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Planning Statement

Herds Hill Wind Farm

November 2023

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This document has been written and collated by Community Windpower Ltd who are acting as an agent, on behalf of Drumbuie Renewables. Where external consultants have been employed for assessment and report production, the chapters are clearly identified.

Contents

1. Planning Statement for the proposed Herds Hill Wind Farm

1.1 Introduction

This Planning Statement has been prepared by Community Windpower Ltd (The Agent) on behalf of Drumbuie Renewables (The Applicant), to support the application for the consent to construct, operate, and decommission Herds Hill Wind Farm (the Proposed Development). This Planning Statement is submitted under the Town and Country Planning (Scotland) Act 1997.

The application is categorized as a local application under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 as the Proposed Development will not exceed an installed capacity of 20 megawatts (MW).

In accordance with the requirements of the European Directives 2011/92/EU and 2014/52/EU as applied through The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, the environmental effects of the proposed development have been studied systematically through an iterative process. The results of these assessments are presented in the full planning application that this Planning Statement is submitted alongside.

The findings of the environmental assessments have been used in order to evaluate the compliance of the proposed development against the requirements of Schedule 9 of the Electricity Act 1989 and the relevant policies of the Development Plan, and relevant planning and energy policy which are important material considerations.

1.2 The Purpose of the Planning Statement

The purpose of this Planning Statement is to:

- Provide details about the Applicant, the site surrounding the Proposed Development, and the Proposed Development;
- Describe the surrounding site and its suitability for the Proposed Development;
- Present the benefits of the Proposed Development through the lens of national energy policies;
- Assess the Proposed Development against planning policy;
- Set out the social and economic benefits of the Proposed Development and summarise other key findings from the environmental assessments.

1.3 The Applicant

Drumbuie Renewables is a family run local business with long term experience and interest in both renewable energy projects and progressive agriculture. With experience in delivery of both Solar PV and Biomass heating systems, the business looks to progress to the next stage of development. Based in Sanquhar, Dumfries and Galloway, Drumbuie Renewables will own and operate the Proposed Development with the electricity generated used to power important local commercial businesses.

Community Windpower Ltd (CWL) is an independently owned renewable energy developer with nine operational wind farms in Scotland. CWL are acting as agent for the Proposed Development.

1.4 Site Location and Description

The proposed Herds Hill Wind Farm is located in the administrative area of Dumfries and Galloway. The site is situated 5.06km west of Sanquhar and 2.68km south of the town of Kirkconnel.

The three proposed turbines fall within the Landscape Character Type: Southern Uplands (Dumfries and Galloway Wind Farm Landscape Capacity Study 2017). This Capacity Study describes the landscape character type as *"moorland and rough grazing… along with relict land uses".*

The Proposed Development is located to the north of the Drumbuie Moorhead, west of the summit of Herds Hill. The topography across the Proposed Development increases approximately 110m across a 1.3km distance, in a north to south direction.

In the vicinity of the Proposed Development are several wind farm sites, ranging from at the scoping stage to operational. To the southwest, the Proposed Development is bordered by the operational Sanquhar Community Wind Farm, comprised of nine turbines at 130m to tip. Also bordering the Proposed Development site to the southwest is Sanquhar II Community Wind Farm, which recently received planning consent from the Scottish Ministers (ECU00001801).

The access track used to access Sanquhar Community Wind Farm will be used to access the Proposed Development site, as it runs through the south of the site boundary.

There are a number of international, national, and regional designations which lie outside of the Proposed Development boundary. These are detailed below:

- **Kello Bridge, Category B Listed Building**: located 105m east of the site boundary;
- **Polhote and Polneul Burns, SSSI**: designated for its geological importance (around 2.6km north of the site boundary);
- **Muirkirk and North Lowther Uplands, SPA and SSSI**: designated for its breeding of short eared owl, hen harrier, merlin, peregrine and golden plover, for its

nationally important blanket bog, its mineralogy and palaeontology (around 3.8km north of the site boundary);

- **Back Wood, SSSI and Ancient Woodland**: biological designation for its upland oak woodland (around 4.9km northeast of the site boundary);
- Small areas of **Ancient and Semi-natural Woodland** can be found outside of the development site, to the north and east, at a distance of 0.1km and beyond;
- There are several **Listed Buildings** in Kirkconnel (with the closest one being approximately 2km to the north of the boundary), as well as Sanquhar (the closest one is 3.2km to the east of the site boundary).

1.5 The Proposed Development

Drumbuie Renewables proposes to design, install, operate, and decommission Herds Hill Wind Farm, which comprises three turbines each with a maximum tip height of 149m. The total installed generated capacity will be around 10.35 megawatts (MW).

In addition to the proposed three turbines, the Proposed Development will consist of the following infrastructure:

- Electrical generating equipment;
- Turbine foundations;
- Crane hardstands and laydown area at each turbine;
- Substation control room and compound;
- Temporary construction and storage compound;
- Access tracks, including turning heads;
- A borrow pit.

1.6 The Benefits of the Proposal

Renewable energy is one of the best tools we possess to combat climate change. As Scotland aims to reach net zero emissions by 2045, and the wider UK target is 2050, a crucial step towards this is reducing our reliance on fossil fuel generation by expanding renewable energy generation and powering homes and businesses with clean, green electricity.

In Scotland since 2010, there has been a simultaneous expansion of renewable energy capacity and a shrinking of fossil fuel usage. Whilst this is positive progress, these efforts must continue to secure a net zero future, with developers, business-owners, homeowners, and the government collaborating to decarbonise the electricity grid, heat networks, and industry.

The Proposed Development will play a small but important part in these decarbonisation efforts, supporting a local business to reach their emissions reduction ambitions. The local business is a

large employer in the town adjacent to the Proposed Development. If there is any surplus power generated from the Proposed Development which is not utilised for the local business, there is an opportunity for this to be funnelled to other local businesses or amenities.

Drumbuie Renewables, the Applicant, are committed to utilising Scottish businesses, contractors, and suppliers during the development, construction, and operational phases of the Proposed Development. Thus, local or Scottish-based contractors can benefit from the employment and contract opportunities provided by the Proposed Development.

Should the Proposed Development gain consent, a community benefit fund of £5,000 per MW of installed capacity, will be provided to the local community. This is in line with the Scottish Government guidance for community benefit funds from onshore wind farms. It is expected that these community benefit payments could be used to support local community projects that have a lasting positive effect on the communities surrounding the Proposed Development.

Furthermore, the clean green electricity from the Proposed Development will be used to power local commercial businesses, which are anticipated to be Brown Brothers and Shaw Europe Ltd. Consequently, the Proposed Development is positively supporting local companies with their rising energy costs, their climate change commitments and credentials and maintaining local employment for the local people who work in the commercial premises.

2. Climate Change and Renewable Energy Framework

2.1 Introduction

This section outlines the international and national renewable energy framework which is relevant to the Proposed Development, covering overarching emissions reductions targets and corresponding UK targets legislated in 2019.

2.2 International Policy

The Paris Agreement, ratified in the UK on the 17th November 2016, sets out the ambition of holding the increase of global average temperature to well below 2^0C, ideally limiting global temperature increase to 1.5^0C.

The EU and 194 states have ratified or acceded to the 2015 Paris Agreement, which is an international treaty that binds its signatories in an agreement to reduce emissions and curb global temperature rises. Each country determines how they are able to play their own part in achieving the aims of the treaty, through Nationally Determined Contributions (NDCs).

Scotland's part in the 2015 Paris Agreement is as follows: the Scottish Government have pledged a 75% reduction in major greenhouse gas emissions by 2030, and net zero achieved by 2045. Greenhouse gas emissions are published yearly, two years in arrears. As reported in June 2022, Scottish greenhouse gas emissions are down by 58.7% relative to 1990 levels.

2.3 UK Energy Policy

In 2008, the Climate Change Act became law and introduced a legally-binding target for the UK to reduce carbon dioxide emissions by at least 80% by 2050, relative to 1990 levels. In June 2019 however, the UK Government passed an amendment to this legislation, introducing a new target for an 100% reduction in greenhouse gas emissions by 2050, compared to 1990 levels. This amendment was introduced following recommendations from the Climate Change Committee (CCC).

In April 2019, the Scottish Parliament declared a 'Climate Emergency'. Under the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019, the Scottish Government set a target date for reaching net zero emissions as 2045. This is five years ahead of the target set by Westminster, and it reflects Scotland's commitment to slowing climate change.

Reducing greenhouse gas emissions requires a diverse and accelerated roll-out of renewable energy technologies, ranging from smaller to larger scale developments. Onshore wind in particular is recognised as vital in Scotland's journey to net zero by 2045, and the technology already plays a vital role in Scotland's energy mix.

2.4 The Onshore Wind Policy Statement (OWPS)

In December 2022, the Scottish Government officially adopted the Onshore Wind Policy Statement (OWPS), thus replacing the 2017 Onshore Wind Policy Statement. Covering the Scottish Government's ambitions for onshore wind, the benefits of onshore wind and how they can be maximised, and technical considerations, the Onshore Wind Policy Statement is a significant material consideration in the determination of applications for onshore wind developments.

Scotland has almost 9 gigawatts (GW) in operational onshore wind capacity, and thus is a global *"frontrunner".* However, to reach Scotland's legally binding climate targets, the Scottish Government must deliver a rapid roll-out of onshore wind. Paragraph 1.1.4 of the OWPS first sets out the Scottish Government's ambition to *"increase"* the deployment of onshore wind through the maintenance and protection of the supportive policy framework.

Section 1.2 details the Scottish Government's 'Deployment Ambition to 2030'; to reach net zero by 2045, and to deliver interim targets, of a 75% reduction in carbon emissions by 2030. Scotland will need to deploy an additional 12 GW of installed onshore wind by 2030, taking the total installed onshore wind capacity to over 20 GW. Paragraph 1.3.2 sets a concrete ambition of *"a **minimum installed capacity of 20 GW of onshore wind in Scotland by 2030**"*. This is a significant target, one that will lead to a rapid decarbonisation of Scotland's energy system.

In paragraph 3.6.2, details of the now-published NPF4 are included, stating how assessment criteria for renewable energy developments have been updated. Crucially, in the face of the global climate emergency, greater weight will now be placed on the contribution of the development in tackling the climate emergency. The OWPS also asserts that *"significant landscape and visual impacts are to be expected for some forms of renewable energy".* Thus,

landscape and visual sensitivities will be assessed alongside the carbon-saving benefits which a development may deliver to Scotland and the wider renewable energy framework in the UK.

Chapter 4 of the OWPS considers community benefits and supply chain plans, and how onshore wind can continue to contribute to these. Communities and businesses remain at the centre of Scotland's Just Transition. Chapter 5 of the OWPS elaborates on how the acceleration of onshore wind deployment in Scotland will bolster the economy and jobs markets. These transformative benefits will continue as the path to net zero is progressed.

2.5 Draft Energy Strategy and Just Transition Plan (ESJTP)

The Scottish Government's Draft Energy Strategy and Just Transition Plan (ESJTP) was published for consultation in January 2023. The ESJTP aims to deliver a net zero energy system, one powered by clean energy. The Foreword states that *"Scotland is at the forefront of the clean energy transition and Scotland's green jobs revolution is underway"*. The ESJTP sets out the key ambitions held by the Scottish Government for Scotland's energy future, particularly around their ambitions for additional renewable energy generation capacity – from wind, solar, and hydro – and additional energy storage capacity to boost Scotland's energy security.

For Scotland to be a *"renewable powerhouse",* the Scottish Government will *"significantly scale up renewable energy production, including on and offshore wind power, renewable hydrogen, marine energy, solar and hydro".* The ESJTP sets out the Scottish Government's ambition to deploy more than *"20 GW of additional renewable electricity on and offshore by 2030"*. This is a significant target, one which shapes the rest of the Strategy's vision for the 2020s, 2030s, and up to 2045.

Importantly, the ESJTP includes a specific ambition to deliver an additional 12 GW of onshore wind by 2030. With 9 GW currently installed and operational, this target represents a 122% increase by 2030. With this target, Scotland will continue to lead the way in onshore wind development.

3. Planning Policy

3.1 Introduction

This section provides an overview of the planning policy framework in Scotland that is relevant to the Proposed Development.

3.2 The National Planning Framework 4

The National Planning Framework 4 (NPF4) was approved by Scottish Ministers by 88 votes to 30 in January 2023, and was officially adopted on 13th February 2023.I It is now part of the statutory development plan, replacing National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP), and forms the foundation of planning policy in Scotland.

In the Ministerial Foreword to NPF4, the Minister for Public Finance, Planning and Community Wealth, states that *"putting the twin global climate and nature crises at the heart of our vision for a future Scotland will ensure the decisions we make today will be in the long-term interest of our country"*. This NPF4 aims to promote collaboration, inclusivity, and fairness, which will help Scotland reach net zero by 2045 through a Just Transition. The threat from the climate crisis now underpins the Scottish Government's approach to planning policy.

There are 6 overarching Spatial Principles which will help guide and deliver the Scottish Government's future plans:

- just transition
- conserving and recycling assets
- local living
- compact urban growth
- rebalanced development, and
- rural revitalisation.

Underpinning these spatial principles are three further categories of 'places':

- sustainable places
- liveable places, and
- productive places.

The national spatial strategy for 'sustainable places' begins by arguing that significant progress must be made, by 2030, to be able to achieve net zero emissions by 2045, as tackling the climate emergency will require a multi-sector approach, and it must *"involve, and be fair to, everyone".* The Scottish Government's ambition to improve the security of Scotland's electricity supply is supported directly by the national developments that underpin the future 'sustainable places',

most notably the Strategic Renewable Electricity Generation and Transmission Infrastructure national development.

In Part 2, National Planning Policy, each policy principles, intent, and outcome is listed. The policies which are relevant to the Proposed Development are:

- Policy 1: Tackling the climate and nature crises;
- Policy 2: Climate mitigation and adaptation;
- Policy 3: Biodiversity;
- Policy 4: Natural places;
- Policy 5: Soils;
- Policy 7: Historic assets and places;
- Policy 11: Energy.

Policy 1 ('Tackling the climate and nature crises') states that *"when considering all development proposals significant weight will be given to the global climate and nature crises"*. This command, that decision makers must pay heed to the weight of the climate crisis, is a significant progression from previous planning policy. This policy is thus of particular relevance to the proposed development and represents a fundamental change in the planning balance compared to the policy position of the now replaced NPF3 and SPP.

Policy 2 ('Climate mitigation and adaptation') is also connected to all other NPF4 policies, and encourages that new developments minimise emissions as much as possible. Part a) states that *"development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible".* Centrally, Policy 2 contributes to the six overarching principles which guide NPF4.

Policy 3 ('Biodiversity') has important relevance to the Proposed Development. NPF4 urges developments to restore and enhance biodiversity, for example through extensive mitigation and subsequent habitat restoration and habitat connectivity. Policy 3, in part b, recommends that *"local community benefits of the biodiversity and/or nature networks"* should be taken into consideration for national or major developments; this will bolster nature education and enjoyment in the host communities around these developments.

Policy 4 ('Natural places') intends to *"protect, restore and enhance natural assets"* whilst also growing their *"essential benefits".* Part d) states that *"development proposals that affect a site designated as… a local landscape area in the LDP will only be supported where… any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance".* The introduction of this balance, where significant effects can be clearly outweighed, is crucial.

Policy 5 ('Soils') promotes minimal disruption to carbon-rich soils and peatlands. This policy aims to ensure that Scotland's *"soils are healthy and provide essential ecosystem services for nature, people and our economy".* Part c) expressly supports the construction of development proposals

relating to the generation of energy from renewable sources on peatland, carbon-rich soils and priority peatland habitat that optimise the contribution of the area to greenhouse gas emissions reduction targets.

Policy 7 ('Historic assets and places') aims to facilitate the protection, enhancement, and regeneration of historic environment assets and places. Development proposals should assess their impact on the cultural significance of a historic asset or place, especially if it is suspected that the proposed development will have a significant impact. In part c), Policy 7 states that *"development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest".*

Policy 11 ('Energy') is a fundamental policy of NPF4, and one which is of crucial importance to the Proposed Development. It calls for an acceleration of renewable energy as Scotland seeks to achieve net zero by 2045. In conjunction with the aforementioned NPF4 policies (1, 2, 3, 4, 5, and 7), Policy 11 will facilitate the expansion of onshore and offshore renewable energy technologies, including those which are established (wind) and nascent (hydrogen, carbon capture, energy storage). A central outcome for Policy 11 is *"the expansion of renewable, low-carbon, and zero emissions technologies".*

The support for renewable energy in Policy 11 is unequivocal. Part a) of Policy 11 states that *"development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported".* These development proposals include:

- Wind farms including repowering, extending, expanding and extending the life of existing wind farms;
- Enabling works, such as grid transmission and distribution infrastructure;
- Energy storage, such as battery storage and pumped storage hydro;
- Small scale renewable energy generation technology;
- Solar arrays;
- Proposals including co-location of these technologies.

In part c) of Policy 11, it states that proposals will be supported where they *"maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities".* This policy therefore is deeply joined with the wider aim of the Scottish Government to facilitate a 'Just Transition' to net zero, where everyone across Scotland is treated fairly and reaps the benefits of the decarbonisation of the energy networks and the wider Scottish economy and industry.

Policy 11 also details a list of impacts which must be addressed through project design, including impacts on communities and dwellings, impacts on aviation and defence interests, impacts on telecommunications and radio, effects on hydrology, and significant landscape and visual impacts. However, it is noted that in regard to landscape and visual impacts, *"such impacts are to be expected for some forms of renewable energy… where appropriate design mitigation has been applied, they will generally be considered to be acceptable"*.

Furthermore, following part e), it is stated that *"significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets".* This is a crucial inclusion and links Policy 11 deeply to Policy 1, which attaches significant weight in planning policy to the global climate change emergency which is recognised as a priority in all plans and decisions.

3.3 Dumfries and Galloway Council - Local Development Plan 2

Adopted in October 2019, the Dumfries and Galloway Council Local Development Plan 2 (DGLDP2) covers the whole Dumfries and Galloway Council administrative area and is a key material consideration in the determination of applications. Key policies in the DGLDP2 include Policy IN1 ('Renewable Energy'), Policy IN2 ('Wind Energy'), and Map 8 ('Wind Energy Spatial Framework').

The relevant LDP2 policies include:

- Policy OP1: Development Considerations;
- Policy OP3: Developer Contributions;
- Policy ED2: Business Development & Diversification of Rural Areas;
- Policy HE1: Listed Buildings;
- Policy HE2: Conservation Areas;
- Policy HE3: Archaeology;
- Policy HE6: Gardens and Designed Landscapes;
- Policy NE5: Species of International Importance;
- Policy NE6: Sites of National Importance for Biodiversity and Geodiversity;
- Policy NE8: Trees and Development;
- Policy NE11: Supporting the Water Environment;
- Policy NE12: Protection of Water Margins;
- Policy NE14: Carbon Rich Soil;
- Policy CF4: Access Routes;
- Policy IN1: Renewable Energy;
- Policy IN2: Wind Energy;
- Policy T1: Transport Infrastructure;
- Policy T2: Location of Development/Accessibility;
- Map 8: Wind Energy Spatial Framework;
- Dumfries and Galloway Council Local Development Plan Supplementary Guidance – Historic Built Environment;
- Dumfries and Galloway Council Local Development Plan 2 Supplementary Guidance – Part 1 Wind Energy Development: Development Management Considerations Appendix 'C' Dumfries and Galloway Wind Farm Landscape Capacity Study.

Policy IN1 ('Renewable Energy') states that the Dumfries and Galloway Council *"will support development proposals for all renewable energy generation and/or storage which are located, sited, and designed appropriately*". This will be determined through an *"assessment of the details*

of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed". The acceptability of the proposals will be assessed against a myriad of considerations, including:

- Landscape and visual impact;
- Cumulative impact;
- Impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- The impact on natural and historic environment (including cultural heritage and biodiversity);
- The impact on forestry and woodlands;
- The impact on tourism, recreational interests and public access.

Policy IN1 states that, in quantifying the 'acceptability' of a proposal, the scale and nature of the proposal should be taken into account, including any associated infrastructure, environmental impacts through the construction and operational phases, and crucially:

- The scale of contribution to renewable energy targets;
- Net economic impact, including socio-economic benefits for the communities in the form of jobs or supply chain opportunities.

Policy IN2 is also of particular relevance to the Proposed Development. Policy IN2 primarily recognises that the Council will support wind energy proposals that are located, sited and designed appropriately. In assessing the acceptability of wind energy proposals, the development proposals will be assessed against the following criteria:

- The scale of the contribution to renewable energy targets and the socio-economic benefits associated with the proposal;
- Impacts on infrastructure, communities, local amenity, heritage, hydrology, biodiversity, and other considerations.
- Landscape and visual impacts.

4. Planning Appraisal

4.1 Introduction

The purpose of this section is to assess the Proposed Development against the planning and renewable energy policy framework. It will assess the planning issues raised by the Proposed Development against the planning policy context outlined in the previous sections of this Planning Statement.

4.2 Appraisal of the Proposed Development against NPF4

The Applicant presents that the Proposed Development is in line with the provisions of NPF4, for reasons listed below.

Importantly, NPF4 puts the global climate crisis at the heart of future development decisions in Scotland, setting out a pathway for Scotland to reach Net Zero by 2045. Tackling global warming now sits at the heart of Scottish planning policy.

NPF4 provides unequivocal support for the expansion of onshore wind and other renewable energy technologies in Scotland, thus supporting the development and construction of the Proposed Development whilst also ensuring any effects on the environment are balanced. NPF4 prioritises sustainable development, advocating for a reduction in greenhouse gas emissions which is a key driver for slowing down climate change.

Policy 1 ('Tackling the climate and nature crises') states that "*when considering all development proposals significant weight will be given to the global climate and nature crises*".

The Applicant is of the belief that the Proposed Development supports the aims of Policy 1, as the Proposed Development will provide a small but valuable contribution to Scotland's emissions reductions targets, thus supporting Scotland's part in tackling the global climate crisis. It is important to note the *"significant weight"* which is being placed on these issues.

Per annum, the Proposed Development will displace over 17,000 tonnes of carbon dioxide from the atmosphere (which equates to 680,000 tonnes over 40 years), therefore not only reducing Scotland's emissions but also helping to decarbonise Scotland's energy mix.

Part a) of Policy 2 ('Climate mitigation and adaptation') states that *"development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible".*

The Applicant asserts that the Proposed Development complies with the provisions of Policy 2, as over the lifetime of the Proposed Development, even though it is a small wind farm, it will generate green electricity which does not produce any greenhouse gas emissions. The Proposed Development will displace over 17,000 tonnes of carbon dioxide from the atmosphere each annum, thus having a positive net effect on Scotland's emission levels.

The Proposed Development is sited considerately, making use of efficient wind turbines to utilise the wind resource and maximise the generation capacity of the site to produce a substantial amount of clean, green electricity. Thus, it conforms with the requirements of Policy 2.

Policy 3 ('Biodiversity') aims to enhance biodiversity and deliver nature-based solutions to Scotland's biodiversity issues.

The Applicant, as presented in Chapter 8 of the Environmental Statement (ES) for the Proposed Development, has committed to biodiversity enhancement measures. Thus, the Applicant asserts that the Proposed Development satisfies the aims of Policy 3 and thus the Proposed Development should be supported. These measures include bog enhancement, diversification of

heathland and mire which has been heavily grazed in the past, and the creation of attenuation ponds that will be left on site following the completion of construction.

Part d) of Policy 4 ('Natural places') states that "*development proposals that affect a site designated as… a local landscape area in the LDP will only be supported where… any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance*".

The Proposed Development satisfies the intentions of Policy 4 by providing social, environmental, and economic benefits which outweigh any adverse effects on the integrity of the local area. The Applicant asserts that these benefits are significant, including providing short-term and long-term work for local construction contractors which is support for the local supply chain, a valuable displacement of carbon dioxide from the atmosphere each annum, and an economic boost to local communities in the form of community benefits and grants. The Proposed Development will also provide green electricity direct to local commercial businesses, therefore supporting their climate change commitments and emission reductions. Consequently, the Applicant believes that any adverse effects are outweighed by these benefits.

Policy 5 ('Soils') promotes minimal disruption to carbon-rich soils and peatlands.

Policy 5 supports the construction of renewable energy development proposals on peatlands and carbon-rich soils, provided those developments optimise the contribution of the area to Scotland's emissions reduction targets. As the Proposed Development will displace over 17,000 tonnes of carbon dioxide from the atmosphere per annum and is sited specifically to minimally disrupt the carbon-rich soils of the area, the Applicant is of the opinion that the Proposed Development satisfies Policy 5 and should therefore be supported.

Policy 7 ('Historic assets and places') urges that development proposals should assess their impacts especially if it is suspected that the proposed development will have a significant impact.

In Chapter 9 of the ES submitted alongside this Planning Statement, the impacts of the Proposed Development on cultural heritage were assessed. As established in the Cultural Heritage Chapter, the Proposed Development complies with Policy 7 which aims to ensure that historic environment assets are protected or enhanced, as there will be low or negligible impacts on the assets identified within 10km of the Proposed Development.

Part a) of Policy 11 states that "*development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported*".

Primarily, Policy 11 puts great weight and support behind the Proposed Development as Policy 11 advocates for an accelerated deployment of renewable energy technologies in Scotland, including new wind farms, repowered wind farms, extensions to existing wind farms, small scale

renewable energy generation, solar arrays, and co-location of multiple renewable energy technologies within one development. The Proposed Development fulfils this requirement.

Part c) of Policy 11, it states that proposals will be supported where they "*maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities*".

The Proposed Development fulfils part c) of Policy 11, too, by providing socio-economic benefits for the local communities, in the form of community benefits, employment opportunities, and supply chain opportunities during the construction period. Where possible, local contractors will be utilised, thus enriching local businesses and those who are employed locally.

As established in Chapter 5 of the ES submitted alongside this Planning Statement, the electricity generated from the Proposed Development will be channelled to local commercial businesses. This will directly support their carbon reduction goals, boost their green credentials, reduce their electricity costs which are important for their future, as they are big employers of local people and hence are vital for the local economy both directly and indirectly.

Part e) of Policy 11, lists different impacts and states that they are to be addressed in the project design and mitigation process.

Each impact that is stated within this section of Policy 11, has been addressed throughout the entire ES. With regards to point (ii), Chapter 6: Landscape and Visual assessment evaluates the visual impact of the proposal. Chapter 11: Noise assesses the impact of noise on the surrounding and local environments. Chapter 13: Other Considerations assesses the impact upon shadow flicker, aviation and defence interests and telecommunications, therefore covering points (i), (iii), (iv), and (v). Chapter 12: Transport Assessment discusses the impacts upon road traffic during construction and operational phases. Chapter 9: Cultural Heritage assesses the impacts on the historic environment up to 10km from the proposed development. Chapter 10: Hydrology evaluates the effects on the hydrological environment. Chapter 7: Ornithology and Chapter 8: Ecology assess the impacts upon biodiversity.

Overall, the ES details all the assessments, with the residual impacts (following either mitigation by design or suitable mitigation measures) of the proposed development as being either low or negligible. Therefore, Herds Hill Wind Farm would be deemed to be in accordance with Policy 11 of NPF4.

4.3 Appraisal of the Proposed Development against DGLDP2

Dumfries and Galloway Council adopted the Local Development Plan 2 in October 2019. It states that *"the overarching principle of this Plan is that all development proposals should support sustainable development, including the reduction of carbon and other greenhouse gas emissions".* In Section 8.3 of this Planning Statement, the policies of the DGLDP2 which are relevant to the Proposed Development have been listed. Next, the Proposed Development will be appraised against these policies.

The relevant policies of the DGLDP2 will now be considered using the following categories:

- Overarching policies
- Renewable energy policy
- Socio-economic policy
- Cultural heritage policy
- Hydrology, hydrogeology and geology policy
- Traffic and transport policy
- Ecology and ornithology policy
- Forestry policy.

Overarching Policies

Policy OP1 ('Development Considerations') lists a number of criteria that development proposals will be assessed against, including General Amenity, Historic Environment, Landscape, Biodiversity, Transport, Sustainability, and the Water Environment.

The ES submitted alongside this Planning Statement presents the extensive work which has been undertaken to identify any potential impacts associated with the design, construction, operation, and decommissioning of the Proposed Development.

The ES outlines the natural and human environment of the area where the Proposed Development will be sited, and it assesses the potential landscape and visual impacts, and issues relating to ecology, ornithology, cultural heritage, hydrology, traffic and transport, and a myriad of other considerations. Following public engagement and consultation, too, a number of design amendments were made, resulting in a Proposed Development that the Applicant believes accords with Policy OP1.

Policy OP3 ('Developer Contributions') states that *"developer contributions will be sought where a development proposal (or a combination of developments) creates an identified need".*

Policy OP3 aims to deliver benefits in the form of education, green networks, biodiversity, and leisure and tourism infrastructure. These benefits aim to mitigate *"adverse"* impacts or to simply provide a new amenity for the communities.

The Applicant has a strong ethos towards providing tangible economic and employment benefits throughout the construction and operation stages of the Proposed Development. The proposed development would provide business opportunities and contracts to Scottish Civil, Electrical and Manufacturing companies and suppliers, which will support and strengthen economic growth in Scotland. The scheme would also deliver business rates to Dumfries and Galloway Council of approximately £130,000 per annum, which across the 40-year lifetime, would equate to £5.2 million. In addition, a community benefit fund of £5,000 per MW of installed capacity would be

provided. This totals at £51,750 per annum and £2.07 million over 40 years. These benefits are detailed in Chapter 5 of the ES which is focused on 'Socio-Economics, Population & Community Involvement'.

Renewable Energy Policy

Policy IN1 ('Renewable Energy') states that the Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The acceptability of any proposed development will be assessed against the following considerations:

- **Landscape and visual impact**
- **Cumulative impact**
- **Impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker**
- **The impact on natural and historic environment (including cultural heritage and biodiversity)**
- **The impact on forestry and woodlands**
- **The impact on tourism, recreational interests and public access.**

Furthermore, Policy IN1 details what the "*acceptability"* assessment should also include:

- **Any associated infrastructure requirements including road and grid connections (where subject to planning consent)**
- **Environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues**
- **Relevant provisions for the restoration of the site**
- **The scale of contribution to renewable energy generation targets**
- **Effect on greenhouse gas emissions**
- **Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain. opportunities.**

The Applicant believes that the Proposed Development complies with the salient Policy IN1, as it is a renewable energy development which is sized and sited appropriately for the area it is situated in. The comprehensive ES submitted alongside this Planning Statement assesses all of the considerations listed in Policy IN1, relating to the *"acceptability"* of the proposal.

The ES concludes that, despite some potential low and negligible impacts relating to landscape and visual, cultural heritage, biodiversity, and cumulative impact, these impacts are far outweighed by the environmental, social, and economic benefits that the Proposed Development will bring to the local area, Dumfries and Galloway and to Scotland as a whole.

The proposed development provides an advantage in terms of climate change, as it is helping to generate clean, green electricity to meet Scotland's aim to be net zero by 2045, with targets of increased electrification from renewable and low carbon sources.

The Proposed Development will displace over 17,000 tonnes of carbon dioxide from the atmosphere per annum, also directly benefitting local businesses which will utilise the green electricity to dramatically reduce their carbon footprint. The Proposed Development therefore fulfils a dual purpose: it will play a direct part in Scotland's emissions reductions ambitions, and it will also play a direct part in decarbonising Scotland's industry.

The site is suitably designed and will be viewed as an extension to the already existing wind farm landscape. The addition of the three turbines will blend in with the already existing cumulative turbines. The proposed development is sited within the Council's 'area of preferred development' for wind farms. Through thorough consultation processes with the Council, consultants and the public, the turbines have been placed in sensible locations. Notably, changes were made including a reduction in tip heights and relocation of turbines and new access tracks after detailed discussions and assessments. Therefore, the proposed development is located, sited and designed appropriately.

Policy IN2 ('Wind Energy') sets out the issues that will be taken into account for all specific proposals, assessed through the development management process. It states that the Council *"will support wind energy proposals that are located, site, and designed appropriately".* Similarly to Policy IN1, the *"acceptability"* of any wind energy proposal will be assessed against numerous considerations. These include:

- **Renewable energy benefits and opportunities for energy storage**
- **Socio-economic benefits including local and community socio-economic benefits such as employment, associated business and supply chain opportunities**
- **Landscape and visual impacts including the extent to which the landscape is capable of accommodating the development without significant detrimental landscape or visual impacts, including effects on wild land**
- **Cumulative impact**
- **Impact on local communities and residential interests including the assessment of the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation**
- **Impact on infrastructure**
- **Impact on aviation and defence interests**
- **Adverse impact on the natural environment**
- **The extent to which the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration.**

The Applicant is of the belief that the Proposed Development conforms to Policy IN2 and is in accordance with the acceptability criteria. In terms of renewable energy benefits, the Proposed Development will generate 10.35 MW of clean, green electricity, displacing over 17,000 tonnes of carbon dioxide from the atmosphere each annum. This electricity, in contrast to electricity produced from fossil fuels, does not pollute the planet and instead will help Scotland to achieve its emissions reductions targets which are enshrined in law.

In Chapter 13 of the ES ('Other Considerations'), the impacts of the Proposed Development on aviation interests is detailed. The proposed development requires no aviation lighting, due to the turbines being below 150m. This was achieved through a 'mitigation by design' approach, taking into consideration scoping and consultation comments. The Proposed Development has received no objection from the Ministry of Defence or from Edinburgh Airport, Glasgow Airport, or Glasgow Prestwick Airport. This is due to the fact that the Proposed Development sits outwith of the Aerodrome Safeguarding Zone for Edinburgh Airport, outwith of the radar consultation area for Glasgow Airport, and will be terrain shielded from the Primary Surveillance Radars of Glasgow Prestwick Airport. Thus, the Proposed Development is compliant with Policy IN2.

The proposed development is also located within the Council's preferred area for wind farms. Therefore, the design of the development is suitable, as per the Councils' preference.

Socio-Economic Policy

Policy ED2 ('Business Development and Diversification in the Rural Area') states that "*proposals which expand existing businesses or create new ones in the rural area will be considered favourably subject to other policies in the Plan*". Furthermore, *"sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business, or are related to a site specific resource or opportunity".*

Chapter 5 of the ES submitted alongside this Planning Statement assesses the socio-economic impact of the Proposed Development and the potential benefits which will be delivered to the local communities. The Applicant believes that the Proposed Development will bring a net economic gain to the local area, communities, and the businesses interacted with during the construction and operational phases, along with the businesses who will receive the green electricity which Herds Hill will generate. For these reasons, the Applicant believes that the Proposed Development accords with the objectives of Policy ED2.

Cultural Heritage Policies

Policy HE1 ('Listed Buildings') aims to protect the character of listed buildings and the Council must be satisfied that development proposals must respect the appearance, character, setting, and special features of listed buildings. The layout, design, and scale of development proposals must be appropriate in regard to the appearance of a listed building.

As detailed in Chapter 9 ('Cultural Heritage') of the ES, there are no assets within 1km of the site, and 17 known heritage assets within 5km of the site. Within the 5km study area there are 8 Category B listed buildings, which are categorised as having cultural heritage and archaeological features of medium sensitivity. Despite this, it has been concluded through the assessments, visualisations and evaluations, that there will be no direct impact upon these heritage assets, and thus the Applicant is of the belief that the Proposed Development is in line with Policy HE1.

Policy HE2, ('Conservation Areas') urges the preservation and enhancement of the character of conservation areas if there are developments proposed within them or adjacent to them. The Council must be satisfied that preservation or enhancement of the conservation area comes from *"appropriate design, general scale"* of new developments, and that *"the quality of views within, from and into the conservation area will be maintained or enhanced."*

As detailed in Chapter 9 ('Cultural Heritage') of the ES, Conservation Areas are categorised as having cultural heritage and archaeological features of medium sensitivity. As such, the Proposed Development is not identified as having a significant impact on the quality of the Conservation Area of Sanquhar, as it is greater than 5km from the site. Therefore, the views and integrity of the area will not be impacted. Thus, it is compliant with Policy HE2.

Policy HE3, ('Archaeology'), states that the Council will support development that protects significant archaeological and historic assets. The Council must be satisfied that the development *"preserves or enhances the appearance, fabric or setting of the site or asset"* and that *"due consideration has been given to the significance and value of the site or asset in relation to the long-term benefit and specific need for the development in the location proposed."*

Policy HE3 urges care towards the region's special archaeological assets. As stated in Chapter 9 ('Cultural Heritage') of the ES, any potential direct and indirect effects from the Proposed Development have been considered. The significance of these effects are broadly determined by correlating the sensitivity of the asset against the magnitude of change.

Within the red line boundary of the Proposed Development, there are no archaeological, historical, or cultural heritage assets. Due to the existing wind farm setting, and the 'medium' or 'minor' importance of the assets within 5km and 10km, it is concluded that there will be no direct impacts upon heritage assets in Dumfries and Galloway, and any indirect impacts would also be low or negligible and the Proposed Development is therefore in line with Policy HE3.

Policy HE6, ('Gardens and Designed Landscapes'), intends to protect and enhance the setting, qualities, character, and key views to or from gardens and designed landscapes.

The are no designated Gardens and Designed Landscapes within or close to the Proposed Development therefore this policy does not apply to the proposed Herds Hill Wind Farm. For background information, there are two non-inventory gardens and designed landscapes (Craigdarroch and Eliock), which are over 5km away. However as these are non-inventory, they do not carry as much importance (categorised as of low importance). Furthermore due to them being over 5km away, the magnitude of impact is assessed as low and therefore any impact would be negligible.

Hydrology, Hydrogeology, and Geology policies

Policy NE11, ('Supporting the Water Environment') aims to protect waterbodies in Scotland, with the Council not permitting any development which results in the deterioration of Scotland's waterbodies, including minor watercourses or Drinking Water Protection Areas identified by the Scottish Government.

Chapter 10 of the ES details the hydrological assessment undertaken for the Proposed Development, where it concluded that there will be no unacceptable impacts on the hydrology and geology of the local area.

The Proposed Development lies within the Kello Water catchment whereas the Euchan Water catchment lies to the south of the Proposed Development. Both the Kello Water catchment and the Euchan Water catchment enter the River Nith, which ultimately discharges into the Solway Firth. However no proposed infrastructure is located in this area. Careful construction techniques and the implementation of best practice and mitigation measures during construction will ensure that all watercourse in the locality will be protected and maintained. Therefore, the Proposed Development complies with this policy as the waterbodies will be fully protected.

Policy NE12, ('Protection of Water Margins) follows on from Policy NE11, protects water margins of waterbodies.

The Proposed Development is compliant with Policy NE12 as, through good design and a 50m buffer applied to all watercourses, the water margins of waterbodies are protected. Throughout construction, all activities undertaken as part of the Proposed Development will be monitored to ensure environmental compliance.

Policy NE14, ('Carbon Rich Soils') states that developments which are proposed on areas of carbon rich soil will need to justify the loss of the carbon sink. However, if the proposed development provides an advantage in terms of climate change mitigation, this can balance out the loss if it is in accordance with independent evidence.

The design of the Proposed Development has taken into account the available carbon soils data. The site consists mainly of Class 3 peat and Class 0 peat. There is no Class 1 or Class 2 peat on the site. Chapter 10 ('Hydrology') of the ES concludes that there will be no unacceptable impacts on

the hydrology and the geology of the local area as a result of the Proposed Development. The Applicant is of the opinion that the Proposed Development is compliant with these policies.

The proposed development provides an advantage in terms of climate change, as it is helping to generate clean, green electricity in order to fulfil Scotland's aim to be net zero by 2045, with targets of increased electrification from renewable and low carbon sources.

Traffic and Transport Policy

Policy T1, ('Transport Infrastructure'), states that proposals for the improvement of transport infrastructure will be supported. Furthermore, the proposals must satisfy the Council that there will be no adverse effects on the integrity of any Natura site.

Policy T2, ('Location of Development/Accessibility') urges that development proposals will be expected to be well-served by the most sustainable modes of travel available and incorporate on or offsite mitigation measures including improvements, enhancements, and additions to the transport network.

Policy CF4, ('Access Routes') specifically relates to 'Development Affecting Existing Access Routes' and the 'Provision of New Access Routes'. The Policy requires development proposals should not have an adverse impact on any access routes and Core Paths. New or alternative access routes and enhancements to existing routes will be supported, especially if these can form part of green networks.

The potential effects on traffic and transport, as a result of the Proposed Development, are assessed in Chapter 12 of the ES. The Proposed Development has been designed to utilise an existing site entrance, and an existing wind farm access track, and any new access tracks constructed to reach the individual wind turbines, will utilise stone sourced from an existing borrow pit on site.

A Construction Traffic Management Plan (CTMP) will be developed prior to commencement of construction, detailing the most efficient transportation of construction traffic and construction materials, in order to optimise delivery routes, frequencies and manage the traffic impact.

Overall, there will be a low significance of residual effects, and a negligible increase in HGV movements on the local network of roads near the Proposed Development. Thus, the Proposed Development is seen to be compliant with Policies T1, T2, and CF4.

Ecology and Ornithology Policy

Policy NE5, ('Species of International Importance') states that development proposals which would likely have an adverse effect on a European Protected Species will not be permitted, unless *"the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range"*.

Chapter 8 of the ES assess the possible effects of the Proposed Development on habitats and ecology. An Ecological Impact Assessment (EcIA) was undertaken, based upon an extended Phase 1 Habitat Survey, protected species surveys, and historical ecological records, to establish a robust and accurate ecological baseline for the site.

The European Protected Species that were recorded include otters (*Lutra lutra),* badgers (*Meles meles)*, red deer (*Cervus elaphus),* brown hare *(Lepus europaeus*), and bat species including Common Pipistrelle (*Pipistrellus pipistrellus),* Soprano Pipistrelle (*Pipistrellus pygmaeus),* Noctule Bat (*Nyctalus noctula)* and Myotis species. However, the effects of construction and operation on these species has been identified as negligible.

To mitigate any effects, a Habitat Management and Enhancement Plan (HMEP) will be written post planning consent to minimise any negative impacts on habitats and species, and an Environmental Clerk of Works (ECoW) will be employed to oversee the construction work and to monitor compliance with wildlife protection legislation. Overall, it is considered that the Proposed Development is likely to have few negative impacts on the habitats of the development site, and thus the Proposed Development is compliant with Policy NE5.

Policy NE6, ('Sites of National Importance for Biodiversity and Geodiversity'), states that developments that affect Sites of Special Scientific Interest (SSSIs) or other nature conservation designations will only be permitted where *"any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance."*

As outlined in Chapter 8 of the ES, there are a number of Designated sites, which are protected areas noted for their conservation or landscape value. There are no designated sites within the site boundary. Within 15km of the site boundary there are four statutory sites: Muirkirk and North Lowther Uplands SPA, North Lowther Uplands SSSI, Tynron Juniper Wood and Upper Nithsdale Woods SAC. None of the four sites have direct links to the Proposed Development. Chapter 8 identifies that there will be no impacts on these designated sites, and such the Applicant is of the opinion that the Proposed Development complies with Policy NE6.

Forestry Policy

Policy NE8, ('Trees and Development') urges the maintenance of woodland resource and the protection of Ancient Woodland or existing trees during the construction period of any development.

In Chapter 8 of the ES it details the desk studies undertaken in regard to the Proposed Development. Information was obtained from the Ancient Woodland Inventory and there are small sites of Ancient Woodland identified in the Nith valley and in Glen Afton. However, as they are further than 4km away from the Proposed Development, it is considered that they will not be impacted in any way. Furthermore, the Proposed Development does not lie within any areas of forestry. Thus, the Proposed Development is compliant with Policy NE8.

Supplementary Planning Guidance

Dumfries and Galloway Council, as part of their LDP2, provide further guidance on wind farm developments in the following documents:

- Dumfries and Galloway Council Local Development Plan 2 Supplementary Guidance – Part 1 Wind Energy Development: Development Management Considerations Appendix 'C' Dumfries and Galloway Wind Farm Landscape Capacity Study;
- Historic Built Environment (Dumfries and Galloway Council, 2017);
- Map 8: Wind Energy Spatial Framework.

The proposed development has considered the above Supplementary Planning Guidance with particular attention to the wind energy development related guidance.

The Dumfries and Galloway's Landscape Capacity Study May 2017 states that "*Following a review of visualisations from key viewpoints in the field and additional sensitivity assessment of very large typology [turbines >150m], it is concluded that turbines towards 200m high to blade tip would be too large to accommodate as new developments in landscape and visual terms anywhere in Dumfries and Galloway apart from the Eskdalemuir unit of the Southern Uplands with Forest [19a]*".

Therefore, Herds Hill Wind Farm falls in line with this guidance, as the turbines are below 150m tip. Furthermore, the Dumfries and Galloway Local Development Plan 2 Supplementary Guidance 'Wind Energy Development: Development Management Considerations' (MAP 8) identifies the development site as being in the lower sensitivity classification category.

5. Conclusion

To conclude, this Planning Statement has assessed the relevant international, national, and local policies, and appraised the Proposed Development against them. It has been demonstrated across areas including ecology, socio-economics, cultural heritage, hydrology, traffic and transport, and other important considerations, that the Proposed Development will not induce any significant negative effects.

Furthermore, the Proposed Development will result in social, economic, and environmental benefits for the local communities and local commercial businesses in close proximity to the development site. Not only will the Proposed Development have a positive effect in terms of local employment and supply chain support, but it will displace thousands of tonnes of carbon dioxide from the atmosphere each annum, helping Scotland reach its onshore wind capacity goals and ultimate net zero goal by 2045.

Whilst small, the Proposed Development will provide a notable contribution to the Scottish Government's emissions reductions efforts. With the newly adopted National Planning Framework 4 focusing intensely on fighting climate change and prioritising renewable energy, the Proposed Development is thus compliant with these policies. Overall, it is well-designed and sensitively placed, with no extremely negative impacts on local amenity, tourism, access, ecology, or designated cultural or natural sites. The Applicant is of the opinion that the Proposed Development should be wholeheartedly supported and granted planning consent.