

PLANNING STATEMENT

Kirkton Energy Park

Prepared for: Kirkton Wind Farm Ltd

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Executive Summary

Introduction

Kirkton Wind Farm Limited ('the applicant') proposes to construct and operate an 11 wind turbine Energy Park, including battery storage, ('the proposed development') at a site location approximately 2.1km south of Melvich, Sutherland. The proposed development would be known as Kirkton Energy Park. This Planning Statement has been prepared on behalf of the applicant to accompany an application under Section 36 of the Electricity Act 1989 for the construction and operation of the proposed development.

The proposed development would comprise of 11 wind turbines with blade tip heights of up to 149.9m and an associated battery storage facility. Based upon the proposed maximum turbine tip height it is anticipated that the installed nominal capacity of each wind turbine will be approximately 4.8MW, giving a total installed capacity of 52.8MW (72.8MW when including the proposed 20MW of battery storage). The applicant has secured a grid connection agreement, connecting into the national transmission grid at Connagill Substation. An export capacity of 60MW has been secured, which will be the maximum combined output produced by the proposed development. Assuming a capacity factor of 39.8%, the annual generation from the proposed wind turbines is estimated at approximately 184,280 Megawatt hours (MWh). This will supply renewable electricity equivalent to the approximate annual domestic needs of up to 49,167 UK households¹.

Site Selection and Proposed Layout

The site for Kirkton Energy Park has been selected for a number of reasons. It benefits from high wind speeds, is located almost entirely outwith any statutory designations (all proposed infrastructure located outwith statutory designations), has relatively few ecologically sensitive species present, and is within close proximity (under 2.5km) to a grid connection point at Connagill substation. Key environmental effects as assessed in the EIA Report are predominantly in relation to landscape and visual matters, specifically: the location of the proposed development in a sensitive and transitional area at the border between Caithness and Sutherland; the Residential Visual Amenity of properties within Strath Halladale; and effects on the East Halladale Flows Wild Land Area. The iterative design process of the proposed development, which takes into account the findings of the EIA, has considered these landscape and visual challenges and attempted to reduce potential negative effects where possible. As a result, the layout of the proposed development has sought to emulate the north-south orientation of Strath Halladale, creating a 'clean' row of turbines when seen from key viewpoints e.g. the A836 (North Coast 500), the A897 (main road through Strath Halladale), and from within the East Halladale Flows Wild Land Area. The proposed wind turbines have been positioned as far west within the application boundary as possible, in order to maximise the distance from turbines to residential properties within Strath Halladale. Further to this, the scale of the proposed wind turbines has been considered carefully and tip heights of up to 149.9m selected so as to avoid the need for visible aviation lighting, reducing potential associated effects on receptors such as the East Halladale Flows Wild Land Area, and residences located within Strath Halladale. The final layout of the proposed development is therefore considered to make best use of the site and its wind resources and is considered to be appropriate for this location.

Policy and Targets

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 here in the UK and Scotland and across the world. Amendments to the Climate Change (Scotland) Act 2009 have been made by the Scottish Government as a result which recognise the urgent response that is required. These amendments commit Scotland to a target of net zero

¹ Calculated using the most recent statistics from the Department of Business, Energy and Industrial Strategy (BEIS) showing that annual UK average domestic household consumption in 2020 was 3,748kWh

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. 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 and including 2020, the annual percentage reduction required was 1%. 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. If the early targets to 2020 are not being met, the scale of change required over the next decade to meet the more challenging targets is therefore starkly clear.

In addition to these new legislative targets, there has also been a step change in UK and Scottish energy policy of the need for rapidly increased deployment of renewable electricity over the next decade to reduce greenhouse gas emissions if the worst consequences of climate change are to be avoided. Furthermore, recent events with the war in Ukraine and rapidly rising energy prices have shed a spotlight once again on the importance of having greater security over future energy supplies and the importance of generating more energy domestically instead.

Consenting Regime

As the proposed development is for a generating station of over 50MW the application is made under Section 36 of the Electricity Act 1989, rather than the Town and Country Planning (Scotland) Act 1997. This means that the local development plan, in this case the Highland Wide Local Development Plan (HwLDP), does not hold the same weight in the decision making process. Instead, the applicant has obligations under Schedule 9 of the Electricity Act 1989 requiring regard to certain environmental matters when formulating development proposals, including the desirability of preserving natural beauty, conserving listed natural heritage interests and protecting sites, buildings and objects of architectural and historical interest. This Planning Statement alongside the submitted Environmental Impact Assessment demonstrate how the applicant has had regard to these relevant environmental matters.

It is clear from emerging national planning and energy policy in the form of the draft NPF4 and draft Onshore Wind Policy Statement refresh that the direction of travel of the Scottish Government is that greater weight should be given to the climate emergency and the importance of rapidly increasing renewable energy generation capacity in the decision making progress. However, until NPF4 and the updated OWPS are adopted, it is key to consider the proposed development against current local and national planning policy. Both local planning policy (Highland Wide local Development Plan) and national planning policy (Scottish Planning Policy and NPF3) are already strongly supportive of new renewable energy projects. The Highland Wide local Development Plan (HwLDP) is, however, now over 5 years old and is therefore considered by Scottish Planning Policy (SPP) (paragraph 33) to be out of date. SPP sets out that in the event of a local development plan being out of date, then the presumption in favour of development that contributes to sustainable development should be a material consideration. There have been several appeal/inquiry decisions over the last few years (e.g. Muirhall South (PPA-380-2050)) which have concluded that, by their nature, onshore wind energy developments are inherently sustainable developments.

Summary of Benefits

In terms of the benefits of the proposed development there are several, ranging from contributing to renewable energy targets to providing economic benefits for the local community, Scotland and the UK.

If consented, the proposed development will generate approximately £1.1 million of net Gross Value Added (GVA) and the Scottish economy by approximately £5.5 million GVA during the construction of the proposed development. The operational phase of the proposed development will directly support approximately 3 full time equivalent jobs locally and indirectly support approximately 9 full time equivalent jobs locally.

The Scottish Government's latest carbon calculator indicates that the proposed development will pay back the carbon emissions associated with its construction, operation and decommissioning in approximately 1.5 years (assuming replacement of a fossil fuel mix of electricity generation).

The proposed development also includes proposals for biodiversity enhancements through forest to peat bog restoration. Committed to via an outline Habitat Management Plan (HMP), these enhancements would see an area of 87.75ha managed as peat bog habitat.

Conclusion

It is put forward that the proposed development would provide significant climate change and renewable energy benefits as well as positive socio-economic benefits at a local and national level. Significant weight should also be given to the legally binding targets in the (Climate Change (Emissions Reductions Targets) (Scotland) Act 2019) and net zero related pronouncement when determining applications, with the need case for renewable energy development made abundantly clear through local and national policy, targets and law. The associated urgency of the need case for carbon reduction measures including renewable energy development has also been brought to the fore through recent policy and target announcements – without a step change in the number and speed of renewable energy consents in Scotland, we will not meet our targets for renewable energy production by 2030, or our overall net zero target for 2045.

The proposal for which consent is being sought is therefore considered, on balance, to be acceptable in relation to Schedule 9 of the Electricity Act 1989 and other key material considerations, when the likely significant effects (landscape and visual amenity only) are weighed against the anticipated positive benefits of the proposed development. It is therefore concluded that the planning balance lies firmly in favour of the proposed development

1.0 Introduction

1.1 The Application

1. This Planning Statement has been prepared on behalf of Kirkton Wind Farm Limited to accompany an application under section 36 of the Electricity Act 1989 for the construction and operation of an Energy Park (11 wind turbines with a total installed capacity of 52.8MW, and 20MW of battery storage, to give a total combined capacity of 72.8MW) on land across two working farms, Kirkton Farm and Upper Bighouse, near Melvich (herein after referred to as 'the proposed development'). The main application site (herein after referred to as 'the site') lies wholly within the administrative boundary of The Highland Council. The proposed development would be known as Kirkton Energy Park and would be centred on NGR NC 87999, 59788, as shown on **Figure 1**. Two smaller areas along the A836, which are to facilitate access of abnormal loads to the main site, are also included within the application. These two abnormal loads turning area options are located at NGR NC 85250, 65287 (Turning Area A (Western Turning Area)) and NGR NC 87786, 64983 (Turning Area B (Eastern Turning Area)). The application boundary covers the area shown on **Figure 2**.
2. In addition to the application for consent in terms of section 36 of the Electricity Act a request is also being made that a direction be issued under section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission be deemed to be granted.
3. The proposed development constitutes a Schedule 2 development under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. The application is therefore accompanied by an Environmental Impact Assessment (EIA) Report. This Planning Statement does not form part of the EIA Report. However, reference is made to the conclusions of the EIA Report in assessing the acceptability of the proposals.

1.2 The Applicant

4. The applicant is Kirkton Wind Farm Limited ('the applicant'), which is part of a joint venture between Wind2 Limited (Wind2) and companies managed by Octopus Energy Generation.
5. Wind2 is a specialist onshore wind farm developer which was formed in 2016. Its directors have considerable experience in the development of renewable energy, particularly in the Highlands, being responsible for some 1GW of the current operating capacity in the UK. Wind2 has an office and staff based on the Black Isle in the Highlands. Octopus Energy Generation are one of Europe's largest investors in renewables, operating £4billion of green energy generation across seven countries. Octopus Energy Generation operate solar and wind projects across the UK with the closest project to Kirkton being the 108MW Beinneun Wind Farm near to Fort Augustus.

1.3 Purpose of this Planning Statement

6. The purpose of this Planning Statement is to explain the legislative framework within which the proposed development requires to be considered. In doing so, material considerations that are relevant to the determination of this section 36 application are identified and then assessed. The intention of this Planning Statement is to assist the decision maker (and the relevant planning authorities when responding to the decision maker) to reach an informed opinion regarding the planning balance and acceptability of the proposed development.
7. This Planning Statement is structured as follows:

- Section 2 identifies the location of the site and provides an overview of the proposed development;
- Section 3 sets out the benefits of the proposed development;
- Section 4 summarises the legislative context for the determination of section 36 applications;
- Section 5 sets out the key renewable energy and climate change legislation and policies which establish the 'need case' for the proposed development. Section 5 also identifies the relevant national planning policy, Development Plan policies and associated guidance and the weight it is considered should be given to these material considerations.
- Section 6 provides an assessment of the proposed development against the targets and policies detailed in Section 5; and
- Section 7 weighs up the planning case for the proposed development and provides concluding remarks on the overall acceptability of the proposals having regard to all material factors.

2.0 The Proposed Development

2.1 The Site and Surroundings

8. The site, centred on NGR NC 87999, 59788, is located in Strath Halladale, Sutherland, within The Highland Council administrative boundary (Figure 1). The site is located on moorland and grazing land approximately 2.1km to the south of the settlement of Melvich. The site area, which measures approximately 419.38ha (including the two potential abnormal load turning areas), is currently used mainly as grazing land. Access to the site is expected to be from the A836, taking the Kirkton Farm road (near Loch Mor) southward to Kirkton farm and then continuing south to where turbines would be located. For abnormal loads coming from the east (port of Scrabster) to access the Kirkton Farm road, it will be necessary for the vehicles to continue on the A836 past the Kirkton Farm road entrance, turn, and approach from the north / west. As a result of this, two potential turning areas (only one would be constructed) have been designed and are included as part of the proposed development. These two abnormal load turning area options are located at NGR NC 85250, 65287 (Turning Area A (Western Turning Area)) and NGR NC 87786, 64983 (Turning Area B (Eastern Turning Area)) and are approximately 1.06ha and 1.60ha respectively.
9. The site is characterised by sweeping moorland and flows, with a relatively small amount of coniferous woodland plantation to the north west of the site. A number of small tributaries run through the site and join the larger Halladale river to the east. Topography ranges from approximately 20m AOD to 160m AOD with the western extent of the proposed site forming the most elevated section.
10. The following statutory designated sites lie just within the north western extent of the site boundary (no proposed infrastructure is located within the statutory designations):
 - West Halladale Site of Special Scientific Interest (SSSI);
 - Caithness and Sutherland Peatlands Ramsar;
 - Caithness and Sutherland Peatlands Special Area of Conservation (SAC); and
 - Caithness and Sutherland Peatlands Special Protection Area (SPA).
11. The surrounding area is rural in nature, with land predominantly used for grazing and forestry. There are several settlements located in the vicinity of the proposed site, including Melvich approximately 2.1km to the north, Armadale approximately 8.6km to the north west and Reay approximately 7.9km to the north east (distances from main site boundary). Strath Halladale contains several residential properties extending north to Melvich and south towards Forsinain.
12. Approximately 4.47km to the west of the site is the operational Strathy North Wind Farm, which comprises 33 wind turbines (110m tip height).
13. There is a sand and natural aggregate quarry located approximately 1.3km north of the site entrance, and a biofuel plant located approximately 800m to the south east of the site.
14. There are several residential properties spread out throughout Strath Halladale, which are within 2km of the site boundary. The closest of these are 27 Upper Bighouse (a financially involved property) approximately 1,100m south east of the nearest turbine, and Ar Dachaidh (a financially involved property) approximately 1,221m north east of the nearest turbine. The closest non financially involved properties are Kirkton Cottage at approximately 1,430m north east of the nearest turbine), and Smigel at approximately 1,486m south east of the nearest turbine).

15. In addition to the designated sites listed in paragraph 10 (which are partially in but mainly outwith the site), the following are the closest environmental designations that lie outside the site boundary:
- East Halladale Flows Wild Land Area 1.29km to the east;
 - East Halladale SSSI 1.50km to the east;
 - Red Point Coast SSSI 4.55km to the north east;
 - North Caithness Cliffs SPA 4.4km to the north east;
 - Farr Bay, Strathy and Portskerra Special Landscape Area (SLA) 3.16km to the north west; and
 - Strathy Coast SSSI 2.69km to the north and north west.
16. In addition to the operational Strathy North Wind Farm, the consented Strathy South Wind Farm is located approximately 8km to the south west of the site, and the consented Strathy Wood Wind Farm is located approximately 4.6km to the south west of the site. The consented Strathy South Wind Farm comprises 35 wind turbines at 200m to tip height, and the consented Strathy Wood Wind Farm comprises 13 wind turbines at 180m to tip height. The consented Limekiln Wind Farm lies approximately 7.46km to the east of the site and comprises 19 wind turbines (up to 149.9m tip height). The consented Limekiln Wind Farm Extension adds a further 5 turbines at 149.9m to tip height.

2.2 Overview of the Proposed Development

17. The proposed development would comprise the following principal components:
- 11 wind turbines, each with a maximum blade tip height of up to 149.9m;
 - 11 turbine foundations;
 - hard standings adjacent to each wind turbine, including crane pads;
 - underground electrical cabling;
 - a substation control building and compound which will incorporate approximately 20MW of battery storage;
 - new internal tracks and upgrading of existing tracks, including watercourse crossings where necessary;
 - search areas for up to two borrow pits;
 - a temporary construction compound;
 - two potential laydown/turning areas for turbine blades located along the A836 (only one would be required);
 - clearance of 87.75ha of conifer forest (net area of 70.75ha bearing trees); and
 - clearance of approximately 3.58ha of native woodland.
18. The layout of the proposed development is shown on **Figure 3**. It is requested that the precise locations of the proposed wind turbines and ancillary infrastructure may be micrositied within a 25m radius from the positions shown on **Figure 3**. This micrositing is requested in order to allow a degree of flexibility to take into account localised ground conditions and other environmental constraints which may be identified during post consent survey works. A micrositing planning condition requiring all micrositing of infrastructure to be within a 25m radius from the positions shown on **Figure 3** is proposed.

2.3 Wind Turbines

19. A range of wind turbine models may be suitable for the site, and the final choice of turbine model would be selected through a competitive procurement process. As there is an uncertainty relating to which wind turbine model would be used at the time of construction, this application requests a reasonable degree of flexibility for the permissible dimensions of the turbine. However, based upon a maximum blade tip height of up to 149.9m, it is anticipated that the installed nominal capacity of each wind turbine will be approximately 4.8MW.
20. In accordance with the Ministry of Defences low flying requirements, the wind turbines will also be fitted with infra-red lighting which will not be visible to the human eye.

2.4 Battery Energy Storage System

21. A battery energy storage system (BESS) with an anticipated storage capacity of approximately 20MW is proposed. The BESS would be used to store the electricity generated by the wind turbines and to smooth out variances between wind resource and electricity demand. It may also be used to provide services to help stabilise the local electricity network.
22. It is anticipated that the BESS will be located within eight containers housing batteries, and that the containers will be approximately 17m long, 8m wide and 4m high and similar in appearance to shipping containers. However, given BESS technology is continuing to evolve rapidly, there is uncertainty over the capacity of the batteries and the final built development form of the BESS at this stage. A planning condition requesting details of the BESS to be submitted and approved by the Planning Authority prior to the commencement of development is therefore requested.

2.5 Ancillary Infrastructure

23. Turbine foundation construction design will be finalised at the detailed design engineering stage following selection of the final wind turbine to be used for construction.
24. A crane hardstanding of approximately 35m by 35m will be required adjacent to each wind turbine, to provide a stable base for construction and crane erection activities. The crane hardstanding would also include a number of smaller crane pads alongside the access track, going back potentially a further 85m from the edge of the main crane hardstanding area. These crane hardstanding areas will be permanently retained for maintenance operations.
25. The route to site for abnormal loads would be from the Port of Scrabster near Thurso, westward along the A836 (this route has been used previously for other nearby wind farms such as Strathly North Wind Farm). Abnormal loads will require to pass by the Kirkton Farm road entrance, continuing on the A836, before turning and approaching from the west/north. Two potential turning area locations along the A836 have been identified, although only one of these turning areas would be required.
26. For the access route to connect to the site infrastructure, a total of approximately 7.51km of access track will be required. This will comprise approximately 5.48km of new track (of which approximately 446.95m would be floated track), and approximately 2.03km of existing track which will require to be upgraded. This internal access track will require the formation of 5 new watercourse crossings and upgrading of 6 existing watercourse crossings.

27. The electricity produced by the wind turbines will be fed underground to a substation control building (located within the substation compound) at the north of the site. The proposed substation control building will measure approximately 14m by 23m by 7m high to ridge.

2.6 Construction Phase

28. It is anticipated that construction activities for the proposed development would take approximately 18 months.
29. It is expected that the Port of Scrabster near Thurso, would be used as the port of entry for the wind turbine components. Abnormal loads transporting these components will then route as follows:
- South on the A9, turning right onto the A836 and heading westward until reaching either the turning area at NGR NC 87786, 64983 or NGR NC 85250, 65287. Here abnormal loads would be turned around (blades put onto blade lifters) and would travel back along the A836 East/South, until turning right onto the Kirkton Farm road.
30. Between the selected turning area (either NGR NC 87786, 64983 or NGR NC 85250, 65287) and the site, it is proposed to use a specialist blade lift adapter transportation vehicle to transport the wind turbine blades rather than conventional turbine component transportation vehicles. This vehicle has the capability to lift a blade component to an inclination of 60 degrees from the horizontal, thereby allowing the vehicle to navigate tight turns.
31. The proposed access route to site is shown on **Figure 4**.

2.7 Operational Phase

32. Although it is increasingly considered that there is no operational need to limit the lifetime of a renewable energy development, consent in this instance is being sought for a period of 30 years.

2.8 Decommissioning and Site Restoration

33. At the end of its operational life, it is anticipated that the proposed development would be decommissioned in accordance with a Decommissioning and Restoration Plan (DRP) which would be submitted to THC for approval no later than 12 months prior to the start of decommissioning. Alternatively, a new application could be made to extend its operational life. Following this, providing there has been no approval to extend the life, it is expected that the Energy Park would then be decommissioned.

3.0 Benefits of the Proposed Development

3.1 Renewable Electricity Generation

34. The proposed wind turbines would have an anticipated nominal capacity of approximately 52.8MW. The annual generation from the wind turbines is therefore estimated at approximately 184,280 Megawatt hours (MWh) based on a site derived capacity factor of 39.8%.
35. Based upon this predicted annual electricity generation figure and the most recent energy statistics provided by BEIS² which identify that average UK domestic household consumption is 3,748 kilowatt hours per annum, it is estimated that the proposed development will supply renewable electricity equivalent to the current annual domestic needs of approximately 49,000 households.
36. The Scottish Ministers are legally bound through the Climate Change (Scotland) Act 2009 to reduce carbon emissions to net zero by 2045, with interim targets to reduce emissions by 75% by 2030 and 90% by 2040. A series of annual targets towards this net zero and interim target have also been set.
37. The proposed development would reduce greenhouse gas emissions through replacing fossil fuel generation. On the basis of anticipated renewable energy generation output presented above, it is submitted that the proposed development would make a substantial contribution towards climate change targets, in particular towards the interim target for a 70% reduction in greenhouse gas emissions by 2030.

3.2 Carbon Payback

38. The length of time a wind turbine needs to be in operation before it has, by displacing fossil fuel energy generation, avoided as much carbon dioxide as was released in its lifecycle is known as the carbon payback period.
39. A carbon balance assessment has been undertaken for the proposed development using the latest version of the Scottish Government's carbon calculator for wind farms (version 1.6.1). The methodology used for the carbon calculator includes a range of factors that account for carbon losses including:
 - turbine lifecycle (e.g. manufacture, construction and decommissioning);
 - backup power generation when the wind turbines cannot generate energy;
 - reducing carbon fixing potential from peat loss;
 - soil organic matter from peat losses;
 - dissolved organic carbon and particulate organic carbon leaching from changes in drainage in peat; and
 - forestry felling.
40. The methodology also includes the following range of factors that account for carbon savings including:
 - improvement of degraded bogs;
 - improvement of felled forestry;
 - restoration of peat from excavations; and

² Department for Business, Energy and Industrial Strategy (BEIS). Subnational Electricity and Gas Consumption Statistics. December 2021.

- removal of drainage from foundations and hardstanding.
41. The results of the annual carbon savings calculations are presented as equivalent to the tonnes of carbon dioxide per year (tCO₂ yr⁻¹) saving relative to coal fired electricity generation, fossil fuel generation, and grid mix generation (which includes some fossil fuels and low carbon electricity generation sources such as nuclear, hydro-electric and wind energy).
42. The carbon savings calculations for the proposed development are presented in **Table 3-1** for three scenarios. The first scenario is the expected scenario, which uses impact factors that are considered to be the most likely for the proposed development. Two further (minimum and maximum) scenarios are also presented that use a wide range of factors that test the sensitivity of expected predictions to input variations.

Table 3-1: Anticipated Carbon Emissions

Results	Exp.	Min.	Max.
Net emissions of carbon dioxide (t CO ₂ eq.)	125,832	115,032	139,374
Coal-fired electricity generation (years)	0.7	0.7	0.8
Grid-mix of electricity generation (years)	2.7	2.4	3.0
Fossil fuel - mix of electricity generation (years)	1.5	1.4	1.7
Ratio of CO ₂ eq. emissions to power generation (g / kWh) (TARGET ratio by 2030 (electricity generation) < 50 g / kWh)	22.78	20.57	25.43

43. As identified in the table, the estimated carbon payback period for the proposed development under the expected scenario would approximately 1.5 years, which would lead to substantial net carbon savings over the operational lifespan of the development. This positive aspect of the development is augmented by the layout of the proposed development largely avoiding deposits of deep peat and by the proposed peatland restoration that will be undertaken.

3.3 Grid Balancing

44. The UK electricity grid is balanced by ensuring that demand of electricity consumers is constantly met by supply of electricity generation. This can only be achieved in practice by the national grid retaining a constant supply of extra power available for dispatch when the power required by customers is not equal to the power generated.
45. When a sudden or unforeseen demand is put on the network, such as when a large power station suddenly comes offline or a powerline fails, then the national grid control room need an alternative source of power. This is achieved from rapid response facilities such as the proposed BESS.
46. As an innovative technology, the proposed BESS will provide a flexible and rapid release of electricity to allow the national grid to regulate electricity supply and demand without any greenhouse gas emissions. Conversely, the proposed BESS will also have the capacity to absorb electricity quickly which will allow for the oversupply of the grid to be managed.

3.4 Socio-Economic Benefits

47. The capital investment for the overall project is estimated at £56.6 million, which would include £2.25 million for development and project management, £41.25 million for turbines and plant, £6.06 million for electricals and grid connection and £7.05 million for civil engineering, contingency and others.
48. In terms of employment during the construction and operational stages, this investment creates a number of economic opportunities for local and national businesses. The construction of the proposed development will directly support an estimated 16 person-years of net additional temporary employment locally and 94 person-years within Scotland during the 18 month construction period. The local economy would be expected to be boosted by approximately £1.1 million of net Gross Value Added (GVA) and the Scottish economy by approximately £5.5 million GVA during the construction of the proposed development. The operational phase of the proposed development will directly support approximately 3 full time equivalent jobs locally and indirectly support approximately 9 full time equivalent jobs locally.
49. It is anticipated that a wide selection of supply chain businesses could expect to benefit from the investment in the local and Scottish economies. This may include services such as ground and road maintenance, catering, building trades and plant hire. Kirkton Wind Farm Ltd is committed to employing good practice measures with regard to maximising local procurement and would adopt established good practice measures such as 'Meet the Developer/Contractor Days' prior to construction, aimed specifically at small to medium enterprises, to discuss the types of contracts being let during construction and operation. It is also considered likely that the proposed development would operate in combination with other renewable energy projects in the area to encourage the development of relevant skills and longer term business opportunities as the Highlands continues to capitalise on its natural energy resources as part of its commitment to economic recovery and response to climate change.

3.5 Peatland Restoration and Habitat Management

50. A Habitat Management Plan (HMP) will be produced for the proposed development. The overall purpose of the HMP will be to implement positive land management for the benefit of landscape and nature conservation which will mitigate any adverse impacts that the proposed development may have. In addition to purely mitigating any adverse impacts, the applicant is committed to enhancing the nature conservation and landscape value of the site.
51. At the heart of the HMP for the proposed development will be proposals for 'forest to bog restoration'. An outline HMP is included in **Technical Appendix 8.5** of the EIA Report, which outlines the proposals for increasing blanket bog extent to buffer the adjacent Caithness and Sutherland Peatlands Special Area of Conservation (SAC) land, and provide opportunities for expansion of peatland floral species while returning former forested areas to a more natural landscape. This would be achieved via forest removal of the mature plantation block in the north west corner of the site (approximately 87.75ha) and subsequent hydrological management e.g. drain blocking.
52. Once the proposed 'forest to bog restoration' has succeeded, it is considered that it would result in a net positive impact and likely net gain in biodiversity.

3.6 Public Access and Outdoor Recreation

53. The applicant is committed to maintaining and enhancing recreational and public access opportunities at the site. As a result of the proposed development an informal circular walking route would be created by linking the Kirkton Farm road, the Kirkton to Upper Bighouse Core Path, existing farm track at Upper Bighouse, and the onsite access tracks.

54. The applicant is also open to enhancing this informal circular walking route subject to agreement with the relevant landowners and the Highland Council (THC).

3.7 Community Benefit and Shared Ownership

55. The applicant is committed to offering a package of benefits to communities local to the proposed development. In addition, the applicant is also proposing to offer local communities the option to invest in the proposed development.
56. At the time of publication of this Planning Statement, a Non-Disclosure Agreement has been signed between the Applicant and the Farr North Community Development Trust as part of the preparation of a Memorandum of Understanding to enable the community to purchase up to 10% of the value of the Kirkton Energy Park project. A variety of community share ownership structures, in line with the Scottish Government's Good Practice Principles, will be explored and discussed over the next few months. The Farr North is the Community Development Trust for the Parish of Farr including Forsinard, Melvich, Portskerra, Strathy, Armadale, Bettyhill, Strathnaver and Altnaharra.
57. In addition to the shared ownership opportunity, should the proposed development gain consent, a Community Benefit Fund would be made available. This will be offered on the basis of a payment per MW of installed capacity at the Scottish Government recommended rate at the time of commissioning the proposed development. At present the recommended rate is £5,000 per MW. Based on a capacity of 52.8MW, the proposed 11 wind turbines would contribute an additional £264,000 to the community benefit funds per annum; and £7,920,000 over the 30 year life of the proposed development.
58. It is expected that any proposed income streams from these community benefit payments and profit from any community investment in the project could be used to support community projects within the local area. Local communities would be empowered to choose how the money is spent.
59. Benefits would accrue from the scale and nature of the proposed income streams associated with the proposed development and could have a lasting positive effect on access to resources, improvement to local amenities and the quality of life of local residents as well as economic benefits. The long-term nature of the income would allow the community to plan ahead, to draw in other sources of match funding to maximise the benefits and investment projects could be designed to match local priorities.
60. Consultation with the local community has highlighted concern over the relatively high cost of electricity in the north of Scotland, despite several wind farms now in operation. As part of the Community Benefit Fund, the applicant has committed to offer a 'near neighbour electricity contribution scheme' for residents living nearby the proposed development.
61. The applicant is looking at two potential options for a 'near neighbour electricity contribution scheme':
- Option 1: Electricity Bill Contribution Scheme; and
 - Option 2: Home Energy Efficiency Grant.
62. Option 1 could see residents living in proximity of one of the proposed Kirkton Energy Park turbines receive up to a £400 contribution to their annual home electricity bill. If this option is selected the qualifying property would receive this payment annually in arrears based on actual energy bills. New build properties and approved plots would also be eligible.

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63. Option 2 could see residents of properties in proximity of one of the proposed Kirkton Energy Park turbines capitalise the electricity bill contribution, converting this to a single lump sum of £4,500 to fund or part fund measures to improve the energy efficiency and decarbonisation of their home. The cost of these measures would be reimbursed up to a maximum value of £4,500 upon presentation of receipts, covering all eligible works submitted in a single claim.
 64. The 'near neighbour electricity contribution scheme' could provide a direct financial benefit to those living in close proximity to the proposed development.
 65. In addition to the 'near neighbour electricity contribution scheme', the Kirkton Energy Park is proposed to become part of the Octopus Fan Club initiative, whereby households in proximity to the Kirkton Energy Park will have the option to opt in to either the near neighbour scheme or The Octopus Energy Fan Club programme, whereby they would receive a discount of up to 50% on the unit price of the electricity they use while the Kirkton Energy Park turbines are generating. The precise area around Kirkton which will be encompassed by the Fan Club will be the subject of consultation with the local communities.
 66. It is acknowledged that community benefits (including shared ownership) are not a material consideration in the assessment of the proposed development and are therefore not discussed in any further detail in this Planning Statement. However, it is considered that the associated socio-economic benefits that this investment in the local area may generate arise should be considered material in the assessment of the proposed development.

4.0 Legislative Context

4.1 Section 36 of the Electricity Act 1989

67. As the proposed development will have an installed capacity of greater than 50MW, the application for consent and deemed planning permission is made to Scottish Ministers under section 36 of the Electricity Act 1989.
68. 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. It is obliged to have regard to the desirability of preserving natural beauty, conserving listed natural heritage interests and to protecting sites, buildings and objects of architectural and historical interest. It must also do what it reasonably can to mitigate any effects of proposed development and it must not impact fisheries or fish stocks in any waters. These provisions acknowledge that major energy projects are likely to engage impacts on these resources and the best time to consider them is at the iterative design stage of the project.
69. The applicant has fulfilled all these duties by undertaking the project formulation as reported in the EIA Report accompanying this application. The EIA process encompasses consideration of all the matters set out in Schedule 9, paragraph 3(1)(a). Indeed, the EIA process has a broader topic range than that contained in the sub-paragraph. Furthermore, where significant effects are found as part of the EIA process, appropriate mitigation is proposed. The EIA Report sets out in detail how the applicant has approached the design of the scheme and how very careful consideration has been given throughout that process to the matters that are listed in sub-paragraph (1)(a). It is therefore considered that the applicant has fulfilled the statutory requirements of Schedule 9.
70. In addition, Schedule 9 also imposes duties upon the Scottish Ministers when determining section 36 applications. They are obliged to have regard to desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) and must also have regard to the extent to which the applicant has complied with their duties to mitigate any effects on those resources. Again, the Scottish Ministers can be satisfied that the EIA process has been undertaken appropriately and addresses these matters comprehensively.
71. 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 taken into account and dealt with under Schedule 9. In that context, important factors that must be taken into account include international decarbonisation obligations and commitments, 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 taken into account 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 provided in this Planning Statement.
72. 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.

5.0 Climate Change and Renewable Energy Policy Framework

5.1 Introduction

73. The Electricity Act 1989 provisions detailed above are the primary considerations in determining applications of this nature and scale. Nonetheless, Scottish Ministers must have regard to the relevant planning policy in determining a Section 36 application.
74. This section of the Planning Statement outlines the relevant planning policy and assesses the proposed development against those policy requirements and any other material considerations.
75. The UK and Scottish Governments have made a number of international and domestic commitments in respect of reducing emissions of greenhouse gas to combat climate change and commitments to renewable energy generation. National planning policy, climate change, and renewable energy policy are important material considerations in the determination of this application; amongst other matters they establish the need for the proposed development and the rationale for the proposed development. These matters are considered below.

5.2 Statutory Scottish Context

76. The Scottish Government has continually adopted more ambitious climate change and renewable energy policy and targets than that of the UK Government. These key targets, and the strategies and policies to deliver them, are outlined below.

5.2.1 The Climate Change (Scotland) Act 2009

77. 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.

5.2.2 Scottish Energy Strategy (SES)

78. The SES was published in December 2017, in the context of lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009. The SES sets out the Scottish Government vision for the future energy system in Scotland for the period through to 2050. The SES 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 our needs.
79. The SES set 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 17GW of installed capacity in 2030. In addition to setting energy targets, the SES also sets out six strategic priorities These include:
- *"System security and flexibility – we should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of Scotland's homes and businesses as our energy transition takes place.*
 - *Renewable and low carbon solutions – we will continue to champion and explore the potential of Scotland's huge renewable energy resource, and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets."*

80. The SES advises that onshore wind energy development is essential to Scotland's transformation to a fully decarbonised energy system by 2050 and brings opportunities which underpin our vision to grow a low carbon economy and build a fairer society.
81. The Scottish Energy Strategy Position Statement was published March 2021 which reaffirms the renewable energy targets set out in the 2017 SES.

5.2.3 Onshore Wind Policy Statement (OWPS)

82. The Scottish Government's OWPS is one of three policy statements accompanying the SES and was also published in December 2017. It includes separate sections on key priority areas as follows:
- route to market;
 - repowering;
 - developing a strategic approach to new development;
 - barriers to deployment;
 - protection for residents and the environment;
 - community benefits; and
 - shared ownership.
83. The OWPS reiterates and emphasise the Scottish Government's undiminished, in principle, policy support for further new onshore wind energy projects. Paragraph 4 states that *"Scotland will continue to need more onshore wind development and capacity, in locations across our landscape where it can be accommodated"*.
84. The necessity for taller turbines is recognised in paragraph 23 of the OWPS, which states that the Scottish Government *"acknowledge that onshore wind technology and equipment manufacturers in the market are moving towards larger and more powerful (i.e. higher capacity) turbines and that these by necessity will mean taller towers and blade tip heights"*. Paragraph 25 of the OWPS continues that the Scottish Government *"fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts"*.
85. Paragraph 41 of the OWPS confirms that there is no current statutory or legislative durational period for consents and reiterates the position in Scottish Planning Policy that areas identified for wind energy developments should be suitable for use in perpetuity. It provides that the operating period of an individual wind energy development is a matter which developers can discuss and consider prior to the submission of an application but identifies that decommissioning provisions will still be required.
86. Shared ownership is promoted in the OWPS, with developers encouraged to include elements of shared ownership within their proposals. The OWPS reiterates the Scottish Governments target for at least 50% of newly consented renewable energy projects to have an element of shared ownership by 2020.
87. An Onshore Wind Policy Statement Refresh 2021: Consultative Draft was published in October 2021 and is considered in Section 5.2.9 below.

5.2.4 The Net Zero: The UK's Contribution to Stopping Global Warming

88. In May 2019 the Committee on Climate Change (CCC) published their 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; and
- a net zero greenhouse gases target for 2050 would deliver on the commitment that the UK made by signing the Paris Agreement.

89. The UK targets outlined in that 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 section, the Scottish net zero targets in the report have also since been legislated.

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

90. In May 2019 the Scottish Government formally declared a climate emergency. This resulted in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009 and commits the Scottish Ministers to legally binding targets for net zero emissions. It amends the Climate Change (Scotland) Act 2009 and commits the Scottish Ministers 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 amended greenhouse emissions targets, and the series of annual targets towards them, represent a substantial increase over the targets set in the previous Act.
91. To help ensure delivery of the long-term targets, the framework includes statutory annual targets for every year to net zero. Up to 2020 the annual percentage reduction required is 1%, but this immediately leaps for each year between 2020 to 2030. It increases to 1.9% for each year between 2020 and 2030, a near doubling of the response.
92. Part 4 of the 2009 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 a way that it considers most sustainable*". This means that all public sector organisations, including Scottish Ministers and 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.
93. The importance of the planning system in achieving these climate change objectives was acknowledged at the time by the First Minister who stated:

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

5.2.6 Summary of Current Scottish Energy, Electricity and Climate Change Targets

94. The 2020 Routemap for Renewable Energy in Scotland (2011), Scottish Energy Strategy (2017) and The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 set out specific targets in relation to the generation of energy and electricity from renewable sources. A summary of these current targets is set out in **Table 4-1**.

Table 4-1: Summary of Current Scottish Energy, Electricity and Climate Change Targets

Target	Target Year	Source
Renewable Energy		
30% of total energy use from renewable sources	2020	Scottish Energy Strategy (2017) (Reaffirmed in the Scottish Energy Strategy Position Statement published March 2021)
50% of total energy use from renewable sources	2030	Scottish Energy Strategy (2017) (Reaffirmed in the Scottish Energy Strategy Position Statement published March 2021)
Renewable Electricity		
Meet the equivalent of 100% of electricity demand from renewables sources	2020	2020 Routemap for Renewable Energy in Scotland (2011)
Climate Change		
Reduction of greenhouse gas emissions by at least 56% below 1990/1995 baseline	2020	Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
Reduction of greenhouse gas emissions by at least 75% below 1990/1995 baseline	2030	Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
Reduction of greenhouse gas emissions by at least 90% below 1990/1995 baseline	2040	Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
Reduction of greenhouse gas emissions to net zero	2045	Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

5.2.7 Climate Change Plan Update (December 2020)

95. 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 necessary to deliver against the new net zero targets set under the Climate Change (Emissions Reduction) (Scotland) Act 2019.
96. 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”*.
97. Looking specifically at seeking to achieve Scotland’s emissions targets out to 2032, the Climate Change Plan Update states that there will need to be *“a substantial increase in renewable generation, particularly through new offshore and onshore wind capacity.”* It seeks to quantify this by identifying that it expects between 11 to 16 GW of new renewable capacity will need to be developed during this period.

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

98. 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.

99. 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."

100. In order to achieve this, the parties state that they will set an ambition to delivering, subject to consultation, between 8 and 12 GW of additional installed onshore wind by 2030. It continues that this ambition *"will be supported by changes in the planning system needed to permit the growth of this essential, zero-carbon sector."*

101. 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."*

102. In August 2022, the Scottish Government published 'Delivering a Greener, Fairer, Independent Scotland – One Year On' document which provides an update on the progress made since the Bute House Agreement was reached. This notes the consultation on the 8 to 12 GW target that has taken place through the Onshore Wind Policy Statement Refresh (see below) and states that *"seizing the opportunities of low carbon energy development across Scotland is a major focus of the Scottish Government and Scottish Green Party and increasing Scotland's renewable energy generating capacity and securing accompanying jobs and investment will be central to our work over the rest of the parliamentary term."*

5.2.9 Onshore Wind Policy Statement Refresh 2021: Consultative Draft (October 2021)

103. The Scottish Governments Onshore Wind Policy Statement Refresh 2021: Consultative Draft was published in October 2021, its purpose being to update the Onshore Wind Policy Statement published in 2017 in light of Scotland's net zero targets. Consultation on the Onshore Wind Policy Statement Refresh ended in January 2022 and the final version is due to be published in August 2022.

104. The draft reiterates the need for a substantial increase in renewable energy generation over the course of the next decade if the transition towards net zero is to be achieved, stating that *"a consistently higher rate of onshore wind, and other renewables capacity, will be required year on year."* It therefore proposes the setting of a target of between 8 to 12GW of additional onshore wind generation by 2030 and a proposal for a Sector Deal around this target. This additional 12GW target is in line with the Climate Change Committee's 6th Carbon Budget on achieving net-zero at least cost.

105. It is important to note the scale of development required to install an additional 8 to 12GW of onshore wind capacity. For context, it has taken approximately 20 years to develop 8.4GW of operational onshore wind capacity in Scotland – this illustrates the massive increase in the rate and volume of consenting that

is required. There is therefore a step change in the required urgency of deployment of onshore wind generation.

106. The draft Policy Statement confirms the Scottish Government expectation that developers should offer community benefits in line with the Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments (2014) with a commitment to that being reviewed. It also set an ambition for at least half of all newly consented renewable energy projects to have an element of shared ownership. As detailed in Chapter 3, the proposed development would be in accordance with and support these objectives.

5.2.10 COP 26 Glasgow Climate Pact

107. The COP 26 (26th Conference of Parties) climate conference was held in Glasgow in November 2021.
108. There was worldwide consensus at COP 26 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.

5.2.11 CCC Annual Report to Scottish Government (December 2021)

109. The CCC published its Annual Report entitled 'Progress in Reducing Emissions in Scotland: 2021 Report to Parliament' to the Scottish Parliament in December 2021. The report identifies that Scotland's annual emissions target was missed in 2019 (the latest year for which data is available) by a significant margin, and that although emissions fell due to the lockdowns in response to the COVID-19 pandemic, that this is likely to only be *"transitory"*. One of the key messages of the report is therefore that delivery of rapid emissions reductions cannot wait – identifying that it has taken 30 years to halve Scottish territorial emissions and that they must halve again over the next decade to meet the legislated 2030 target. It states that *"the 2020s is critical decade in changing course for Net Zero"*.
110. The Report states *"that most of the key policy levers [to achieve net zero] are now in the hands of Scottish Government, but promises have not yet turned into action"*. It emphasises that strategies alone won't reduce emissions, stating that *"in this new Parliament, consultations and strategies must turn decisively to implementation"*.

5.2.12 2022 CCC Report to Scottish Parliament (March 2022)

111. The CCC published its report entitled 'Is Scotland Climate Ready: 2022 Report to Scottish Parliament' to the Scottish Parliament in March 2022. The report sets out the CCC assessment of progress in adapting to climate change in Scotland. It identifies that the evidence is now clear Scotland's climate is changing, setting out how over the past 30 years that the average temperature in Scotland has risen by 0.5C, winters have become 5% wetter and the sea level around the coast has increased by up to 3cm each decade. The Report identifies that Scotland's changing climate poses risks to people, infrastructure and business, and that progress in delivering adaption has *"stalled"*.
112. Whilst commending the Scottish Government on its vision for a climate-ready Scotland, the chairwoman of the CCC said when commenting on the report that *"the reality is that action is not happening at the scale or pace required"*.

5.2.13 Programme for Scottish Government (September 2022)

113. The Programme for Government is published every year at the beginning of September and sets out the actions that the Scottish Government will take in the coming year and beyond.
114. The Scottish Government's 'A Stronger & More Resilient Scotland' was published in September 2022. This document identifies the Scottish Government proposals for a new Energy Strategy which it states will "set our ambitious plans to generate more power from our own renewable resources."
115. The Programme for Government commits the Scottish Government to publishing the final Onshore wind Policy Statement alongside a Vision for Onshore Wind in Scotland which it is proposed will set out how the 12GW onshore wind target can be developed.

5.2.14 Summary of Scotland's Proposed Renewable Energy Targets

116. A summary of Scotland's proposed renewable energy targets in response to the declared climate emergency and net zero targets is provided in **Table 4-2**.

Table 4-2: Summary of Proposed Renewable Energy Targets in response to declared Climate Emergency and Net Zero Targets

Target	Target Year	Source
Renewable Energy		
Additional 11 to 16GW of new renewable energy generation capacity	2032	Scottish Government's Climate Change Plan Update (2020)
Additional 8 to 12GW of onshore wind generation capacity	2030	Scottish Government's Onshore Wind Policy Statement Refresh 2021: Consultative Draft / Bute House Agreement

5.3 UK Government Context

5.3.1 British Energy Security Strategy (April 2022)

117. The UK Government published the 'British Energy Security Strategy' in April 2022. The strategy identifies that if the UK is to reduce rapidly increasing energy bills and keep them down for the long term that its need to reduce its dependence on imported oil and gas and to source more of its energy domestically instead. The strategy seeks to increase deployment of wind and solar energy, and identifies that it expects the measures detailed in the strategy to result in an electricity generation mix that is 95% low carbon electricity by 2030.

5.4 Local Government Context

5.4.1 Highland Council – Climate and Ecological Emergency

118. In May 2019, Members agreed that The Highland Council (THC) declare a climate and ecological emergency. THC has adopted the following position on climate change:

"Highland Council recognises the serious and accelerating changes to the world caused by climate change and therefore declares a climate and ecological emergency."

119. The declaration from THC committed the Highland Council area to achieving the target of being carbon-neutral by 2025.

5.4.2 Relevance of The Climate Emergency

120. As a result of the declaration of a Climate Emergency at a national and local level by both the Scottish Government and THC there has been an updating of public policy, guidance, and targets, emphasising the urgent need for more renewable energy development.
121. It is considered that the most recent policy declarations should be given appropriate weight compared to older, outdated policy documents, which do not reflect current policy position with regards the Climate Emergency. An emergency requires action and the consideration of proposals such as this must attribute sufficient weight to the need for and benefits of the proposed development in this regard.

5.5 Conclusions

122. The broad policy context is strongly supportive of the urgent need for additional renewable energy generation capacity. The drivers being this support can be summarised as follows:
- the need to address climate change and avoid / mitigate against the worst projected effects;
 - the growing demand for electricity and the increased need for renewable energy generation that will be required to meet this need;
 - the opportunity renewable energy presents in terms of a green economic recovery from the COVID-19 pandemic; and
 - in light of recent events, the need for Scotland (and the UK) to reduce its dependence on imported oil and gas and to source more of its energy domestically.
123. As mentioned above, the climate change policy context (including renewable energy policy) is highly supportive of renewable energy development. This support, in principle, is advocated from international level policy through to the UK level, Scottish Government level and local government level. The highly supportive policy framework has resulted in ambitious renewable energy and climate change targets, however it is clear from the most recent CCC reporting that Scotland (and the UK) are not on course to meet these targets.
124. Overall, it is therefore concluded that the urgency of the renewable energy and climate change targets set by the Scottish Government (and UK Government) and the associated vital role that renewable energy developments such as the proposed development can play in meeting these targets, should be afforded substantial weight in the planning balance during determination of this application.

6.0 Planning Policy Assessment

6.1 Planning Policy Considerations

125. The Scottish Government's current national planning policy is set out in the third National Planning Framework (NPF3) and in Scottish Planning Policy (SPP) (Both 2014).
126. The Scottish Government is currently reviewing NPF3 and SPP. A draft version of NPF4 was laid before the Scottish Parliament in November 2021 and a consultation seeking responses on the draft closed in March 2022.

127. Once approved by the Scottish Parliament and adopted by the Scottish Ministers (targeted for autumn 2022), the new NPF4 will for the first time incorporate Scottish Planning Policy and will become part of the Development Plan.
128. Whilst NPF4 is still going through the parliamentary process, it is recognised that the weight that can be attached to it is not the same as the adopted SPP or NPF3. However, as a draft document it can now be given weight in the process of determining applications. The final weight to be afforded to it in the determination of this application will be dependent on the status of the document at the time this application is determined.
129. Local planning policy constitutes a material consideration in the determination of this application, although the Development Plan does not have elevated status for Section 36 applications.

6.1.1 National Planning Framework 3 (NPF3)

130. NPF3 is a long-term strategy for Scotland, and forms the spatial expression of the Scottish Government's Economic Strategy and plans for development and investment in infrastructure. It sets out the Scottish Government's vision, which includes that Scotland should become a low-carbon place.
131. NPF3 identifies that improved energy efficiency and further diversification of energy supplies is required in order to meet climate change targets, renewable energy targets and maintain secure energy supplies.
132. NPF3 identifies that the energy sector accounts for a significant share of greenhouse gas emissions and provides that in order to facilitate the transition towards a low carbon economy that Scotland must seek to capitalise upon its considerable renewable energy resources.
133. NPF3 provides specific policy support for onshore wind energy development. Paragraph 3.23 of NPF3 states the Scottish Government's position that *"onshore wind will continue to make a significant contribution to diversification of energy supplies"*.
134. NPF3 also recognises that investment in low-carbon economy as an opportunity for economic growth and the important role that wind farms can have in improving the long-term resilience of rural communities. In this regard, it states at paragraph 3.15 that the Scottish Government is aiming to achieve at least 500MW of renewable energy in community and local ownership by 2020.
135. The proposed development is consistent with and draws strong policy support from NPF3 as it will provide efficient renewable energy to the grid and make a positive contribution to low-carbon energy generation and diversification of energy supplies. Through the proposed shared ownership scheme, it will also make a positive contribution towards NPF3's objectives for more communities to benefit from local ownership of renewables projects.

6.1.2 Scottish Planning Policy (SPP)

136. SPP outlines the importance of the planning system in achieving sustainable development. The emphasis in the SPP vision to a low-carbon economy, reducing greenhouse emissions and sustainability are recurring themes throughout the document. The proposed development will clearly make a positive contribution towards all these objectives.

SPP Policy Principles

137. SPP advises that a significant material consideration in the assessment of planning applications should be *'the presumption in favour of development that contributes to sustainable development'*. The principles of

sustainable development are given in SPP paragraph 29. Those of relevance are listed in **Table 4-3** along with a summary of the extent to which the proposed development is considered consistent with the respective principle.

Table 4-3: SPP Policy Principles and the Proposed Development

Policy Principle	Source
Giving due weight to net economic benefit	The proposed development would result in net economic (direct, indirect and induced) benefits in the local and wider national economy.
Respond to economic issues, challenges and outcomes, as outlined in local economic strategies	The proposed development is consistent with the support for renewable energy development in the Futures Highland Strategy (2021).
Supporting delivery of infrastructure, for example transport, education, energy, digital and water	The proposed development would deliver energy infrastructure in accordance with this principle.
Supporting climate change mitigation and adaption including taking account of flood risk.	The proposed development will help to support climate change mitigation by replacing fossil fuel energy generation, thereby reducing greenhouse gas emissions
Having regard to the principles for sustainable land use set out in the Land Use Strategy.	The proposed development would contribute positively to climate change action and the landscape is considered capable of accommodating it. Peat restoration is proposed as part of the Habitat Management Plan. 87.75ha (net 70.75ha) of conifer forest is to be felled to accommodate the 'forest-to-bog restoration'. The proposed activities would result in the enhancement of priority habitats.
Protecting, enhancing and promoting access to cultural heritage, including the historic environment.	There would be no conflict with this policy principle.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.	There would be no conflict with this policy principle.
Avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.	There would be no conflict with this policy principle.

138. For the reasons set out above, it is therefore considered that the proposed development should be considered as development that contributes to sustainable development. This conclusion is in accordance with other decisions, for example at Muirhall South (PPA-380-2050), where the Reporter concluded that by their nature that onshore wind energy developments are inherently sustainable developments.

SPP Subject Policies: A Low Carbon Place

139. The SPP subject policies on delivering a low carbon place set out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when preparing development plans and determining applications.

140. With respect to the delivery of electricity, paragraph 154 of SPP states that the planning system should, amongst other principles:
- support the transformation change to a low carbon economy, consistent with national objectives and targets, including deriving the equivalent of 100% of electricity demand from renewable sources by 2020;
 - support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity; and
 - guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed.
141. Paragraph 155 emphasises the Scottish Government’s current commitment to maximising the generation of renewable energy. It states that *“development plans should seek to ensure an area’s full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations.”*
142. With specific regard to onshore wind, SPP paragraph 161 provides that Development Plans should include a spatial framework that identifies areas likely to be most appropriate for onshore wind farms. SPP’s Table 1 provides a number of requirements for such spatial frameworks. These include that development would not be acceptable in National Parks or National Scenic Areas (referred to in the policy as *“Group 1 areas”*). Other areas are to receive significant protection, including areas of wild land, peatland and areas of carbon-rich soils, areas within 2km of settlements identified in the local development plan, and areas with national cultural or natural-heritage designations (*“Group 2 areas”*). All other areas onshore are identified as areas with potential for wind farm development, where they are likely to be acceptable subject to detailed consideration of identified policy criteria (*“Group 3 areas”*).
143. Application of the spatial framework approach as set out in SPP Table 1 places the proposed site mainly within a Group 2 area due largely to the site being located within areas of carbon rich soils, deep peat and priority peatland habitat as mapped on SNH’s (now NatureScot’s) Carbon and Peatland Map 2016. However, for the reasons set out later in this Planning Statement it is considered that impacts on peat and carbon rich soil have been satisfactorily addressed such that there are no Group 2 constraints so far as the proposed development is concerned. The exception to this is that a small part of the site (north west edge of site) is considered to be a Group 2 area due to the presence of SSSI, SPA and SAC designations, however this area is included to allow for habitat improvements and no infrastructure is proposed to be sited within these designations. Therefore, the site is effectively a Group 3 location and should be regarded as such.
144. The SPP criteria for determining applications for wind farm development are set out in paragraph 169. This sets out 19 factors besides the spatial strategy to be considered in determining a proposal for a wind farm. These include landscape and visual effects, impacts on communities and individual dwellings, and effects upon natural heritage including birds. Given the findings of the EIA Report and appraisal below in the Development Plan section of this Planning Statement, the proposed development is considered to be acceptable in terms of these factors.

6.1.3 Draft National Planning Framework 4

145. The Draft NPF4 will replace NPF3 and SPP and sets out an overarching spatial strategy for Scotland until the period to 2045. It is based upon two previous rounds of consultation which identified as a key theme the need for a rebalancing of the planning system so that climate change is a guiding principle for all future plans and decisions. As expected, the urgency of the need to tackle climate change and the fundamental role of the planning system in delivering the radical change required to tackle and adapt to climate change is therefore a central focus for much of Draft NP4.

146. Within the spatial strategy, Draft NP4 identifies that there will be significant climate challenges for the North and West Coastal Area, stating that the *“island and coastal ecosystems, and the communities they support, are naturally more vulnerable to the effects of climate change, sea levels rise and extreme events”*. If action is not taking, it concludes that these *“island and coastal communities could suffer disproportionately from the impacts of climate change.”*
147. Whilst being more vulnerable to climate change, Draft NPF4 identifies that the North and West Coastal Area has significant opportunities to capitalise on its natural assets to significantly reduce greenhouse gas emissions through increased renewable energy generation. In addition to tackling climate change, Draft NPF4 identifies that such development also has the potential to bring opportunities to strengthen local communities, build community wealth and secure long-term sustainability.
148. National development 12 identifies that renewable energy generation developments of or exceeding 50MW capacity are now considered to be national developments, stating that *“a large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets.”* This development meets the generational criteria for being a national development, and clearly establishes beyond any reasonable doubt the strengthened need case for their continued development. With regard to the wide range of renewable energy technologies available to contribute towards meeting targets, the Draft NPF4 identifies that *“it is likely that the onshore wind sector will play the greatest role in the coming years.”*
149. In terms of national planning policy, a key new policy is **Policy 2: Climate Emergency**. This draft policy requires that *“significant weight should be given to the Global Climate Emergency”* when considering all development proposals. The addition of this policy is reflective of the increased prominence and weight which the Scottish Government now expect to be given to the climate emergency in all planning decisions.
150. With specific regard to onshore wind, draft **Policy 19: Green Energy** provides that development proposals outwith National Parks and National Scenic Areas should be supported *“unless the impacts identified (including cumulative effects) are unacceptable.”* When determining the acceptability or otherwise of wind farm proposals, draft Policy 19 retains the criteria from paragraph 169 of the current SPP for assessing individual proposals on a case by case basis. Given the findings of the EIA Report and appraisal below in the Development Plan section of this Planning Statement, the impacts of the proposed development are considered acceptable and the proposal therefore in accordance with draft Policy 19.

6.1.4 The Highland Wide Local Development Plan & Supplementary Guidance

151. The Development Plan for the proposed development comprises the adopted Highland Wide Local Development Plan (HwLDP) (2012), the adopted Caithness and Sutherland Local Development Plan (CaSPlan) (2018) and relevant supplementary guidance, including the Onshore Wind Energy Supplementary Guidance (OWESG) (2016).
152. There are no site specific policies relating the proposed site in CaSPlan. Consequently, the primary Development Plan policy for assessment of the proposed development is Policy 67 of the HwLDP which specifically relates to renewable energy.
153. HwLDP Policy 67 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; and

- 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;
- Other Species and Habitat Interests;
- Landscape and Visual Impact;
- Amenity at Sensitive Locations;
- Safety and Amenity of Individuals and Individual Properties;
- The Water Environment;
- Safety of Airport, Defence and Emergency Service Operations;
- The Operational Efficiency of Other Communications;
- The Quantity and Quality of Public Access;
- Other Tourism and Recreation Interests; and
- Traffic and Transport Interests.

154. The wording of HwLDP Policy 67 provides that if the Council 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 take into account 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 commercial wind energy developments given that such developments will inevitably result in some significant impacts in EIA terms.
155. The following text sets out a response to the criteria and matters which are raised in HwLDP Policy 67. Assessment against each of these matters takes into account the associated guidance and tests provided in the OWESG and also refers back to the relevant section of SPP.

The contribution of the proposed development towards meeting energy generation targets

156. HwLDP Policy 67 requires consideration to be given to the contribution of the proposed development towards meeting energy generation targets.
157. As discussed in Section 5.2 of this Planning Statement, the Scottish Government has set very ambitious targets for the generation of renewable energy. SPP, in paragraph 154, requires the planning system to contribute towards these renewable energy generation targets in order to support Scotland's transformation to a low carbon economy.
158. Based upon the proposed wind turbine dimensions, it is anticipated that each of the 11 turbines will be capable of generating up to 4.8MW. The expected generational capacity of the proposed development would therefore be 52.8MW.

159. The proposed development would produce approximately 184,280 MWh of electricity annually (based on a site derived capacity factor of 39.8%). This equates to the power consumed by approximately 49,167 average UK households.
160. It is anticipated that the BESS will have a capacity of approximately 20MW. However, battery storage technology has greatly improved over a very short period in recent times and is expected to continue to evolve rapidly. Therefore, if this application is consented it may be that the capacity of the batteries will have increased further by the time construction is started. Whilst the battery capacity may increase, the built development it is to be housed within will not and therefore this application requests Scottish Ministers and consultees consider the built development form of the BESS rather than its specific capacity.
161. Overall, it is therefore concluded that the proposed development will provide a positive contribution towards meeting renewable energy generation targets. It is considered that this benefit should be afforded very significant weight in the determination of this application given the recognised need for a substantial increase in renewable energy generation if Scotland's net zero greenhouse gas emissions targets are to be met.

Any positive or negative effects the proposed development is likely to have on the local and national economy

162. HwLDP Policy 67 requires consideration to be given to any positive or negative effects the proposed development is likely to have on the local and national economy.
163. SPP, in paragraph 169, also sets out that the assessment of renewable energy developments should consider net economic impact, including local and community socio-economic benefits such as employment, and associated business/supply chain opportunities.
164. The Scottish Government is keen to encourage the development of renewables as a measure to promote the Scottish economy, in particular in rural communities such as those in Sutherland. Furthermore, the Scottish Government has recently identified in its Climate Change Plan Update (2020) and its energy Strategy Position Paper (2021) the importance of investment in renewables in contributing towards Scotland's "green recovery" following the coronavirus (COVID-19) pandemic.
165. It is estimated that the construction of the proposed development could support a total of 16 person-years of gross temporary employment within the Highland's. The equivalent predicted total for Scotland as a whole is 78 person-years. In terms of Gross Value Added, this could result in £1.1 million going into the Highland's economy and £5.5 million in the wider Scottish Economy.
166. In terms of the operational phase, it is estimated that operation of the proposed development would directly create approximately 3 permanent jobs and approximately 9 permanent indirect jobs in the operational and maintenance supply chain.
167. Additional wider benefits associated with the proposed development include a shared ownership scheme for local communities to invest in the Energy Park, the proposed community benefits package, and the proposed near neighbour electricity contribution scheme.
168. It is recognised that tourism is an important element of the local economy and that any consideration of net economic benefits must therefore take into account potential impacts on tourism. As discussed in paragraph 262 of this Planning Statement, there is no evidence to suggest that tourism and visitor numbers would be diminished as a result of the proposed development.

169. Overall, it is therefore concluded that there would be net positive economic benefits to the local and national economy as a result of the proposed development. Given that paragraph 29 of SPP provides that giving due weight to such economic benefits is one of its guiding principles for planning policies and decisions, it is therefore submitted that these benefits should be afforded significant weight in the determination of this application.

Landscape and Visual Impact

170. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant visual impact or impact on the landscape character of the surrounding area. Further to this regard should also be given to amenity at sensitive locations, including residential properties, work places and recognised visitor sites.
171. SPP, in paragraph 169, also sets out that the assessment of renewable energy developments should consider effects on landscape and visual impacts, including any effects on wild land areas.
172. The predicted effects of the proposed development upon landscape character, visual amenity and areas of recognised landscape value (including as experienced along sequential routes) are assessed in **Chapter 7: Landscape and Visual** of the EIA Report. The Chapter is accompanied by an LVIA Methodology (**Technical Appendix 7.1** in Volume 4), a Visualisation Methodology (**Technical Appendix 7.2** of Volume 4), a Viewpoint Assessment (**Technical Appendix 7.3** of Volume 4), a Residential Visual Amenity Assessment (**Technical Appendix 7.4** in Volume 4 of the EIA Report), a Wild Land Assessment (**Technical Appendix 7.5** in Volume 4 of the EIA Report), and a Sequential Route Assessment (**Technical Appendix 7.6** in Volume 4 of the EIA Report).
173. **Chapter 7: Landscape and Visual** of the EIA Report includes an assessment of the proposed development against the criteria set out in paragraph 4.17 of the OWESG. This assessment is also provided as **Appendix 01** to this Planning Statement.

Designated Landscapes

174. The proposed development is not sited within a designated landscape. The following landscape designations are within or close to the 40km Landscape and Visual Impact (LVIA) study area:
- Farr Bay, Strathy and Portskerra SLA;
 - Bens Griam and Loch nan Clar SLA;
 - Dunnet Head SLA;
 - The Flow Country and Berreidale Coast SLA;
 - Ben Kilbreck and Loch Choire SLA;
 - Eriboll East and Whiten Head SLA;
 - Kyle of Tongue National Scenic Area (NSA);
 - Tongue House Garden and Designed Landscape (GDL); and
 - Castle of Mey (Barrowgill Castle) (GDL).
175. Due to there being no, or limited visibility of the proposed development, the two GDLs identified above are not considered in detail within the **Chapter 7: Landscape and Visual** of the EIA Report. Kyle of Tongue NSA has also not been assessed in detail (with agreement of NatureScot) within **Chapter 7: Landscape and**

Visual due to a combination of the intervening distance, limited visibility of the proposed development and the presence of other wind farms in the intervening landscape.

176. The LVIA assessment acknowledges that the Farr Bay, Strathy and Portskerra SLA would see a Medium magnitude of change and localised Major – moderate and Significant adverse effects on the parts of the SLA closest to Melvich. The special qualities of the Farr Bay, Strathy and Portskerra SLA are:
- Dramatically Intricate Coastline and Forceful Sea;
 - Moorland and Crofting Mosaic;
 - Big Skies and Extensive Views; and
 - Historical Dimension.
177. The Farr Bay, Strathy and Portskerra SLA is positioned relatively close to the proposed development at approximately 3.5km to the north at their closest point. The assessment of Landscape Character Types (LCTs) has identified the potential for significant effects to occur in relation to the Sandy Beaches and Dunes at Melvich Bay, which overlaps with the SLA and occurs in close proximity to the site. No significant effects are predicted in relation to other LCTs that lie within the SLA. In addition, one of the potential abnormal load turning areas is located within the SLA and whilst the effects of this would be localised, it would alter land use and land cover within the SLA.
178. The effects on the other five SLAs detailed above are considered to be Not Significant.

Landscape Character

179. Nine LCTs have been identified and assessed for potential landscape effects due to the proposed development:
- Sweeping Moorland and Flows;
 - Rounded Hills – Caithness and Sutherland;
 - Rocky Hills and Moorland;
 - Lone Mountains;
 - Sandy Beaches and Dunes;
 - High Cliffs and Sheltered Bays;
 - Strath – Caithness and Sutherland;
 - Farmed Lowland Plain; and
 - Coastal Crofts and Small Farms.
180. The proposed development is predominantly located within the extensive ‘Sweeping Moorland and Flows’ LCT. The more easterly of the two potential abnormal load turning areas (Turning Area B) is within Melvich and the ‘Coastal Crofts and Small Farms’ LCT. Some of the key characteristics of the ‘Sweeping Moorland and Flows’ LCT are:
- Gently sloping or undulating landform which lies generally below 350 metres;
 - Occasional isolated hills of limited height form local landmark features;
 - Very distinct flora, dominated by sphagnum mosses, produced by the wetness and infertility of the flows;

- Very sparsely settled with dispersed crofts, farms and estate buildings largely found on the outer edges of this landscape or near a strath;
- Long, low and largely uninterrupted skylines offering extensive views across this landscape and result in a feeling of huge space; and
- Wind farms, transmission lines, the A9 and a network of minor roads are key features within the more modified outer fringes within Caithness.

181. Some of the key characteristics of the 'Coastal Crofts and Small Farms' LCT are:

- Narrow, settled and farmed coastal fringe with subtle variations in topography, from long stretches of strongly contained coastal shelves and raised beaches, to smaller pockets at river mouths and squeezed between dunes and areas of Cnocan – Caithness & Sutherland;
- Pastures and occasional arable fields, most often divided by post and wire fences, with the division of fields marked by crop colour and texture rather than boundaries; and
- Complex visual composition of views tending to focus on the detail of houses, field patterns and crops, yet with the wider context of backdrop hills and sea adding diversity.

182. The LVIA identifies that the proposed development would be visible from all nine of the LCTs (detailed above) included in the assessment to a greater or lesser degree. The level of effect on the character areas differs primarily due to: the level of intervening landform screening; their variable sensitivity to wind farm development; and the existing influence of operational wind farms. Significant adverse effects, as a result of the proposed development, are predicted for LCTs 'Sweeping Moorland and Flows', 'Strath – Caithness and Sutherland', and 'Coastal Crofts and Small Farms'. Effects on the other six LCTs are assessed as Not Significant.

183. The proposed development would be located in the northern part of the 'Sweeping Moorland and Flows' LCT, just to the south of the coastal LCTs and west of Strath Halladale (Strath – Caithness and Sutherland LCT). Kirkton Energy Park would be seen at both relatively close distances (within 5km) and also at longer distances. Beyond 15km the pattern of visibility becomes increasingly fragmented and the proposed development would be seen in the context of the expansive sweeping moorland and would comprise a relatively limited element. Due to the extent of this LCT there would be large areas from which the proposed development would not be visible. Where the proposed development would be visible, it would generally be seen together with existing or consented wind farms, particularly the Strathy and Limekiln Wind Farms, which are also located within this LCT. As a result, the proposed development would not introduce new elements, but it would reinforce an existing pattern of development. The proposed conifer forestry removal would be positive in terms of landscape character and would occur through both the operational life of the wind farm and beyond. Combining the judgements regarding sensitivity and magnitude of change, the proposed development is predicted to give rise to a Moderate adverse level of effect on this character area. However, given the size of the change that would occur in the part of the LCT closest to the proposed development this is considered to be a Significant effect on parts of the LCT within up to approximately 10km.

184. The proposed development would be located immediately to the west of the 'Strath – Caithness and Sutherland' LCT, towards the more northerly part of Strath Halladale. Theoretically, visibility would extend throughout the majority of the Strath. Where the proposed development would be visible, it would generally be seen in isolation, or any visibility of baseline wind farms would be relatively limited due to the enclosure provided by landform. A positive change would result from the removal of the commercial forestry within the northern part of the site, and restoration of this area to peatland. Combining the

judgements regarding sensitivity and magnitude of change, the proposed development is predicted to give rise to a Major adverse level of effect on this LCT. This is therefore considered to be Significant.

185. The proposed development would be located at very variable distances from the 'Coastal Crofts and Small Farms' LCT. The closest occurrence is at Melvich, with the nearest turbine lying approximately 2.3km to the south of this LCT. The Zone of Theoretical Visibility (ZTV) mapping produced as part of the LVIA shows limited and fragmented visibility from the LCT overall, with no visibility predicted for the majority of the LCT. At Melvich and Portskerra there is predicted visibility from small parts of the LCT, but this is largely restricted to turbine blades. Where the proposed development would be visible, it would generally be seen in conjunction with other wind farms. The eastern proposed abnormal load turning area (Turning Area B) adjacent to Melvich would be within this LCT and would have localised adverse effects. The area of hardstanding would be clearly visible from a small part of the settlement and LCT. Whilst it would be a detracting element, this would be in the context of the built form of the settlement, albeit a change from the current use of this area for semi-improved grazing. Combining the judgements regarding sensitivity and magnitude of change, the proposed wind farm is predicted to give rise to a Moderate to Moderate-minor adverse level of effect on this LCT. In the case of this LCT this effect is considered to be Not Significant due to the primary focus and association with the coastline and sea to the north, away from the proposed development. However, the proposed turning area is predicted to give rise to a localised Major - moderate adverse level of effect on this LCT. In the case of this LCT this effect is considered to be Significant.

Visual Amenity

186. Of the 19 viewpoints assessed in **Technical Appendix 7.3: Viewpoint Assessment** of the EIA Report, Major/moderate and significant adverse effects are identified at six viewpoints: Viewpoint 1 (A897, Strath Halladale, Achiemore); Viewpoint 2 (A897, Strath Halladale, Golval); Viewpoint 4 (A836, at the Junction to Bighouse); Viewpoint 5 (Bighouse); Viewpoint 8 (Beinn Ratha); and Viewpoint 9 (Totegan, near Strathly Point) all within 10km of the proposed development. Moderate, Moderate/minor, minor or negligible and Not Significant effects are assessed at the other 13 viewpoints.
187. It is not considered that the wind turbines of the proposed development would be visually prominent from the majority of views from settlements, key locations or access routes. Neither would the proposed development create a perception of encirclement by wind energy development on any settlements. The majority of the viewpoints where significant effects are predicted are restricted to the northern part of Strath Halladale.

Cumulative Effects

188. The LVIA considers the potential cumulative effects with other wind farms as part of the assessment judgements that are made. This includes existing and consented wind farms, which form part of the baseline landscape and visual context, together with proposed wind farms that are at planning application stage. Reference is also made to proposed developments that are at EIA scoping stage in the LVIA where these are considered relevant.

Sequential Effects

189. Sequential effects on visual amenity have been considered as part of the LVIA as **Technical Appendix 7.6**. The two key routes considered in this Technical Appendix are the A836 and the A897. Analysis of the ZTVs shows that any visibility from other roads would be extremely limited or prevented by the intervening landform. Both the A836 and A897 form part of the primary road network within the study area and are the only primary roads where the ZTVs show notable visibility of the proposed development. Much of the A836 forms part of the North Coast 500 (NC500) and North and West Highlands Scenic Route.

190. Whilst these routes are the focus of the assessment of sequential visual effects, there is also recognition that the A836 and NC500 diverge at Tongue, with the NC500 following the A838. Therefore, consideration is given to the potential visual effects on the NC500 to west of Tongue. In addition, an on-road cycle route is located within the study area. Much of this cycle route follows the A836, however to the east of Reay it diverges from the primary road and follows the minor road through Shebster, Westfield and Newlands of Geise towards Thurso.
191. It is considered that the overall magnitude of change on users of the A836 would be Slight. However, it is recognised that in the vicinity of Strath Halladale the proposed development would be prominent and would have locally Major-moderate and Significant effects on visual amenity for people travelling along the A836. Analysis of the A838 identified that any potential effects resulting from the proposed development would be very limited due to the separation distance, context within which it would be seen and presence of existing and consented wind farms in the intervening landscape. Cyclists using the National Cycle Route have been considered. However, much of this route follows the A836 and the potential effects would be largely the same as for this road, including the predicted Significant effects in the vicinity of Strath Halladale.

Residential Visual Amenity

192. Nineteen residential properties were identified as having potential views of the proposed development, within the 2km Residential Visual Amenity Assessment (RVAA) study area. There is no visibility of existing, consented and proposed (submitted in a planning application) wind farms within the study area, therefore cumulative effects have not been considered in the RVAA.
193. No properties lie within 1km of the proposed turbines, which contributes to reducing the potential for overbearing or overwhelming effects occurring. However, there are properties within 2km with clear views to the proposed development. Major effects are predicted for 16 properties at between approximately 1.2km and 2.4km. At these properties, it is considered that although the proposed turbines visible would be prominent features, factors such as distance and the layout of the proposed development, together with open views from the properties that would be retained, in directions other than towards the proposed development, would avoid the potential for the RVAA threshold being reached³.

Wild Land Areas

194. There are four Wild Land Areas (WLA) located within the 40km study area:
- WLA 35 Ben Klibreck – Armine Forest;
 - WLA 36 Causeymire – Knockfin Flows;
 - WLA 38 Ben Hope – Ben Loyal; and
 - WLA 39 East Halladale Flows.
195. The scope for assessment of WLA was established through consultation with NatureScot. This identified a requirement for a specific detailed assessment of the effects of Kirkton Energy Park on WLA 39 East Halladale Flows. No request was made during the scoping of the LVIA for a detailed WLA assessment to be undertaken in relation to the other WLAs within the study area.
196. It is predicted that Kirkton Energy Park would have Major – moderate and significant effects on western parts of the East Halladale Flows WLA, with this relating to the attributes associated with the horizontal

³ Landscape Institute Technical Guidance Note 2/19 defines the RVAA threshold as: 'the effect of the development on Residential Visual Amenity of such nature and / or magnitude that it potentially affects 'living conditions' or Residential Amenity'.

emphasis of the landscape with few foci and the potential for extensive visibility of tall features. These significant effects would occur on the western side of the WLA within distances of up to between 8 and 10km. While Strathy North, Strathy South and Strathy Wood Wind Farms would be seen behind or to the south of Kirkton Energy Park in places, the proposed development would be noticeably closer than the other wind farm developments to the west.

197. The effects of Kirkton Energy Park on the northern part of the East Halladale Flow WLA are assessed as not significant.
198. The effects of Kirkton Energy Park on the eastern part of the East Halladale Flow WLA are assessed as not significant.
199. The proposed development would largely be seen, from WLA 39 East Halladale Flows, in the context of the operational and consented wind farms of Strathy North, Strathy Wood and Strathy South (albeit in closer proximity). The proposed development would therefore not introduce wind turbines into views from the WLA where wind turbines would not already have been visible. Further to this, views north to the coast and the sea would be unobstructed by the proposed development. Overall, Kirkton Energy Park would not fundamentally alter the key attributes and qualities and the East Halladale Flows, when considered in relation to the overall WLA and its baseline context.

Landscape and Visual Conclusions

200. In conclusion, it is assessed that despite the proposed development resulting in significant effects in relation to landscape and visual considerations, the proposed development would not be significantly detrimental overall (in relation to the landscape and visual elements of Policy 67) due to the generally localised nature of those effects assessed as significant. The nature of significant effects are summarised in the following:
 - Of the nine landscape designations within the 40km study area, one is assessed as having significant effects (Farr Bay, Strathy and Portskerra SLA), with these effects also considered to be localised within the SLA itself to the areas closest to the proposed development.
 - Of the nine LCTs included in the LVIA, three are assessed as having significant effects, and again the effects are considered to be localised to the parts of the LCTs closest to the proposed development, with other parts of the LCTs having considerably less visibility of the proposed development.
 - Of the 19 viewpoints included in the LVIA, six are assessed as having significant effects. All six of the viewpoints are located within 10km of the proposed development, again reflecting the relatively localised nature of the significant effects identified.
 - Significant effects are predicted for users of the A836, with this associated with a relatively short section of the A836 as it passes through the top part of Strath Halladale towards Melvich. Significant effects are also predicted for the A897, with these being most pronounced in the northern part of Strath Halladale (closest to the proposed development) and less so the further south down Strath Halladale the receptor is located.
 - Significant effects are predicted for the residential visual amenity of the residential properties located in the central and northern parts of Strath Halladale, however none of these properties would reach the RVAA threshold i.e. 'the effect of the development on Residential Visual Amenity [being] of such nature and / or magnitude that it potentially affects 'living conditions'.
 - Significant effects are predicted for the western part of the East Halladale Flows WLA, the side closest to the proposed development, within approximately 8km – 10km of the proposed wind turbines. The

other parts of the East Halladale Flows WLA would not be significantly affected by the proposed development.

201. It is therefore concluded that the significant landscape and visual effects assessed within the LVIA are localised in nature and therefore would not be significantly detrimental overall. The proposed development therefore does not conflict with the landscape and visual elements of Policy 67 of the HwLDP. As set out in more detail elsewhere in this Planning Statement, it is considered that the landscape and visual effects of the proposed development are considerably outweighed by the potential socio-economic benefits of the proposed development, as well as its contribution to renewable energy targets.

Natural, Built and Cultural Heritage (Including Species, Habitats and Forestry)

202. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on natural, built and cultural heritage.
203. SPP paragraph 195 identifies that all public bodies have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity, and that this duty must be reflected in development management decisions. SPP paragraph 203 provides that planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. SPP paragraph 169 provides that assessment of renewable energy development proposals should consider effects on the natural heritage, including birds.
204. SPP paragraphs 135 to 151 deal with the historic built environment. This section of SPP highlights that the historic environment is a key part of Scotland's cultural heritage and that it enhances local, regional and national distinctness. As such SPP seeks to ensure that historic assets are protected whilst also recognising that the historic environment can be adapted to accommodate new uses whilst still maintaining its special character. SPP paragraph 169 sets out that the assessment of renewable energy developments should consider impacts on the historic environment, including listed buildings, scheduled monuments and their settings. The proposed development has been assessed with regards to the historic environment in **Chapter 11: Cultural Heritage and Archaeology** of the EIA Report.
205. SPP paragraph 169 provides that assessment of renewable energy development proposals should consider impacts on carbon rich soils, including peat land.
206. SPP paragraph 169 details the considerations for renewable energy developments with regards forestry and woodland. Scottish Government's Policy on Control of Woodland Removal (2009) is also relevant here.

Natural Heritage, Biodiversity, Species and Habitats

207. The proposed development has been assessed with regards to natural heritage, biodiversity, species and habitats in **Chapter 8: Ecology** and **Chapter 9: Ornithology** of the EIA Report. **Chapter 8: Ecology** is accompanied by a Habitat Surveys Report (**Technical Appendix 8.1** in Volume 4 of the EIA Report), a Bat Survey (**Technical Appendix 8.2** in Volume 4 of the EIA Report), a Protected Species Report (**Technical Appendix 8.3** in Volume 4 of the EIA Report), a Fish Habitat Survey (**Technical Appendix 8.4** in Volume 4 of the EIA Report), an Outline Habitat Management Plan (**Technical Appendix 8.5** in Volume 4 of the EIA Report), and a Deer Management Statement (**Technical Appendix 8.6** in Volume 4 of the EIA Report). **Chapter 9: Ornithology** is accompanied by an Ornithological Survey Report (**Technical Appendix 9.1** in Volume 4 of the EIA Report), a Confidential Appendix (**Technical Appendix 9.2** in Volume 4 of the EIA Report), a Common Scoter Assessment (**Technical Appendix 9.3** in Volume 4 of the EIA Report), and a Shadow Habitats Regulations Assessment (**Technical Appendix 9.4** in Volume 4 of the EIA Report).

International and National Nature Conservation Designations

208. The site is located partially within an area that has been designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and a Special Protection Area (SPA). These designations extend into the site at the north west edge of the application boundary. Following consultation with NatureScot, THC and Scottish Forestry, a decision was made to fell the conifer plantation at the north of the site in order to facilitate habitat improvements (forest to peat bog restoration), and as such the application boundary includes the full conifer plantation. The SSSI, SAC and SPA designations extend a relatively small distance into the conifer plantation, and therefore also extend into the application boundary. The commitment within the proposed development to fell the conifer plantation at the north of the site and facilitate habitat improvements is considered to be beneficial to the SSSI, SAC and SPA designations. **Chapter 8: Ecology** assesses the potential effects of the proposed development on the SSSI and SAC designations, and concludes that there would be no significant effects on the qualifying habitats of either designation. **Chapter 9: Ornithology** assesses the potential effects of the proposed development on SPA designation and concludes that there would be no significant effects on the qualifying habitats of this designation.
209. Outwith the site, **Chapter 8: Ecology** and **Chapter 9: Ornithology** establish that due to the distance and the lack of hydrological connectivity or other pathways, there is no likely potential for any significant effects upon any relevant international and national nature conservation designations.
210. Overall, it is concluded that the proposed development would be in accordance with the policies and guidance criteria listed in Sections 6.1.1, 6.1.2 and paragraphs 153 to 154 of this Planning Statement with regards to the protection of international and national nature conservation designations.

Protected Habitats and Species

211. An extended Phase 1 Habitat Survey, a National Vegetation Classification (NVC) survey, fish habitat surveys and protected species surveys were all undertaken to establish if the site has any sensitive ecological habitats of nature conservation importance or value for protected species.
212. The primary habitat within the site, making up 46.96% of the site, is blanket bog. Detailed assessment as reported in Chapter 10: Hydrology, Hydrogeology, Geology and Soils of the EIA Report has confirmed that all of the bog habitats are sustained by incidental rainfall and surface water rather than groundwater.
213. The proposed development includes proposals to improve the quantity and quality of peatland bog habitats in order to offset any losses resulting from the footprint of the wind turbines and other onsite infrastructure. The ultimate aim of increasing peatland/blanket bog extent is to buffer the adjacent Caithness and Sutherland Peatlands Special Area of Conservation (SAC) land, and provide opportunities for expansion of peatland floral species while returning former forested areas to a more natural landscape. These proposals are detailed in **Technical Appendix 8.5: Outline Habitat Management Plan**.
214. With regards to protected species, the desk based studies and surveys undertaken identified potential evidence of otter, water vole, badger, wild cat, and pine martin. Potential water pollution effects on protected and notable species during the construction of the proposed development will be overcome through the best practice and the mitigation measures identified in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of the EIA Report being employed. Best practice measures and further mitigation measures to minimise the potential for adverse impacts to protected and notable species as a result of disturbance, displacement or injury during construction are identified in **Chapter 8: Ecology** of the EIA Report. The ecology assessment concludes that, following the implementation of these best practice construction and mitigation measures, that there would be no significant adverse effects on any protected

or notable species as a result of construction (both in isolation and cumulatively) of the proposed development.

215. During site survey work, a low level of bat activity was recorded within the site and, as such, the risk to bats of impacts from collisions and barotrauma is considered to be low. Therefore, the ecology assessment concludes no significant effects upon bats are predicted.
216. A walkover survey was undertaken in order to assess the importance of watercourses on site for fish. Three of the four main watercourses within the study area were assessed as having sections of high quality fish habitat. As a result of this high quality fish habitat, **Technical Appendix 8.4: Fish Habitat Survey** of the EIA Report emphasises the need for proposed watercourse crossings to avoid impeding fish passage by following current best practice, and also for the risk of pollution of the aquatic environment to be reduced through implementation of a water quality monitoring plan encompassing electrofishing, macro-invertebrate sampling and chemical monitoring.
217. Overall, it is therefore concluded that the proposed development would be in accordance with the policies and guidance listed in Sections 6.1.1, 6.1.2 and paragraphs 153 to 154 of this Planning Statement with regards to protected habitats and species.

Ornithology

218. Caithness and Sutherland Peatlands SPA lies immediately adjacent to the western boundary of the proposed development, with a small overlap in the north west of the proposed development site to incorporate the entirety of the coniferous plantation there as part of the proposed Habitat Management Plan. The Caithness and Sutherland Peatlands SPA forms the largest and most intact area of blanket bog in the UK. These peatlands, and the surrounding moorland and open water, are of international importance for the conservation of a diverse range of breeding birds. The North Caithness Cliffs SPA lies approximately 3km north of the proposed development at its closest point. Caithness Lochs SPA consists of a suite of six lochs and a mire (Broubster Leans) located approximately 15km to the east of the proposed development at its closest point.
219. Baseline data on ornithological interests has been obtained from desk based studies and various bird surveys. Bird surveys undertaken in 2019 / 2020 and 2020 / 2021 have included two full breeding seasons of flight activity surveys.
220. The following species have been assessed and it is considered that the proposed development would not give rise to a significant cumulative operational effect: Greylag Goose; Pink-footed Goose; Curlew; Lapwing; Golden Eagle; Whooper Swan; Golden Plover; Dunlin; and Hen Harrier.
221. The potential impacts of the proposed development on ornithological receptors found within and in close vicinity to the site have been assessed. Taking into account the successful implementation of the mitigation measures contained within the CEMP and HMP, there will be no significant residual effects
222. Overall, it is therefore concluded that the proposed development would be in accordance with the policies and guidance listed in paragraphs 134, 166 and 167 of this Planning Statement with regards to ornithology.

Archaeology and Cultural Heritage

223. The proposed development has been assessed with regards to Archaeology and Cultural Heritage in **Chapter 11: Archaeology and Cultural Heritage** of the EIA Report.

224. There are no designated heritage assets within the site application boundary. Within 1km of the site there are two regionally important designated heritage assets: two category B listed buildings. There are 17 heritage assets of national importance within the 10km Study Area.
225. There are 24 non designated heritage assets within the site application boundary. Although there are a number of archaeological features within the site, the layout of the proposed development has been designed to avoid these assets. Where this has not been possible, mitigation measures including fencing around known assets, watching briefs in areas of potential unrecorded buried archaeology and a programme of archaeological investigation may be required. It is considered that a planning condition requiring a written scheme of investigation to be agreed with the Planning Authority prior to the commencement of development would address this matter.
226. The archaeological and cultural heritage assessment included in the EIA Report concludes that there would be no significant impacts to designated assets during the construction or operational stages of the proposed development.
227. Overall, it is therefore concluded, taking into account the proposed mitigation which could be secured by planning condition, that the proposed development would not result in any unacceptable impacts upon the historic environment.

Carbon Rich Soils and Peat

228. The proposed development has been assessed with regards to carbon rich soils and peat in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of the EIA Report.
229. Table 1 of SPP identifies carbon rich soils and peat as areas of special protection (i.e. Group 2 areas) where it is necessary for applicants to show that any significant effects of wind farm development can be substantially overcome. SPP paragraph 205 provides that where peat and other carbon rich soils are present, that applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. It continues that developments should aim to minimise the release of CO₂ to the atmosphere that can be caused by the drainage or disturbance of peatland.
230. As previously identified, it is noted that much of the site is located within a Group 2 area due mainly to mapped areas of Class 1 and Class 2 carbon rich soil, deep peat and priority peatland. Whilst this national level mapping taken from SNH's (now NatureScot's) Carbon and Peatland Map 2016 is helpful in identifying the potential presence of peat when preparing spatial frameworks for wind energy developments, it must be noted that it is not intended to be used as a development management tool for assessing individual proposals. NatureScot's 'Spatial Planning for Onshore Wind Turbines – natural heritage considerations' (SNH, 2015) guidance document makes this clear. It states that the national level peatland map information:
- “cannot (and should not) be used in isolation to determine the impacts of a specific development proposal on peat. This should be based on a detailed, site specific survey of peatland habitats and peat depths across the site using existing methods. The location of a proposal in the mapped area does not in itself mean that the proposal is unacceptable, or that carbon rich soils, deep peat and priority peatland habitat will be adversely affected. The quality of peatland tends to be highly variable across an application site and a detailed assessment is required to identify the actual effects of the proposal, and to inform the location of site infrastructure...”*
231. Careful consideration to the presence of peat has been had in the layout and design of the proposed development, including a comprehensive programme of peat survey investigation work. The results of these surveys, which are reported in **Technical Appendix 10.1: Peat Landslide Hazard Risk Assessment** in

Volume 4 of the EIA Report, confirm that the peat depth at all eleven proposed turbine locations is less than 1m thick, with slope angle of less than 8°, and would be at negligible to low risk of peat instability.

232. The other onsite infrastructure; Substation compound, Temporary construction compound, and borrow pit search areas, are all located in areas with an average peat depth of under 1m. A floating road design solution was also identified for approximately 446.95m of the proposed new access tracks where consistent peat depths of 1-1.5m or greater were identified along with shallow topography (below 3°).
233. **Technical Appendix 10.2: Peat Management Plan** of the EIA Report, sets out that the volumes of peat excavated onsite could likely be re-used without creating surplus materials which would need to be classified as waste. Pre-construction, further information including detailed ground investigations to determine the peat characteristics across the site will be collected to enable detailed design of the site infrastructure and to enable a detailed Peat Management Plan to be prepared (the current Peat Management Plan is an outline document). The requirement for a detailed Peat Management Plan can be secured through an appropriate planning condition.
234. Overall, it is concluded that the proposed development would not result in any unacceptable impacts upon carbon rich soils, including peat.

Forestry

235. The proposed development has been assessed with regards to Forestry in **Chapter 3: Description of Development**, and **Technical Appendix 3.2: Forestry** of the EIA Report.
236. The proposed development includes the felling of approximately 87.75ha of conifer forest (net area of 70.75ha bearing trees). This felling is not to accommodate the infrastructure footprint of the proposed development but rather to allow for habitat improvements following consultation with NatureScot, THC, and Scottish Forestry. The proposed activities would contribute significantly to enhancing priority habitats and would therefore be in accordance with the criteria for determining the acceptability of woodland removal as set out in the Scottish Government's Control of Woodland Removal Policy (Forestry Commission Scotland, 2009).
237. The proposed development would also require approximately 3.58ha of native woodland to be felled to directly accommodate the infrastructure footprint (Turbines 1 and 2 and associated access track).
238. **Technical Appendix 3.2: Forestry** of the EIA Report identifies that as a result of both conifer forest and native woodland felling, an area of approximately 13.28ha would require compensatory planting under the Control of Woodland Removal Policy. It is anticipated that the compensatory planting could be carried out elsewhere on Kirkton Farm land and that the planting would be native in character. The required area of compensatory planting, in line with the Policy on the Control of Woodland Removal, would be delivered via a suspensive planning condition.
239. Subject to an appropriate condition relating to compensatory planting being attached, the proposed development would comply with the policies and guidance listed in paragraphs 153 and 206.

The Water Environment (Including Ground Water, Surface Water and Water Supply)

240. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on ground water, surface water and water supply.

241. SPP, in paragraph 169, also sets out that the assessment of renewable energy developments should consider effects on hydrology, the water environment and flood risk.
242. The proposed development has been assessed with regards to the water environment in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of the EIA Report.
243. The construction period is the most likely to give rise to potential pollution and contamination of the water environment, associated with the formation of wind turbine bases and other ancillary infrastructure. Pollution may also potentially arise during the construction stage from storage of materials and chemicals onsite and from site welfare facilities. This matter has been addressed in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of the EIA Report, which identifies a number of general pollution prevention measures that would be employed to ensure that both ground and surface waters are not contaminated. All of these mitigation measures will be included within a Construction Environment Management Plan (CEMP) which will be submitted for approval to the Planning Authority prior to the commencement of any construction works. Subject to the adoption of best practice techniques and these identified mitigation measures being employed, no unacceptable adverse consequences in terms of pollution and contamination of the water environment are identified in relation to the proposed development.
244. The impact of the proposed development on private water supplies is assessed in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of the EIA Report. The assessment identifies that there is one Private Water Supply source located with 5km of the proposed turbine locations and downstream of the site, supplying Kirkton Farm, Kirkton Cottage and Ar Dachaigh. Site survey work has confirmed that no element of the proposed development is located within the surface water catchment of Lochan Coulbackie or of the Private Water Supply source. Further to this, only limited forest felling will occur in the surface water catchment to the PWS source. To ensure that this water supply source will not be adversely impacted by the proposed development, a planning condition requiring adoption of a monitoring programme both prior to and during construction is proposed.
245. The layout and design of the proposed development has sought to utilise existing water crossings where possible, with these being upgraded as required. The proposed development has incorporated six existing watercourse crossings and proposes five new watercourse crossings. Detail on these watercourse crossings are provided in **Technical Appendix 10.4: Schedule of Watercourse Crossings**.
246. Overall, it is therefore concluded, taking into account the proposed mitigation which could be secured by planning conditions, that the proposed development would not result in any unacceptable impacts upon hydrology, the water environment or flood risk and would therefore be in accordance with the policy and guidance listed at paragraph 153 of this Planning Statement.

Traffic and Transport

247. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on land and water based traffic and transport interests.
248. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts on road traffic as well as impacts on adjacent trunk roads.
249. The proposed development has been assessed in terms of access and traffic impacts in **Chapter 12: Site Access, Traffic and Transport** of the EIA Report.

250. There will be three types of traffic during construction of the proposed development:

- abnormal indivisible loads that will deliver the turbine components (blades, towers, hubs and nacelle units) and cranes for turbine assembly and erection;
- standard load heavy goods vehicles (HGV) delivering construction materials and equipment to the site; and
- ancillary vehicles and other light goods vehicles (LGV) used by construction staff and deliveries.

251. As detailed in Section 2.6 of this Planning Statement and shown on **Figure 4**, there is one proposed access route (with two variations) for wind turbine components being delivered to the site. The proposed route is from the Port of Scrabster, west along the A836, then turning either at abnormal loads turning area A (west of Melvich) or B (in Melvich), before heading back east along the A836 until turning off down the Kirkton Farm road and on to the site. Only one abnormal loads turning area would need to be constructed, but due to ongoing landowner and community negotiations, two options have been included in the proposed development.

252. An abnormal loads route assessment has been carried out for the transportation of abnormal loads (primarily the wind turbine blade) along this route, from the Port of Scrabster to the site. This assessment identifies that a blade lifter would be required in order to transfer the wind turbine blades down the Kirkton Farm road and into the site. It is therefore proposed that wind turbine blades would be transferred onto specialist blade lifters at either abnormal loads turning area A or B (whichever is ultimately selected). This assessment is provided as **Technical Appendix 12.1: Abnormal Load Route Assessment**.

253. Once the final route, turbine model and vehicle type is confirmed, a detailed Abnormal Loads Assessment and Abnormal Load Traffic Management Plan (ALTMP) will be prepared. The ALTMP will set out the key points and issues associated with abnormal loads for the selected turbine delivery. The requirement for an ALTMP can be secured through an appropriate planning condition.

254. Over the entire 18 month construction period, it is expected that month 5 and months 12 to 18 would see the highest number of HGV two-way movements over a consistent period, with an average of 17 and 16 per day as the maximum. Light vehicle trip generation would see a maximum of 48 two-way trips each day during the worst-case months. HGV traffic is anticipated to increase considerably, with a 244% rise on the A836 during the 'worst-case' months. However, percentage increases in total traffic volumes would be below the IEMA thresholds (i.e. an increase of 30%). The proposed development would create a significant increase to HGV traffic levels within the study area but these levels would remain well within the design capacity of the local road network and road safety would not, therefore, be compromised.

255. It is proposed that a Construction Traffic Management Plan (CTMP) be developed to identify the measures to be implemented in order to manage and minimise the impact of construction traffic. An outline CTMP is provided in **Technical Appendix 12.2** of the EIA Report. Proposed mitigation measures in the outline CTMP include timing abnormal vehicle movements to avoid peak hours, including at night for those that are able to do so. Local residents will also be notified prior to construction starting and kept fully informed of details in relation to the timing of the delivery of turbine parts.

256. Overall, taking into account the proposed mitigation and planning conditions, it is concluded that the proposed development would not give rise to any significant issues on the transport network or road safety.

Tourism and Recreation

257. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on tourism and recreation interests.
258. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts upon tourism and recreation.
259. The proposed development has been assessed in terms of access and traffic impacts in **Chapter 14: Socio Economics and Land Use** of the EIA Report.
260. Tourism and recreational activity in the area is relatively quiet compared to some other parts of the north coast such as Thurso, John o' Groats or Tongue, however the popular North Coast 500 tourist route (A836) passes within approximately 1.5km of the site. As the A836 is the proposed route to site for the majority of construction traffic, a CTMP would be implemented for the proposed development to minimise the effects of turbine deliveries and other construction traffic on the local road network. Other popular tourism and recreational opportunities in the area include Melvich beach, walking routes, fishing, the A897 (north – south through Strath Halladale) and various accommodation businesses within Strath Halladale and in Melvich itself.
261. The visual impact upon users of the North Coast 500 tourist route (A836) which passes nearby the site, and the various nearby accommodation businesses are suggested as the primary considerations with regard to potential impacts on tourism. In the context of LVIA methodology road users are considered to be less sensitive than residents or walkers due to the transitory nature and speed of travel.
262. It is recognised that the acceptability of the visual impact of renewable and wind energy developments is largely subjective matter and that there is no evidence that wind turbines have a negative effect upon tourism or recreation interests. In assessing the acceptability of the visual impact of the proposed development on tourists and recreation, significant weight should be given to a number of studies (as referred to in **Chapter 14: Socio-Economics and Land Use** of the EIA Report) which have been undertaken in order to identify if the presence of a wind turbines would have any negative effects. These show that for the majority of tourists, wind turbines are not a major factor in their decision making, whilst amongst those who do take note of them, most regard them as having a positive or a neutral effect on the landscape (Scottish Government , 2008 and VisitScotland 2012). On the basis of these studies it is concluded that there is no evidence that wind farm proposals have a negative impact upon tourism. This conclusion is supported by the findings in the Scottish Parliament's Economy, Energy and Tourism Committee's (2012) 'Report on the Achievability of the Scottish Government's Renewable Energy Targets' which concluded that there is *"no empirical evidence which demonstrates that the tourism industry in Scotland will be adversely affected by the wider deployment of renewable energy projects, particularly onshore and offshore wind."* Subsequent studies have reported similar findings, one of the most recent being a study by BiGGAR Economics published in 2016 which actually found that in the majority of cases sustainable tourism employment actually performed better in areas surrounding windfarms than in the wider local authority area.
263. **Chapter 14: Socio-Economics and Land Use** of the EIA Report concludes that any predicted adverse effects on tourism and recreation have been assessed as not significant.

264. Overall, it is therefore concluded that, subject to the proposed conditions, that the proposed development would not have a significant adverse effect on tourism and recreational activity and those related aspects of the local and wider economy.

Public Access

265. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on public access interests.
266. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts on public access, including impact on long distance walking and cycling routes identified in NPF3.
267. The proposed development has been assessed in terms of public access in **Chapter 14: Socio-Economics and Land Use** of the EIA Report.
268. There are no formal recreational or walking routes located within the site itself, however, the Kirkton to Upper Bighouse Core Path runs from north to south adjacent to the site's eastern boundary, adjoining the site's access on Kirkton Farm road at its northern end.
269. The Kirkton – Bighouse Core Path may be temporarily affected for a few weeks only as a result of the connecting highway, Kirkton Farm Road, being temporarily restricted as it is being widened to deal with abnormal loads. However, this restriction would only be local to the northernmost section of the Core Path, where it meets Kirkton Farm road, to ensure the adequate health and safety of the users, leaving the rest of the Path still accessible to users. Any restriction would be exclusive to vehicles and would last for a relatively short amount of time, the implementation of the Construction Traffic Management Plan would ensure the safe and continuous access of users of the Core Path around the roadworks.
270. Overall, it is therefore concluded that the proposed development would not result in any unacceptable impacts upon public access, including long distance walking and cycling routes.

Safety and Amenity (Including Noise and Shadow Flicker)

271. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on safety and amenity (noise, shadow flicker, ice throw) at regularly occupied buildings and their grounds.
272. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts on communities and individual dwellings with regards noise and shadow flicker.

Noise

273. The proposed development has been assessed in terms of noise related impacts in **Chapter 13: Noise** of the EIA Report.
274. The predicted worst-case construction noise levels for each of the key construction activities are below the threshold of significance (70 dB L_{Aeq}) at all nearby residential receptors and are therefore considered 'not significant'.

275. If blasting is employed to win stone from the proposed borrow pits, a planning condition requiring the submission of a blasting method statement for the approval of the Planning Authority is proposed to ensure that these operations do not result in any unacceptable noise and vibration impacts upon residential amenity.
276. The construction phase working hours for the proposed development would be 07:00 to 19:00 Monday to Friday and 07:00 to 16:00 at weekends. It should be noted that out of necessity some activity, for example abnormal load deliveries and the lifting of the turbine rotors, may need to occur outside the specified hours stated, although they would not be undertaken without prior approval from THC.
277. The operational wind turbine noise immission level from the proposed development is not predicted to exceed the ETSU-R-97 noise limit at any residential receptor for any given wind speed, and would therefore be considered 'not significant'.
278. No other wind turbines would cumulatively add to the operational or construction noise assessed. The operational and construction noise from the proposed development would not add cumulatively to noise from other wind developments.
279. Overall, it is therefore concluded that the proposed development would not result in any unacceptable noise impacts upon noise sensitive receptors.

Shadow Flicker

280. The proposed development has been assessed in terms of shadow flicker impacts in **Chapter 15: Other Issues** of the EIA Report.
281. Six residential properties have been identified as falling within the 1,488m⁴ study area for shadow flicker. The shadow flicker assessment, detailed in **Chapter 15: Other Issues** of the EIA Report, concludes that none of the six properties would experience over 30 hours of shadow flicker in a year or over 30 minutes of shadow flicker per day as a result of the proposed development.
282. Overall, it is therefore concluded that the proposed development would not result in any unacceptable impacts upon residential amenity as a result of shadow flicker specifically.

Safe Use of Airport, Defence and Emergency Service Operations

283. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on the safe use of airports, defence or emergency service operations. This includes flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas.
284. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts upon aviation and defence interests.
285. The proposed development has been assessed in terms of aviation and defence related impacts in **Chapter 15: Other Issues** of the EIA Report.

⁴ 11 times 133m rotor diameter + 25m micro-siting allowance

286. The proposed development is deemed to be not visible to the relevant extant aviation radar and as such is not assessed as having any significant effects with regards to aviation radar. The proposed development site is within Low Flying Area 14, where military aircraft are permitted to fly down to 250 feet above ground level and obstacles, however the site lies just outside the high priority low flying training area denoted 'Tactical Training Area – 14T'. As the wind turbines would be fitted with infrared lighting in order to mitigate against physical obstruction to low flying aircraft operating in the area, the proposed development is not assessed as having any significant effects on low flying military aircraft.

287. Overall, it is therefore concluded that the proposed development would not result in any unacceptable impacts upon aviation and defence.

Other Communications Installations (Including Radio and TV Reception)

288. Policy 67 of the HwLDP states that THC will support proposals where it can be satisfied that they are located, sited and designed in a way such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on communication installations, including radio and TV reception.

289. SPP, in paragraph 169, also provides that assessment of renewable energy development proposals should consider impacts upon telecommunication and broadcasting installations, in particular ensuring that transmission links are not compromised.

290. The proposed development has been assessed in terms of potential impacts on communications installations in **Chapter 15: Other Issues** of the EIA Report.

291. The assessment in the EIA Report concludes, after extensive consultation and input to the design process, that the proposed development will have no effect on any telecommunications, broadcasting or transmission link interests. In the unlikely event that issues do arise, it is a matter that may be mitigated and could be the subject of planning conditions.

292. The assessment in the EIA Report also highlights that the proposed development is located in an area which is now served by a digital transmitter and, therefore, television reception is unlikely to be affected by the proposed development as digital signals are rarely affected. The same is considered to be the case for radio quality / interference.

293. Overall, it is therefore concluded that the proposed development would not result in any unacceptable impacts upon telecommunications, broadcasting installations or transmission links.

Decommissioning and Site Restoration

294. Policy 67 of the HwLDP does not specifically refer to decommissioning or restoration of renewable energy projects, however SPP paragraph 169 provides that assessment of renewable energy proposals should consider the need for conditions relating to the decommissioning of the development, including ancillary infrastructure, and site restoration.

295. At the end of its operational life, the proposed development would be decommissioned in accordance with a Decommissioning and Restoration Plan (DRP) which would be submitted to THC for approval no later than 12 months prior to the start of decommissioning. Alternatively, a new application could be made to extend its operational life. Following this, providing there has been no approval to extend the life, it is expected that the Energy Park would then be decommissioned. It is considered that the requirement for a Decommissioning and Restoration Plan (DRP) could be secured through an appropriate planning condition.

Other Relevant HwLDP Policies

296. Other policies within the HwLDP relevant to the determination of this application are assessed in **Table 5-1**.

Table 5-1: Assessment of the Proposed Development Against Other HwLDP Policies

Policy Principle	Proposed Development
Policy 28: Sustainable Design	<p>Policy 28 sets out the requirement for all development to be designed in the context of sustainable development and climate change. The policy sets out criteria which development proposals are to be assessed against. The position with regard to these is as follows:</p> <ul style="list-style-type: none"> • The proposed development would make the most of the very good wind resource at the site, and utilise existing infrastructure (track, culverts etc). It is therefore considered to be in accordance with criterion 3 which requires that developments maximise energy efficiency in terms of location, layout and design. • Impacts upon residential amenity have been assessed in relation to HwLDP Policy 67 (para 192 – 201) and are considered to be acceptable. The proposed development would therefore be in accordance with criterion 7. • The impact of the proposed development upon the resources listed (habitats, species, ecosystems, landscapes/scenery, cultural heritage, and air quality) in criterion 9 has been assessed in relation to HwLDP Policy 67 (para 202 – 222) and is considered to be acceptable. The proposed development would therefore be in accordance with this criterion. • Criterion 10 requires sensitive siting and high-quality design. As set out in the assessment of HwLDP Policy 67 above (para 174 – 201), the proposed development has been sensitively sited and its design would not result in any unacceptable impacts upon local character, the historic environment or the natural environment. The proposed development would therefore be in accordance with this criterion. • The proposed development would contribute positively to the local and wider economy and is therefore considered to be in accordance with criterion 13. <p>Other criteria listed under Policy 28 are not considered to be relevant to the assessment of the proposed development. Overall, it is therefore concluded that the proposed development is in accordance with this policy in so far as it is relevant.</p>
Policy 51: Trees and Development	<p>Impacts of the proposed development upon trees and woodland have been assessed in detail with reference to HwLDP Policy 67 above (para 235 – 239). 87.75ha (net 70.75ha) of conifer plantation forestry, and 3.58ha of native woodland, would be felled as part of the proposed development. 87.75ha of this felling would accommodate the proposed habitat management area for 'forest-to-bog restoration'. The remainder of the felling would be to mitigate against the 'edge effect' experienced by species/habitats and also reduce the likelihood of wind blow affecting the remaining tree crop. Due to the depth of peat across parts of the northern conifer forestry block and the proximity of the proposed development to the SPA and SAC, the proposed activities would contribute significantly to enhancing priority habitat at the 87.75ha to be managed as 'forest-to-bog restoration'. Compensatory planting would be required for the felling of 9.7ha of the northern forest block and 3.58ha of the native woodland to be felled. A commitment to this compensatory planting, including a suitable location being available within the application boundary, is provided in the Chapter 3 of the EIA Report, Technical Appendix 3.2 of the EIA Report.</p>

Policy Principle	Proposed Development
	Overall, it is therefore concluded that the proposed development is in accordance with this policy.
Policy 52: Principle of Development in Woodland	<p>The proposed development site is considered appropriate for wind farm development due to good wind yields and being almost entirely located outwith any national designations. The majority of the site is not covered by woodland, and the proposed development largely avoids forested areas in terms of siting turbines and associated infrastructure (with the exception of T2 and its access track).</p> <p>The proposed development includes the felling of 87.75ha (net 70.75ha) of conifer forest located at the north of the site. No infrastructure is located within the northern conifer forest block, however the felling is considered beneficial in order to allow for 'forest-to-bog restoration' and also mitigate against the 'edge effect' experienced by species/habitats.</p> <p>Overall, it is therefore concluded that the proposed development is in accordance with this policy in so far as it is relevant.</p>
Policy 55: Peat and Soils	<p>Peatland habitats and peat have been addressed in detail with reference to HwLDP Policy 67 above (para 228 – 234). The proposed development is considered to be in accordance with this policy as it would avoid unnecessary disturbance, degradation and erosion of peat and soils, and a Peat Management Plan would be put in place to establish how peat dug out during the construction of the development would be managed to allow the valid re-use of peat and to avoid, or minimise, the generation of waste peat.</p> <p>Overall, it is therefore concluded that the proposed development is in accordance with this policy.</p>
Policy 57: Natural, Built & Cultural Heritage	<p>Impacts of the proposed development upon the features of the natural, built and cultural heritage identified have been assessed in detail with reference to HwLDP Policy 67 above (para 202 – 239). It is considered that the proposed development would not have any unacceptable impacts upon these features.</p> <p>Overall, it is therefore concluded that the proposed development is in accordance with this policy.</p>
Policy 58: Protected Species	<p>Policy 58 is a multi-criterion based policy which applies to development proposals that may affect protected species, including European protected species. Impacts upon protected species have been addressed in relation to HwLDP Policy 67 above (para 211 – 222). With the implementation of the proposed mitigation measures which can be secured via planning conditions, no unacceptable impacts upon any protected species are predicted.</p> <p>Overall, it is therefore concluded that the proposed development is in accordance with this policy.</p>
Policy 59: Other Important Species	<p>Policy 59 identifies other important species which THC will generally seek to protect. No detrimental effects on any such species are predicted to occur and therefore the proposed development is considered to be in accordance with this policy.</p>
Policy 60: Other Important Habitats	<p>Policy 60 identifies other important habitats which THC will generally seek to protect. No detrimental effects on any such habitats are predicted to occur and therefore the proposed development is considered to be in accordance with this policy.</p>
Policy 61: Landscape	<p>Policy 61 seeks to ensure that new development is compatible with landscape characteristics and that relevant Landscape Character Assessments have been taken into account in development design. This is addressed in relation to HwLDP Policy 67 above (para 170 – 201).</p>

Policy Principle	Proposed Development
	Overall, it is concluded that the significant landscape and visual effects assessed within the LVIA are localised in nature and therefore would not be significantly detrimental overall. The proposed development is therefore considered to be in accordance with this policy.
Policy 66: Surface Water Drainage	The proposed development incorporates good practice drainage design during construction and operation, using a sustainable drainage system (SUDS) approach to control the rate, volume and quality of run-off from the proposed development. The proposed development is considered to be in accordance with this policy.

7.0 Conclusions

7.1 Electricity Act 1989

297. As the proposed development will have an installed capacity of greater than 50 MW, the application for consent and deemed planning permission is made to Scottish Ministers under section 36 of the Electricity Act 1989.
298. Paragraph 3(2) of Schedule 9 to the Electricity Act 1989 Act provides a specific statutory requirement on the Scottish Ministers to have regard to various matters when considering development proposals. The information that is contained within the EIA Report that accompanies this application addresses these. It is considered that the EIA Report confirms that the proposed development is environmentally acceptable. On this basis SPR has fulfilled its obligations under Schedule 9 of the Electricity Act 1989 in this regard.

7.2 Renewable Energy and Climate Policy Framework

299. There has been a strong commitment in recent times from government across the world towards reducing the risks and impacts of climate change. However, a rapidly changing climate has driven many governments to formally declare a 'climate emergency', the UK and Scottish Governments both declaring such climate emergencies in 2019.
300. In response to the declared climate emergency, there has been a step change in policy and attitudes towards the importance of reducing greenhouse gas emissions to combat climate change as soon as possible. This has seen the Scottish Government adopting even more ambitious climate change and renewable and targets than it had previously set, in particular setting statutory targets through the Climate Change (Emissions Reductions Targets) (Scotland) 2019 which now commit Scotland to a new target of net zero emissions of all greenhouse gases by 2045 and a series of interim and annual targets towards this. The evidence clearly shows the scale of the challenge required to meet these targets. The importance of very substantial increases in renewable energy generation to reduce greenhouse gas emissions has therefore been emphatically acknowledged, with the UK Committee on Climate Change identifying that renewable energy generation "must quadruple" if net zero targets are to be met. With the onshore wind sector likely to play the greatest role in achieving this substantial increase in renewable energy generation in the next decade, the consultative draft of the Scottish Government's Onshore Wind Policy Statement Refresh 2021 has quantified this as requiring between 8 to 12GW of additional onshore wind generation by 2030, a target enshrined through the Bute House Agreement.
301. Renewable energy generation, including domestic onshore wind, also has an important part to play in the British Government's aims to reduce rapidly increasing energy bills and increase energy security, by enabling a reduction in the dependence on imported oil and gas. This is detailed within the British Government's 'British Energy Security Strategy' (2022).
302. It is therefore concluded that the need case for the new renewable generation, and in particular onshore wind, has been materially strengthened by this new net zero legislation. That being the case, the contribution the proposed development would make to these targets by replacing fossil fuel energy generation and thereby reducing greenhouse gas emissions is a factor in its favour to which substantial weight should be attached in the determination of this application.

7.3 National Planning Policy & Guidance

303. NPF3 and SPP set out a strong position of support for renewable energy developments, in particular onshore wind energy developments, in relation to the contribution that they can make towards a low carbon economy, sustainability and reducing greenhouse gas emissions. This support is qualified by the need to ensure that such developments are guided to appropriate locations and the need to ensure that environmental impacts are satisfactory.
304. Taking account of the development management considerations for energy infrastructure developments set out at paragraph 169 of SPP it is concluded that:
- In terms of benefits, the proposed development would have a positive net economic impact, including local and community socio-economic benefits such as employment and associated business and supply chain opportunities. It would also make a positive contribution to renewable energy generation targets, carbon dioxide reduction targets, and have a consequent beneficial effect on helping to reduce greenhouse gas emissions.
 - There would be no significant effects on communities and individual dwellings in terms of noise or shadow flicker, nor would the proposed development adversely impact upon residential visual amenity to an unacceptable degree.
 - The proposal would have no significant effects on the natural heritage, including birds. Its impact on carbon rich soils and peat would not be unacceptable. There would be no significant effect on public access, including impact on long distance walking and cycling routes and scenic routes identified in NPF3.
 - There would be no significant effects on the historic environment, including scheduled monuments, listed buildings and their settings.
 - There would be no significant impacts on tourism and recreation in the area around the proposed development.
 - There would be no significant effects on telecommunications and broadcasting installations.
 - There would be no significant effects on the surrounding road network. Any effects on road traffic (including tourist traffic) and the trunk road network could be appropriately managed by conditions. Conditions could also regulate effects on hydrology, the water environment and flood risk and could secure the decommissioning of the development as well as site restoration.
 - There would be no aviation constraints (aviation radar or military low flying) as a result of the proposed development.
 - There would be no significant adverse cumulative effects with any other existing or proposed development.
305. Overall, it is therefore concluded that the proposed development would comply with requirements of paragraph 169 of SPP.
306. In addition, SPP introduces a presumption in favour of development that contributes to sustainable development. For the reasons set out in the preceding section, it is considered that the proposed development should be categorised as such and that this is a significant factor in its favour.
307. Whilst the proposed development is in accordance with, and indeed draws positive support from NPF3 and SPP, both policies were published in 2014 and therefore are now acknowledged to be out of date in terms of the latest net zero legislation and the urgent need for carbon reduction measures to tackle

climate change. Although it is noted that NPF3 and SPP remain as current policy until final approval of NPF4, it is clear from the Draft NPF4 that significant weight should be given to the Global Climate Emergency when considering all development proposals. Therefore, it is considered that even greater weight should be given now to renewable energy developments and their benefits in the planning balance exercise than current national planning policy provides.

7.4 Development Plan

308. The key relevant policy test in the HwLDP is policy 67. This sets out the specific topics/areas for the assessment of renewable energy developments and wind energy developments. Policy 67 sets out the development management considerations against which the acceptability of such proposals will be assessed, and provides that acceptability with these considerations will be determined through an assessment of the details of the proposal including its benefits and the extent to which environmental and cumulative impacts can be addressed satisfactorily.
309. The development management considerations for wind energy developments in HwLDP policy 67 are broadly the same as those set out in paragraph 169 of SPP. For the reasons set out above in relation to national planning policy, it is considered that the proposed development is in accordance with these considerations.
310. Overall, it is therefore concluded that the environmental and cumulative impacts of proposed development have been addressed satisfactorily through the layout and design of the proposed development or can be addressed through appropriate planning conditions. Taking into account the important climate change, renewable energy and socio-economic benefits of the proposed development, it is concluded that the planning balance lies in favour of the proposal. On this basis it is concluded that the proposed development accords with HwLDP Policy 67 and its associated Supplementary Guidance.
311. The proposed development is also considered to be in accordance with all the other relevant policies within the HwLDP and their associated supplementary guidance. The proposed development would therefore be consistent with the HwLDP, insofar that it is a relevant consideration in the determination of a section 36 application.

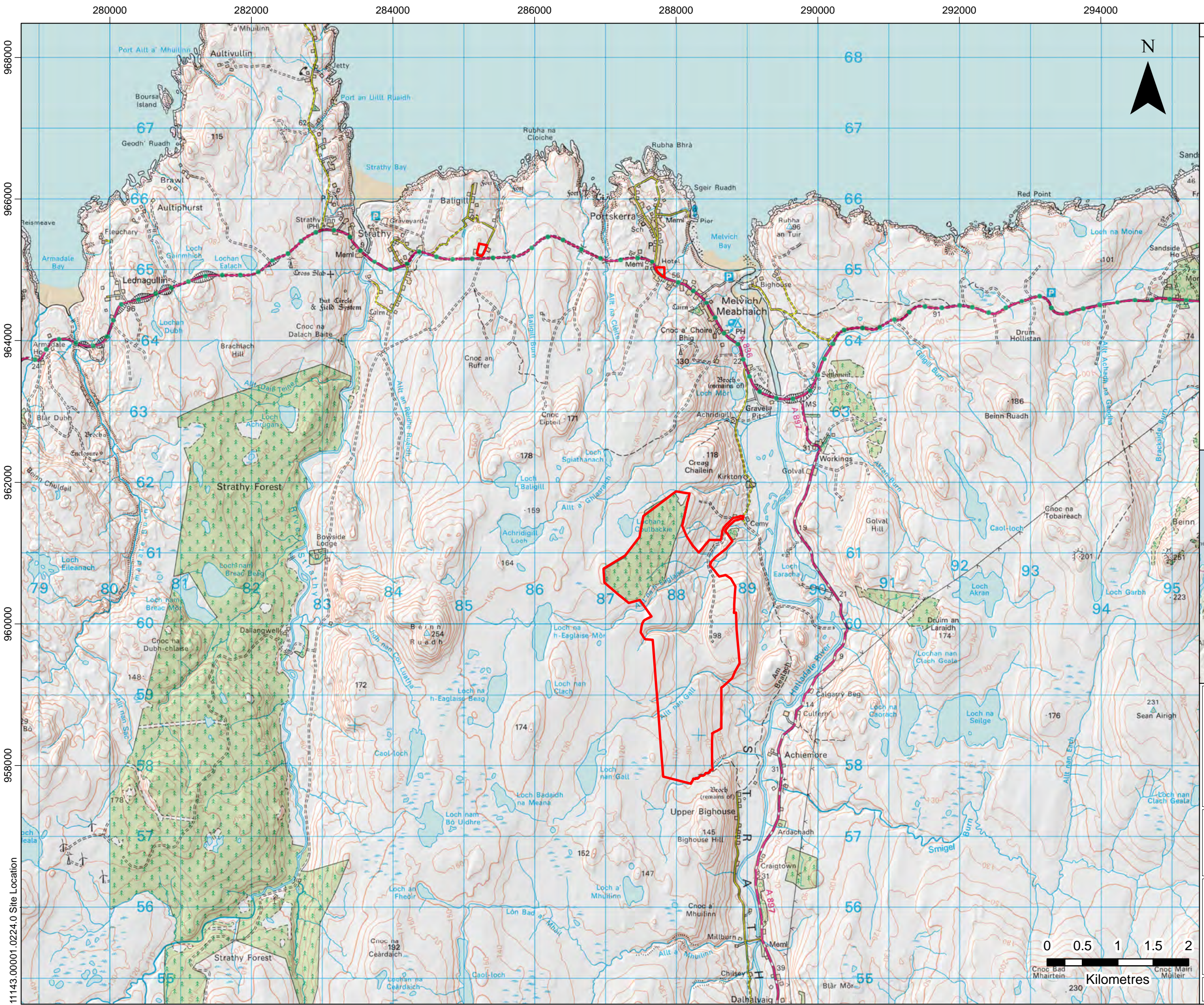
7.5 Overall Conclusions

312. The UK and Scottish Government objective is clear in terms of the urgency of the need case for carbon reduction measures, including the requirement for the rapid development of renewable energy. Large schemes (> 50MW) such as the proposed development, which utilise efficient turbines, are located on sites that benefit from high wind speeds, and that have a short carbon payback period, can make significant contributions towards this objective.
313. Given this strong need case, it must surely be demonstrated in terms of the planning balance exercise that if proposals for such schemes are not to be granted consent that they must either be located on unsuitable sites and/or that their adverse environmental impacts must be out of the ordinary or exceptional. As demonstrated throughout this Planning Statement, this is clearly not the case with this proposal. Once account is taken of the mitigation in relation to impacts on peat and carbon rich soil, the proposed development is located almost wholly within a Group 3 area of search where SPP seeks to direct wind energy developments towards.
314. It is also located within a wider area containing extensive existing and consented wind energy developments. Whilst the proposed development would have some localised landscape impacts, such impacts are an inevitable consequence of any large renewable energy development. However, careful

consideration has been given in the layout and design of the proposed development to minimising these landscape and visual impacts as far as reasonably possible. It has also sought to ensure that there are no significant cumulative effects as a result of the addition of the proposed development.

315. Overall, it is therefore submitted that the proposed development is in accordance with the provisions of the Electricity Act 1989, SPP, NPF3, draft NPF4 and the Development Plan, and that there are no other material considerations that indicate that consent should not be granted. It is considered that any significant effects of the proposed development that have been identified in the EIA Report do not outweigh its positive climate change, renewable energy and socio-economic benefits. On this basis, it is concluded that Section 36 consent and deemed planning permission should be granted for the proposed development.

FIGURES



LEGEND

Application Boundary

KIRKTON WIND FARM LTD

SLR

4/5 LOCHSIDE VIEW
EDINBURGH PARK
EDINBURGH
EH12 9DH

T: +44 (0)131 335 6830
www.slrconsulting.com

KIRKTON ENERGY PARK - EIA

PLANNING STATEMENT

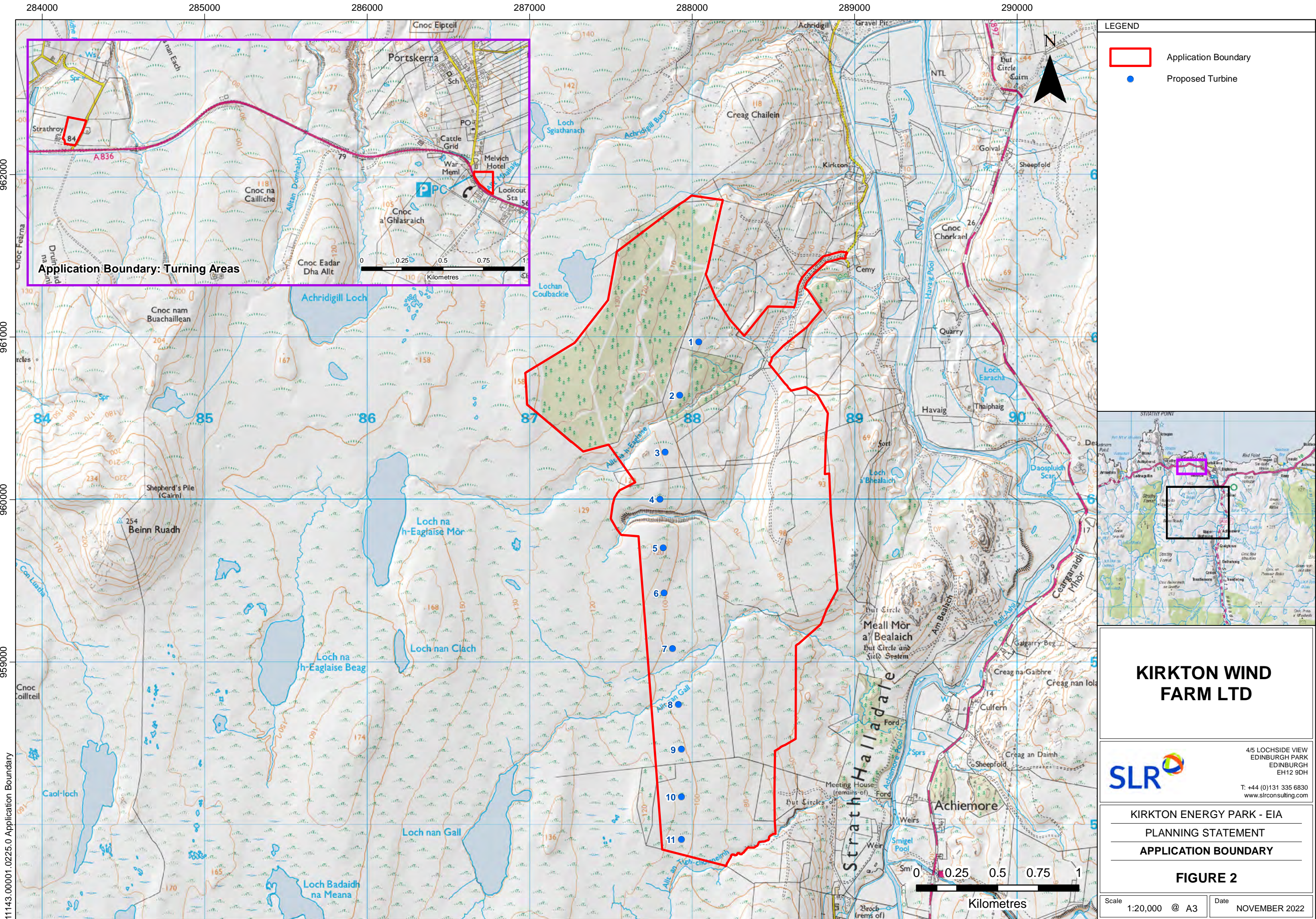
SITE LOCATION

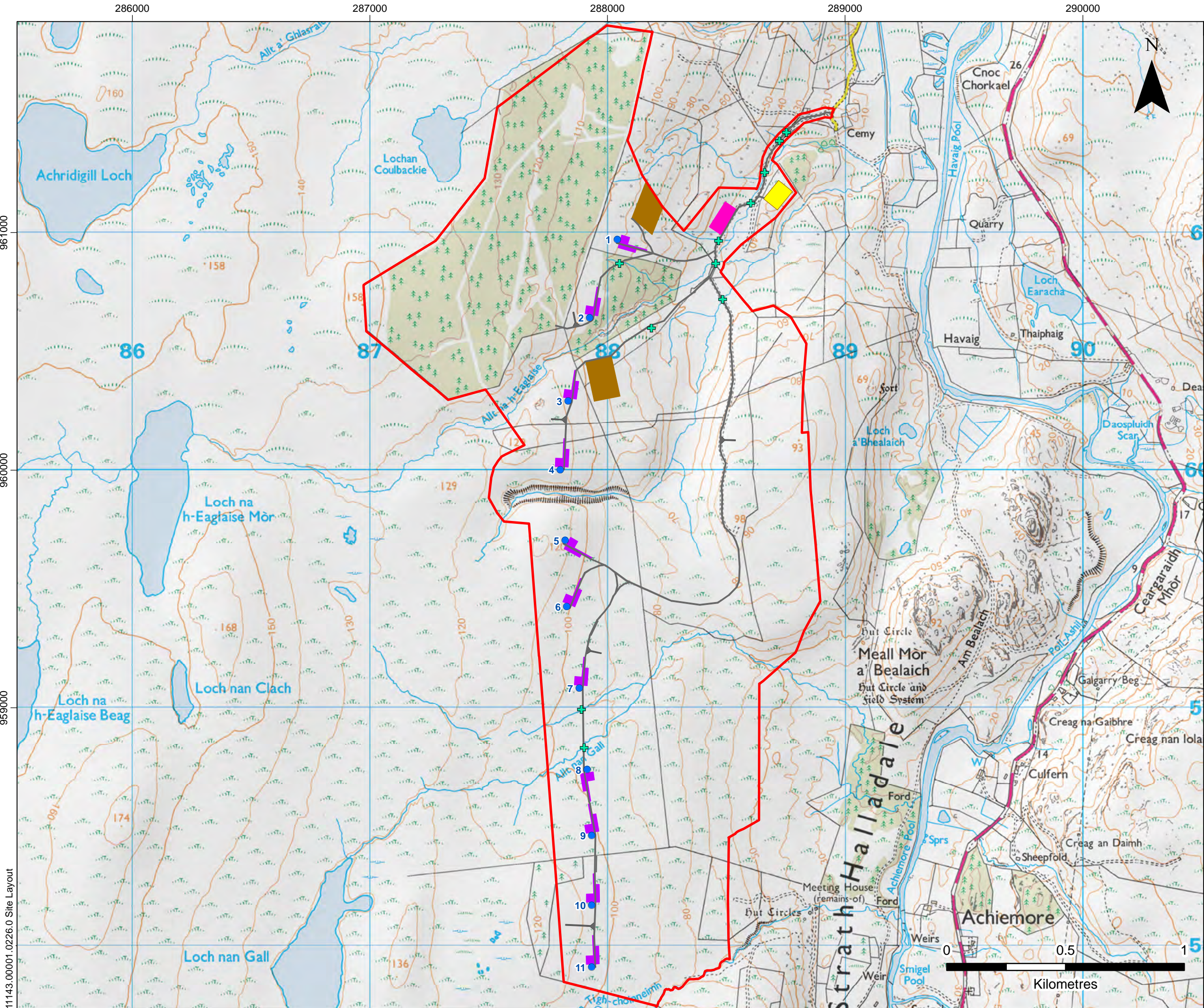
FIGURE 1

Scale 1:50,000 @ A3

Date NOVEMBER 2022







- LEGEND
- Application Boundary
 - Proposed Turbine
 - Proposed Track / Turning Head / Passing Place
 - Proposed Crane Pad
 - Proposed Substation Compound
 - Proposed Temporary Construction Compound
 - Proposed Borrow Pit
 - Proposed Watercourse Crossing



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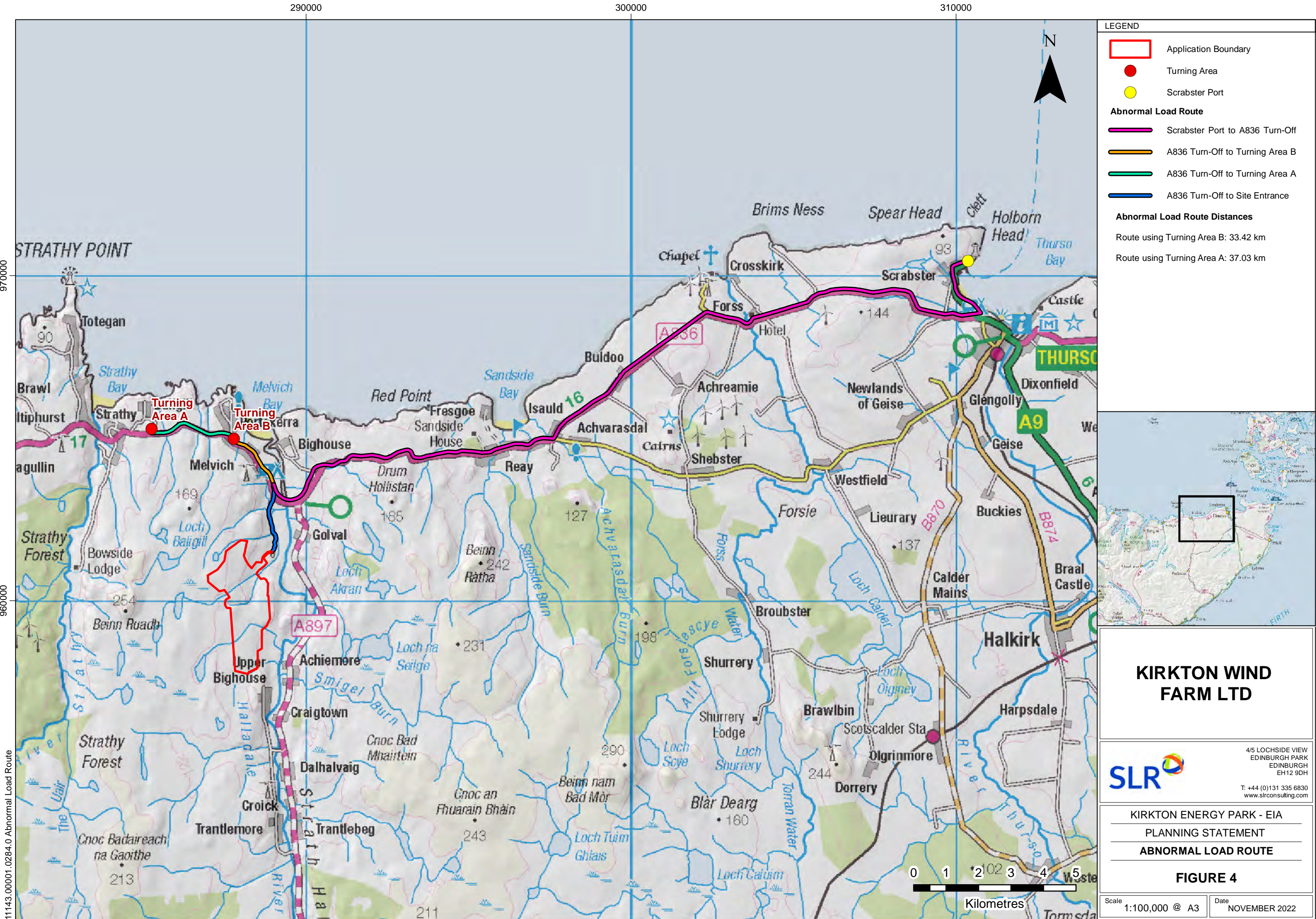
SITE LAYOUT

FIGURE 3

Scale 1:15,000 @ A3

Date NOVEMBER 2022

11143.00001.0226.0 Site Layout



APPENDIX 01: ONSHORE WIND ENERGY SUPPLEMENTARY GUIDANCE CRITERIA EVALUATION

Criterion	Measure	Evaluation
Criterion 1		
Relationship between Settlements/Key locations and wider landscape respected.	The extent to which the proposal contributes to perception of settlements or key locations being encircled by wind energy development.	The majority of the area of theoretical visibility of the proposed development is associated with parts of the study area where there is very limited or no settlement, principally the Sweeping Moorland and Flows (see Figures 7.2a to 7.2d). However, there is predicted visibility of Kirkton Energy Park from the settlements of Melvich, Portskerra, Strathy and Totegan, Armadale (within occurrences of the Coastal Crofts and Small Farms LCT), together with a more dispersed pattern of properties in the vicinity of Shebster and Upper Dounreay.
Development should seek to achieve a threshold where:	Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes.	<p>The closest settlement to the proposed development is located approximately 3.1km to the north of the nearest proposed turbine. The ZTVs (see Figures 7.2a to 7.2d) illustrate that the theoretical visibility of the proposed development would be very limited in relation to Melvich, predominantly occurring from the southern edge of the settlement. The potential effect of the proposed wind farm on Melvich is considered to be Moderate and Not Significant. However, one of the proposed abnormal load turning areas would be adjacent to Melvich, with a predicted Major – moderate and significant effects, at a very local level.</p> <p>Strathy lies approximately 5.3km to the north of the proposed development. Totegan lies towards Strathy Point with properties extending along the minor road between Strathy and Totegan. It is considered that there is potential for the Kirkton Energy Park to have a Major – moderate and Significant effect on visual amenity for some residents at Strathy, specifically those located on the coastline that extends towards Strathy Point.</p> <p>The settlements within the coastal landscapes to the north of the site have a strong contextual relationship with the coastline and sea. Kirkton Energy Park would be located inland and in views away from the sea. This would limit the extent to which the proposed development would be visually prominent in views within or from the settlements. The settlements within the coastal landscape are accessed via the A836 and Kirkton Energy Park would be visible intermittently from this route. However, with the exception of the northern end of Strath Halladale, east of Melvich, the proposed wind turbines would not be visually prominent from the A836.</p>

		<p>A dispersed pattern of properties is located within Strath Halladale, to the east of Kirkton Energy Park. The LVIA identifies that a Major and Significant effect in relation to the scattered properties at the northern end of Strath Halladale, with these effects described in more detail in Appendix 7.4. Kirkton Energy Park would be prominent in views to one side from the A897, but would be clearly associated with the Sweeping Moorland and Flows LCT.</p> <p>Other settlements within the study area are located at greater distances and/or there would be no or limited visibility.</p> <p>The proposed wind farm would not encircle any settlements. Kirkton Energy Park is also separated from any existing or consented wind farms and, when considered in conjunction with these developments, would not encircle any settlements.</p>
Criterion 2		
Key Gateway locations and routes are respected	The extent to which the proposal reduces or detracts from the transitional experience of key Gateway Locations and routes.	<p>The key route that is relevant to this analysis is the A836, which also forms part of the North Coast 500 and North and West Highlands Scenic Route. The A836 is closely aligned with the north coast between John o' Groats, beyond the eastern edge of the study area, and Tongue, to the west. There are no clear 'gateway locations' along the A836. However, to the west of Reay there is a gradual transition from a relatively low lying, settled agricultural landscape to a more remote, undeveloped moorland landscape. The coastline contrasts with the undeveloped moorland interior, with recurring small settlements and associated surrounding areas of agricultural land scattered along the coast. The proposed development would be positioned within the moorland landscape and to the west of where the transition to this occurs closer to Reay.</p>
Development should seek to achieve a threshold where:	Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes.	<p>The ZTVs in Figure 7.6.1a and 7.6.1b in Technical Appendix 7.6, illustrate the intermittent and fragmented theoretical visibility along the A836. However, the proposed wind turbines would be prominent from a relatively short section of the A836, at the northern end of Strath Halladale. At other points, visibility of the proposed development from the A836 would be predominately associated with turbine blades (see Figures 7.6.1a and 7.6.1b in Appendix 7.6). The proposed development would form one of a sequence of wind farms seen from the A836 and would be set back from the road at a distance of approximately 2.6km to the closest wind turbine. Whilst visually</p>

		prominent at a local level, the proposed development would not overwhelm the characteristics that contribute to the transition between the settled agricultural landscape to the east and moorland landscape to the west.
Criterion 3		
Valued natural and cultural landmarks are respected	The extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks.	The key valued landscape in the vicinity of the proposed development is the Farr Bay, Strathy and Portskerra SLA. The proposed wind farm is located approximately 3.5km to the south of this SLA and would not affect its fabric. However, one of the potential abnormal load turning areas is located within the SLA and would affect a field, currently used for pasture, adjacent to Melvich. Whilst the effects of the proposed development on the SLA would be localised, it would alter land use and land cover within a small part of the locally designated landscape.
Development should seek to achieve a threshold where:	The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting.	<p>The ZTVs in Figures 7.2a to 7.2c and Figure 7.2e illustrate that the pattern of theoretical visibility in the SLA would be variable. The extent of the proposed wind turbines that would also vary, with Figure 7.2c illustrating that much of the predicted visibility would be limited to turbine blades. The SLA is strongly associated with the coastline and sea to the north, east and west, rather than the landscape to the south where Kirkton Energy Park would be located. Overall, it is predicted that there would be a Medium magnitude of change and localised Major – moderate and Significant adverse effects on parts of the Farr Bay, Strathy and Portskerra SLA closest to Melvich.</p> <p>Beinn Ràtha comprises a relatively prominent summit along this part of the coastline. There is limited evidence that Beinn Ràtha is visited by walkers, with no waymarking and no continuous or obvious path to the summit. The slopes of this landform are positioned over 6.5km to the east of the proposed wind turbines and this separation means Kirkton Energy Park would not diminish the prominence of this landform. In addition, the consented Limekiln Wind Farm is positioned relatively close to the east of Beinn Ràtha and would be notably more prominent than the proposed development.</p> <p>Bighouse, at the northern end of Strath Halladale is a locally prominent and listed building. The position of this building and the proposed development means its principal elevation would be seen in opposing views from key vantage points, such as the A836, rather than the wind turbines forming part of the backdrop. In addition, Bighouse is</p>

		located approximately 3.9km to the north of the closest proposed wind turbine. This relationship between the proposed development and Bighouse means it would not diminish its presence in the landscape.
Criterion 4		
The amenity of key recreational routes and ways is respected.	The extent to which the proposal affects the amenity of key recreational routes and ways (e.g. Core Paths, Munros and Corbetts, Long Distance Routes etc.).	<p>There are no recreational routes within the site.</p> <p>The two key Core Paths that would be affected by the proposed development are SU19.03 – Kirkton to Upper Bighouse and SU19.05 Melvich Beach. Major-moderate and significant effects are predicted for users of these two routes. However, the visibility of the proposed development would be intermittent from these routes and the extent of the wind turbines seen would be variable. More limited and not significant effects are predicted for other Core Paths within the study area. Therefore, whilst there would be some significant effects on Core Paths these would be localised and limited in extent in the context of the overall study area.</p> <p>Whilst there are notable summits within the study areas such as Ben Hope and Ben Loyal, these are relatively distant from the proposed development. Beinn Ràtha is the closest summit and a Major-moderate and Significant effect is predicted in relation the visual amenity of walkers. In a wider context, Ben Griam Beg is the next closest summit at approximately `17.4km from the nearest proposed turbines, where a Slight magnitude of change from the introduction of the proposed development would result in a Moderate and Not Significant effect on the visual amenity of walkers. Overall, in the context of the study area significant effects on people visiting summits would be relatively limited.</p> <p>National Cycle Route (NCR) 1 for the most part follows the A836 through the study area, although it diverges from this road to the east of Reay. Theoretical visibility of the proposed development from the NCR is relatively limited (see Figures 7.6.1a and 7.6.1b in Appendix 7.6), with fragmented areas of theoretical visibility and for much of the route the intervening landform would restrict visibility to turbine blades. In addition, the existing and consented wind farms would influence the relative prominence of Kirkton Energy Park, particularly from locations to the east of Reay. Taking this into account, it is considered that the overall magnitude of change on users of the A836</p>
Development should seek to achieve a threshold where:	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways.	

		would be Slight , with a Moderate-minor and Not Significant effect. However, it is recognised that in the vicinity of Strath Halladale the proposed development would be prominent and would have locally Major-moderate and Significant effects on visual amenity for cyclists travelling along the A836.
Criterion 5		
The amenity of transport routes is respected	The extent to which the proposal affects the amenity of transport routes (tourist routes as well as rail, ferry routes and local road access)	Key transport routes where the proposed development result in an adverse effect on visual amenity are the A836 and A897. The potential effects on these routes is described in Technical Appendix 7.6 and illustrated on Figures 7.6.1a, 7.6.1b and 7.6.2 , together with the wirelines in Annex 1 (of the Technical Appendix).
Development should seek to achieve a threshold where:	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes	<p>Theoretical visibility of the proposed development from the A836 is relatively limited, with fragmented areas of theoretical visibility, and for much of the route the intervening landform would restrict visibility to turbine blades. In addition, the existing and consented wind farms would influence the relative prominence of Kirkton Energy Park, particularly from locations to the east of Reay. Taking this into account, it is considered that the overall magnitude of cumulative change on users of the A836 would be Slight. As road users travelling along the A386 have a High-medium sensitivity, the resulting effect would be Moderate-minor overall and Not Significant. However, it is recognised that in the vicinity of Strath Halladale the proposed development would be prominent and would have locally Major-moderate and Significant effects on visual amenity for people travelling along the A836.</p> <p>There would be continuous visibility of the proposed development from a large proportion of the A897. This would particularly be the case for people travelling in a northerly direction, with the turbines increasing in relative size as people travel further north. The design of the proposed development means the turbines would have a simple linear layout, consistent with landform on the west side of the Strath. The regular spacing of the turbines would also help to contribute to simplifying the appearance of the proposed development, reducing the potential for turbine blades to overlap as they rotate. Notwithstanding these factors the proposed development would be prominent in views from the A897, particularly between north of Craigtown Rock and the junction with the A897. Whilst there would be more limited effects on visual amenity on more</p>

		southerly parts of the A897, there would be recurring Major-moderate and Significant effects on visual amenity for people travelling along the northern part of this route.
Criterion 6		
The existing pattern of Wind Energy Development is respected.	<p>The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include:</p> <p>Turbine height and proportions, density and spacing of turbines within developments, density and spacing of developments, typical relationship of development to the landscape. previously instituted mitigation measures Planning Authority stated aims for development of area.</p>	<p>The proposed development would be located in the Sweeping Moorland and Flows landscape, a large scale, open and simple landscape within which most of the nearby wind farms are also located. There are several groups of wind farm developments in this context. Those closer to Kirkton Energy Park include the operational Strathy North and consented Strathy South and Strathy Wood Wind Farms to the west and the consented Limekiln Wind Farm, Baillie Wind Farm and wind turbines at Forss to the east (see Figure 7.3a). At 149.9m to blade tip, the proposed development would be broadly consistent with height and spacing of turbines at these wind farms.</p> <p>The proposed development is linear in form, which differs from the clustered turbines at the existing and consented wind farms. However, this layout is proposed in response to site specific constraints, its position on the landform to the west of Strath Halladale and to ensure a simple composition of turbines from key viewpoints.</p>
Development should seek to achieve a threshold where:	The proposal contributes positively to existing pattern or objectives for development in the area.	
Criterion 7		
The need for separation between developments and/ or clusters is respected	The extent to which the proposal maintains or affects the spaces between existing developments and/ or clusters	The proposed development is clearly separated from existing and consented wind farm developments. The closest of the surrounding developments are the consented Limekiln Wind Farm, approximately 8km to the east, and the consented Strathy Wood Wind Farm, approximately 5km to the south west. This spacing would maintain clear and effective

Development should seek to achieve a threshold where:	The proposal maintains appropriate and effective separation between developments and/ or clusters	separation between Kirkton Energy Park and existing and consented wind farms, as demonstrated in the Viewpoint illustrations (see Volume 3 of this EIA Report).
Criterion 8		
The perception of landscape scale and distance is respected	The extent to which the proposal maintains or affects receptors' existing perception of landscape scale and distance.	Kirkton Energy Park is located within the Sweeping Moorland and Flows LCT. This is a large scale, open landscape with a strong horizontal aspect. There are relatively few features that provide scale references in the context of the proposed wind turbines.
Development should seek to achieve a threshold where:	The proposal maintains the apparent landscape scale and/or distance in the receptors' perception.	The proposed development is set back from the smaller scale coastal landscapes and the ZTVs show there would be relatively limited visibility from these settled landscapes (see Figure 7.2f). However, Kirkton Energy Park would be clearly visible from the landscape to the east of the site with Major-moderate and Significant effects predicted in relation to Strath Halladale (Strath – Caithness and Sutherland LCT). The Strath is a relatively intimate landscape, with features that provide a sense of scale that could be referenced against the wind turbines. The rising landform to the west would provide a degree of separation. Kirkton Energy Park would comprise a simple, evenly spaced line of tall turbines seen above the Strath with blade movement apparent. The position and orientation of views means it is predicted means the relatively simple composition of the turbines would be maintained throughout the majority of the Strath, with limited potential for the turbines to overlap.
Criterion 9		
Landscape setting of nearby wind energy developments is respected	The extent to which the landscape setting of nearby wind energy developments is affected by the proposal.	The closest wind farm developments are the consented Limekiln Wind Farm, approximately 8km to the east, and the consented Strathly Wood Wind Farm, approximately 5km to the south west. These closest developments are also located within the Sweeping Moorland and Flows LCT. The intervening distances between these developments would ensure the setting of nearby existing and consented wind farms would be respected by the proposed development and it would not increase their prominence.
Development should seek to achieve a threshold where:	Proposal relates well to the existing landscape setting and does not increase the perceived visual	

	prominence of surrounding wind turbines.	
Criterion 10		
Distinctiveness of Landscape character is respected	The extent to which a proposal affects the distinction between neighbouring landscape character types, in areas where the variety of character is important to the appreciation of the landscape.	Whilst the proposed development is located within the Sweeping Moorland and Flows LCT, it is positioned close to the Strath LCT (Strath Halladale) to the east. The LVIA describes the effects on the Strath and this has been a key consideration in the design of Kirkton Energy Park. The proposed site layout has been set back from the landform closer to the Strath to maintain a degree of separation between the wind turbines and the Strath. The approach to the layout for Kirkton Energy Park evolved through the design process, resulting in the proposed linear turbine layout. This layout is consistent with the landform on the west side of the Strath. The linear arrangement of turbines is the result of deliberate design choices to ensure the proposed development is seen as a simple composition of structures, reducing the potential for the turbines and blades to overlap and cluster in views from within Strath Halladale.
Development should seek to achieve a threshold where:	Integrity and variety of Landscape Character Areas are maintained.	

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