Chapter 6: Planning - Contents

List of Figures (Volume 2)

There are no Figures associated with this Chapter.

List of Appendices (Volume 4)

6. Planning

6.1 Introduction

6.1.1 This Chapter identifies the climate change and renewable energy targets, energy policies and planning policies which the Applicant considers form material considerations relevant to the determination of this application for consent under section 36 of the Electricity Act 1989 for the Proposed Development.

6.1.2 It is not the purpose of this Chapter to provide an assessment of the Proposed Development against these material considerations. Instead, it sets out the context in which the Proposed Development will be considered. More detailed analysis and assessment of the Proposed Development against these material considerations is instead contained in the separate supporting Planning Statement which accompanies the application.

6.2 Legislative Context

6.2.1 The Applicant has obligations under Schedule 9 of the Electricity Act 1989 which requires it to have regard to certain environmental matters when formulating development proposals. Paragraph 3(1)(a) of Schedule 9 requires the Applicant to consider the *"desirability of preserving natural beauty, of conserving flora, fauna and geological or physiological features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest."* In addition, under Schedule 9, paragraph 3(1)(b) the Applicant must *"do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects".* Through the Environmental Impact Assessment (EIA) process, the Applicant has developed the scheme in a manner which takes account of the duties set out in Schedule 9 of the Electricity Act. The matters that are raised in Schedule 9 have been considered in the EIA process and the findings are presented in this EIA Report.

6.2.2 In terms of determinations under section 36, there are no specific statutory presumptions that apply. As identified above, there are considerations which have to be considered and dealt with under Schedule 9. In that context, important factors that must be considered include United Kingdom and Scottish climate change and energy policy, Scottish Government planning policy, relevant provisions of the Development Plan and the views of statutory consultees and interested parties. All these matters are material and should be considered in the decision-making process. The ultimate weight of any particular factor in the decision-making process is a matter for the decision maker, though guidance on the weight that the Applicant considers should be afforded to these considerations is contained in the separate supporting Planning Statement which accompanies this application.

6.2.3 In the case of section 36 applications, it is important to note that the role of the Development Plan is not the same as in the case of a planning application made under the Town and Country Planning (Scotland) Act 1997. The test set out in Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that development must accord with the terms of the Development Plan, is not engaged in the case of a section 36 application. Whilst for such an application the Development Plan does not have primacy in the decision-making process, it may nonetheless be a material consideration in respect of determination of the application.

6.3 Climate Change and Renewable Energy Targets

6.3.1 The UK and Scottish Governments have made a number of international and domestic commitments in respect of reducing emissions of greenhouse gases to combat climate change. The key agreements in this regard are outlined below.

International Context

The COP21 UN Paris Agreement

6.3.2 On 12 December 2015 delegates from nearly 200 different countries gathered at the Paris Climate Conference (COP21) adopted a legally binding international agreement – known as 'the Paris Agreement' – by which all countries vowed to cut their carbon emissions. They agreed:

- *a long-term goal of keeping the increase in global average temperature to well below 2 degrees Celsius (°C) above preindustrial levels;*
- *to aim to limit the increase to 1.5°C, since this would significantly reduce risks and the impacts of climate change;*
- *on the need for global emissions to peak as soon as possible, recognising that this will take longer for developing countries; and*
- *to undertake rapid reductions thereafter in accordance with the best available science, so as to achieve a balance between emissions and removals in the second half of the century.*

6.3.3 Under the agreements, countries are also legally obliged to make new post-2030 commitments to reduce emissions every five years.

6.3.4 The EU formally ratified the Paris Agreement on 5 October 2016, thus enabling its entry into force on 4 November 2016. On the agreement, the European Commission stated, "*the Paris Agreement sends a clear signal to investors, businesses, and policy-makers that the global transition to clean energy is here to stay and resources have to shift away from polluting fossil fuels*."

COP26 GLASGOW

6.3.5 In addition to the above legislation and targets, consideration should also be given to the UN Climate Change Conference of the Parties (COP26) event held in Glasgow in November 2021 at which there was worldwide consensus on the severity of the current climate emergency, in particular recognition of the loss and damage that the current impacts of climate change are already having. Following two weeks of intense talks, nearly 200 countries agreed to the Glasgow Climate Pact to continue to pursue efforts to limit global average temperature increases to 1.5°C in accordance with the Paris Agreement. All countries also agreed to speeding up the pace of climate action this decade and to revisit and strengthen their current emissions targets to 2030. These outcomes further emphasise the importance of rapidly increasing renewable energy generation capacity over the next decade in response to the global climate emergency.

COP27 SHARM EL-SHEIKH

6.3.6 At the November 2022 COP27 event commitments to limiting global temperature rise to 1.5°C were once again reaffirmed, with the UK Government negotiator, Alok Sharma, warning that this target *"remained on life support".* Regarding action to meet this target, he stated that: *"The world still needs a giant leap on climate ambition. The red line we must not cross is the line that takes our plan*

over the 1.5 degree temperature limit. To have any hope of keeping to 1.5, we need to massively invest in renewables and end our addiction to fossil fuels."

UK Context

Net Zero: The UK's Contribution to Stopping Global Warming (2019)

6.3.7 At COP21, the Intergovernmental Panel on Climate Change (IPCC) was invited to publish a Special Report on the impacts of global warming of 1.5°C and associated greenhouse gas emissions pathways. The IPCC released this Special Report on 8 October 2018. In response to the IPCC's Special Report, the UK Government requested advice from the Committee on Climate Change (a non-departmental public body that advises the Government on the climate) on the implications of the Paris Agreement. This included requesting advice on what further action was needed to meet the goals of the Paris Agreement.

6.3.8 On 2 May 2019 the Committee on Climate Change published its advice in 'Net Zero: the UK's Contribution to Stopping Global Warming'. The report made the following recommendations:

- *UK overall: a new tougher emissions target of net zero greenhouse gases by 2050, ending the UK's contribution to global warming within 30 years. This would replace the previous target of an 80% reduction by 2050 from a 1990 baseline.*
- *Scotland: a target of net zero greenhouse gases economy by 2045, reflecting Scotland's greater relative capacity to remove emissions than the UK as whole.*
- *A net zero greenhouse gases target for 2050 would deliver on the commitment that the UK made by signing the Paris Agreement.*

6.3.9 The UK targets in the report have since been legislated through the Climate Change Act 2008 (2050 Target Amendment) Order 2019, which came into force on 27 June 2019. Prior to this, the UK was committed under the Climate Change Act 2008 to reducing net greenhouse gas emissions by at least 80% of their 1990 levels by 2050. As discussed later in this Chapter, the Scottish net-zero targets in the report have also since been legislated.

6.3.10 In terms of the new net-zero targets, the report makes it clear for both the UK and Scotland that "*this is only possible if clear, stable and well-designed policies to reduce emissions further are introduced across the economy without delay." It continues that "current policy is insufficient for even the existing targets*."

6.3.11 The Committee on Climate Change report sets out various scenarios for UK net zero greenhouse gases in 2050. These include one of extensive electrification, particularly of transport and heating. Page 23 of the Executive Summary states that this would need to be "*supported by major expansion of renewable and other low carbon power generation. The scenarios involve around a doubling of electricity demand, with all power produced from low carbon sources (compared to 50 % today)*."

6.3.12 The Committee on Climate Change scenarios for electricity generation estimate that to keep the UK on track to meet its net zero target, that renewable energy deployment will require a fourfold increase across the UK from current levels.

6.3.13 The report's 'further ambition scenario' for the power sector aims to see low-carbon sources providing 100% of power generation in 2050, with variable renewable sources anticipated to contribute some 57% of this total low carbon power generation.

The Sixth Carbon Budget (2020)

6.3.14 In December 2020 the Committee on Climate Change published 'The Sixth Carbon Budget', describing what the potential path options to net zero by 2050 look like and detailing the steps that must be taken to achieve this.

6.3.15 A key recommendation of the report is that the UK Government requires a reduction in UK territorial greenhouse gases of 78% by 2035 relative to 1990 level. The report advises that this can be done through the following four steps:

- *take up of low carbon solutions;*
- *expansion of low carbon energy supplies;*
- *reducing demand for carbon intensive activities; and*
- *land and greenhouse gas removals.*

6.3.16 Key benefits for the UK are seen as including the opportunity for low carbon investment, recognised at a time when it is needed to support the UK's economic recovery from the COVID-19 health crisis.

6.3.17 Page 23 refers to the devolved nations and sets out that "*UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland*" and recognises that although the main policy levers are held by the UK Government, that Scotland can take action through complementary measures at the devolved level including supporting policies such as "*planning and consenting*".

The UK Energy White Paper, Powering our Net Zero Future (2020)

6.3.18 The UK Government published its Energy White Paper 'Powering our Net Zero Future' in December 2020. The White Paper sets out the UK Government's current thinking on the way in which the UK should work towards meeting its net zero targets by 2050. It advises that although retiring capacity will need to be replaced, modelling suggests that the demand for electricity could double as transport and heat switch from petrol/diesel and gas respectively to electricity. It notes that this will require a fourfold increase in low-carbon generation by 2030 if the increased demand and net zero targets are to be met.

6.3.19 The various actions set out in the White Paper are described as "*a strong signal to project developers and the wider investor community about the government's commitment to deliver clean electricity*."

6.3.20 In October 2021, the UK Government unveiled plans to decarbonise the UK's electricity system by 2035. This brings forward by 15 years the government's commitment to a fully decarbonised power system by 2050, set out in the Energy White Paper.

Climate Change Committee Progress Report to Parliament (2021)

6.3.21 The most recent of the Climate Change Committee's progress reports to Parliament was published in June 2021. The report is clear that this is a decisive decade for tackling climate change and advises that "*as the UK rebuilds after the COVID-19 pandemic, there is an opportunity to make systemic changes that will fill the gaps in the UK's climate response. Now is the time to invest in the UK's future through accelerated action to cut emissions and adapt to the changing climate, while supporting the global transition*."

6.3.22 Contained within the Report on Reducing Emissions are recommendations for the Scottish Government. These recommendations include that the Scottish Government "*scale up delivery across all sectors in line with the ambition set out in the recent Climate Change Plan Update*".

6.3.23 The Progress Report on Adapting to Climate Change advises that the ambition that has been set out by the UK Government, in the form of non-policy statements and documents, must now be turned into policy and delivered.

Net Zero Strategy: Build Back Greener (2021)

6.3.24 The Net Zero Strategy: Build Back Greener paper was published in October 2021 and sets out the UK Government's policies and proposals to deliver net zero by 2050 as well as setting out a vision for a decarbonised economy in 2050.

6.3.25 The Strategy identifies the UK Government's intention to fully decarbonise the UK's electricity system by 2035, this target bringing forward the UK Government's previous commitment to a fully decarbonised electricity system by 15 years. Given the size of the challenge, the strategy states that the UK Government "*will need to consider how low carbon energy infrastructure can be deployed at an unprecedented scale and pace sympathetically alongside the interests of our communities and consistent with our obligations to a sustainable environment, both land-based and marine*."

Scotland Context

6.3.26 The Scottish Government has consistently adopted more ambitious climate change and renewable energy policy and targets than that of the UK Government. These key targets are outlined below.

The Climate Change (Scotland) Act 2009

6.3.27 The Climate Change (Scotland) Act 2009 initially established long-term statutory targets for Scotland of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. The Act also placed climate change duties on Scottish public bodies and included provisions on climate change including adaption, forestry, energy efficiency and waste reduction.

The Climate Emergency Declaration

6.3.28 At the SNP Conference in April 2019, Scotland's First Minister declared a climate emergency:

"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."

6.3.29 In May 2019 the Scottish Government formally declared a climate emergency. In a speech to the Scottish Parliament, the Climate Change Secretary stated:

"There is a global emergency. The evidence is irrefutable. The science is clear. And people have been clear: they expect action."

6.3.30 The Minister also highlighted the important role of the planning system in achieving climate change objectives, stating:

"…the next National Planning Framework and review of the Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals."

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

6.3.31 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 received Royal Assent on 31st October 2019 and came into force in March 2020. The Act responds to the Paris Agreement and the declaration of a 'climate emergency' in Scotland. It amends the Climate Change (Scotland) Act 2009 and commits Scotland to a new target of net zero emissions of all greenhouse gases by 2045, with interim targets for reductions of at least 56% by 2020, 75% by 2030, and 90% by 2040. These new greenhouse emissions targets represent a substantial increase over the targets set in the previous Act.

6.3.32 Part 4 of the 2019 Act places climate change duties on Scottish public bodies. It states that a *"public body must, in exercising its functions, act: in the way best calculated to contribute to the delivery of (Scotland's climate change) targets; in the way best calculated to help deliver any (Scottish adaption programme); and in way that it considers most sustainable*." This means that all public sector organisations, including local authorities, are obliged in exercising their functions to do so in a manner which is consistent with meeting the net zero climate change target.

6.3.33 To help ensure the delivery of the long-term targets, statutory annual targets for every year to net zero have also been set. For each year up to 2020, the annual percentage reduction required was 1 %. The latest Scottish Government statistics show that this target was missed for three consecutive years for the years 2017, 2018 and 2019. Whilst this target was hit for 2020, this was primarily due to the reduction in emissions as a result of the lockdowns imposed for the COVID-19 pandemic and is only likely to be transitory. For each year between 2020 and 2030, the annual percentage reduction increases to 1.9%, a near doubling of the response.

Climate Change Plan Update (2020)

6.3.34 The Scottish Government published its most recent Climate Change Plan in December 2020. The Climate Change Plan Update responds to the declared climate emergency and considers what policies and proposals are necessarily to deliver against the new targets set under the Climate Change (Emissions Reduction) (Scotland).

6.3.35 The Climate Change Plan Update states that it is essential that a recovery from the COVID-19 pandemic *"responds to the climate emergency*" and "*continues the rapid growth in renewables over the past 20 years, moving from a low to a zero-carbon electricity system"*.

6.3.36 Looking specifically at seeking to achieve Scotland's emissions targets out to 2032, the Climate Change Plan Update states that there will need to a be *"a substantial increase in renewable generation*." It seeks to quantify this by identifying that it expects between 11 to 16 GW of new renewable generation capacity will need to be developed during this period.

Scottish Government & Scottish Green Party: Draft Shared Policy Programme (August 2021)

6.3.37 The Scottish Government and the Scottish Green Party agreed a formal Cooperation Agreement for the next five years of Government in August 2021. A shared policy programme entitled 'The Bute House Agreement' was published which sets out areas of common ground and agreement on policy matters.

6.3.38 With regards energy, the document states that:

"The Scottish Government and Scottish Green Party believe that the climate emergency means we need to use the limited powers we have to accelerate the decarbonisation of our energy system.

While electricity has already been largely decarbonised, our plans will see a significant increase in electricity demand for heating and transport. To accommodate this, we will support the continued and accelerated deployment of renewable energy. To maximise the economic benefits of the transition, and to create quality green jobs, we will do more to support the growth of the supply chain and invest in the infrastructure we need."

6.3.39 Regarding national planning policy, the parties state that they agree that the approval of NPF4 *"will be vital in supporting the delivery of net zero by 2045 with significant progress by 2030*." It continues that both parties will work towards an NPF4 that will *"actively enable renewable energy…recognising the global climate emergency as a material consideration for appropriately located renewable energy developments."*

Call for UK Government to support pumped hydro storage through a market mechanism: letter to Prime Minister (May 2023)

6.3.40 Scotland's First Minister, Humza Yousaf, issued a letter directed to the UK Government Prime Minister, Rishi Sunak MP urging '*the UK Government to support the development of long duration energy storage (including pumped hydro storage) through an appropriate market support mechanism*.'

6.3.41 The letter acknowledges that additional deployment of renewables will play an important role in steering away from fossil fuels, however it highlights that large scale, long-duration energy storage is critical to this as it allows integration and maximisation of renewable electricity generation capacity, ensures security of supply and manages constraints across the grid. It is highlighted that currently, pumped hydro storage is the only major renewable electricity technology which is ineligible for UK Government support. In addition, the planning and consenting timescales are barriers to rapid deployment and another key barrier is the Scottish Government's lack of devolved powers to reform frameworks such as that set out in the UK Electricity Act (1989) which is sorely outdated on the provision for these matters. There is concern that slow action will dampen investor confidence, thus affecting deployment of these critical projects.

6.3.42 '*A UK Government consultation in 2022 identified pumped hydro storage as the most well-established large-scale, long-duration electricity storage technology in the UK*.' Pursuant to this, and in order to efficiently continue to address the climate emergency, the First Minister urges the UK Government to accelerate progress on these important issues.

6.4 Energy Policy Considerations

6.4.1 The key Scottish energy policy considerations of relevance to the application for the Proposed Development are outlined below.

The Electricity Generation Policy Statement (2013)

6.4.2 The Scottish Government's Electricity Generation Policy Statement (EGPS) was published in June 2013 and looks at the ways Scotland's electricity generation needs to change to meet climate change targets.

6.4.3 The EGPS 2013 states that electricity storage could play an important and growing role alongside renewable electricity production, helping to address the intermittency of certain forms of renewable generation, complementing interconnection and demand-side response. The EGPS 2013 recognises various benefits of energy storage, including allowing the best use of existing generation and in

particular renewable energy resources, and the potential for storage to provide 'black start' capacity.

Scottish Energy Strategy (2017)

6.4.4 The Scottish Energy Strategy (SES) was published in 2017 and was therefore prepared in the context of the lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009. A new draft strategy for Scotland was published in January 2023, titled 'Draft Energy Strategy and Just Transition Plan – delivering a fair and secure zero carbon energy system for Scotland'.

6.4.5 The current SES sets out the Scottish Government vision for the future energy system in Scotland for the period through to 2050. The Strategy identifies that Scotland's long-term climate change targets will require the near complete decarbonisation of our energy system by 2050, with renewable energy meeting a significant share of Scotland's needs.

6.4.6 The SES sets a target for the equivalent of 50 % of the energy for Scotland's heat, transport, and electricity consumption to be supplied from renewable sources by 2030. This 50 % target roughly equates to of 17 GW of installed capacity in 2030. The latest figures on the Scottish Government's Energy Statistics Hub identify that in 2020 25.4 % of total Scottish energy consumption came from renewable sources.

6.4.7 The SES also sets a second target for an increase by 30 % in energy productivity by 2030 across the Scottish economy from a baseline of 2015. The latest figures on the Scottish Government's Energy Statistics Hub (Scottish Government 2022) estimate that energy productivity in Scotland in 2020 was 5.9 % below the 2015 baseline.

6.4.8 Alongside these energy targets, the SES also sets out six strategic priorities. These include that "*Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place."* It adds that *"Scotland needs a balanced and secure electricity supply. That means a system and a range of technologies which provide sufficient generation and interconnection to meet demand. It means an electricity network which is resilient and sufficiently secure against any fluctuations or interruptions to supply*."

6.4.9 The SES refers to energy storage as an important source of the flexibility needed in the energy system. It supports investment in new pumped storage hydro through collaboration, to secure the maximum benefits from increasing the flexibility of the electricity network, and to support the innovation and deployment of storage technologies and capacity.

Vision for Scotland's Electricity and Gas Networks (2019)

6.4.10 Scottish Ministers have provided further guidance as to the development of electricity infrastructure in Scotland in its Networks Vision document published in March 2019. This states that there should be a focus on delivering "*a secure and resilient transmission network for Scotland, engineered to reflect the changing dynamics of the electricity system, and with a System Operator able to access the technical services needed to maintain stability.*"

6.4.11 It continues that "*Re-engineering these networks to decarbonise the energy that flows through them is a major challenge – as is the coordination and integration of new and potentially 'disruptive technologies' that can contribute strongly to decarbonisation such as energy storage, electric vehicles, fuel cell vehicles and the use of hydrogen or biofuels for heating*."

Draft Energy Strategy and Just Transition Plan (January 2023)

6.4.12 The Scottish Government published a 'Draft Energy Strategy and Just Transition Plan – delivering a fair and secure zero carbon energy system for Scotland' on 10th of January 2023 for consultation until 4th April 2023. This Strategy will replace the previous strategy adopted in 2017 and set a vision for Scotland's energy system to 2045.

6.4.13 The Ministerial Foreword states:

"*The evidence has never been stronger on the need for transformation of our energy system. We are publishing this draft Energy Strategy and Just Transition Plan at a time of unprecedented uncertainty and change in global and national energy systems. 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*."

Furthermore, the Foreword sets out the key ambitions for Scotland's energy future, those relevant to this proposed development are set out below:

- *"More than 20 GW of additional renewable electricity on and offshore by 2030.*
- *Increased contributions from solar, hydro and marine energy to our energy mix.*
- *Energy security through development of our own resources and additional energy storage.*
- *A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production."*

6.4.14 The draft Strategy's vision is "*that by 2045 Scotland will have a flourishing, climate friendly energy system that delivers affordable, resilient, and clean energy supplies for Scotland's households, communities, and business. This will deliver maximum benefit for Scotland, enabling us to achieve our wider climate and environmental ambitions, drive the development of a wellbeing economy and deliver a just transition for our workers, businesses, communities, and regions.*

In order to deliver that vision, this strategy sets out clear policy positions and a route map of actions with a focus out to 2030 that the Scottish Government will take and the changes that the UK Government must deliver."

6.4.15 Chapter 5: Creating the conditions for a net zero energy system highlights that Scotland remains the UK's hydro capital, accommodating over 88% of the UK's hydro capacity. This chapter recognises that pumped hydro storage plays a pivotal role in Scotland's energy system providing long-term storage and reserve for the electricity networks. It also recognises that pumped hydro storage projects have the potential for benefits to the local economy, increased job creation and for providing resilience in the system.

6.5 Scottish Government Planning Policy

6.5.1 The Scottish Government's current national planning policy is set out in the Fourth National Planning Framework (NPF4), which replaces the Third National Planning Framework (NPF3) and Scottish Planning Policy (SPP).

6.5.2 Following Consultation and Parliamentary Committee scrutiny, a Revised Draft NPF4 was laid before the Scottish Parliament on 8th November 2022. This was subsequently approved by the Scottish Parliament and adopted by the Scottish Ministers on 13th February 2023. The NPF4 has for the first time incorporated Scottish Planning Policy and is part of the Statutory Development Plan.

National Planning Framework 4

6.5.3 NPF4 comprises spatial principles, regional priorities, national developments and national planning policy to deliver a National Spatial strategy for Scotland up to 2045. The three key themes of the strategy include:

- *"Sustainable Places, where we reduce emissions, restore and better connect biodiversity;*
- *Liveable places, where we can all live better, healthier lives; and*
- *Productive places, where we have a greener, fairer and more inclusive well-being economy."*

6.5.4 NPF4 has identified eighteen national developments which will support the delivery of the 'strategy themes'. With regard to the delivery of Sustainable Places, Pumped Hydro Storage is identified as one of the six supporting national developments listed below:

1. Energy Innovation Development on the Islands
2. Pumped Hydro Storage
3. Strategic Renewable Electricity Generation and Transmission Infrastructure
4. Circular Economy Materials Management Facilities
5. Urban Sustainable, Blue and Green Surface Water Management Solutions
6. Urban Mass/Rapid Transit Networks

6.5.5 Annex B 'National Development Statement of Need' outlines each of the National Developments and describes the development to be considered as a national development.

6.5.6 By identifying Pumped Hydro Storage as National Development 2, NPF4 has recognised that this type of development will play a significant role in balancing and optimising electricity generation and stability as part of the net zero transition. This is necessary to support energy decarbonisation as the renewable energy capacity which is dependent on weather conditions increases. It also confirms that this national development supports additional capacity at existing sites as well as at new sites. Pumped Hydro Storage plays a key role in achieving the overall strategy and in particular to the main focus of NPF4.

6.5.7 Overall, the global climate emergency and the nature crisis are the key focus of NPF4 and all the planning policies within the plan are underpinned by Policy 1: Tackling the Climate and Nature Crisis and Policy 2: Climate Mitigation and Adaptation, outlined below:

Policy 1: Tackling the Climate and Nature Crisis

6.5.8 This is an overarching policy which states that "*when considering all development proposals that significant weight will be given to the global climate emergency and nature crises*".

Policy 2: Climate mitigation and adaptation

6.5.9 This policy states that:

"*a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*

b) Development proposals will be sited and designed to adapt to current and future risks from climate change.

c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported."

6.5.10 In addition to the aforementioned overarching policies, Policy 4 Natural Places and Policy 11 Energy are key policies that this application will be assessed against.

6.5.11 Policy 4 Natural Spaces aims to "*protect, restore and enhance natural assets making best use of nature-based solutions*" and as such, it confirms that development proposals will not be supported should they prove to have an unacceptable impact on the natural environment by virtue of type, location or scale. This policy also affords weight to the Local Development Plan (LDP) by referring to and protecting sites which are designated as local nature conservation sites or landscape areas in the LDP. This is relevant to the Proposed Development as it is located within the boundaries of a Special Landscape Area (SLA). It emphasises that development proposals will only be supported if they do not result in significant adverse effects on the integrity of the area or the qualities for which it has been identified. However, it does also recognise that the acceptability of the development proposals is a balancing exercise which needs to account for the social, environmental, or economic benefits. The policy confirms that any significant effects on the integrity of the area need to be clearly outweighed by benefits of at least local importance.

6.5.12 Policy 11 Energy is a key contributor to policies 1 and 2 as it encourages, promotes, and facilitates all forms of renewable energy development thus ensuring emissions reduction and responding to the climate emergency. Amongst all forms of renewable, low-carbon and zero-emissions technologies, policy 11 clearly outlines support for pumped storage hydro. The policy requires development proposals to "*maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities*". Furthermore, it requires consideration to be given to various technical matters by demonstrating how the Proposed Development's design and mitigation addresses the following impacts:

- *"impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
- *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;*
- *public access, including impact on long distance walking and cycling routes and scenic routes;*
- *impacts on aviation and defence interests including seismological recording;*
- *impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- *impacts on road traffic and on adjacent trunk roads, including during construction;*

- *impacts on historic environment;*
- *effects on hydrology, the water environment and flood risk;*
- *biodiversity including impacts on birds;*
- *impacts on trees, woods and forests;*
- *proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
- *the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
- *cumulative impacts."*

Table 6.1: Other NPF4 policies considered to be relevant to the Proposed Development.

NPF4 Policies
Policy 1: Tackling the climate and nature crisis
Policy 2: Climate mitigation and adaptation
Policy 3: Biodiversity
Policy 4: Natural places
Policy 5: Soils
Policy 6: Forestry, woodland, and trees
Policy 11: Energy
Policy 12: Zero waste
Policy 13: Sustainable transport
Policy 14: Design, quality, and place
Policy 18: Infrastructure first
Policy 22: Flood risk and water management

Planning Advice Note Energy Storage (2013)

6.5.13 This Scottish Government planning advice note was published in December 2013 and recognises that if the energy sector is to maximise environmental, economic, and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies are beneficial in counteracting intermittency associated with certain energy supplies, ensuring excess power is not lost at times of high production, and can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100 % electricity from renewables target. It is also expected that energy storage will be essential if Scotland

is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland.

Planning Advice Note Hydro Schemes (2013)

6.5.14 This Scottish Government planning advice note was also published in December 2013. It sets out typical considerations for hydro schemes which include landscape and visual impacts, habitats and species, social and economic considerations, and mitigation such as reducing landscape impacts, providing opportunities for access and recreation, improving water quality and fish stocks, and reducing impacts on amenity from construction and traffic.

Highland Wide Local Development Plan (HwLDP)

6.5.15 In addition to NPF4, the Development Plan for the Proposed Development also comprises the Highland Council's (THC) adopted Highland Wide Local Development Plan (HwLDP) (2012), the adopted Inner Moray Firth Local Development Plan (IMFLDP) (2015) and relevant supplementary guidance. Both the HwLDP and the IMFLDP are currently under review, with their timescales for publication due to be issued after NPF4 has been adopted.

6.5.16 It is considered that the HwLDP is more relevant to the Proposed Development than the IMFLDP, although the latter provides the spatial strategy for the area and confirms Special Landscape Area (SLA) boundaries within which the Site is located.

6.5.17 SLAs are regionally valuable landscapes which are intended to protect and enhance unique and important landscape qualities and encourage enjoyment of these areas. The overall integrity of the SLA, including impacts on the wider setting are to be considered in assessing development proposals. HwLDP Policy 57: Natural, Built & Cultural Heritage provides for the protection of these areas, allowing development if it will not have an unacceptable impact on the natural environment, amenity and heritage resource.

6.5.18 The primary Development Plan policy for assessment of the Proposed Development is considered to be Policy 67 of the HwLDP which specifically relates to renewable energy. This policy requires consideration to be given to the contribution of the development towards renewable energy targets; positive and negative effects on the local and national economy; other material considerations including making effective use of existing and proposed infrastructure and facilities. Within this framework the policy states that the planning authority will support proposals where it is satisfied that they are located, sited and designed in such a way as to ensure that they will not be significantly detrimental overall, either individually or cumulatively with other developments. It states that in this regard specific consideration is to be given to the following criteria:

- *"natural, built and cultural heritage features;*
- *species and habitat interests;*
- *visual impact and impact on the landscape character of the surrounding area;*
- *amenity at sensitive locations, including residential properties, work places and recognised visitor sites;*
- *the safety and amenity of any regularly occupied buildings and the grounds that they occupy- having regard to visual intrusion or the likely effect of noise generation;*
- *ground water, surface water (including water supply), aquatic ecosystems and fisheries;*
- *the safe use of airport, defence or emergency service operations;*

- *other communications installations or the quality of radio or TV reception;*
- *the amenity of users of any Core Path or other established public access for walking, cycling or horse riding;*
- *tourism and recreation interests;*
- *land and water based traffic and transport interests."*

6.5.19 The wording of HwLDP Policy 67 provides that if THC is satisfied that there will be no significant detrimental impact overall, then the application will accord with the Development Plan. HwLDP Policy 67 therefore recognises that making a judgement on the acceptability of impacts is ultimately a balancing exercise which must consider both the benefits as well as the disbenefits of the proposal. It is considered that this balanced approach adopted within HwLDP Policy 67 represents a realistic reflection of the assessment process as it applies to major renewable energy developments given that such developments will inevitably result in some significant impacts in EIA terms.

6.5.20 HwLDP Policy 67 also states that THC will assess proposals against other policies of the development plan and against the Highland Renewable Energy Strategy (HRES). In August 2016 THC confirmed that HRES will no longer be used as a material consideration as it is no longer in compliance with more recent national planning policy. **Table 6.2 Relevant HwLDP Policies and Supplementary Guidance** lists the other HwLDP policies and associated Supplementary Guidance documents considered to be relevant to the Proposed Development.

Table 6.1: Relevant HwLDP Policies and Supplementary Guidance

HwLDP Policies	Associated Supplementary Guidance
Policy 28: Sustainable Design	Sustainable Design Guide
Policy 29: Design Quality and Placemaking	
Policy 30: Physical Constraints	Physical Constraints Supplementary Guidance
Policy 31: Developer Contributions	
Policy 51: Trees and Development	Trees, Woodland and Development
Policy 52: Principle of Development in Woodland	
Policy 55: Peat and Soils	
Policy 56: Travel	Roads and Transport Guidelines for New Developments
Policy 57: Natural, Built & Cultural Heritage	Highland Historic Environment Strategy Standards for Archaeological Work
Policy 58: Protected Species	Highland Statutorily Protected Species
Policy 59: Other Important Species	
Policy 60: Other Important Habitats	

Policy 61: Landscape	Sustainable Design Guide
Policy 63: Water Environment	
Policy 64: Flood Risk	Flood Risk and Drainage Impact Assessment
Policy 66: Surface Water Drainage	Flood Risk and Drainage Impact Assessment
Policy 67: Renewable Energy Developments	Onshore Wind Energy Supplementary Guidance
Policy 68: Community Renewable Energy Developments	
Policy 72: Pollution	
Policy 77: Public Access	
Policy 78: Long Distance Routes	

6.5.21 THC's Onshore Wind Energy Supplementary Guidance (OWESG) (November 2016) is referred to in its scoping opinion response. Its relevant content to this application is reserved to the landscape sensitivity appraisal contained within it, which provides guidance on the key sensitive receptors in the area.

6.6 Other Material Considerations

The Scottish Forestry Strategy (2019-2029)

6.6.1 This document was published in February 2019 and provides a long-term framework for the expansion and sustainable management of Scotland's forests and woodland. The vision of the strategy is to have more forests and woodland, sustainably managed, and better integrated with other land uses.

Scottish Government Policy on the Control of Woodland Removal

6.6.2 This document is prepared by the Scottish Forestry and provides policy direction for planning application decisions and EIA reports on woodland removal, woodland management, and compensatory planting in Scotland.

6.7 Conclusions

6.7.1 This Chapter has outlined the climate change and renewable energy targets, energy policies and planning policies that are relevant material considerations to the determination of this application for the Proposed Development.

6.7.2 Both UK and Scottish Government legislation and energy policy have for some considerable time provided a strong commitment to renewable energy and a reduction in greenhouse gas emissions in order to seek to tackle climate change. However, there is now growing consensus on the severity of climate change, including the impacts that climate change is already having both here in the UK and Scotland and across the world. As identified in this Chapter, amendments to the Climate Change

(Scotland) Act 2009 have been made by the Scottish Government, which recognise the urgent response that is required. These amendments set challenging statutory annual targets for every year that clearly demonstrate the speed of change that is required to reach net zero prior to 2030.

6.7.3 Within national energy and planning policy, there is therefore now increased support for significant deployment of renewable energy development and for storage projects that help to maximise renewable energy capabilities through maintaining security of supply and a resilient system. NPF4, which represents the most up to date planning policy and now forms part of the statutory development plan, gives support for developments that address the climate emergency and nature crises. It also directs decision makers to give the climate emergency and nature crises significant weight in all decisions. THC in its HwLDP also has policies which strongly support renewable energy development, including pumped hydro storage. As identified in this Chapter of the EIA Report, this policy support is not unconditional, but requires the full assessment of projects against a number of planning criteria intended to safeguard the local environment and maximise the economic and social benefits of such projects. These matters have been considered in the EIA process and the findings are presented in this EIA Report. An assessment of the Proposed Development against these planning criteria is provided in the separate Planning Statement which accompanies this application.