



Torfichen Wind Farm Section 36 Application:

Planning & Sustainable Place Statement: Update

March 2025



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1. Introduction

1.1 Background & Scope

- 1.1.1 This Planning & Sustainable Place Statement Update has been prepared by David Bell Planning Ltd (DBP) on behalf of Renewable Energy Systems Ltd (the Applicant) who is seeking to construct and operate an 18-turbine wind farm (with associated infrastructure) known as Torfichen Wind Farm (hereafter referred to as 'the Proposed Development') located on the northern edge of the Moorfoot Hills, in the Midlothian Council administrative area.
- 1.1.2 As the Proposed Development has a generating capacity in excess of 50 megawatts (MW), consent is required from Scottish Ministers under Section 36 of the Electricity Act 1989 ('the 1989 Act'). In addition, a request is being made by the Applicant that planning permission is deemed to be granted under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended ('the 1997 Act').
- 1.1.3 The application for consent submitted in November 2023 was accompanied by an Environmental Impact Assessment Report (EIA Report) which presents the findings of an EIA undertaken in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the EIA Regulations'). The EIA Report presents information on the identification and assessment of the likely significant environmental effects of the Proposed Development.
- 1.1.4 Since the submission of the application for consent of the Proposed Development, consultation responses have been received from stakeholders and discussions have been held with the Energy Consents Unit (ECU) regarding aspects of the Proposed Development.
- 1.1.5 Further to the consultation responses and subsequent discussions, the Applicant has clarified various matters by way of an Additional Information Report (AI).
- 1.1.6 This Planning & Sustainable Place Statement Update provides an update in relation to the energy, climate change and planning policy framework given the time that has elapsed since the Section 36 application was submitted in November 2023.
- 1.1.7 This Planning & Sustainable Place Statement Update also considers the balance between the potential benefits and the effects which may arise and concludes as to the overall acceptability of the Proposed Development in relation to the energy and planning policy framework and relevant material considerations.

1.2 Structure of Statement

- 1.2.1 This Planning & Sustainable Place Statement Update is structured as follows:
- > **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emission reduction legislative framework addressing new matters which have emerged since late 2023;
 - > **Chapter 4** sets out the benefits of the Proposed Development; and
 - > **Chapter 5** presents overall conclusions and consideration of the planning balance with reference to the conclusions set out in the AI and the updates to the planning and energy policy framework.

2. The Renewable Energy Policy & Legislative Framework: Update

2.1 Introduction

2.1.1 The original Planning & Sustainable Place Statement (2023) provided a detailed position in relation to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions (GHG) reduction law is based. This underpins the need case for renewable energy, from which the Amended Development can draw a high level of support.

2.1.2 It is also noted that the UK Government is currently consulting on proposed amendments to the Electricity Act 1989. Timescales are uncertain for any proposed changes however they are unlikely to affect this project.

2.1.3 This Chapter provides an update to the renewable energy policy and emissions reduction legislative framework. The new matters which have emerged since November 2023, and which are addressed below include:

- > At the UK Government level:
 - The Climate Change Committee (CCC) Report to UK Parliament (2024);
 - The Labour Government & commitment to renewables (2024); and
 - The Clean Power 2030 Action Plan (2024).
- > At the Scottish Government level:
 - CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024);
 - Statement to the Scottish Parliament on climate change matters (18 April 2024);
 - The Climate Change (Emission Reduction Targets) (Scotland) Act (2024)
 - The Scottish Government: Programme for Government (2024); and
 - The Scottish Government's Green Industrial Strategy (2024).

2.2 UK Climate Change & Energy Legislation & Policy

CCC Report to UK Parliament (2024)

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

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

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

- 2.2.2 The CCC Report makes it clear that urgent action is needed to get on track for the UK's 2030 emissions reduction target. In this regard it states:
- “The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well.*
- Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm.”*
- 2.2.3 The CCC Report sets out priority actions (page 9) and they include:
- > The UK should now be in a phase of rapid investment and delivery, however CCC note that all indicators for low carbon technology roll out are “*off track, with rates needing to significant ramp up.*” In this regard in terms of renewable technologies it states onshore wind installations will need to double.
- 2.2.4 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however “*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero.*” (Page 33).
- 2.2.5 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:
- “emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK’s climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero.”*
- 2.2.6 Chapter 3 of the CCC Report examines indicators of current delivery progress and (page 50) it references a number of key points including *inter alia*:
- “Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas...”*
- Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five.”*
- 2.2.7 Reference is made to electricity supply (page 56). With regard to onshore wind it states that only 0.5 GW of new onshore wind was installed in 2023 and “*this is considerably below the peak of 1.8 GW in 2017. Onshore wind installation rates will need to more than double compared to the average pace of deployment over the past three years.*”
- 2.2.8 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.
- 2.2.9 With regard to the Fourth Carbon Budget (2023-2027) it states that although credible plans cover almost all of the emissions reductions required to meet it “*this budget was set before the UK’s Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero....*”
- 2.2.10 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions

needed to meet the UK’s 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds *“that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals.”*

Labour Government & Commitment to Renewables (2024)

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

2.2.12 Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important relevant consideration.

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

UK Government: Clean Power 2030 Action Plan (2024)

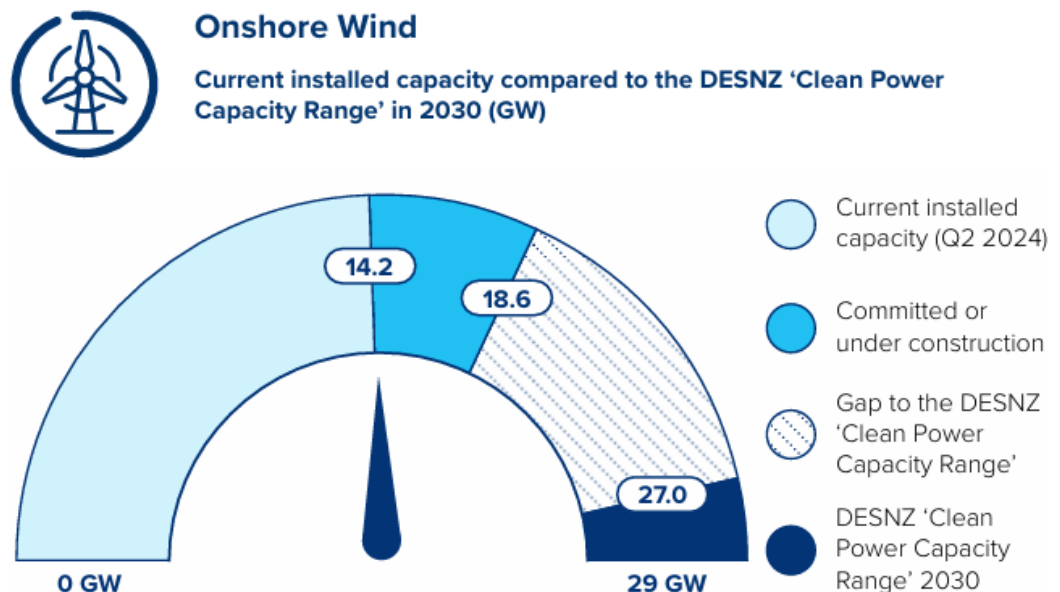
2.2.14 In addition, a key new material consideration is the Clean Power 2030 Action Plan, issued by the Department for Energy Security and Net Zero (DESNZ) in December 2024. It sets out (page 9) that Britain needs to install *“clean sources of power at a pace never previously achieved”*.

2.2.15 It further adds (page 10):

“clean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals”.

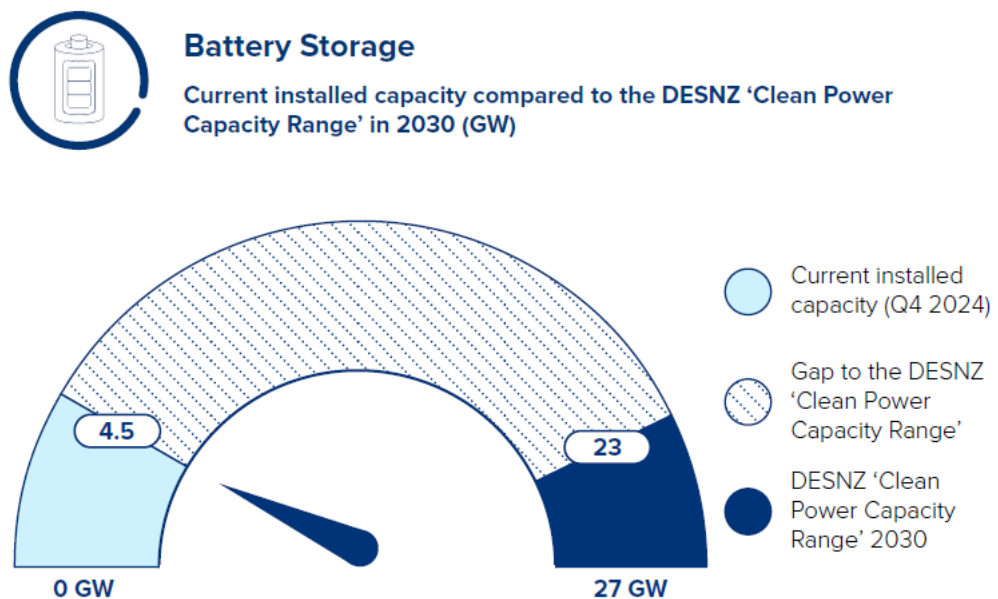
2.2.16 Within the Action Plan, it sets out that by 2030, this means that there should be 27-29 GW of onshore wind operational within the UK. At present, there is only some 14.2 GW of installed onshore wind capacity in the UK.

Figure 2.1: Onshore Wind and ‘Gap’ to reach 2030 UK Target



- 2.2.17 The document adds that *“Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors... The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity”.*
- 2.2.18 There is therefore a significant gap between the target onshore wind capacity for 2030 compared to what is currently installed. The gap is some 14.8 GW of required new capacity and the bulk of that is expected to be delivered in Scotland.
- 2.2.19 Page 74 of the Action Plan states that *“Meeting the renewable capacity set out in the DESNZ ‘clean power capacity range’ is achievable but will require deployment at a sharply accelerated scale and pace”.*
- 2.2.20 In terms of BESS, the Action Plan states that currently there is 4.5 GW of battery storage in Great Britain and based on National Energy System Operator (NESO) and DESNZ BESS growth scenarios for 2030, it is expected that 23-27 GW of battery storage will be needed by 2030 to support clean power – a very significant level of increase. It is stated that *“Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity”.* (pg.96)

Figure 2.2: BESS and ‘Gap’ to reach 2030 Target



2.3 Climate Change & Renewable Energy Policy: Scotland

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – Update on Targets

- 2.3.1 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve “net zero” by 2045. It is clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.
- 2.3.2 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. However, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and has set the even more ambitious targets.

2.3.3 The Cabinet Secretary for Wellbeing Economy, Net Zero and Energy made a Statement to the Scottish Parliament on 18 April 2024 with regard to the report to the Scottish Parliament prepared by the CCC, 'Progress in reducing emissions in Scotland' (March 2024). The Statement focussed on the implications the CCC report contains for Scottish emission reduction targets as set out in legislation, namely as set out in the Climate Change (Scotland) Act 2009. The Statement sets out that the Scottish Government will bring forward expedited legislation to address matters raised by the CCC. This is further referenced below.

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

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

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

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

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

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

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

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

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

Statement to the Scottish Parliament on climate change matters (18 April 2024) & the Climate Change (Emission Reduction Targets) (Scotland) Act (2024)

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

2.3.11 The key points in the statement include:

- > The Scottish Government has an *“unwavering commitment to ending our contribution to global emissions by 2045 at the latest, as agreed by Parliament on a cross-party basis”*.
- > The Cabinet Secretary states that she is *“announcing a new package of climate action measures which we will deliver with partners to support Scotland's transition to net zero”* and the Statement goes out to reference these specific measures.

- > The Statement sets out that in terms of the policies for these measures that “*they sit alongside extensive ongoing work that will be built upon through our next Climate Change Plan and Green Industrial Strategy.*”
- > The Cabinet Secretary states that, “*The Climate Change Committee is clear that the ‘UK is already substantially off track for 2030’ and achieving future UK carbon budgets ‘will require a sustained increase in the pace and breadth of decarbonisation across most major sectors’. Indeed, we do see climate backtracking at UK level.*”

2.3.12 The last reference in the Statement (as set out above) is key, namely that the Scottish Government intends to work with Parliament to amend existing legislation, which it has now done.

2.3.13 A further key point in the Statement is that the Scottish Government has reiterated its commitment to achieving net zero by 2045. Therefore the approach to dealing with the position set out by the CCC in relation to the 2030 target being unachievable, is to move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which would bring the Scottish Parliament in line with the Welsh and UK approaches.

2.3.14 On 5 September 2024 the Scottish Government introduced the Climate Change (Emission Reduction Targets) (Scotland) Bill to the Scottish Parliament. The Bill was passed on 5 November 2024 and became an Act on 22 November 2024. The Act repeals the annual and interim emissions reduction target framework established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, once available, to replace the concept of statutory annual and interim targets. It also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets. As explained, the Act followed advice from the CCC that Scotland’s interim emissions reduction target for 2030 could not be achieved. The Act does not change the existing statutory target of Net Zero emissions by 2045

The Scottish Government: Programme for Government (2024)

2.3.15 The Scottish Government’s Programme for Government (2024-25) entitled ‘*Serving Scotland*’ was published on 4th September 2024. The programme sets out the key actions the Scottish Government will take in the coming year and beyond. The document is clear (Chapter 3) that one of the four key priorities of the Government is tackling the climate emergency and describes the imperative of reducing emissions and the country’s vulnerability to future impacts of climate change.

2.3.16 It also confirms that the potential for renewable energy generation is one of our greatest environmental and economic opportunities, and states measures to “*progress a renewables revolution*” (page 25).

2.3.17 Onshore wind is also specifically identified as being a priority for quicker decision-making for a new Planning Hub alongside only two other forms of development - hydrogen and good quality homes.

The Scottish Government’s Green Industrial Strategy (2024)

2.3.18 The Scottish Government published a Green Industrial Strategy (GIS) in September 2024. The Executive Summary sets out the mission of the GIS, namely:

"This Green Industrial Strategy’s mission is to ensure that Scotland realises the maximum possible economic benefit from the opportunities created by the global transition to net zero".

2.3.19 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland’s exports. The sectors relate to Scotland’s wind economy, carbon capture and storage, supporting the green economy by way of professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.

- 2.3.20 Page 6 sets out that GIS forms a key part of the Government's broader National Strategy for Economic Transformation. It states that *"It also links explicitly to our Just Transition Plans which describe how the transition to net zero in the most emitting sectors will be achieved in a way that delivers economic, social and community benefits, including fair work, environmental preservation and reduced poverty and inequality."*
- 2.3.21 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states that this:
- "is about making the most of our natural resources, established onshore and offshore wind sectors and first-mover advantage in floating offshore wind to generate clean electricity; participating in global supply chains as well as expanding our domestic supply chain capacity and seizing opportunities across the offshore wind supply chain, from infrastructure to manufacturing; positioning Scotland as a leader in material circularity of wind turbines and components."*
- 2.3.22 Actions include *inter alia*:
- > Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
 - > Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
 - > Delivering planning and consenting systems which enable Scotland's net zero development pipeline; and
 - > Exploring the circularity opportunity in onshore wind.
 - > Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.
- 2.3.23 Onshore wind is referred to in some detail at page 21 where the GIS states:
- "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. As set out in our 2022 Onshore Wind Policy Statement, Government and industry are focused on delivering at least 20 GW of onshore wind by 2030 (doubling current capacity) and recent pipeline analysis shows that we should be on track to deliver this.*
- This trajectory is underpinned by the Onshore Wind Sector Deal which sets out a set of specific collaborative actions which include commitments by both the Scottish Government and the onshore wind industry to help deliver the 20 GW ambition.*
- A supportive policy environment and successful industry collaboration via the Onshore Wind Strategic Leadership Group confirms the shared commitment of Government and industry to achieve this successful and responsible growth.*
- The onshore wind workforce is highly skilled and opportunities in installation, consulting, operations and maintenance are anticipated to rise in response to growth ambitions. Specialised engineering consultancy services such as wind farm design and financial due diligence related to onshore developments are expected to grow and offer additional export potential. There is commercial opportunity in circular supply chains related to the UK wind industry. Scotland's established, and now ageing onshore wind assets may also offer opportunities for innovative solutions in remanufacturing, recycling, and decommissioning end of life assets."*

- 2.3.24 It is clear therefore that to progress the Government's objectives with regard to wind energy there needs to be clear support for new investment and growth in onshore wind development. Realising the economic and social opportunities will only be achieved through the development and consenting of additional onshore wind energy developments. Such deployment will not only achieve the net zero target and the important contribution that wind energy will make in that regard but will also help deliver the Government's clear green infrastructure mission.
- 2.3.25 Planning and consenting are addressed from page 48 of the GIS, and it sets out that robust, timely and proportionate planning and consenting systems will be a key enabler of Scotland's net zero transition.

2.4 Conclusions on the Renewable Energy Policy & Legislative Framework

- 2.4.1 It is considered that the Proposed Development is very strongly supported by the climate change and renewable energy policy and legislative framework.
- 2.4.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper and it is essential that rapid progress is made otherwise the legally binding target in Scotland of net zero by 2045 will not be met.
- 2.4.3 The move away from Scottish annual emission reduction targets only serves to show that we are not on track to attain Net Zero and the move strengthens the case for rapidly approving schemes that can contribute to targets. The Scottish Government's overall target of Net Zero remains unchanged. Indeed, as set out in the Cabinet Secretary's Statement referenced above, the Government retains its "unwavering" commitment to attaining that legally binding target.
- 2.4.4 Decisions through the planning and wider consenting system must be responsive to this position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance in a given case.
- 2.4.5 In terms of the energy policy considerations, it is helpful to reference the position of the Scottish Ministers with regard to a recent Section 36 wind farm decision. Section 36 consent was granted by the Scottish Ministers on 08 November 2024 for the Clachaig Glen Wind Farm within Argyll and Bute, located within the Kintyre peninsula. From paragraph 109 *et seq* of the Decision Letter, the Scottish Ministers, in commenting on the acceptability of the development stated:
- "As set out above, the seriousness of climate change, its potential effects and the need to cut carbon dioxide emissions, remain a priority for the Scottish Ministers. Scotland's renewable energy targets and climate change ambitions, energy policies and planning policies are all material considerations when weighing up this proposed development. NPF4, the Energy Strategy and the OWPS make it clear that renewable energy deployment remains a priority of the Scottish Government. The OWPS in particular reaffirms the vital role for onshore wind in meeting Scotland's energy generation targets and net zero emissions ambitions. This is a matter which should be afforded significant weight in favour of the proposed development.*
- The transition to a low carbon economy is an opportunity for Scotland to take advantage of our natural resources to grow low carbon industries and create jobs.*
- The Scottish Ministers are satisfied that the proposed development will provide a contribution to renewable energy targets and carbon savings. The Scottish Ministers are also satisfied that it is entirely consistent with the Scottish Government's policy on the promotion of renewable energy and its net zero emissions ambitions."*
- 2.4.6 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge and imperative of attaining and sustaining Net Zero and the need to substantially increase renewable capacity, notably onshore wind.

- 2.4.7 The Draft Energy Strategy and Just Transition Plan for Scotland as referred to in the earlier Planning Statement documentation forms part of the new policy approach alongside NPF4 and the Onshore Wind Policy Statement. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that onshore wind will play in response to the climate crisis which is at the heart of all these policies.
- 2.4.8 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in relation to attaining Net Zero.

3. Development Plan Policy Appraisal

3.1 Introduction & NPF4

3.1.1 As set out in Chapter 1, a Planning & Sustainable Place Statement was prepared in November 2023 which appraised the then Proposed Development against the provisions of National Planning Framework 4 (NPF4). The appraisal addressed the following key policies of NPF4:

- > Policy 1: Tackling the Climate and Nature Crises;
- > Policy 3: Biodiversity;
- > Policy 4: Natural Places;
- > Policy 5: Soils;
- > Policy 7: Historic Assets and Places; and
- > Policy 11: Energy.

3.1.2 The conclusion of the NPF policy appraisal was that overall, the then Proposed Development as a National Development was considered to be one that would make a valuable contribution to the NPF4 Spatial Strategy and would help deliver a sustainable place. Overall, it was considered that the then Proposed Development would accord with the relevant policies of NPF4 and with NPF4 when read as a whole.

3.1.3 Following a review of the additional environmental information containment within the AI, this conclusion is maintained in relation to the Proposed Development.

3.2 The Additional Information – Key Points

3.2.1 The AI should be referred to for its detail. In summary it covers the following topics:

- > **Landscape and visual** considerations.

3.2.2 From a policy perspective it is important to note that whilst there would inevitably be some **significant landscape and visual effects, they would be localised** for the purposes of national planning policy. The significant landscape and visual effects would only extend out to a maximum of some 5.6km at Viewpoint 16 (Gorebridge). Therefore, the effects would be localised in extent and this fact has important policy implications.

3.2.3 Part e) of NPF4 Policy 11 (Energy) states that:

“significant landscape and visualare 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.”

3.2.4 The term ‘localised’ in Policy 11 is an important one and requires a judgement on the geographical extent of influence from a wind farm, having regard to the type of landscape in which the impacts would arise. In this regard, it is important to note that in the Achany Wind Farm Extension section 36 decision¹, the Scottish Minister's (page 14 of the decision) referred to the conclusions of the landscape and visual impact assessment (LVIA) in that case, which was that the development would result in:

¹ Decision Letter of the Scottish Minister, Achany Wind Farm, Highland, dated 22 May 2023.

“A limited number of localised significant effects on landscape character and visual amenity affecting relatively localised parts of the landscape and visual resource up to 10 km and locally to 12.5 km from the proposed development.”

- 3.2.5 It is also stated in the decision letter that (page 15):
- “The Scottish Ministers acknowledge that the proposed development will have some significant landscape and visual impact, but overall these would remain relatively localised, with the majority of significant effects occurring within 10 km of the proposed development and none at a distance greater than 12.5 km.”*
- 3.2.6 The view of the Scottish Ministers therefore in terms of the geographical extent within which there would be localised impacts, is highly relevant. It is fully accepted that each development proposal needs to be considered on its respective merits, but it is important that there is consistency in decision making with regard to this particular aspect of NPF4 policy 11 e) and its application.
- 3.2.7 It is considered that the landscape and visual impacts from the Proposed Development would be localised and there has been appropriate design mitigation, and the impacts would be acceptable.
- 3.2.8 A high standard of environmental protection is still applied by NPF4 Policy 11, but it takes account of the need for the landscape to change in order to achieve the 2030 onshore wind deployment ambition, meet emission reduction targets and address climate change which is a consideration expressly of significant weight.
- 3.2.9 In terms of **appropriate design mitigation**, various actions have been taken. This can be illustrated as a result of the Applicant taking into account feedback from the EIA Scoping process, and from public exhibitions, and consultations.
- 3.2.10 Design mitigation was implemented at various stages to address landscape and visual sensitivities. These measures were documented in EIAR Volume 1 Chapter 2 (Site Selection and Design), and included the following measures:
- > **Buffer Zone Increase:** The buffer zone to the nearest property to the east of the site was increased, giving the development a more compact appearance from the north and reducing visual impact on residential receptors.
 - > **Turbine Removal:** T13 was removed due to its visual impact on the B7007 road. Relocating it would have required the removal of another turbine.
 - > **Preferred Developable Area:** A preferred developable area was established to minimise the spread of turbines in front of the Moorfoot escarpment.
 - > **Height Limitation:** The maximum tip heights of the wind turbines were set at 180m to minimise impacts on designated landscapes.
 - > **Reduced Turbine Count:** The number of turbines was reduced from 19 to 18 during the design iteration process.
 - > **Civil Aviation Authority Agreement:** A reduced lighting scheme was agreed upon with the Civil Aviation Authority to mitigate visual impacts.
 - > **Consideration of Potential Landscape and Visual Effects:** Throughout the design evolution, a key driver was the consideration of potential landscape and visual effects on receptors, ensuring the development would relate harmoniously to the existing landscape character and cumulative environment and that it would result in only localised landscape and visual effects.

- 3.2.11 Other topics addressed in the AI include:
- > **Archaeology and cultural heritage** – the revised assessment includes an examination of the potential impacts as a result of the Proposed Development on Arniston House (LB808), Arniston Inventory Garden and Designed Landscape (GDL00029), Crichton Castle (SM13585) and Borthwick and Crichton Conservation Area (CA343). In addition, the revised assessment has updated the archaeological baseline of the site, in order to aid in a more accurate appraisal of the archaeological potential of the site and update the potential for direct impacts on heritage assets. Importantly, the revisions to the assessment have not resulted in any further significant impacts above those already identified in Volume 1 Chapter 7: Archaeology and Cultural Heritage of the EIA Report.
 - > **Ecology and biodiversity** – additional information is provided in relation to clarifications on the quality and conditions of peatland at the site and details further measures relating to restoration and enhancement.
 - > **Ornithology** – The revised assessment addresses matters raised by consultees and provides further information as requested, including more detail on the evidence base for the assessment conclusions reached. Enhanced mitigation measures for curlew and black grouse are also proposed. It is maintained that overall, there are not likely to be any significant impacts on ornithology as a result of the Proposed Development.
 - > **Geology, Hydrology, Hydrogeology and Peat** – various updates are provided in relation to the proposed Peat Management Plan and the matter of private water supplies.

3.2.12 In summary, the various clarifications, updates and further information set out in the AI conclude that the significance of impacts for the Proposed Development remain unchanged from those reported in the EIA Report.

3.2.13 The other topic of particular relevance is the updated position in relation to biodiversity and the Applicant's approach to the provision of significant biodiversity enhancement consistent with NPF4 Policy 3 (Biodiversity). A revised outline Biodiversity Enhancement Management Plan is provided in the AI.

3.3 The adopted LDP

3.3.1 The Planning and Sustainable Place Statement (2023) addressed the relevant policies of the Midlothian LDP which was adopted in 2017. The various land use planning topics within the adopted LDP are already covered by the policy remit of NPF4. In these circumstances, it is not necessary to revisit the position of the Proposed Development against the policy provisions of the LDP – the position remains that it is considered that the Proposed Development would accord with relevant LDP policies.

3.4 Conclusions

3.4.1 Given the information set out in the AI, the conclusion remains that the proposal is in accordance with the relevant policies of NPF4 and when NPF4 is read as a whole. Furthermore, the Applicant has provided appropriate clarifications to consultees and further detail in relation to the proposed approach to the provision of significant biodiversity enhancement, consistent with the obligations set out in NPF4 Policy 3 (Biodiversity).

3.4.2 The effects arising from the Proposed Development as updated in the AI are considered to be acceptable in terms of the relevant policy provisions of the LDP and NPF4.

4. The Benefits of the Proposed Development

4.1 Introduction

4.1.1 In this Chapter a summary of the benefits of the Proposed Development are set out. These have not changed from those which were set out in the Planning & Sustainable Place Statement of November 2023 (with the exception of the move away from interim emission targets by the Scottish Government) and are provided here for convenience.

4.2 The Benefits: Summary

4.2.1 The benefits that would arise from the Proposed Development are as follows:

Renewable Energy Generation

- > With an overall installed capacity in the region of **158 MW** (including approximately 50 MW of battery storage), the Proposed Development would make a valuable and nationally important contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Scottish Government targets.
- > The UK legally binding target of Net Zero greenhouse gas emissions by 2050 and the Scottish Government target of Net Zero by the earlier date of 2045 are major challenges. The Scottish Government has made it clear that onshore wind plays a vital and indeed “*mission critical*” role² in the attainment of future targets in relation to helping to combat the crisis of global heating.
- > The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development’s delivery of renewable capacity in the near term will have a disproportionately higher benefit than the same capacity delivered later.
- > Based on the Proposed Development’s location and estimated capacity factor, the annual indicative total electricity output for the site would be 411 Giga-watt hours (GWh) per annum³. The Proposed Development would generate enough electricity to power approximately 124,899 average Scottish households⁴.

Emissions Savings

- > Appendix 14.1 of the EIA Report makes reference to the carbon reduction benefits of the Proposed Development. The carbon balance calculations establish that the Proposed Development could result in the saving of approximately 412,368 tonnes of carbon dioxide equivalent emissions per annum if a fossil fuel mix of electricity generation were used as the counterfactual position.
- > It is expected to take 0.5 years for the carbon loss (again on a fossil fuel basis) during wind farm construction (including through turbine manufacture, construction of

² Scottish Government, Onshore Wind Policy Statement (2022), page 49.

³ Calculated from 108 MW x 8760 (number of hours per year) x 0.435 (expected onshore wind load factor for the Proposed Development).

⁴ Based on average annual Scottish household electricity consumption of 3.295 MWh, from BEIS Subnational Electricity and Gas Consumption Statistics, Regional and Local Authority, Great Britain, 2021 (UK Government, December 2022)

foundations and excavation of peat) to be 'paid back' by the carbon saved through generating electricity from a renewable energy source.

Security of Supply

- > The British Energy Security Strategy (2022) provides for an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.
- > With this context, the attractiveness of onshore wind, a proven technology which will deliver significant benefits to consumers through decarbonisation, security of supply and affordability this decade, becomes clear, especially when co-located with battery storage.
- > The Proposed Development, if consented, would provide a valuable contribution to security of supply for the north-east region, Scotland and for the wider Great Britain (GB) area. Consenting the Proposed Development would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the proposed development to make a significant contribution to Scottish and wider UK energy security and decarbonisation needs.

Battery Storage

- > In Scotland in particular, there is, as explained, very strong support for renewable generation, which is inherently intermittent. The BESS element of the Proposed Development (circa 50 MW) would therefore help to smooth over peaks and troughs in electricity supply, being able to respond at short notice to requests from National Grid to generate, such as periods when renewable sources are not generating, are constrained off, or fossil fuel plants are unexpectedly offline. There is a clear requirement to balance the peaks and troughs associated with electricity supply and demand, to manage the strain on the transmission and distribution networks.
- > The Proposed Development would be able to respond at short notice to requests from National Grid to balance the network, such as periods when renewable sources are not generating, and backup sources are required to counteract the intermittency of renewable sources such as wind energy. The flexibility and support for existing renewable sources is vital to ensure further use and deployment of renewable energy sources throughout Scotland.

Economic & Community Socio-Economic Benefits

The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment and GVA to the economy would be beneficial (short term during construction, long term during operation).

Chapter 13 of the EIA Report (Socio Economics, Recreation and Tourism) addresses socio economic effects. Key benefits would include the following:

- > The Proposed Development would involve an estimated overall capital investment of approximately £128.5 million.
- > The assessment of the economic impacts associated the Proposed Development estimated that the expenditure associated with development and construction activity could generate:
 - £10.2 million Gross Value Added (GVA) and 135 jobs in Midlothian; and
 - £37.2 million GVA and 543 jobs in Scotland.

- > The expenditure required for the operations and maintenance of the Proposed Development could generate each year:
 - £1.1 million GVA and nine jobs in Midlothian; and
 - £2.3 million GVA and 25 jobs across Scotland.
- > A large proportion of the direct benefits associated with the Proposed Development are likely to be focused in the construction phase, as this will provide the largest increase in economic activity. The operations and maintenance phase in contrast, while over a longer period of time, will involve a different type of work and therefore does not offer as many direct economic benefits to Scotland and Midlothian.
- > The direct socio-economic impacts will give way to wider economic impacts. This is due to 'ripple' effects created throughout the wider supply chain of the Proposed Development and the local and national economies.

Local supply chain opportunities.

- > The Applicant will host 'Meet the Buyer' events and suitably qualified local firms invited to bid for different aspects of construction, such as foundation laying and electrical works. Construction materials are normally sourced locally (i.e. within the Lothians). The Applicant has committed to prioritise local companies in the provision of contracts associated with the Proposed Development.

Community Benefits & Shared Ownership

- > The intended community benefit package for the Proposed Development includes a community benefit fund and an opportunity for the local community to invest in the Proposed Development once operational. Income streams from this community benefits package could provide long term revenue to support local community initiatives.
- > Depending on the initiatives and projects brought forward by the local community these could provide positive benefits to the local economy, local facilities and the general quality of life for local residents.
- > The Applicant commits to a community benefit fund of up to £0.5 million per annum throughout the operational period of the Proposed Development.
- > As part of this offering, the Applicant is consulting on a unique Local Electricity Discount Scheme (LEDS) which offers an annual discount to the electricity bills of Midlothian residents.
- > The Applicant is also willing to explore the possibility of enabling the local community to purchase a share in the project, in line with Scottish Government aspirations on community ownership.

Biodiversity Enhancement

- > Biodiversity enhancements are proposed by way of an Outline Biodiversity Enhancement and Management Plan (OBEMP⁵). It details the proposed enhancement measures and aims of prescribed habitat measures looking to significantly improve the biodiversity associated with the site from the baseline conditions.
- > The OBEMP will be developed as an iterative document and implemented during the construction and operation phases.

⁵ As updated in the AI (2025).

5. Conclusions

5.1 Accordance with the Development Plan

5.1.1 Based on the policy appraisal presented in the Planning & Sustainable Place Statement (2023) and as supplemented by this Update, the Proposed Development is considered to be acceptable in terms of its environmental effects and accords with the lead and with other relevant policies and with the Development Plan when it is read as a whole.

5.2 The Climate Crisis & Renewable Energy Policy Framework

5.2.1 The urgent need for onshore wind has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Scottish Government commitments – particularly as expressed in the Onshore Wind Policy Statement (OWPS), the recent Green Industrial Strategy (2024) and in NPF4.

5.2.2 Onshore wind was already viewed and described as “vital” to the attainment of targets in 2017. This imperative has only increased since a ‘climate emergency’ was declared by the Scottish First Minister in April 2019, in line with the recommendations made by the CCC (2019) ‘net zero’ publication⁶. Furthermore, the drive to attain net zero emissions is legally binding at the UK and Scottish Government levels by way of amendments to the 2008 Act and in Scotland through the provisions of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

5.2.3 Achieving Net Zero is therefore a legal requirement, and the Scottish Government has recognised, in the OWPS, that a very substantial quantity of new onshore wind is required to meet the onshore wind target requirement by 2030 – namely a minimum of 20GW of operational capacity. Deployment of more onshore wind is described as being “*mission critical for meeting our climate targets*” in the OWPS.

5.2.4 More recently, the UK Government has set a target to have 30GW of onshore wind operational by 2030 (Clean Power Action Plan, 2024) and the vast majority of that capacity is to be in Scotland.

5.2.5 The important benefits of the Proposed Development have been set out in the context of the current climate emergency, and they would help attain the very challenging Net Zero targets and contribute to improving security of supply. In addition, the proposal would deliver a wide range of socio-economic benefits, as described in the previous Chapter.

5.3 The Planning Balance

5.3.1 NPF4 and the OWPS are unambiguous as regards the policy imperative to combat climate change, the crucial role of further onshore wind in doing so, and the scale and urgency of onshore wind deployment required.

5.3.2 NPF4 requires that the decision-maker must also identify and weigh the adverse effects of a proposed development. The way that decision makers can recognise the strengthening policy imperative and the increased weight that should be given to the benefits of the Proposed Development is by giving stronger weight in the planning balance to the seriousness and importance of energy policy related considerations and the contribution of the Amended Development in meeting green energy targets.

5.3.3 In this case, the Proposed Development has a capacity of well over 50MW; it is a National Development and also has the status of essential infrastructure in NPF4. It is a development that will help to deliver the national Spatial Strategy set out in NPF4. The Proposed

⁶ CCC, Net Zero, The UK’s contribution to stopping global warming (May, 2019).

Development would make a valuable and near-term contribution to help Scotland, and the UK attain Net Zero, security of supply and related socio-economic objectives.

5.3.4 Furthermore, as explained above, the Scottish Government has recently issued the Green Industrial Strategy, and the Proposed Development would be fully in line with the policy objectives and the Government's overall mission to maximise the benefits from onshore wind in relation to the wider national economy.

5.3.5 The effects of the Proposed Development, including the relevant effects listed in NPF4 Policy 11 (Energy) Paragraph (e) have been addressed, as detailed in the supporting information to the application. The Proposed Development would deliver significant biodiversity enhancement, and the information in the AI demonstrates that the proposal is acceptable in relation to landscape and visual and other environmental and technical considerations. The landscape and visual effects that would arise would be localised and such a level of impact should generally be considered to be acceptable by way of NPF4 policy. The Applicant has made a considered response to consultee positions and has applied appropriate design mitigation.

5.3.6 In terms of NPF4 Policy 11, in considering the identified impacts of the Proposed Development, significant weight must be placed on its contribution to renewable energy generation and greenhouse gas emissions reduction targets.

5.4 Overall Conclusion

5.4.1 The policy set out in NPF4 and the OWPS requires a rebalancing of the consenting of onshore wind developments in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the important benefits of the Proposed Development it is considered that the benefits of the proposal clearly outweigh its adverse effects.

5.4.2 The up-to-date policy set out in NPF4 and the OWPS and the draft Energy Strategy provide strong and increased support for the grant of consent for the Proposed Development.

5.4.3 The conclusion remains that the Proposed Development would be consistent with all relevant policies of the Development Plan (NPF4 and the LDP), and with the Development Plan when read as a whole and relevant material considerations further support the position that consent should be granted, subject to appropriate consent and deemed planning conditions.

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