4 Approach to EIA, Climate Change, Energy and Planning Policy

4.1 Introduction

4.1.1 This chapter sets out an overview of the requirements of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the 'EIA Regulations'). It then outlines the broad approach and methodology undertaken to assess the Proposed Development in accordance with the EIA Regulations. It also sets out the assumptions that have been made in undertaking the EIA for the Proposed Development.

4.1.2 This chapter also provides the wider legislative and policy context relevant to the Proposed Development and EIA process. The approach focuses on key climate change and renewable energy policies and legislation, as well as national and local planning policy (existing and emerging).

4.1.3 A detailed examination of how the Proposed Development responds to legislation and policy is provided in the Planning Statement which is submitted separately as part of the application for consent under Section 36 of the Electricity Act 1989.

4.2 EIA Regulations

4.2.1 Schedule 1 of the EIA Regulations lists those developments for which an EIA is mandatory, whilst Schedule 2 describes projects for which the need for EIA is judged by Scottish Ministers on a case-by-case basis. The Proposed Development falls within Schedule 2, paragraph (a) of the EIA Regulations as *"a generating station, the construction of which (or operation of which) will require a section 36 consent but which is not a Schedule 1 development."*

4.2.2 Schedule 3 of the EIA Regulations lists the 'selection criteria' which must be taken into account by Scottish Ministers in determining whether a Schedule 2 development is an EIA development. These selection criteria relate to the nature, scale and location of the Proposed Development and consequently whether the project is likely to have significant effects on the environment.

4.2.3 For those developments listed under Schedule 2, the requirement for an EIA can be determined via a screening request made to Scottish Ministers. In this case a screening request to Scottish Ministers was not sought since it was considered that the Proposed Development would be of a size and nature that may have potential significant effects. The applicant also recognises that the EIA process can play an important role in developing the design of the proposals to minimise adverse environmental effects and maximise positive benefits. The applicant has therefore concluded that an EIA is required for the Proposed Development.

4.2.4 Whilst it is considered that the Proposed Development has the potential for significant environmental effects, it should be noted that this does not mean that a significant effect is the ultimate conclusion of the EIA. The EIA process promotes the identification of potential adverse effects and either incorporating appropriate embedded mitigation into the design of the Proposed Development and / or incorporating mitigation measures into the construction and/or operation of the Proposed Development to avoid, reduce and, if possible, remedy any significant adverse effects or further enhance positive effects.

4.3 Requirements of the EIA Regulations

4.3.1 The approach to the EIA undertaken in respect of the Proposed Development has followed the requirements of the EIA Regulations. An application for an Electricity Act consent for EIA development must be accompanied by an EIA Report.

4.3.2 The EIA Regulations require a description of the likely significant effects on the following factors:

- population and human health;
- biodiversity;
- land, soil, water, air and climate; and
- material assets, cultural heritage and the landscape.

4.3.3 The EIA Report must identify, describe and assess the direct and indirect significant effects of the Proposed Development and the interaction between those factors. The EIA Regulations also require identification, description and assessment of the expected effects deriving from the vulnerability of the development to risks, so far as relevant to the development, of major accidents and disasters.

4.3.4 An EIA Report must include:

- a description of the development comprising information on the site, design, size and other relevant features of the development;
- a description of the likely significant effects of the development on the environment;
- a description of the features of the development and any measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
- a description of the reasonable alternatives studied by the developer, which are relevant to the development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment;
- a non-technical summary of the information referred to in sub-paragraphs (a) to (d); and
- any other information specified in schedule 4 relevant to the specific characteristics of the development and to the environmental features likely to be affected.

4.3.5 Where a scoping opinion is adopted, the EIA Report must be based on that scoping opinion and must include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment.

4.3.6 Schedule 4 of the EIA Regulations sets out the information that must be included in the EIA Report, summarised in **Table 4.1**. This table also identifies where the corresponding information can be found in this EIA Report.

Table 4.1: EIA Report Information

Required Information	Relevant Section in EIA Report
1. Description of the development, including in particular: (a) a description of the location of the development;	A description of the location of the proposed development is presented in **Chapter 2: Proposed Development Description.**
(b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;	A description of the Proposed Development and its characteristics is presented in **Chapter 2: Proposed Development Description.**
(c) a description of the main characteristics of the operational phase of the development for instance, energy demand and energy used, nature and quality of the materials and natural resources (including water, land, soil and biodiversity) used; and	A description of the Proposed Development and its characteristics is presented in **Chapter 2: Proposed Development Description.**
(d) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.	The predicted individual emissions and residues of the proposed development are reported in **Chapters 5 to 13**.
2. A description of the reasonable alternatives studied by the developer, which are relevant to the Proposed Development and its special characteristics, and an indication of the main reasons for this choice, taking into account a comparison of the environmental effects.	The alternatives considered are covered under **Chapter 3: Design Evolution and Alternatives.**
3. A description of the relevant aspects of the current state of the environment (the "baseline scenario") and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of relevant information and scientific knowledge.	This is described in the baseline section of each technical chapters in the EIA Report (**Chapters 5 to 13**), where relevant.
4. A description of the factors specified in item 3 above likely to be significantly affected by the development: population, human health biodiversity, land, soil, water, air, climate, material assets, cultural heritage, including the architectural and archaeological aspects, and landscape.	Effects on population and human health are discussed in relation to visual/residential amenity impacts in **Chapter 5: Landscape and Visual Impact Assessment**, impacts on land, soil and water in **Chapter 9: Geology, Hydrology and Hydrogeology,** traffic impacts in **Chapter 10: Traffic & Transport**, noise impacts in **Chapter 11: Acoustics Assessment**, air quality impacts to be scoped

Required Information	Relevant Section in EIA Report
	out, and socio-economic impacts in **Appendix 13.1.**
5. A description of the likely significant effects of the development on the environment, resulting from: (a) the construction and existence of the development, including, where relevant, demolition works; (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources; (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances and the disposal and recovery of waste; (d) the risks to human health, cultural heritage or the environment (for examples due to accidents or disasters); (e) the cumulation of effects with other existing and/or approved development, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources; (f) the impact of the development on climate and the vulnerability of the development to climate change; and (g) the technologies and the substance used. The description of the likely significant effects should cover the direct effects and any indirect, secondary, cumulative, transboundary, short, medium and long-term, permanent and temporary, positive and negative effects of the development.	The predicted significant effects of the proposed development are reported as residual effects after relevant mitigation measures in each of the technical chapters of the EIA Report (**Chapters 5 to 13**). The methods used to predict significant effects are explained in this chapter and each individual chapter as relevant. Effects have been predicted in relation to the Proposed Development's construction and permanent use of the land. The operation and nature of these effects and their duration are reported
6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	Methods, assumptions and limitations in the EIA process are reported as required in this chapter and in the relevant technical chapters of the EIA Report (**Chapters 5 to 13**).
7. A description of the measures envisaged to avoid, prevent, reduce and if possible offset any significant adverse effects on the environment and, where appropriate, of any monitoring arrangements. That description should explain the extent to which significant adverse effects on the environment are	The overall approach to mitigation is discussed in this chapter. Specific mitigation measures are reported in each relevant technical chapter and are summarised in **Chapter 14: Schedule of Mitigation**.

Required Information	Relevant Section in EIA Report
avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	
8. A description of the expected significant adverse effects of the proposed development on the environment deriving from the vulnerability of the proposed development to risks of major accidents and/or disasters which are relevant to the project concerned. Where appropriate, the description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for the proposed response to such emergencies.	The Proposed Development is not located in an area of natural disasters, such as extreme weather events, and the construction of the operation of the Proposed Development would be managed within the requirements of a number of health and safety regulations including the Construction (Design and Management) Regulations 2015. The risk to human health is covered in the relevant technical chapters.
9. A non-technical summary of the information provided under points 1 to 8	A Non-Technical Summary (NTS) is presented as Volume 4 of this EIA Report.
10. A reference list detailing the sources used for the descriptions and assessments in the EIA report	Reference lists are provided in each chapter (**Chapters 5 to 13**).

Legislation and Guidance

4.3.7 The EIA has been completed in accordance with the latest regulations and advice on best practice, including the following:

- The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended);
- Scottish Government Planning Advice Note 1/2013: Environmental Impact Assessment;
- Scottish Government, Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989.
- Institute of Environmental Management and Assessment (2004) Guidelines for Environmental Impact Assessment; and
- Scottish Natural Heritage (SNH) (2018) Environmental Impact Assessment: Guidance for Competent Authorities, Consultees and other involved in the Environmental Impact Assessment Process in Scotland (5th Edition).

4.4 EIA and the Design Process

4.4.1 In order for it to be as effective as possible, the EIA is treated as an iterative process throughout the design stage, rather than a one-off, post-design environmental assessment. This has allowed the findings from the EIA to be fed into the design process, to provide an optimum design with regard to the applicant's requirements and the environment. Where potentially adverse environmental effects were identified through preliminary investigations as part of feasibility work, or later in the detailed EIA, consideration was given as to how the proposed development could be modified to design out adverse environmental effects, or where this was not possible, to identify appropriate mitigation. This process is explained further in **Chapter 3: Design Evolution and Alternatives**; and in the subsequent technical assessment chapters (**Chapters 5 to 13**).

4.5 Determining the Scope of the EIA Report

4.5.1 The purpose of scoping is to:

- obtain baseline information regarding existing environmental site conditions;
- establish key environmental issues and identify potential effects to be considered during the EIA;
- identify those issues which are likely to require more detailed study and those which can be justifiably excluded from further assessment;
- provide a means of confirming the most appropriate methods of assessment; and
- ensure that statutory consultees and other bodies with a particular interest in the environment such as community councils are informed of the Proposed Development and provided with an opportunity to make an input at an early stage in the EIA process.

4.5.2 The applicant previously submitted a scoping opinion request to Scottish Ministers in August 2023 for the Proposed Development. This request was made under regulation 17 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. The Scottish Ministers scoping opinion was subsequently issued in November 2023.

4.5.3 Since scoping, the number of wind turbines has reduced from 12 to 9. The heights of the wind turbines remain at 180m to blade tip.

4.5.4 This EIA Report is based upon responses to the scoping exercise and the Gatecheck Report (NatureScot provided feedback on proposed LVIA Viewpoints, see **Chapter 5: LVIA** for further information).

4.6 Approach and Methods

Introduction

4.6.1 The assessments that have been undertaken as part of the EIA have been based upon the site and relevant study areas. The site is the area contained within the site boundary shown on **Figure 1.2**. Relevant study areas are determined for each technical discipline and described within the relevant technical chapters (**Chapters 5 to 13**).

4.6.2 The EIA Regulations require a description of the likely significant effects on the factors specified in Section 4.3 above. Any such effects are identified in the relevant technical chapters (**Chapters 5 to 13**).

4.6.3 Full details of the assessment methodology used by technical disciplines in this EIA Report are provided in each chapter (**Chapters 5 to 13**). In general terms, assessment criteria have been used to evaluate environmental effects. Significance is generally determined through a combination of the sensitivity of a receptor to an effect and the magnitude of the change. This process is outlined as follows:

- identification of baseline conditions of the site and its environs, including the sensitivity of receptors which may be affected by changes in the baseline conditions;
- consideration of the magnitude of potential changes (impact) in the environmental baseline;
- assessment of the significance of effect taking account of the sensitivity of receptors and magnitude of impact;
- identification of appropriate mitigation measures; and
- assessment of significance of residual effects taking account of any mitigation measures.

4.6.4 Where significant environmental effects are predicted in the EIA process, the EIA Report provides mitigation measures which would be employed to avoid, reduce and, if possible, remedy these significant effects. Mitigation measures can be in the form of changes to operational practice, or changes/additions to the Proposed Development. EIA also considers positive changes or enhancements as a result of the Proposed Development.

4.6.5 The above approach does not apply to all disciplines addressed in the EIA Report, and alternative approaches are described and justified in the relevant technical chapters. In most cases these differences are based on guidance from technical discipline industry bodies and institutions.

Baseline Conditions

4.6.6 A fundamental aspect of EIA is to determine the baseline environmental conditions prevailing at the site. These form the benchmark against which predicted changes resultant from the Proposed Development are assessed to determine the magnitude of any impact. The baseline conditions have been determined by a number of different methods, including desktop studies, site surveys, use of analytical models and the acquisition of data from third parties.

4.6.7 The assessment of each environmental parameter was undertaken in comparison to baseline conditions. This describes the existing environmental conditions at the site (and in the wider area as pertinent to the particular environmental parameter). Where relevant, the future baseline is considered where changes are considered certain or likely to happen, including nearby consented renewable energy proposals which are not yet present but are expected to be constructed.

4.6.8 The sensitivity of the baseline conditions has been defined according to the relative sensitivity of existing environmental features on or in the vicinity of the site, or by the sensitivity of receptors which would potentially be affected by the Proposed Development. Criteria for the determination of sensitivity or importance have been established based on prescribed guidance, legislation, statutory designation and/or professional judgement. The criteria for each environmental parameter are outlined in the EIA Report according to the technical subject area.

4.6.9 The baseline for the majority of the site, being commercial forestry plantation and open rough grazing for livestock, is a relatively static environment with mainly seasonal vegetation changes and long term forestry felling and replanting to note. This relatively static nature of the baseline environment is an important factor when considering the sensitivity of the baseline conditions to change.

4.6.10 Relevant wind farms that are operational or under construction are considered to be part of the baseline for the purposes of this EIA Report, unless specifically stated otherwise within relevant technical chapters.

Consultation

4.6.11 Consultation has formed an integral part of the EIA process and both the EIA team, and the applicant has contacted a number of statutory and non-statutory consultees to determine their views on the Proposed Development, collect baseline information and refine survey methodologies. Replies received in response to scoping are detailed within the relevant technical chapters of the EIA Report. Consultation has been undertaken with the relevant consultees for the technical disciplines and is reported in the topic specific chapters of the EIA Report.

4.6.12 Engagement with the local community was undertaken through public information days held in November 2023 and March 2024. The information available at these information days was also made available online for those who could not attend in person, as well as an online feedback form. Further details on the events, the feedback received and attendance numbers can be found in the **Pre-Application Consultation (PAC) Report** submitted as part of the application for consent for the Proposed Development.

Assessment of Effects

4.6.13 Throughout the assessment, a distinction has been made between the term 'impact' and 'effect'. The EIA Regulations refer to the requirement to report the significance of 'effects'. An impact has been defined as the physical change of the characteristics of the receiving environment as a result of the Proposed Development (e.g. noise from wind turbines), whereas as effect refers to the significance of this impact (e.g. a significant residual noise effect on residential properties). These terms have been adopted throughout this EIA Report to present a consistent approach to the assessment and evaluation of effects and their significance.

4.6.14 The assessment of potential effects, using a range of appropriate methodologies, takes into account the construction and operation of the Proposed Development in relation to the site and its environs. Methodologies for predicting the nature and magnitude of any potential environmental impacts vary according to the technical subject area and are described in the relevant chapter. Numerical or quantitative methods of assessment are used to predict values which can be compared against published thresholds and indicative criteria contained in relevant guidance and standards.

4.6.15 Not all technical subject areas are capable of being assessed numerically or quantitatively, and thus qualitative assessments are used in certain cases. Such assessments rely on previous experience of similar projects, environments and professional judgement of experienced and qualified professionals as detailed in **Chapter 1: Introduction**.

Sensitivity of Receptors

4.6.16 Criteria for the determination of sensitivity (e.g. 'high', 'medium', or 'low') or of importance (e.g. 'international', 'national', 'regional' or 'authority area') have been established based on prescribed guidance, legislation, statutory designation and/or professional judgement. The criteria for each technical discipline are provided in the relevant chapter of the EIA Report.

Magnitude of Change (Impact)

4.6.17 The magnitude of change or impact on environmental baseline conditions is identified through detailed consideration of the Proposed Development, taking due cognisance of any legislative or policy standards or guidelines, and / or the following factors:

the nature of the change to which the environment would be affected, e.g. whether the quality is enhanced or impaired;

- the scale or degree of change from the baseline situation;
- whether the impact is temporary or permanent, indirect or direct, short term, medium term or long term;
- any in-combination effects; and
- potential cumulative effects.

4.6.18 In some cases, the likelihood of impact occurrence may also be relevant, and where this is a determining feature of the assessment this will be clearly stated.

Mitigation, Enhancement and Monitoring

4.6.19 Mitigation is considered as an integral part of the overall design strategy for the Proposed Development, as part of an iterative EIA process. Embedded mitigation refers to environmental measures that have been integrated into the design of the project (for example altering and refining the layout of the Proposed Development to reduce landscape and visual impact, watercourse crossings or avoid sensitive species and habitats) rather than relying solely on 'add-on' measures to prevent, reduce or remedy any remaining significant environmental effects.

4.6.20 The applicant adopts an iterative approach whereby mitigation is assessed and considered at all stages of the project. The final design of the Proposed Development has evolved over the project planning lifetime as demonstrated in **Chapter 3: Design Evolution and Alternatives**, with the Proposed Development systematically being optimised during the EIA process in response to increasing knowledge of the site and potential environmental effects.

4.6.21 Some of the environmental measures described within **Chapters 5 to 13** of this EIA Report do not respond directly to likely significant adverse effects but have been included as good practice to reduce the level of adverse effects (or enhance the level of beneficial effects) of the Proposed Development. Where relevant, these good practice and enhancement measures are described in the technical chapters.

4.6.22 Where significant environmental effects are predicted, the EIA Report provides additional measures which would be employed to eliminate or ameliorate the effect. Mitigation measures may include the adoption of alternatives and changes/additions to design management or operation to prevent, reduce or, where possible, offset any adverse significant effects.

4.6.23 In some cases, whilst mitigation of a specific significant effect may not be possible, it may be appropriate to provide other benefits such as replacement habitat for that which has been disturbed or lost due to the construction of the Proposed Development. The adoption of such environmental compensation measures may be used to offset a significant effect and can be effective in reducing the level of adverse effect, or indeed achieving a positive effect, for the Proposed Development.

4.6.24 Where appropriate, the EIA Report sets out details of any post-consent monitoring which is proposed. This includes, where appropriate, proposals to measure the effectiveness of the identified mitigation measures.

Summary of Significance

4.6.25 Assessing the significance of effects is based on consideration of the magnitude of the change (impact) relative to the baseline conditions and the sensitivity of the receptor.

4.6.26 The significance of an effect is derived from an analysis of:

the sensitivity of the receiving environment or receptor to change, including its capacity to accommodate the kinds of changes the Proposed Development may bring about;

- the amount and type of change, often referred to as magnitude of the potential impact which includes the timing, scale, size and duration of the impact;
- the likelihood of the impact occurring - which may range from certainty to a remote possibility;
- the duration of the effect;
- the geographical extent of the effect; and
- the reversibility of the effect.

4.6.27 There is no general definition of what constitutes significance. In EIA, the term significance reflects both its literal meaning of 'importance' and its statistical meaning where there is an element of quantification. This combination of judgemental/subjective and quantifiable/objective tests has become the standard approach to understanding and applying the test of 'significance'.

4.6.28 The level of effect that is adjudged to be 'significant' is defined in each of the technical chapters. Any effects associated with the Proposed Development are considered to be negative or adverse except where it is stated that they are positive or beneficial.

Consideration of Cumulative Effects

4.6.29 In accordance with the EIA Regulations, the assessment has considered 'cumulative effects' that might arise from the Proposed Development in conjunction with other similar projects that are in development, i.e. projects that are not reported in the baseline but have a reasonable expectation of being developed ('reasonably foreseeable'). Likely cumulative effects have been defined for this EIA as the likely effects that the Proposed Development may have in combination with other renewable energy developments in the local area which are at application stage or consented but not yet under construction or operational. Cumulative effects are addressed as appropriate throughout **Chapters 5 to 13** of this EIA Report.

4.6.30 The study area for considering cumulative effects is specific to each technical discipline, and established in each technical chapter. The technical discipline which considers the largest cumulative study area is landscape and visual, which has considered cumulative effects within approximately 20km from the site as detailed in **Table 4.2**.

4.6.31 A cut-off date for the inclusion of cumulative renewable energy developments was set at 12 March 2024 unless specifically stated otherwise within relevant technical chapters.

4.6.32 Further information regarding each scheme is provided in **Chapter 5: Landscape and Visual Impact Assessment**.

Table 4.2: Cumulative renewable energy developments within 20km of the Proposed Development

SITE NAME	STATUS	NUMBER OF WIND TURBINES	BLADE TIP HEIGHT
Deucheran Hill	Operational	9	93m
Cour	Operational	10	110m
Beinn An Tuirc	Operational	46	62.5m
Gigha	Operational	3	43.5m
Gigha Extension	Operational	1	54m
Beinn An Tuirc Extension	Operational	19	100m
Tangy	Operational	15	75m
Tangy Extension	Operational	7	75m
Freasdail	Operational	11	100m
Blary Hill	Operational	14	110m
Auchadaduie	Operational	3	100m
Beinn An Tuirc Phase 3	Operational	19	126m
Eascairt	Consented	13	100m
Tangy Repowering	Consented	16	125m
High Constellation	Consented	10	149.9m
Airigh	Consented	14	149.5m
Clachaig Glen	Consented	14	126.5m
Clachaig Glen (Revised Scheme)	In Planning	12	185-200m

Data Gaps, Assumptions, Limitations and Technical Difficulties

4.6.33 The EIA process is designed to enable informed decision-making based on the best available information about the environmental implications of a proposed development. However, there will always be some level of uncertainty inherent in the scale and nature of predicted environmental effects and so a number of assumptions have been made during preparation of the EIA Report, which are set out here. Assumptions specific to certain environmental aspects are discussed in the relevant technical chapters of the EIA Report.

4.6.34 Assumptions made during the EIA include:

- the principal land uses adjacent to the site would remain as they are at the time of the EIA Report submission. In the case of nearby renewable energy projects that are currently in planning or consented but not yet developed, these are included in the cumulative effects assessment;
- proposed renewable energy projects that are not yet in the planning system are not included within the cumulative projects assessed in this EIA Report; and
- information provided by third parties, including publicly available information and databases, is correct at the time of publication.

4.6.35 The assessment has been subject to the following limitations:

- where baseline conditions have been subject to physical surveys the data is considered accurate at that date but, owing to the dynamic nature of the environment, conditions may change during the consenting, construction and operational phases; and
- the assessment of cumulative effects has been reliant on the availability of information on other developments.

4.6.36 There is also the potential for a degree of uncertainty as certain aspects of the Proposed Development may be subject to change until a detailed design has been finalised. This uncertainty can come in the forms of:

- wind turbine selection;
- foundation and infrastructure design; and
- micro-siting of the wind turbines and associated infrastructure which may change due to investigation findings or implementation of mitigation measures.

4.7 Legislative Context

The Electricity Act

4.7.1 Section 36 (s36) of the Electricity Act 1989 ('the Electricity Act') dictates that a generating station with a capacity in excess of 50 megawatts (MW) shall not be constructed, extended or operated except in accordance with a consent granted by the Scottish Ministers.

4.7.2 Paragraph 3(2) of Schedule 9 of the Act requires the Scottish Ministers, in considering any relevant proposals for which their consent is required under s36, to have regard to:

- the desirability of the matters mentioned in paragraph 3(1)(a) of the Schedule; and,
- the extent to which the person by whom the proposals were formulated has complied with his duty.

4.7.3 The matters mentioned in paragraph 3(1)(a) are: the desirability of preserving natural beauty, conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historical or archaeological interest.

4.7.4 The duty under paragraph 3(1)(b) requires the licence holder to do what he reasonably can to mitigate any effect that the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

4.7.5 The Electricity Act does not say that these are the only matters to be considered. Scottish Ministers will take into account other matters which would be material to their decision. These will include national energy policy, national and local planning policy as well as the full scope of the environmental information submitted with the application.

The Town and Country Planning (Scotland) Act 1997

4.7.6 The principal planning statute in Scotland is the Town and Country Planning Act (Scotland) 1997 (as amended) (the 'Planning Act'). That Planning Act has been amended by the Planning (Scotland) Act 2019, however not all provisions within this piece of legislation are in force.

4.7.7 Section 57 of the Planning Act addresses development with Government authorisation. When granting consent under s36 of the Electricity Act, Scottish Ministers may, under section 57 (2) direct that planning permission as 'deemed to be granted'.

4.7.8 Section 57 (2) states that: "on granting or varying a consent under section 36 or 37 of the Electricity Act 1989, the Scottish Ministers may give a direction for planning permission to be deemed to be granted, subject to such conditions (if any) as may be specified in the direction, for (a) so much of the operation or change of use to which the consent relates as constitutes development; (b) any development ancillary to the operational change of use to which the consent relates".

4.7.9 As an application under the Electricity Act, the Planning Act is not fully engaged beyond Section 57 and as such the duty under Section 25 of the Planning Act, to determine the application in accordance with the provisions of the development plan (unless material considerations indicate otherwise), does not apply.

4.7.10 Notwithstanding this, the Development Plan is a relevant and important consideration in the decision-making process and the policy framework contained therein has framed the assessment carried out within this EIA.

4.7.11 For the avoidance of doubt, the Development Plan relevant to the Proposed Development comprises:

- National Planning Framework (NPF) 4;
- Argyll and Bute Council Local Development Plan 2 (LDP2) 2024; and,
- Relevant Supplementary Guidance.

Climate Change Acts

4.7.12 The Climate Change (Scotland) Act 2009 committed the Scottish Government by law to a number of emissions reduction targets. Specifically, the Act targeted 'net zero' (100% reduction in greenhouse gas emissions against 1990 baseline levels), by 2050.

4.7.13 In April 2019 Scotland became one of the first nations in the world to declare a state of climate emergency, a step which sought to place climate change at the heart of all policy decisions and recognise that a system-wide approach is required to address the actions needed to transition to a low carbon economy. At the SNP Conference of April 2019, Scottish First Minister Nicola Sturgeon declared, "*As First Minister of Scotland, I am declaring that there is a climate emergency. And Scotland will live up to our responsibility to tackle it*."

4.7.14 The Scottish Government subsequently made amendments to the Climate Change (Scotland) Act 2009 in the form of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 to set a net zero emissions target for 2045. In April 2024, in response to the findings of the Committee on Climate Change (CCC) Report to the Scottish Parliament (March 2024)1, the Scottish Government abandoned its target of achieving a 75% reduction in emissions by 2030, recognising that the target is "out of reach". The Scottish Government did however note its "unwavering commitment" to reaching net zero by 2045, a target that remains embedded in statute.

4.7.15 Together, these legislative Acts represent the Government's intended energy and climate change strategy for the period to 2050.

4.7.16 It should be noted that the UK Government emission reduction targets remain at net zero by 2050.

4.8 International Energy and Climate Change Agreements, Obligations and Reports

4.8.1 The renewable energy policy framework at the international and national level applies to renewable electricity generation and related climate change action and is an important consideration for the Proposed Development.

4.8.2 The key policy documents in this regard are outlined below at International, UK and Scottish Government levels.

[1] Committee on Climate Change (2023) Progress in Reducing Emissions in Scotland – 2023 Report to Parliament

4.8.3 Conference of the Parties (COP) COP 26 took place in Glasgow in November 2021 and concluded with every Party, representing almost 200 countries, agreeing the Glasgow Climate Pact which seeks to drive action on climate change across the following key themes:

- Mitigation - reducing emissions;
- Adaptation - helping those already impacted by climate change;
- Finance - enabling countries to deliver on their climate goals; and,
- Collaboration - working together to deliver even greater action.

4.8.4 Critically, the Glasgow Climate Pact finalised the 'Paris Rulebook' which fully operationalises the Paris Agreement originally agreed in 2015. The Paris Rulebook sets out the detailed rules and systems to underpin the delivery of the Paris Agreement in order to meet the aspiration to limit future temperature increases to 1.5°C. According to COP26 President Alok Sharma (MP) The Glasgow Climate Pact "*kept 1.5 degrees alive. But, its pulse is weak and it will only survive if we keep our promises and translate commitments into rapid action*".

4.8.5 More recently, at COP28 held in Dubai at the end of 2023 concluded with an agreement that signals the "*beginning of the end*" of the fossil fuel era. Agreement was reached on the world's first "*global stocktake*" which recognises that science indicates that global greenhouse gas emissions need to be cut by 43% by 2030 (compared to 2019 levels) in order to limit global warming to 1.5°C. The "global stocktake" recognises that Parties are off track when it comes to meeting their Paris Agreement goals and calls on Parties to take actions towards achieving, at a global scale, a tripling of renewable energy capacity.

4.9 UK-wide Climate Change and Energy Policy

The Climate Change Committee and Net Zero Monitoring

4.9.1 The Climate Change Committee (CCC) published its landmark report entitled 'Net Zero – UK's Contribution to Stopping Global Warming' in May 2019. The Report responds to requests from the Governments of the UK, Wales and Scotland, asking the CCC to reassess the UK's long-term carbon emissions targets.

4.9.2 The Foreword of the report (page 8) sets out that the CCC has "reviewed the latest scientific evidence on climate change, including last year's [Intergovernmental Panel on Climate Change] IPCC special report on global warming of 1.5ºC and considered the appropriate role of the UK in the global challenge to limit future temperature increases". It adds, "Net Zero is a more fundamental aim than previous targets. By reducing emissions produced in the UK to zero, we also end our contribution to rising global temperatures".

4.9.3 The Foreword also sets out that "we must now increase our ambition to tackle climate change. The science demands it; the evidence is before you; we must start at once; there is no time to lose". This emphasises the urgent nature of the response required to address the UK's contribution to global climate change, a message which has been reiterated and strengthened in more recent COP events.

4.9.4 In June 2023, the CCC published a Report to the UK Parliament entitled 'Progress in reducing emissions'. In the Foreword (page 8) Lord Deben, Chair of the CCC states that "*Our confidence in the achievement of the UK's 2030 target and the Fifth and Sixth Carbon Budgets has markedly declined from last year. Leadership is required to broaden the national effort to every corner of our economy. That means investing now in low-carbon industries to deliver lasting economic benefits to the UK*".

4.9.5 The Foreword also re-enforces that the transition to net zero will necessitate "unambiguous commitment to fossil fuel phase out, accepting that global reserves are already too great".

4.9.6 With specific respect to the implementation of renewables, the Report acknowledges (page 20) that "Renewable electricity capacity increased in 2022, but not at the rate required to meet the Government's stretching targets, particularly for solar deployment. Given short lead-times, rapid deployment of onshore wind and solar could have helped to mitigate dependence on imported gas during the fossil fuel crisis".

4.9.7 In terms of key messages, the Report also outlines (page 14) that "in a range of areas, there is now a danger that the rapid deployment of infrastructure required by the net zero transition is stymied or delayed by restrictive planning rules. The planning system must have an overarching requirement that all planning decisions must be taken giving full regard to the imperative of net zero". In Scotland, these principles are now set by NPF4, discussed below.

4.9.8 It should be noted the CCC also provide annual monitoring reports which are Scotland-specific, and their December 2023 Report in this regard is discussed further in Section 4.10 below.

The UK Government Energy Security Strategy

4.9.9 The UK Government published the British Energy Security Strategy in April 2022. The strategy was published in response to concern over the security, affordability and sustainability of the UK's energy supply.

4.9.10 The strategy proposes to accelerate the UK towards a low-carbon energy independent future. The foreword states, "*we're going to bring clean, affordable, secure power to the people for generations to come*."

4.9.11 The introduction states, "All of these steps will accelerate our progress towards net zero, which is fundamental to energy security. By 2030, 95% of British electricity could be low-carbon; and by 2035, we will have decarbonised our electricity system, subject to security of supply. This is a transition which reduces our dependence on imported oil and gas and delivers a radical long-term shift in our energy with cleaner, cheaper power, lower energy bills and thousands of high wage, high skilled new jobs".

4.9.12 The strategy focuses on expanding domestic UK energy supply alongside commitments to completely remove Russian oil and coal imports by the end of 2022, and Russian gas "*as soon as possible thereafter*". The relevant policies outlined in the strategy include:

- a proposal for over 40% reduction in gas consumption by 2030;
- increased targets for low-carbon power generation compared to previous targets in the Energy White Paper; and,
- reduced consent times for offshore wind planning from four years to one.

4.9.13 With regards to onshore wind, the strategy notes that onshore wind is one of the cheapest forms of renewable energy. The strategy states, "*The government is serious about delivering cheaper, cleaner, more secure power, so we need to consider all options.*"

The UK Government's Energy White Paper: Powering our Net Zero Future (2020)

4.9.14 In November 2020, the UK Government published its 'Ten Point Plan for a Green Industrial Revolution', which was designed to allow the UK to forge ahead with eradicating its contribution to climate change by 2050.

4.9.15 The publication of the 10 Point Plan was followed by the 'Energy White Paper: Powering our net zero future' in December 2020. In it, the UK Government highlights the intention to continue to hold regular Contracts for Difference (CfD) auction rounds every two years to bring forward a range of low-cost renewable technologies. While a key focus on investment for the UK Government is in offshore wind it states at page 45 that "*Onshore wind…will be key building blocks of the future generation mix…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.*"

4.10 Scottish Government Climate Change and Energy Policy

Scotland's Draft Energy Strategy and Just Transition Plan (January 2023)

4.10.1 The Scottish Government consulted on the Draft Energy Strategy and Just Transition Plan between January and May 2023. The draft Plan sets a vision for Scotland's energy system to 2045 and a route map of ambitions and actions that will guide decision-making and policy support over the course of this decade. The plan seeks to transform the way Scotland generates, transports, and uses energy in order to deliver maximum benefits to Scotland from its the vast renewable energy resource.

4.10.2 The document states, “The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supplies safe and secure energy for all, generates economic opportunities, and builds a just transition.”

4.10.3 The draft Plan supports the fastest possible transition for the oil and gas sector to an energy sector which is focused on renewables. It sets out key ambitions for Scotland’s energy future including more than 20 GW of additional renewable electricity on- and offshore by 2030. This includes the target of 12 GW of onshore wind by 2030 which aligns with targets in the Onshore Wind Policy Statement (2022).

4.10.4 The Scottish Government continue to review responses to the consultation and the issues raised during engagement with stakeholders to inform development of the final version of the Energy Strategy and Just Transition Plan. The adopted Strategy will ultimately replace the Scottish Energy Strategy (2017) which is discussed further below.

Scotland’s Onshore Wind: Policy Statement (2022)

4.10.5 The updated Onshore Wind Policy Statement (OWPS) was published in December 2022 and sets an overall ambition of 20 GW of installed onshore wind capacity in Scotland by 2030 following extensive consultation with stakeholders.

4.10.6 The Ministerial foreword states, “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.”

4.10.7 It continues, “Scotland has been a frontrunner in onshore wind … onshore wind will be key to ensuring our 2030 targets are met… By acting now, we can set Scotland on a pathway to meeting our ambitious climate change targets in a way that is aligned to the needs of our citizens, supports a just transition and delivers opportunities for all.”

4.10.8 The OWPS’s ambition to install 20 GW of onshore wind by 2030, “will help support the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to net zero whilst other technologies reach maturity”.

4.10.9 Paragraph 3.6.1 of the OWPS notes that in order to ensure that climate change targets are met, taller and more efficient turbines will be required and that "*this will change the landscape*".

4.10.10 The OWPS states that the socio-economic benefits of the onshore wind sector in Scotland are widespread including investment, innovation, skills development and job creation. The latest statistics from the UK Government show that onshore wind in the UK generated £2.4 billion in turnover in 2020 alone.

4.10.11 It should be noted that the OWPS notes in Section 4.10 that the Scottish Government has consulted on a draft Scottish Biodiversity Strategy which sets out the evidence of biodiversity loss, and its links to climate change, alongside Ministers' high-level goals for biodiversity in Scotland, "*to halt biodiversity loss by 2030 and substantially restore biodiversity by 2045*". The new strategic framework for biodiversity, incorporating the Strategy to 2045 and Delivery Plan, was published in September 2023. This has relevance to the implementation of Policy 3 of National Planning Framework 4 as discussed under Section 4.11.

CCC Report in Reducing Emissions in Scotland (2022) and Scottish Government Response (2023)

4.10.12 The CCC's 'Progress in reducing emissions in Scotland' was published in 2022 alongside their 'First five-yearly Review' of progress. In terms of progress against the targets established in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, the Report concludes that the updated pathway to net zero remains extremely challenging, in particular the targeted 75% reduction in Scotland's emissions by 2030. Since publication of this report, the Scottish Government has abandoned its plans for the 2030 reduction, but with a commitment to reach net zero by 2045 still in place.

4.10.13 The Report acknowledges that publication of (at that time 'draft') National Planning Framework (NPF) 4 as an important step towards embedding net zero in the planning process and setting the direction of movement for the built environment and major projects in Scotland, including renewable generation (particularly onshore wind).

4.10.14 The Report also recommends that the Scottish Government work closely with the new Electricity Networks Commission to "ensure that Scotland's spatial planning regime adequately balances local impacts on natural capital with the need for sufficient electricity network capacity, delivered in a timely fashion, to accommodate expansion of renewable electricity generation capacity in line with UK Government targets and Scottish Government ambition."

4.10.15 The Scottish Government published a response to the 2023 CCC report in June 2023. With specific reference to the above recommendation, the Scottish Government states that "*Decisions relating to electricity networks and generation capacity are taken through the Electricity Act (1989) and the Town and Country Planning (Scotland) Act 1997. Proposals requiring development consent will be made in consideration of Scotland's plan led system, including the policies of National Planning Framework 4 (NPF4). NPF4 signals a turning point for planning in Scotland, placing climate and nature at the centre of our planning system. It makes clear our support for all forms of renewable, low-carbon and zero emission technologies, including transmission and distribution infrastructure. Potential impacts on communities, nature and other receptors remain important considerations in the decision-making process. All applications are already, and will continue to be, subject to site-specific assessments*".

Scottish Energy Strategy (SES) (2017) and associated Position Statement (2021)

4.10.16 The SES sets a 2050 vision for energy in Scotland as "a flourishing, competitive local and national energy sector, delivering secure, affordable, clean energy for Scotland's households, communities and businesses". The vision is guided by three core principles namely:

- A whole system view;
- An inclusive energy transition; and,
- A smarter local energy model.

4.10.17 The 2050 vision is expressed around six priorities including, “renewable and low carbon solutions – we will continue to champion and explore the potential of Scotland's huge renewable energy resource, and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets”.

4.10.18 The strategy also contains new whole system targets for 2030 as follows:

- The equivalent of 50 % of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources; and,
- An increase by 30 % in the productivity of energy use across the Scottish economy.

4.10.19 The SES sets out the Government’s clear position on onshore wind at page 44, namely, “our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland’s future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand”.

4.10.20 In 2021, the Scottish Government published ‘Scotland’s Energy Strategy Position Statement’ which provides an overview of key priorities for the short to medium-term and establishes a framework to continue to deliver the three key principles established in the Energy Strategy (a whole-system view, an inclusive energy transition and a smarter local energy model).

4.10.21 The Position Statement sets out the Government’s clear position on onshore wind at page 22 stating, “Scotland continues to make excellent progress in areas such as renewable electricity generation” and continues that the “tremendous progress reflects the huge strides we have taken over the past two decades in the development of onshore and, more recently, offshore wind… The potential remains for much more renewable capacity and development across Scotland”.

4.10.22 The Climate Change Plan (2018) and associated update: Securing a Green Recovery on a Path to Net Zero (2020).

4.10.23 The Climate Change Plan was published by the Scottish Government in February 2018 (hereafter referred to as the CCP). An update to the CCP, 'Update to the Climate Change Plan 2018 – 2032, Securing a Green Recovery on a Path to Net Zero' (hereafter referred to the 2020 Update), was published in December 2020. The 2020 Update notes that many elements of the 2018 Plan still stand and that the 2020 Update should be read alongside the CCP.

4.10.24 The 2020 Update highlights that Scotland is widely recognised as a world leader in renewable energy, with an abundance of renewable resources, and the targets and achievements reflect that. The 2020 Update emphasises the growth and success to date of Scotland's renewable energy generation as well as stating strongly the determination that this growth must continue. Page 78 of the 2020 Update states that "*planning has been, and will remain, a critical enabler of rapid renewables deployment across Scotland*". Referring specifically to onshore wind generation, on page 84 it is noted that there is a motivation to reduce determination periods for applications to enable projects to be awarded consent to be developed more quickly.

4.10.25 The 2020 Update notes that more than 83% of the electricity generated in Scotland during 2018 came from renewable or low carbon sources. The 2020 Update sets out a Pathway to Net Zero to 2032 and establishes polices to achieve this.

4.10.26 The Scottish Government's vision for 2032 and 2045 is that "renewable generation will increase substantially between now and 2032, and we expect to see the development of between 11 and 16 GW of capacity during this period, helping to decarbonise our transport and heating energy demand." (Page 81).

4.11 Land Use Planning Policy

National Planning Framework (NPF) 4 (2023)

Introduction and Policy Principles

4.11.1 On 13 February 2023, the Scottish Government adopted National Planning Framework (NPF) 4, which has incorporated Scottish Planning Policy and NPF 3. It sets out the Government's spatial principles, regional priorities, national developments and national planning policy up to 2045. NPF 4 has the status of the development plan for planning purposes.

4.11.2 The response to the climate emergency has a prominent position in NPF 4, which makes it clear that Scotland must make significant progress by 2030 in order to achieve the net zero emissions target by 2045. It also provides clear support for continued renewables provision, confirming that "*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*" (Pg.7).

4.11.3 Policy 1 – 'Tackling the Climate and Nature Crises' states that, "*When considering all development proposals significant weight will be given to the global climate and nature crises.*" Policy 2 – 'Climate Mitigation and Adaptation' seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

National Development Status

4.11.4 As well as establishing a policy framework to guide development decision-making, NPF 4 also identifies 18 'National Developments'. These are "*significant developments of national importance that will help to deliver the spatial strategy*" (p97).

4.11.5 National development status does not grant planning permission for the Proposed Development and all relevant consents are required. However, designation as nationally significant does mean that the principle of development does not need to be agreed in later consenting processes, in turn "*providing more certainty to communities, business and investors*" (p97).

4.11.6 NPF4 notes that a "large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meets its net zero emissions targets". National Development 3, 'Strategic Renewable Electricity Generation and Transmission Infrastructure' supports renewables electricity generation, re-powering, and expansion of the electricity grid. Specifically, onshore electricity generation exceeding 50 megawatts (MW) capacity in nature will be considered of 'National' significance.

4.11.7 As such, the principle of the Proposed Development is established and a needs case does not require to be presented.

4.11.8 In the NPF 4 Delivery Programme (Scottish Government, November 2022), the Scottish Government has committed to progress work on a new suite of guidance and advice that will support activity to deliver the policy intent of NPF 4. At present there is no published guidance relevant to this EIA.

Energy Policy

4.11.9 Policy 11 – 'Energy' seeks 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." The overall policy outcome is the "expansion of renewable, low-carbon and zero emissions technologies".

4.11.10 Applications coming forward for development should demonstrate how the following impacts are addressed:

i impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;

ii significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;

iii public access, including impact on long distance walking and cycling routes and scenic routes;

iv impacts on aviation and defence interests including seismological recording;

v impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;

vi impacts on road traffic and on adjacent trunk roads, including during construction;

vii impacts on historic environment;

viii effects on hydrology, the water environment and flood risk;

ix biodiversity including impacts on birds;

x impacts on trees, woods and forests;

xi proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;

xii the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and

xiii cumulative impacts.

4.11.11 The policy also dictates that "in considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets".

Additional Policy Provisions

4.11.12 In addition to the key policies and other matters discussed above, there are a number of further policies within NPF 4 which have been considered as part of the EIA process and design development. These include:

- Policy 3, Biodiversity;
- Policy 4, Natural Places;
- Policy 5, Soils;
- Policy 6, Forestry, Woodland and Trees;
- Policy 7, Historic Assets and Places;
- Policy 12, Zero Waste;
- Policy 13, Sustainable Transport;
- Policy 22, Flood Risk and Water Management;
- Policy 23, Health and Safety; and,
- Policy 25, Community Wealth Building.

4.11.13 Note with regards to Policy 3 and as detailed above under the OWPS section, the Scottish Government has consulted on a draft Scottish Biodiversity Strategy which sets out the evidence of biodiversity loss, and its links to climate change, alongside Ministers' high-level goals for biodiversity.

4.11.14 The new strategic framework for biodiversity, incorporating the Strategy to 2045 and Delivery Plan, is expected to be published in late 2023 and as a result we are in a transitional phase in terms of the true implementation of Policy 3. This matter is confirmed in the Chief Planner Letter: Transitional Arrangements for NPF 4 (February 2023) which states, "*we are committed to developing guidance to accompany wider NPF4 policy 3, and - recognising that currently there is no single accepted methodology for calculating and/or measuring biodiversity 'enhancement'*".

4.11.15 This transient policy context is considered within the EIA process.

Planning Advice Notes

4.11.16 Where applicable national planning policy advice has been considered in the preparation of individual EIA Report chapters. These include but are not limited to the following documents:

- PAN 1/2011 Planning and Noise (2011);
- PAN 2/2011 Planning and Archaeology (2011);
- PAN 1/2013 Environmental Impact Assessment (2013);
- PAN 60 Planning for Natural Heritage (2000);
- PAN 61 Planning and Sustainable Urban drainage Systems (2001);
- PAN 69 Planning & Building Standards Advice on Flooding (2004);
- PAN 75 Planning for Transport (2005); and,
- PAN 3/2010 Community Engagement (2010).

4.11.17 Argyll and Bute Council Local Development Plan 2 (LDP2) (2024)

4.11.18 In addition to NPF4, the Development Plan applicable to the Proposed Development at the time of the EIA comprises:

4.11.19 The Argyll and Bute Council Local Development Plan 2 (LDP2) (2024); was adopted in February 2024 and replaces the 2015 LDP and its associated Supplementary Guidance (March 2016) and Supplementary Guidance 2 (December 2016).The LDP2 was adopted on 28 February 2024 and sets out the Authority's policies on development and land use within the region. The LDP2 is focussed on a number of 'Visions and Objectives' which are specifically identified to assist in meeting the associated challenges in the region.

4.11.20 LDP2 recognises in Section 5.0 that "Argyll and Bute can continue to make a significant contribution towards meeting the Scottish Government's targets for renewable energy generation. These targets are important given the compelling need to secure more sustainable forms of energy production in order to reduce our carbon footprint". Policy 30 'The Sustainable Growth of Renewables' is the key LDP2 policy of relevance to the Proposed Development. This policy sets out in principle support for renewable energy developments subject to assessment against a range of criteria. LDP2 continues to reference the Argyll and Bute Landscape Wind Capacity Study 2017, noting that this document provides 'guidance' on a range of factors including landscape and cumulative matters.

4.11.21 There are other policies of relevance to the Proposed Development within LDP2. These policies are discussed in depth in the accompanying Planning Statement which also considers the Proposed Development against relevant provisions of NPF4 and energy policy.

4.12 Summary and Conclusions

4.12.1 The legislation, policy and guidance discussed throughout this Chapter has informed the approach to the EIA for the Proposed Development and shaped the design development.

4.12.2 The s36 application is also accompanied by a Planning Statement which considers the relative weight which should be attached to these policy provisions in the decision-making process and assesses the Proposed Development's accordance in this context.

4.13 References

- Argyll and Bute Council, Local Development Plan 2 (LDP2), (2024)
- IEMA (2017). Guidelines for Environmental Impact Assessment.
- Scottish Government, National Planning Framework 4, (2023)
- Scottish Government (2017). The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended).
- Scottish Government (2022), Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989.

- Scottish Government (2013). Planning Advice Note (PAN) 1/2013 Environmental Impact Assessment (2013).
- SNH (2018). A Handbook on Environmental Impact Assessment: Guidance for Competent Authorities, Consultees and other involved in the Environmental Impact Assessment Process in Scotland (5th Edition).