p>
<p><b>Policy 7: Historic Assets and Places</b></p>	<p>Policy 7 aims to safeguard and enhance historical assets and locations. It requires:</p> <p><i>“a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.</i></p> <p><i>Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within the Historic Environment Records.</i></p> <p><i>b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:</i></p> <ul style="list-style-type: none"> <li><i>i. building is no longer of special interest;</i></li> <li><i>ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;</i></li> <li><i>iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or</i></li> <li><i>iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.</i></li> </ul> <p><i>c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest</i></p> <p><i>d) Development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the</i></p>

Policy Number	Summary of Policy Text
	<p><i>Conservation Area and its setting is preserved or enhanced.</i></p> <p><i>e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.</i></p> <p><i>f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:</i></p> <ul style="list-style-type: none"> <li><i>i. reasonable efforts have been made to retain, repair and reuse the building;</i></li> <li><i>ii. the building is of little townscape value;</i></li> <li><i>iii. the structural condition of the building prevents its retention at a reasonable cost; or</i></li> <li><i>iv. the form or location of the building makes its reuse extremely difficult.</i></li> </ul> <p><i>g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development</i></p> <p><i>h) Development proposals affecting Scheduled Monuments will only be supported where:</i></p> <ul style="list-style-type: none"> <li><i>i. direct impacts on the Scheduled Monument are avoided;</i></li> <li><i>ii. significant adverse impacts on the integrity of the setting of a Scheduled Monument are avoided; or</i></li> <li><i>iii. exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impacts on the monument or its setting have been minimised.</i></li> </ul> <p><i>i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.</i></p> <p><i>j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.</i></p> <p><i>k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.</i></p> <p><i>l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.</i></p> <p><i>m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on</i></p>



Policy Number	Summary of Policy Text
	<p><i>the national Buildings at Risk Register, back into beneficial use will be supported.</i></p> <p><i>n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:</i></p> <p><i>i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and</i></p> <p><i>ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.</i></p> <p><i>The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.</i></p> <p><i>o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.</i></p> <p><i>Where impacts cannot be avoided, they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.</i></p> <p><i>When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.”</i></p>

#### 4.10.2. Dumfries and Galloway Local Development Plan

102. LDP2 was adopted on 03 October 2019. The LDP2 outlines the Council's aims and provides guidance for all future development and land use within DGC.
103. The Wind Energy Development: Development Management Considerations Supplementary Guidance (February 2020) also forms part of the LDP2 and is a relevant consideration for the proposed Development.
104. **Table 4.5** outlines the policies from LDP2 which are considered relevant to the proposed Development. Please note that the table provides a summary of the policy text and not the full policy text.

Table 4.5 LDP2 Policies relevant to the proposed Development

Policy Number	Policy Name	Summary of Policy Text
<b>Policy OPI</b>	Development Considerations	Provides an outline of the factors which will be taken into consideration during the assessment of a Development, relevant to scale, nature and location, including: <ol style="list-style-type: none"> <li>a) General Amenity;</li> <li>b) Historic Environment;</li> <li>c) Landscape;</li> <li>d) Biodiversity and Geodiversity;</li> <li>e) Transport and Travel;</li> <li>f) Sustainability; and</li> <li>g) Water Environment</li> </ol>
<b>Policy ED10</b>	Galloway and Southern Ayrshire Biosphere	<i>“The Council supports the designation and aims of the Biosphere and will encourage development that demonstrates innovative approaches to sustainable communities and the economy, and supports the enhancement, understanding and enjoyment of the area as a world class environment. Development must be appropriate to the role of the different zones within the Biosphere.”</i>
<b>Policy HE1</b>	Listed Buildings	Outlines that DGC supports development <i>“that makes effective, efficient and sustainable use of Listed Buildings”</i> and includes the criteria that needs to be satisfied when considering development that impacts on the character or appearance of a listed building or its setting.
<b>Policy HE2</b>	Conservation Areas	Outlines that DGC <i>“will support development within or adjacent to a conservation area that preserves or enhances the character and appearance of the area and is consistent with any relevant conservation area appraisal and management plan.”</i> The policy includes criteria DGC need to be satisfied with when considering such development.
<b>Policy HE3</b>	Archaeology	<i>“a) The Council will support development that protects significant archaeological and historic assets, and the wider historic environment from adverse effects. In considering development proposals the Council will need to be satisfied that:</i> <ul style="list-style-type: none"> <li><i>• the development preserves or enhances the appearance, fabric or setting of the site or asset in situ; and/or</i></li> <li><i>• where there is uncertainty about the location, extent or significance of these assets an agreed scheme of assessment and evaluation to inform the application is included with the proposal; and/or</i></li> <li><i>• due consideration has been given to the significance and value of the site or asset in relation to the</i></li> </ul>

Policy Number	Policy Name	Summary of Policy Text
		<p><i>long-term benefit and specific need for the development in the location proposed.</i></p> <p><i>b) Where, due to exceptional circumstances, development is to proceed and the preservation of historic assets in situ including buildings is not possible, a scheme of mitigation involving excavation, recording, analysis, publication and archiving and any other measures appropriate to the case has been agreed with the Council.</i></p> <p><i>The Historic Built Environment Supplementary Guidance provides further advice in respect of this policy.”</i></p>
<b>Policy HE4</b>	Archaeologically Sensitive Areas	<p><i>“The Council will support development that safeguards the character, archaeological interest and setting of Archaeologically Sensitive Areas (ASAs) as designated by the Council.</i></p> <p><i>Boundaries of ASAs are shown on Map 6 and the Proposals Maps.”</i></p>
<b>Policy HE6</b>	Gardens and Designed Landscapes	<p><i>“a) The Council will support development that protects or enhances the significant elements, specific qualities, character, integrity and setting, including key views to and from, gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes or the Non-Inventory List.</i></p> <p><i>In considering development proposals the Council will need to be satisfied that:</i></p> <ul style="list-style-type: none"> <li><i>• the development protects or enhances the significant elements of the garden or landscape in situ;</i></li> </ul> <p><i>and</i></p> <ul style="list-style-type: none"> <li><i>• due consideration has been given to the significance and value of the asset in relation to the long term benefit and specific need for the development in the location proposed.</i></li> </ul> <p><i>b) Developers will be required to submit the results of an assessment of the impact of their proposals on the sites and their settings including details of any potential mitigation measures.</i></p> <p><i>c) Proposals that would have a detrimental effect on the specific quality, character or integrity of a garden or designed landscape will not be approved unless it is demonstrated that the benefits of the proposal are of sufficient public interest to override that detriment.</i></p> <p><i>Boundaries are shown on Map 7 and the Proposals Maps.”</i></p>
<b>Policy NE1</b>	National Scenic Area	<p><i>“Development within or that would have an effect on a National Scenic Area should only be permitted where:</i></p> <ul style="list-style-type: none"> <li><i>- it will not adversely affect the integrity of the area or the qualities for which it has been designated; or</i></li> </ul>



Policy Number	Policy Name	Summary of Policy Text
		<ul style="list-style-type: none"> <li>- any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.”</li> </ul>
<b>Policy NE2</b>	Regional Scenic Area	<p>“The siting and design of development within a Regional Scenic Area (RSAs) should respect the unique qualities of the area. Development within, or which affects Regional Scenic Areas, may be supported where the Council is satisfied that:</p> <ul style="list-style-type: none"> <li>• the factors taken into account in designating the area would not be significantly adversely affected;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• there is a specific need for the development at that location.”</li> </ul>
<b>Policy NE3</b>	Areas of Wild Land	<p>“Development which would affect the Merrick Wild Land Area in Galloway and the Talla Hart Fell Wild Land Area north of Moffat would not be supported unless the Council is satisfied that it is demonstrated that any Significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p> <p>The boundaries of these sites are shown on the Proposals Maps.”</p>
<b>Policy NE4</b>	Sites of International Importance for Biodiversity	<p>“Development proposals likely to have a significant effect on an existing or proposed Special Protection Area (SPA), existing or candidate Special Area of Conservation (SAC) or Ramsar Site, including developments outwith the site, will require an appropriate assessment and will only be permitted where:</p> <ul style="list-style-type: none"> <li>- The development does not adversely affect the integrity of the site;</li> <li>- there are no alternative solutions; there are imperative reasons of overriding public interest, including those of a social or economic nature; and compensatory measures have been identified and agreed to ensure that the overall coherence of the Natura network is protected.”</li> </ul>
<b>Policy NE5</b>	Species of International Importance	<p>“Development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that:</p> <ul style="list-style-type: none"> <li>- there is no satisfactory alternative; and</li> <li>- the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and</li> <li>- the development would not be detrimental to the maintenance of the population of the</li> </ul>



Policy Number	Policy Name	Summary of Policy Text
		<p><i>species at a favourable conservation status in its natural range.”</i></p>
<b>Policy NE6</b>	Sites of National for Biodiversity and Geodiversity	<p><i>“Development that affects Sites of Special Scientific Interest, not designated as International Sites, and other national nature conservation designations will only be permitted where:</i></p> <ul style="list-style-type: none"> <li>- <i>it will not adversely affect the integrity of the area or the qualities for which it has been designated, or</i></li> <li>- <i>any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.”</i></li> </ul>
<b>Policy NE7</b>	Forestry and Woodland	<p><i>“The Council will support the creation and protection of sensitively designed and managed forests and woodlands.</i></p> <p><i>Proposals should seek to ensure that ancient and semi-natural woodlands and other woodlands with high nature conservation value are protected and enhanced.</i></p> <p><i>In determining its response to individual forestry felling, planting and replanting consultations where Forestry Commission Scotland are the determining authority, the Council will:</i></p> <ul style="list-style-type: none"> <li>• <i>take into account environmental and other interests identified in the Forestry and Woodland Strategy including biodiversity, water (including flood risk management), soil and air, landscape setting, historic environment and land restoration;</i></li> <li>• <i>consider the scheme’s location as set out in the Forestry and Woodland Strategy;</i></li> <li>• <i>seek to ensure an appropriate balance between both afforested and un-afforested areas in the locality;</i></li> <li>• <i>encourage planting of a type, scale, design, age, composition and species mix that is appropriate to the locality;</i></li> <li>• <i>actively encourage proposals to have a positive effect on nature conservation and/or natural and historic environment interest;</i></li> <li>• <i>encourage proposals to take account of possible recreational use in the design of any planting schemes and indicate how such recreational uses have been investigated; and</i></li> <li>• <i>ensure that proposals do not have an adverse impact on the road network.”</i></li> </ul>
<b>Policy NE8</b>	Trees and Development	<p>DGC will support development which:</p> <ul style="list-style-type: none"> <li>- <i>“promote additional tree planting;</i></li> <li>- <i>protect and enhance ancient woodland sites;</i></li> <li>- <i>maintain trees, woodlands (in particular ancient and semi-natural woodlands), and hedgerows</i></li> </ul>

Policy Number	Policy Name	Summary of Policy Text
		<p><i>(thereafter referred to as the ‘woodland resource’) and require developers to incorporate, wherever feasible, the existing woodland resource into their schemes;</i></p> <ul style="list-style-type: none"> <li>- <i>encourage planting of a type, scale, design, composition and species mix that is appropriate to its locality and appropriately incorporates the woodland resource into the overall design of the scheme; and</i></li> <li>- <i>show how existing trees will be appropriately protected during the construction period.”</i></li> </ul>
<b>Policy NE14</b>	Carbon-rich Soils	<p><i>“Support for the role of soils as natural carbon sinks will be material in development decisions. Developments proposed on areas of carbon rich soil will need to clearly justify the loss of the carbon sink. Development may be permitted if it can be demonstrated that in accordance with the Scottish Government’s ‘carbon calculator’ or other equivalent independent evidence the balance of advantage in terms of climate change mitigation lies with the development proposal.</i></p> <p><i>All developments take account of soil carbon content and, as appropriate, should adopt:</i></p> <ul style="list-style-type: none"> <li>- <i>means of minimising impact on carbon-rich soil; and</i></li> <li>- <i>management measures relative to carbon-rich soil.”</i></li> </ul>
<b>Policy NE15</b>	Protection and Restoration of Peat Deposits as Carbon Sinks	<p><i>“The Council will support peatland restoration, including rewetting.</i></p> <p><i>Developments proposed affecting peat deposits not already designated for habitat conservation reasons may be permitted in the following circumstances:</i></p> <p><i>(a) In areas of degraded peatland where all of the following apply:</i></p> <ul style="list-style-type: none"> <li>- <i>The deposits have been significantly damaged by human activity; and</i></li> <li>- <i>The conservation value is low; and</i></li> <li>- <i>Restoration to functioning peatland is not possible.</i></li> </ul> <p><i>In all such cases appropriate site restoration measures, to something other than functioning peatland, will be required; or</i></p> <p><i>(b) Where renewable energy generating development is proposed and it can be demonstrated (in accordance with the Scottish Government’s ‘carbon calculator’ or other equivalent independent evidence) that the balance of advantage in terms of climate change mitigation lies with the energy-generation proposal; or...”</i></p>
<b>Policy CF4</b>	Access Routes	<p>The Council will <i>“assert, protect and keep open and free from obstruction any route, waterway or other means by which access rights may reasonably be exercised.</i></p>



Policy Number	Policy Name	Summary of Policy Text
		<p><i>Development proposals should not impact adversely on any of the aforementioned access routes and Core Paths.”</i></p> <p>The Council also states that “<i>New development should consider access issues at an early stage of the design process and, where appropriate, incorporate new and enhanced access opportunities, linked to wider access networks and green networks.”</i></p>
<b>Policy IN1</b>	Renewable Energy	<p><i>“The Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The acceptability* of any proposed development will be assessed against the following considerations:</i></p> <ul style="list-style-type: none"> <li><i>• landscape and visual impact;</i></li> <li><i>• cumulative impact;</i></li> <li><i>• impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;</i></li> <li><i>• the impact on natural and historic environment (including cultural heritage and biodiversity);</i></li> <li><i>• the impact on forestry and woodlands;</i></li> <li><i>• the impact on tourism, recreational interests and public access.</i></li> </ul> <p><i>To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal:</i></p> <ul style="list-style-type: none"> <li><i>• any associated infrastructure requirements including road and grid connections (where subject to planning consent);</i></li> <li><i>• environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues;</i></li> <li><i>• relevant provisions for the restoration of the site;</i></li> <li><i>• the scale of contribution to renewable energy generation targets;</i></li> <li><i>• effect on greenhouse gas emissions; and</i></li> <li><i>• net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities...</i></li> </ul> <p><i>* Acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed.”</i></p>
<b>Policy IN2</b>	Wind Energy	<p><i>“The Council will support windfarm proposals that are located, sited and designed appropriately. The acceptability of any proposed wind energy development will be assessed against the following considerations:”</i></p> <ul style="list-style-type: none"> <li><i>- Renewable energy benefits;</i></li> </ul>



Policy Number	Policy Name	Summary of Policy Text
		<ul style="list-style-type: none"> <li>- Socio-economic benefits;</li> <li>- Landscape and visual impacts;</li> <li>- Cumulative impact;</li> <li>- Impact on local communities and residential interests;</li> <li>- Impact on infrastructure;</li> <li>- Impact on aviation and defence interests; and</li> <li>- Other impacts and considerations.</li> </ul>
<b>Policy IN7</b>	Flooding and Development	Outlines that development proposals in areas which would lead to an unacceptable risk of onsite or offsite flooding will not be permitted.
<b>Policy IN8</b>	Surface Water Drainage and Sustainable Drainage Systems	Advises that all developments, other than single houses and those with direct discharges into the coastal waters, must include Sustainable Drainage Systems (SuDs) to create the surface water and manage water flow rates onsite.
<b>Policy T1</b>	Transport Infrastructure	<p><i>“Proposals for the improvement of existing transport infrastructure and, where appropriate, the provision of new transport infrastructure and/or services will be supported provided they accord with the Regional and Local Transport Strategies; and where it can be demonstrated to the satisfaction of the Council that following appropriate assessment (where needed), the proposal has no adverse effects either alone or in combination on the integrity of any Natura site.</i></p> <p><i>Development of facilities for cyclists and pedestrians will be supported.</i></p> <p><i>a) Strategic Network</i></p> <p><i>The strategic transport network includes the trunk road, motorway and rail networks. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be appraised to determine their effects. The national and strategic role of these routes should not be compromised by development which individually or incrementally materially reduces the level of service of a route.</i></p> <p><i>b) Regional Network</i></p> <p><i>Development which involves a new direct access onto the regional road network should not, individually or incrementally, materially reduce the level of service of a route.”</i></p>
<b>Policy T2</b>	Location of Development/Accessibility	<p><i>“All development proposals will be expected to:</i></p> <ul style="list-style-type: none"> <li><i>• prioritise personal travel by mode in the following order: walking, cycling, public transport and lastly car and other motorised vehicles;</i></li> <li><i>• be well served by the most sustainable modes of travel available and provide opportunities for a modal shift</i></li> </ul>



Policy Number	Policy Name	Summary of Policy Text
		<p><i>from private car use to more sustainable transport, including active travel, wherever possible;</i></p> <ul style="list-style-type: none"> <li>• <i>give consideration to the provision of electric vehicle charging points, and other infrastructure that may be required to support other sustainable power sources, as part of the development;</i></li> <li>• <i>fit with the policies and recommendations of the Local Transport Strategy. Access Requirements</i></li> <li>• <i>consider accessibility issues early on and ensure street layout and design are part of the design and planning process from the beginning, taking account of statutory equal opportunities obligations relating to accessibility and be designed for the safety and convenience of all potential users;</i></li> <li>• <i>incorporate appropriate on and/or off site mitigation measures, where required provided through developer contributions where necessary, which might include: improvements, enhancements or additions to the walking/cycling network (connecting into existing local pedestrian or cycle networks or wider green networks) and public transport services, as well as road improvements and new roads;</i></li> <li>• <i>incorporate an appropriate level of parking provision to the maximum standards as outlined in SPP (having regard to the travel modes and services which will be available) and also include adequate cycle parking;...</i></li> </ul>

### Supplementary Guidance

105. The Wind Energy Development: Development Management Considerations Supplementary Guidance (February 2020) forms part of LDP2 (and the Development Plan) and provides more detail on Policy IN2: Wind Energy and: *“It provides a statement of the main factors that will be taken into account in reaching planning decisions and details the criteria contained in the policy.”*

106. It does refer to the wind energy spatial framework, which is no longer applicable following the adoption of NPF4.

107. The Historic Built Environment Supplementary Guidance (February 2020) forms part of LDP2 and provides more detail on LDP2 policies HE1 to HE8.

108. The Trees and Development Supplementary Guidance (February 2020) supports LDP2 Policy NE8.

### Technical Papers

109. The Archaeological Sensitive Areas (ASAs) Technical Paper, January 2018 provides background information to inform and support LDP2 Policy HE4: Archaeologically Sensitive Areas.

110. The Regional Scenic Areas Technical Paper, January 2018 provides information on the ten Regional Scenic Areas in Dumfries and Galloway.

## 4.11. Emerging Policy

111. Following the publication of NPF4, DGC is gathering evidence to inform the third LDP (LDP3). It is anticipated that the Evidence Report will be finalised during Q3 2024, and the adoption of LDP3 is programmed for Q3 2027.

## 4.12. National Guidance

### 4.12.1. Planning Guidance

112. Planning Advice Notes (PANs) set out detailed advice from the Scottish Government in relation to a number of land use planning topics. Relevant PANs are summarised below:
- **PAN 60 Planning for Natural Heritage:** (2000 paragraph 47 updated 14 January 2008) provides advice on planning for natural heritage.
  - **PAN 61 Sustainable Urban Drainage Systems** (2001) provides advice on sustainable urban drainage systems.
  - **PAN 75 Planning for Transport (2005)** aims to increase awareness of links between planning and transport management through the integration of development plans and transport strategies to successfully create optimal transport outcomes and prospects for sustainable development.
  - **PAN 51 Planning, Environmental Protection and Regulation** (Revised 2006) clarifies the role of the planning system in relation to environmental protection regimes.
  - **PAN 79 Water and Drainage** (2006) provides advice on water and drainage in a planning context.
  - **PAN 1/2011 Planning and Noise** (2011) outlines the role of the planning system in aiding the prevention/mitigation of any potential adverse effects of noise stemming from development. The document promotes the appropriate location of potentially noisy development and highlights the principles of good acoustic design.
  - **PAN 2/2011 Planning and Archaeology** (2011) advises developers and planning authorities on dealing with archaeological remains and outlines the planning process approach to any archaeological scope of works.
  - **PAN 1/2013 Environmental Impact Assessment** (as amended) (2013) outlines the role of local authorities and consultees throughout the EIA process, and the impact of development management on informing the EIA process.
113. Onshore Wind Turbines: Planning Advice (2014) provides guidance for planning authorities when considering onshore windfarm applications, particularly as applications are more frequently located within lower-lying, more populated areas.
114. Flood Risk: Planning Advice (2015) provides advice on flood risk in a planning context.
115. Biodiversity: Draft Planning Guidance (2023) sets out expectations for implementing and delivering NPF4 policies that support the cross-cutting NPF4 outcome 'improving biodiversity'. The draft guidance was published in November 2023 and is considered a 'living document'. Therefore, it is intended to be updated as NPF4 is implemented across Scotland.



#### 4.12.2. Other Relevant National Guidance

116. This section of the Chapter includes reference to other national guidance which is relevant to the proposed Development.
117. The Scottish Government published Tackling the Nature Emergency – Scottish biodiversity strategy to 2045 in September 2023. The strategy sets out the Scottish Government ambition “for Scotland to be **Nature Positive** by 2030, and to have restored and regenerated biodiversity across the country by 2045.”

#### 4.13. Conclusions

118. This Chapter provides a summary of the legislative background, along with an overview of the international, national, and regional context of the climate change and renewable energy framework relevant to the proposed Development.
119. It also outlines the targets set by both the UK and Scottish Governments to reduce carbon emissions.
120. It provides an overview of the policies which make up the Development Plan which have been considered throughout the EIA process.



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