

5 Energy and Planning Policy

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5 Energy and Planning Policy

5.1 Introduction

- 5.1.1 This chapter sets out the energy and planning policy framework which is applicable to the Revised Development.
- 5.1.2 The aim of this chapter is to establish the general policy context surrounding the Revised Development and provide a summary assessment of the proposal against all relevant policies. A separate Planning Statement has been submitted alongside the planning application. The Planning Statement is separate from this Environmental Statement (ES) and assesses in full the Revised Development against the Development Plan and other Material Considerations.

5.2 Legislation

- 5.2.1 The Town and Country Planning (Scotland) Act 1997 (the 1997 Act) is the principal Act which governs planning in Scotland. The Act was amended in 2009 by the Planning etc. (Scotland) Act 2006 (the 2006 Act), with an emphasis of increased transparency, improved speed of decision making and improved public participation.
- 5.2.2 Section 25 of the 1997 Act states:
“where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless, material considerations indicate otherwise to be made in accordance with that plan...”
- 5.2.3 Section 37(2) of the 1997 Act states:
“In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations”.
- 5.2.4 Section 42 of the 1997 Act allows for applications to be made to vary conditions attached to an existing planning permission.
- 5.2.5 In addition, *The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011* (EIA Regulations) are of relevance. Development which falls within Schedule 2 of the EIA Regulations (i.e. an installation for the harnessing of wind power for energy production, where the development involves the installation of more than 2 turbines) constitutes EIA development where likely to have significant effects on the environment by virtue of factors such as its nature, size or location. This Environmental Statement has been prepared in accordance with the EIA Regulations as the Revised Development seeks permission to alter an EIA development (the Consented Development).

5.3 Energy Policy

The Climate Change (Scotland) Act 2009

- 5.3.1 The Scottish Government enacted the Climate Change (Scotland) Act 2009 (the 2009 Act), which received Royal Assent on 4 August 2009. The 2009 Act sets in statute the targets to reduce Scotland’s

emissions of greenhouse gas by 80 % by 2050 with an interim target of at least a 42 % reduction in emissions by 2020.

- 5.3.2 The Revised Development will generate up to 49 MW of electricity from renewable resources (wind) and will result in a saving of approximately 58,910 tCO₂ per year through the displacement of carbon-emitting generation. The Revised Development will therefore clearly contribute towards the targets set out within the 2009 Act.

The Renewables Action Plan (Updated March 2011)

- 5.3.3 The Renewables Action Plan identifies a number of objectives with regards to renewables, which include;
- to maximise the economic, social and environmental potential of Scotland’s renewables resource, across different technologies;
 - to ensure maximum returns for our domestic economy, in terms of jobs created, company wealth and IP generated, inward investment secured, and tonnes of carbon saved.
- 5.3.4 With regards to ‘Onshore wind’, the plan’s vision is for the *“continued expansion of portfolio of onshore wind farms to help meet renewables target, with robust planning framework supporting timely processing of consents applications and ensuring wind farms are consented where they are environmentally acceptable.”* (pg. 77)
- 5.3.5 The Revised Development would clearly contribute to the vision and objectives of the Action Plan by producing clean renewable energy from Scotland’s natural resources on a site with no significant environmental constraints, whilst at the same time generating significant socio-economic benefits for a remote part of rural South Lanarkshire.

2020 Routemap for Renewable Energy in Scotland

- 5.3.6 The Routemap for Renewable Energy in Scotland 2011 is an update and extension to the Scottish Renewables Action Plan 2009. It reflects the challenge of the new target to meet an equivalent of 100 % demand for electricity from renewable energy by 2020, as well as our target of 11 % renewable heat. The Routemap should be read alongside the Electricity Generation Policy Statement (2013), which is discussed below.
- 5.3.7 The Routemap confirms that the Scottish Government is determined to ensure that Scotland benefits from the low carbon opportunity and renewable energy is at the heart of that ambition. The 2020 target is seen as a key mechanism by which Scotland can become a leading player in this market, exporting electricity directly to the EU through new grid interconnections as well as developing and exporting technical expertise in products and knowledge.
- 5.3.8 The Routemap also states that renewables have a key role to play in strengthening security of energy supply, in an era where energy markets can be volatile and subject to wider political forces. Utilising Scotland’s own indigenous sources of renewable energy will provide an important element of the country’s overall energy security.
- 5.3.9 In Section 1.2.5 the Routemap discusses issues surrounding matching demand to supply, and the contribution of intermittent generation to the energy mix. It confirms that wind farms, in comparison with other generators, are relatively efficient and adding new wind farms to the overall energy mix

has relatively little impact on the back-up already built into the system, in comparison with the electricity the wind farms generate. While there is an acknowledgement that wind farm output is variable, it can be forecast with some confidence and be useful as one component of a broad energy mix.

- 5.3.10 The 2020 Routemap notes that the Scottish Government is committed to the continued expansion of the portfolio of onshore wind farms. The Routemap identified the following ambition with regards to onshore wind farm development:

“Our ambition is that by 2020, onshore wind developments ranging from small and community-scale to large power utility scale maximise engagement with communities; contribute electricity to renewables targets; and, through displacement of fossil fuel generation, help to reduce fossil fuel consumption.” (Section 3.2, pg 68)

Electricity Generation Policy Statement (2013)

- 5.3.11 The Scottish Government published an initial draft Electricity Generation Policy Statement (EGPS) in November 2010. A further revision of the EGPS was published in draft in March 2012 for consultation. The 2012 draft (which has now been finalised) set out the pathway to meeting the Scottish Government target of delivering the equivalent of at least 100% of gross electricity consumption from renewables by 2020. It set out how Scotland generates electricity, and gave an overview of the changes needed to meet Scottish Government targets and deliver a low carbon generating mix.

- 5.3.12 The EGPS sets out that to achieve the 100 % target, Scotland’s installed generation capacity will need to almost double over the 10 year period to 2020, with wind (both onshore and offshore) accounting for around 13 GW of capacity by 2020.

Scottish Government Letter to Heads of Planning (November 2015)

- 5.3.13 A letter from the Scottish Government to all Local Authority Heads of Planning entitled ‘Energy Targets and Scottish Planning Policy’ was published on 11 November 2015. It sets out that despite some changes to UK policy, the Scottish Government’s policy remains unchanged and that it “supports new onshore renewable energy developments, including onshore wind farms and particularly community owned and shared ownership schemes”. Importantly, it adds that “this policy support continues in the situation where renewable energy targets have been reached”.

- 5.3.14 In the letter, the Chief Planner re-emphasises that the Scottish Government’s SPP (2014) and Electricity Generation Policy Statement (2013) set out the Scottish Government’s current position on onshore wind farms. With regard to the 100% of gross electricity consumption from renewables target by 2020, it adds that the target is a statement of intent and that it is known that Scotland has the potential resource to deliver and exceed it. The letter adds that there is no cap on the support for renewable energy development, including onshore wind once the target has been reached.

The Scottish Government Climate Change Plan (2017)

- 5.3.15 The Scottish Ministers committed in 2016 to cut carbon dioxide emissions by 80% by 2050 with a new interim target of 50% by 2020. The previous interim target of 42% was attained in 2014. The Government has been clear in setting out that the sectors responsible for most emissions are energy, transport and agriculture and although significant progress has been made in decarbonising the energy sector (in particular with the closure of Scotland’s last coal fired power station at Longannet)

the Climate Change Committee has stated that stronger policies are needed in a new Climate Change Plan and that little progress had been made in reducing emissions from transport and agriculture.

5.3.16 Against this backdrop, on 19 and 24 January 2017 the Scottish Government published three key energy policy documents, namely:

- Draft Climate Change Plan;
- Draft Scottish Energy Strategy ‘The Future of Energy in Scotland’; and
- Onshore Wind Policy Statement.

5.3.17 Together, these three policy documents represent the Government’s intended energy and climate change strategy for the period to 2050. Whilst still at the consultation stage it is clear that the documents contain a strong reaffirmation of existing Government policy promoting the reduction of carbon emissions and the delivery of new renewable energy generation (amongst other matters) upon which significant weight can be placed.

5.3.18 In light of the importance of these documents, they are referred to in turn below in terms of their key content.

5.3.19 The Scottish Government published the draft Climate Change Plan (“CCP”) – ‘the draft Third Report on Policies and Proposals 2017 – 2032 (RPP3)’ on 19 January 2017. It has been laid in the Scottish Parliament under the provisions of the Climate Change (Scotland) Act 2009. The CCP addresses how the Scottish Government intends to meet its greenhouse gas emission reduction targets from 2017 – 2032.

5.3.20 The Ministerial Foreword to the CCP sets out that it, together with the Energy Strategy are rooted in the ambition and vision of Scotland’s Economic Strategy. It adds that to achieve the transformation to a low carbon economy and ambitious carbon reductions in various sectors “*we have developed policies and proposals in the context of the Scottish Government’s wider objectives to create a dynamic, sustainable and inclusive economy. This is a huge opportunity – setting a course that will modernise and transform the economy over the next 15 years while setting us up for almost complete de-carbonisation by 2050*”.

5.3.21 Key points in the document can be summarised as follows:

- By 2030 Scotland’s electricity system will be wholly decarbonised and supply a growing share of Scotland’s energy needs.
- By 2030 electricity will be increasingly important as a power source for heat and transport – as a result the total volume of electricity supplied within Scotland will increase to 2032.
- The Scottish Government will not meet the ambitious emissions reductions targets on its own and the private sectors, amongst others has an important role to play.
- Section 5.2 refers to the planning system and the current consultation for planning reform. Paragraph 5.2.1 adds “*ensuring the planning system supports decarbonisation is another essential element of the Scottish Government’s approach to meeting the statutory climate change target*”.

Draft Scottish Energy Strategy (January 2017)

- 5.3.22 The introduction to the draft Scottish Energy Strategy (“SES”) sets out that the Scottish Government has consistently made better energy provision a guiding objective and that the Government’s approach has placed Scotland at the forefront of the challenge to decarbonise the global economy. Paragraph 3 sets out that the SES seeks to build on these strengths and that it explores choices faced, against the requirements of:
- The continued, sustainable and inclusive growth of Scotland’s economy; and
 - Long term sustained decarbonisation – as set out by Scotland’s 2050 climate change targets.
- 5.3.23 Paragraph 4 sets out that the SES as a companion to the draft CCP is *“designed to provide a long term vision to guide detailed energy policy decisions over the coming decades. The forecasts and targets set out here are consistent with the ambitions laid out by the Climate Change (Scotland) Act 2009. Driven by the same ambition, the publication of the draft Climate Change Plan and this draft Energy Strategy reinforce our position in the vanguard of the international move towards a low carbon future”*.
- 5.3.24 Paragraph 5 sets out that taken together, these statements *“shape action to deliver: a modern, integrated, clean energy system... and a strong, low carbon economy – sharing the benefits across our communities, reducing social inequalities and creating a vibrant climate for innovation, investment and high value jobs”*.
- 5.3.25 Paragraph 33 acknowledges that since the UK General Election in 2015 there have been substantial negative changes for *“key renewable energy technologies arising from UK Ministers’ decisions”*. This clearly relates to Westminster decisions to cut all new financial support for onshore wind energy and to implement highly restrictive planning policy changes in England against any further deployment of onshore wind. By way of contrast, the Scottish Government sets out that *“notwithstanding these changes, by 2015, renewable energy and its associated infrastructure is now a major industrial sector in its own right, helping to sustain economic growth and employment and of 14,000 jobs in Scotland. Renewable energy also generated £5.4 billion in turnover in Scotland, or 18.3% of the total UK turnover in this important sector”*.
- 5.3.26 References to UK Government policy are continued and at paragraph 54 it is set out that *“it is now more important than ever that the Scottish Government sets its own vision for energy, with clear priorities and ambitions for future energy provision, articulating the opportunities for existing and emerging sectors within that system”*.
- 5.3.27 Chapter 3 of the SES sets out the Government’s 2050 vision. This includes the following objectives:
- “Scotland has achieved almost complete decarbonisation of the energy system – in line with domestic and international climate change targets – with the equivalent of half of all energy consumed delivered from renewable sources by 2030;*
- Scotland is a world leader in renewable and low carbon technologies and services.”*
- 5.3.28 Paragraph 66 sets out that the SES focuses on five priorities, one of which is *“increasing renewable energy generation”*. Paragraph 92 adds: *“the Scottish Government is committed to supporting the continued growth of the renewable energy sector in Scotland, as a key driver of economic growth and an essential feature of the future energy system”*.

- 5.3.29 Paragraph 95 confirms that 59.4% of Scotland’s electricity consumption came from renewable sources in 2015. As noted above, the 2020 target is 100%, therefore there remains a considerable shortfall in relation to this target.
- 5.3.30 Paragraph 98 also makes reference to the Government’s existing target of seeking to obtain 30% of all energy from renewable sources by 2020. It adds that the latest figures show that the country is only half way towards this target with only 15% of energy from renewables in 2014.
- 5.3.31 Paragraph 99 sets out that the given the climate change targets required to complete decarbonisation of the electricity sector “*with a significant contribution from renewables*” – it is anticipated that this will require between 11 and 17GW of installed renewable capacity by 2030. Reference is made to the progress that requires to be made in the heat and transport sectors. Clearly if these sectors do not deliver the required scale of carbon reduction then the electricity sector may need to make up shortfalls.
- 5.3.32 Page 40 of the SES sets out opportunities for the onshore wind sector and states that onshore wind currently provides the lowest cost renewable electricity at scale, and that to support the future development of the sector in Scotland the Government will:
- Consult on a range of factors influencing the next phase of onshore wind (this is referred to in the accompanying Onshore Wind Policy Statement); and
 - Work with industry to meet the challenge of delivering onshore wind without subsidy, including the scope for use of public sector and corporate Power Purchase Agreements.
- 5.3.33 Paragraph 109 adds that given the continued uncertainties over UK revenue support (the Contracts for Difference scheme (“CfD”)) means that the future deployment of renewable electricity technologies in Scotland is jeopardised. Paragraph 110 acknowledges that whilst onshore wind is the lowest cost renewable electricity technology, new projects now face a highly challenging route to market.
- 5.3.34 Overall, the SES contains unambiguous policy support for the further development of onshore wind as the technology that has an important role in helping to deliver the overall Strategy for the period out to 2050.

Draft Onshore Wind Policy Statement (January 2017)

- 5.3.35 The Onshore Wind Policy Statement (“OWPS”) has been published alongside the CCP and SES. Chapter 1 sets out the Government’s “case for onshore wind”. The statements in this section of the document are not subject to consultation and form the Government’s policy position. Key points are as follows.
- 5.3.36 The first paragraph sets out that onshore wind is essential to Scotland’s transformation “to a fully de-carbonised energy system by 2050 and brings opportunities which underpin our vision to grow a low carbon economy and build a fairer society”.
- 5.3.37 It adds that the statement “*reaffirms the Scottish Government’s existing onshore wind policy set out in previous publications*” and it seeks views on a number of issues related to supporting the sector. The priority areas referred to in the document include:
- Route to market;
 - Re-powering; and

- Developing a strategic approach to new development.
- 5.3.38 Barriers to deployment;
- Protection for residents and the environment;
 - Community benefits; and
 - Shared ownership.
- 5.3.39 Page 1 sets out that the current policy is *“to support deployment of onshore wind, whilst protecting the environment (landscape and visual, ecological and other environmental impacts), protecting residential amenity, and maximising local benefits, including through promoting shared ownership and community benefits”*.
- 5.3.40 The Government’s case also states that:
- The Scottish Government wishes to make full use of its devolved powers to promote investment in appropriately sited onshore wind;
 - The Scottish Government will continue to support further development of onshore wind in order to achieve the targets set by the Climate Change (Scotland) Act at the lowest cost; and
 - Onshore wind offers low carbon renewable electricity at scale and sustains growth and employment in the Scottish supply chain.
- 5.3.41 Chapter 2 of the OWPS refers to the matter of route to market and as referred to in the SES, acknowledges that for many projects this is a matter of significant uncertainty. The document highlights the challenge set out in the Energy Strategy, set by Government, namely *“a challenge to industry to develop in Scotland the UK’s first commercial wind farm without subsidy”*. It adds *“securing a route to market for onshore wind of all scales is a priority of the Scottish Government; we want to ensure that Scotland continues to offer the right conditions for efficient, well sited onshore wind developments”*.
- 5.3.42 The statement adds on page 3 that the economic benefits to Scotland from onshore wind are considerable and in terms of large scale wind, it highlights again that given the closure of the Renewables Obligation early and the fact that CfD will not be allocated to onshore wind (as a result of Westminster Government policies), this means that although Scotland does have a significant pipeline of consented projects *“without some method of stabilising price, developers may not be able to plan and build a viable project”*. This is a risk facing many consented developments, including Douglas West – however, in light of the above statement, the Revised Development has been designed and brought forward to ensure the Douglas West project is viable in a subsidy-free market.

5.4 National Planning Policy

National Planning Framework for Scotland 3

- 5.4.1 NPF3 is the spatial expression of the Scottish Government’s Economic Strategy and of their plans for infrastructure investment. NPF3 sets out a long-term vision for development and investment across Scotland over the next 20 to 30 years, with a particular focus on supporting sustainable economic growth and the transition to a low carbon economy.

- 5.4.2 NPF3 notes that Scotland has a significant wind resource. By 2020, the Scottish Government aims to meet at least 30 % of overall energy demand from renewables – this includes generating the equivalent of at least 100 % of gross electricity consumption from renewables. The Scottish Government want to continue to capitalise on Scotland’s wind resource and note that onshore wind will continue to make a significant contribution to the diversification of energy supplies.

Scottish Planning Policy (SPP2014)

- 5.4.3 SPP2014 sets out criteria to be used by planning authorities to guide the preparation of spatial frameworks for the onshore wind development. Table 1: Spatial Frameworks places various international and national designations into two groups; *Group 1: Areas where wind farms will not be acceptable*; *Group 2: Areas of significant protection*. *Group 3: Areas with potential for wind farm development* is described as those areas beyond groups 1 and 2, where wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria. Table 1 notes that within *Group 2: Areas of significant protection*, wind farm development may be appropriate in some circumstances and further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. The Revised Development falls within *Group 2* as identified in *SPP2014* by virtue of its proximity to parts of Coalburn and Douglas, and as such detailed assessment is required to ensure that any significant effects on the qualities of these areas can be substantially overcome.
- 5.4.4 SPP2014 states that development plans should seek to ensure that 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.
- 5.4.5 SPP2014 (para 169) provides a detailed list of criteria which are likely to be relevant to the determination of onshore wind planning applications. Comment with regards to the Revised Development against these criteria are provided within Table 5.1 below.
- 5.4.6 SPP2014 also states that areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.
- 5.4.7 In relation to Community Benefit, SPP2014 states that where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments.

Table 5.1 – SPP2014 Onshore Wind - Development Management Considerations

| Para 169 Consideration | Comment |
|--|---|
| <p>Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;</p> | <p>Chapter 13 (Socio-Economics) of the ES provides a detailed assessment of the impacts of the Revised Development on the socio-economic and tourism resource of the local area. The Revised Development represents a major investment in the area and would therefore deliver a range of positive economic impacts including the creation of 330 'job years' and £37m Gross Value Added (GVA) in the Scottish economy during the construction phase (including 100 job years and £12.4 million GVA in South Lanarkshire) and 25 jobs and £2.9 million GVA per annum (including 8 jobs and £1.1m GVA per annum in South Lanarkshire) during the 25 year operation of the Revised Development, as well as stimulating further national and local economic benefits from the development of community infrastructure through the Community Benefit funding.</p> |
| <p>The scale of contribution to renewable energy generation targets;</p> | <p>The Revised Development would have a total generating capacity of 49MW, generated by thirteen c.3.8MW turbines which together would produce around 137 GWh/year of clean power which would make a marked contribution towards Scotland's renewable energy targets.</p> |
| <p>Effect on greenhouse gas emissions;</p> | <p>The Revised Development would have a beneficial impact through the reduction of greenhouse gas emissions. The Revised Development would generate enough power to supply over 34,300 average UK households, and result in a saving of approximately 58,910 tCO₂ per year through the displacement of carbon-emitting generation.</p> |
| <p>Cumulative impacts - planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;</p> | <p>Chapter 16 (Cumulative Effects) of the ES gives consideration to the potential cumulative impacts of the Revised Development on the environment, in conjunction with other developments in the area. Further information can also be found within the subject specific chapters of the ES. With regards to landscape and visual impacts, it is noted that the site is located within a wind farm landscape and that the principle of a wind farm on this site has already been established by the Consented Development. The LVIA concludes that whilst there are a number of operational or consented wind turbines in the local area, the introduction of the proposed turbines would reinforce the presence of turbines in views rather than introduce turbines into any views which are currently unaffected by existing or consented turbines.</p> |

| Para 169 Consideration | Comment |
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| Impacts on communities and individual dwellings, including visual impact, residential amenity; | The planning application is supported by an ES which incorporates an assessment of the Revised Development's impact on Landscape and Visual amenity (Chapter 6), Noise and Vibration (Chapter 9), Shadow Flicker (Chapter 15) and also includes a Residential Visual Amenity Study (RVAS) (Appendix 6.4 of the ES). The ES concludes that there would be no significant noise and shadow flicker impacts created by the Revised Development either in isolation and cumulatively on any sensitive receptor. Of the 7 closest residential properties to the site assessed in the RVAS, just two properties have been predicted to experience potentially significant effects, namely Blackwood Cottage, which is under the control of the Applicant, and Station House which is a financially involved property. Such views at Station House would be experienced during winter months only and neither property would experience such an overbearing or overwhelming effect on their visual amenity that their properties would become unattractive places in which to live. |
| Noise and shadow flicker; | Noise and Shadow Flicker are considered within Chapters 9 (Noise and Vibration) and 15 (Shadow Flicker) of the ES, respectively. As noted above, the ES concludes that there would be no significant noise and shadow flicker impacts created by the Revised Development either in isolation and cumulatively on any sensitive receptor. |
| Landscape and visual impacts, including effects on wild land; | The potential landscape and visual impacts are considered in detail within Chapter 6 (Landscape and Visual) of the ES. Photomontages from a number of representative viewpoints have also been produced and are available within Volume 4 of the ES. Whilst the ES concludes that the Revised Development would lead to some significant landscape and visual effects, it is concluded that the site is located within a 'wind turbine landscape', and that the significant effects on landscape character and visual amenity predicted within the assessment are localised and are inevitable as a result of commercial wind energy development anywhere in the UK. No wild land is located within proximity of the application site. |
| Effects on the natural heritage, including birds; | Chapter 7 (Ecology & Nature Conservation) of the ES considers the potential impact of the Revised Development on protected and non-protected species, protected sites and habitats & ecosystems within and close to the site and concludes that direct loss of habitats will be considerably less than at many wind farms due to an existing road running all the way through the site. The assessment finds that there would be no significant effects on nature conservation |

| Para 169 Consideration | Comment |
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| | interests. Chapter 8 (Ornithology) of the ES provides an assessment of the Revised Development on Ornithology Interests (Birds) and concludes that there would be no significant effects on any bird species. |
| Impacts on carbon rich soils, using the carbon calculator; | Other than some minor covering of superficial organic soils overlying the glacial till, no peat deposits were identified. There was therefore no requirement for carbon balance calculations. See Chapter 11 of the ES for further information. |
| Public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF; | As described within Section 3 above, an Access Strategy (ES Appendix 3.1) is proposed to develop a Heritage Trail and link the settlements of Douglas and Coalburn formally through the site. The new paths within the site also have the potential to contribute towards a missing link between two long distance path networks, the River Ayr Way and the Clyde Walkway. |
| Impacts on the historic environment, including scheduled monuments, listed buildings and their settings; | Chapter 10 (Cultural Heritage) of the ES provides an assessment of the Revised Development on cultural heritage and the historic environment and concludes that there would be no significant effects on the historic environment. Further consideration is given to specific historic environment assets within the assessment of the Revised Development against local planning policy in the following sections. |
| Impacts on tourism and recreation; | Chapter 13 (Socio-Economic) of the ES provides an assessment of the Revised Development on local and regional tourism and recreational assets, and notes that the main focus for tourism activity in the area is the New Lanark World Heritage Site, designated for its historical importance. Other tourism assets include Craignethan Castle, tourism routes and accommodation. The Chapter also notes the presence of a number of local recreational facilities within the study area. Chapter 13 concludes that there is no evidence to suggest the Revised Development would generate any significant adverse effect on these assets. |
| Impacts on aviation and defence interests and seismological recording; | Chapter 14 (Aviation, Radar and Telecommunications) of the ES provides an assessment of the Revised Development on Aviation and Radar, and concludes that the Mitigation Solution agreed with NATS for the Consented Development to mitigate impact on NATS En-route radar is also appropriate to mitigate the Revised Development. No other impacts have been identified. The ES therefore concludes that, following the implementation of mitigation measures, the Revised Development's impact on aviation and defence interests would be negligible. |

| Para 169 Consideration | Comment |
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| Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised; | Chapter 14 (Aviation, Radar and Telecommunications) of the ES provides an assessment of the Revised Development on telecommunications, and notes that Ofcom identified no links within the area, that there is a very low risk of any interference to domestic television reception and therefore concludes that there would be a negligible impact on telecommunications. |
| Impacts on road traffic; | Chapter 12 (Traffic and Transport) of the ES provides an assessment of the Revised Development on road traffic. The assessment concludes that the level of traffic associated with construction of the Revised Development would have a negligible effect on the operation of the adjacent road network, and as such, no significant impacts are predicted. |
| Impacts on adjacent trunk roads; | For the reasons stated above, the levels of traffic are deemed to have a negligible effect on the operation of the road network. |
| Effects on hydrology, the water environment and flood risk; | Chapter 11 (Hydrology, Hydrogeology & Geology) of the ES provides an assessment of the impact of the Revised Development on the water environment. The Poniel Water flows from west to east along the north western boundary of the site in a previously diverted channel. The Shiel Burn, Longhill Burn and Alder Burn are tributaries of the Poniel Water and flow from south to north through the western, central and eastern parts of the site respectively. A Construction Environmental Management Plan will be prepared and will draw together mitigation measures to ensure that the Revised Development will not have any detrimental impact on the water environment. The ES concludes that, following the implementation of the mitigation measures, the impact of the Revised Development would not be significant. A Stage 1 Flood Risk Assessment has also been undertaken which concludes that the site is not at risk of flooding, nor will it increase flood risk downstream. |
| The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration; | The Applicant would welcome the opportunity to discuss the use of conditions which enable the Council to control certain aspects of the Revised Development, including decommissioning. |

- 5.4.8 The Revised Development has been assessed against the provisions of paragraph 169 of SPP2014 and the following sections of this chapter consider the Revised Development against policy and detailed assessment criteria contained within the Development Plan, informed by the findings of the remainder of the ES.
- 5.4.9 In summary, it is noted that the site has been previously worked as an opencast coal site and portrays many characteristics of a brownfield site. Care has been taken to ensure that the proposed wind turbines are located no closer to Coalburn or Douglas than turbines within the Consented Development or the consented Dalquhandy Wind Farm, on the neighbouring part of the former Dalquhandy Opencast Site. In this regard, it is clear that the principle of wind farm development on this site, and at this distance from the settlements of Coalburn and Douglas, has already been established. Chapter 2 sets out the design evolution of the scheme which has principally focused on mitigating environmental impacts of the Revised Development wherever possible whilst ensuring that the project remains financially viable.
- 5.4.10 Taking these matters together, along with the assessment against the provisions of paragraph 169 of SPP2014 and having due regard to the significant socio-economic benefits from the Revised Development, it is concluded that whilst the project will give rise to some significant landscape and visual effects, these are localised and an inevitable consequence of this type of development, and when all matters are considered in the round, against the current baseline in the local area, it is concluded that the Revised Development will not significantly affect the overall qualities of Douglas and Coalburn. It is therefore concluded that the proposal accords with the relevant provisions of SPP2014.

Good Practice Principles for Community Benefits

- 5.4.11 The Scottish Government's Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments (April 2014) notes that renewable energy in Scotland presents an unprecedented opportunity for communities to share in the benefits of their local energy resources.
- 5.4.12 The Scottish Government recommends a community benefit package for onshore wind developments with a value to the equivalent of at least £5,000 per installed megawatt per annum, index-linked for the operational lifetime of the project.
- 5.4.13 The Scottish Government notes that community benefits packages have the opportunity to support sustainable development in a number of different ways beyond providing funding or direct investment opportunities. This could involve habitat enhancement; visitor / recreation facilities; community amenities; apprenticeships and job creation initiatives and improving local areas.
- 5.4.14 The Applicant proposes to make community benefit contributions in the following ways, which accord with this advice;
- A financial contribution of £5,000 per MW of installed generating capacity. This would result in an annual contribution of £245,000 per annum (£6.1m over a 25 year period) based on a generating capacity of 49 MW. The Applicant would welcome the opportunity to discuss with SLC and the local communities the mechanisms for the administration of such a contribution.
 - Development of a Heritage Trail and formal footpath network linking Douglas and Coalburn through the site, as detailed within ES Figure A3.2.

- Enhancement and positive re-use of a former opencast coal mine.
- Contribution towards Scotland’s renewable energy targets, through the provision of clean energy for around 34,300 homes.
- Creation of local jobs and local business opportunities through significant economic investment in the local area.
- Creating the opportunity for the Revised Development to supply prospective tenants of the M74 Heat & Power Park with clean, low-cost renewable electricity which will enhance the potential to attract inward investment and employment to the local area.

Online Renewable Advice – Onshore Wind Turbines

5.4.15 The Scottish Government’s Online Renewables Advice - Onshore Wind Turbines replaced PAN 45 – Renewable Energy, and was last modified on 28 May 2014 (prior to the publication of NPF3 and SPP2014 in June 2014). The online advice describes typical planning considerations to be assessed when determining applications for onshore wind turbines. The advice covers the consideration and assessment of: landscape, wildlife, habitats, ecosystems, biodiversity, communities, aviation and defence matters, historic environment, road traffic, cumulative impacts, good practice during construction and decommissioning. All of these topics have been considered where relevant in the accompanying ES.

Planning Advice Notes (PANs)

5.4.16 In addition to advice relating specifically to onshore wind farm development, the Scottish Government publishes Planning Advice Notes (PANs) which cover a variety of subjects.

5.4.17 The following PANs and Circulars are considered relevant to the determination of this planning application and have been given consideration during the preparation of the Revised Development.

- Circular 3/2011: Environmental Impact Assessment, which replaces PAN 58;
- Circular 1/2011: Noise;
- Circular 2/2011: Planning and Archaeology;
- Circular 3/2010: Community Engagement;
- PAN 50: Controlling the Environmental Effects of Surface Mineral Workings;
- PAN 51: Planning and Environmental Protection;
- PAN 60: Planning for Natural Heritage;
- PAN 62: Radio Telecommunications;
- PAN 63: Waste Management Planning;
- PAN 68: Design Statement;
- PAN 73: Rural Diversification; and
- PAN 75: Planning for Transport.

5.5 The Development Plan

- 5.5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, requires the determination of planning applications to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 5.5.2 In this instance, the Development Plan relevant to South Lanarkshire comprises the following documents: Glasgow and Clyde Valley Strategic Development Plan – Approved July 2017 (SDP); South Lanarkshire Local Development Plan - Adopted 2015 (LDP); and the South Lanarkshire Minerals Local Development Plan - Adopted 2012 (MLDP). SLC has also prepared a number of Supplementary Guidance documents which form part of the Development Plan, and are considered below. In addition, it is noted that SLC is in the early stages of consulting on the Main Issues to be addressed in preparing an update to the 2015 LDP, to be known as SLDP2. The Main Issues Report for SLDP2 is given consideration within Section 5.6 – Material Considerations.

Strategic Development Plan

- 5.5.3 The Site is located within an area covered by the approved Glasgow and Clyde Valley Strategic Development Plan (SDP). The SDP provides a Vision for the city-region to 2036, along with a Spatial Development Strategy (SDS) and Supporting Policies to deliver that vision.
- 5.5.4 Paragraph 7.1 of the SDP confirms the Scottish Government’s commitment to a low carbon economy through reduced carbon emissions and acknowledges the role of the planning system in facilitating adaptation to climate change. Paragraph 7.8 recognises that security of energy supply is closely aligned with increasing energy efficiency and reducing carbon emissions. In this context an onshore wind energy spatial framework (Diagram 6) identifies areas within the city region that are likely to be the most appropriate for onshore wind farm development.
- 5.5.5 Diagram 6 shows broad areas of search which have been derived by mapping constraints, and allows for Local Development Plans to take forward the refinement of these areas to establish their long term potential. With regard to this proposal it is noted that the site is not located within the broad area of search in Diagram 6, however, in this regard it is noted that the SDP confirms it is for Local Authorities to distinguish those areas outwith those broad areas of search that require significant protection from those with potential capacity. In this regard, Policy 10 states that *“In order to support onshore wind farms, proposals should be in accordance with the Spatial Framework set out in Diagram 6 and will be subject to further consideration at the local level when other issues, including landscape capacity and community separation will be taken into consideration”*. The most recent approach to developing spatial frameworks for wind energy development as set out in SPP2014 is also noted in this regard. These matters are discussed in more detail below.
- 5.5.6 The Revised Development, by its nature, contributes to addressing climate change, developing a low carbon economy and cutting carbon emissions. It will also contribute positively towards sustainable economic growth and biodiversity of the former surface coal mine site, including the delivery of improvements to public access and connectivity within the area which all contribute to the Vision for the City Region.
- 5.5.7 The assessment of the development therefore falls to the Local Planning Policy.

Adopted Minerals Local Development Plan 2012 (MLDP)

- 5.5.8 The MLDP is a subject local development plan concerned specifically with minerals development. The majority of the MLDP policies are not relevant to the determination of this planning application.
- 5.5.9 However, Policy MIN14 states that planning permission for development which would result in the sterilisation of reserves of known mineral deposits will only be granted where they meet certain tests. As described within Section 4 above, the site of the Revised Development was formally used for opencast coal extraction operations in the 1980s and 1990s. The land has been significantly disturbed in the past and economically viable minerals have previously been extracted from the site. As such, the Revised Development would not result in the sterilisation of any known mineral deposits, and Policy MIN14 and the tests contained therein do not therefore apply.
- 5.5.10 The MLDP does not contain any other policies which are of relevance to this planning application and no further consideration is therefore given to the MLDP.

Adopted South Lanarkshire Local Development Plan 2015 (LDP)

- 5.5.11 The LDP was adopted in 2015 and forms part of the Development Plan. The LDP's overall strategic vision is *"to promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment"*. Four broad objectives are identified within the LDP to achieve this strategic vision. These objectives seek to;
- Encourage sustainable economic growth;
 - Meet the communities needs;
 - Enhance and safeguard the environment; and
 - Maximise the use of existing infrastructure.
- 5.5.12 The LDP notes that if progress is to be made in achieving these objectives, the Plan has to encourage development in the right place, at the right time and of the right quality.
- 5.5.13 *Figure 3.1 - Vision and Spatial Strategy* of the LDP illustrates the relationship between the LDP's vision, themes, objectives and spatial strategy, which all require to be considered against the background of climate change. Of particular note is the Council's spatial strategy to support renewable energy development in locations with landscape and infrastructure capacity, pursue redevelopment of appropriate brownfield sites in the countryside, make use of existing infrastructure and transport links and provide walking and cycling routes to link places where people live to facilities and jobs.
- 5.5.14 The LDP contains 19 planning policies to be used to assess and determine if development proposals will contribute towards achieving the LDP's objectives and thus secure the preferred land use outcomes described in the spatial strategy.
- 5.5.15 The principle LDP policy against which the Revised Development must be assessed is *Policy 19 – Renewable Energy*. *Policy 19* states that:
- "Applications for renewable energy infrastructure developments will be supported subject to an assessment against the principles set out in the 2014 SPP, in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks."*

- 5.5.16 An assessment of the Revised Development against the policy contained within SPP2014 is set out above, and in particular within Table 5.1. The assessment demonstrates that the Revised Development complies with the terms of SPP2014, and as such, the proposal is in accordance with this aspect of Policy 19 of the LDP.
- 5.5.17 *Policy 19* goes on to state that;
- “The Council will produce statutory supplementary guidance which accords with the 2014 SPP, and which contains the spatial framework for onshore wind energy, and sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed.*
- Development proposals must also accord with other relevant policies and proposals in the development plan and with supplementary guidance.”*
- 5.5.18 The Council updated their *Renewable Energy Supplementary Guidance* in accordance with SPP2014 in late 2015. As such, consideration is given to the Renewable Energy SG below. Other relevant policies contained within the LDP are considered below. In summary, the assessment below concludes that Revised Development accords with the provisions of the Renewable Energy SG and all other relevant policies within the LDP, therefore, the Revised Development is found to be compliant with the terms of *Policy 19*.
- 5.5.19 The following additional LDP policies are relevant to the determination of the application:
- Policy 1 Spatial Strategy
 - Policy 2 Climate Change
 - Policy 3 Green Belt and Rural Area
 - Policy 4 Development Management and Place Making
 - Policy 7 Employment
 - Policy 11 Economic Development and Regeneration
 - Policy 15 Natural and Historic Environment
 - Policy 16 Travel and Transport
 - Policy 17 Water Environment and Flooding
- 5.5.20 The Revised Development supports sustainable economic growth and regeneration, and protects and enhances the environment and therefore adheres to the LDP’s spatial strategy contained within *Policy 1 – Spatial Strategy*.
- 5.5.21 *Policy 2 - Climate Change* seeks to minimise and mitigate the effects of climate change through a number of criteria. The relevant criteria to this proposal are (iii) utilising renewable energy sources, (vii) having no significant adverse impacts on the water and soils environment, air quality, biodiversity (including Natura 2000 sites and protected species) and green networks. Taking into account the contribution of 49MW of electricity to be generated from this proposal and the assessment in Table 5.1 on the above matters, it is considered that the proposal complies with *Policy 2* and that of the advice in the Council’s SG on Sustainable Development and Climate Change.
- 5.5.22 *Policy 3 - Green Belt and Rural Area* states that the Green Belt and rural area functions primarily for agricultural, forestry, recreation and other uses appropriate for the countryside. The Revised

Development is located within the rural area. SG 2: Green Belt and Rural Area lists in Appendix 2 renewable energy as an appropriate use within this area and refers to the SG Renewable Energy, and SG Sustainable Development and Climate Change for further guidance. Sustainable development and climate change has been assessed above and the guidance set out in the Renewable Energy SG is assessed below. On the basis that the Revised Development complies with policy within both SGs it follows that the Revised Development also complies with *Policy 3 of the LDP*.

5.5.23 The relevant issues identified within *Policy 4 relating to Development Management and Placemaking* are considered in detail within the assessment set out in Table 5.2 below and within the technical chapters of this ES, including the Mining Hazards Assessment contained in Appendix 11.3. Following these assessments it is considered that the proposal complies with *Policy 4* as there are no significant adverse impacts on the criteria listed in *Policy 4* subject to the various mitigation measures set out within the ES.

5.5.24 *Policy 7 – Employment and Policy 11 - Economic Development and Regeneration* promote sustainable economic growth, inward investment and employment creation within South Lanarkshire. The Revised Development represents a significant investment in the local area which would create and support local jobs both during the construction and operational period, in accordance with *Policies 7 and 11*.

5.5.25 *Policy 15 – Natural and Historic Environment* is of particular relevance to the determination of this planning application. *Policy 15* begins by stating that;

“The Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment.”

5.5.26 The ES which accompanies this planning application provides a systematic assessment of the impact of the Revised Development on the environment. Having regard to the findings of this ES and the considerations assessed in Table 5.1 above, it is considered that the Revised Development will not result in an unacceptable effect on the character and amenity of the natural and built environment.

5.5.27 *Policy 15* goes on to provide hierarchical levels of protection for a suite of designations, grouped into three categories; Category 1 (International); Category 2 (National) and Category 3 (Local), as listed in Table 6.1 of the LDP. Where there is potential for a proposed development to affect any designation listed in Table 6.1 of the LDP, the following applies:

“Category 1, 2 and 3 sites

The Council will seek to protect important natural and historic sites and features, as listed in Table 6.1 and shown on the proposals map, from adverse impacts resulting from development, including cumulative impacts.

In Category 1 areas:

- i) *Development which could affect Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (Natura 2000 sites) will only be permitted where an appropriate assessment of the proposal demonstrates that it will not adversely affect the integrity of the site following the implementation of any mitigation measures. Proposals where it cannot be ascertained that it would not adversely affect the integrity of the site will only be permitted where there are no alternative solutions and there are imperative reasons of overriding public interest.*

- ii) *The Council will seek to protect and preserve the Outstanding Universal Value of New Lanark World Heritage Site. Development proposals affecting the world heritage site and its setting will be assessed against the detailed criteria set out in supplementary guidance. Development proposals within the buffer zone will be assessed for their potential impact on the site’s outstanding universal value.*

In Category 2 areas development will be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised following the implementation of any mitigation measures. Any significant adverse effects must be clearly outweighed by social or economic benefits of national importance.

In Category 3 areas development which would affect these areas following the implementation of any mitigation measures will only be permitted where there is no significant adverse impact on the protected resource.

Where possible, any development proposals which affect natural and historic designations should include measures to enhance the conservation value of the site affected.”

5.5.28 Table 5.2 below has reproduced the list of categories and designations afforded protection by Policy 15 and includes a comment with regards to how the designation applies to the Revised Development.

Table 5.2 – Consideration of Category 1, 2 & 3 designations

| Category | Designation | Comment |
|----------------------------|-------------------------------|--|
| Category 1 (International) | Special Protection Areas | The closest SPA is the Muirkirk and North Lowther Uplands SPA, located circa. 5.5 km to the south west of the application site. The SPA’s citation notes that the SPA qualifies for its designation by regularly supporting breeding populations of European protected species, including hen harrier, short-eared owl, merlin, peregrine and golden plover. Chapter 8 of this ES concludes that the Revised Development would not affect the SPA. |
| Category 1 (International) | Special Areas of Conservation | The closest SAC is Coalburn Moss SAC, an active raised bog located 1.6 km to the north of the closest part of the site. The site is also designated as a SSSI (Category 2 site). Chapters 7 and 11 of this ES conclude that the site and the SAC are not hydrologically connected and the Revised Development would not therefore affect the SAC. |

| Category | Designation | Comment |
|----------------------------|---|--|
| Category 1 (International) | World Heritage Site and its setting and its buffer zone | The New Lanark World Heritage Site is located circa 8 km to the northeast of the application site and the WHS buffer is located 6.75 km to the northeast. No adverse impact on the Outstanding Universal Value of the WHS would occur as a result of the Revised Development. |
| Category 2 (National) | Scheduled Monuments and their setting | No Scheduled Monuments are located within the site boundary. Chapter 10 (Cultural Heritage) of this ES considers the potential impact of the Revised Development on Scheduled Monuments and their settings. Two Scheduled Ancient Monuments are located within 5 km of the site – St Brides Chapel and Thorril Castle. The ES concludes that the Revised Development could lead to a minor, but not significant effect on the St Brides Chapel, but that there will be no effect on Thorril Castle Scheduled Monument due to visual screening. It is concluded that the Revised Development would comply with the policy tests contained within Policy 15 with regards to Scheduled Monuments. |
| Category 2 (National) | Category A Listed Buildings and their setting | Two Category A-Listed Buildings are located within 5 km of the site. The James Earl of Angus Monument and St. Brides Church are both located within Douglas to the south of the site. Chapter 10 (Cultural Heritage) of this ES concludes that Revised Development would create an adverse impact of minor significance both of these Listed Buildings, which is not significant in the context of the EIA Regulations. It is therefore concluded that the Revised Development would comply with the policy tests contained within Policy 15 with regards to Scheduled Monuments. |
| Category 2 (National) | National Nature Reserve | The closest NNR is Clyde Valley Woodlands, located within the gorge at New Lanark, 7 km to the northeast of the site. It is considered that the Revised |

| Category | Designation | Comment |
|-----------------------|--|--|
| | | Development would have no impact on the NNR. |
| Category 2 (National) | Sites of Special Scientific Interest | Miller's Wood SSSI is located 3.2 km to the south of the site, and is designated for its biological interest. The 12.7 ha woodland is dominated by even-aged and dying birch. The assessment contained with Chapter 7 (Ecology and Natural Heritage) of this ES concludes that the Revised Development would not lead to any significant adverse effects on the SSSI's within the locality. It is concluded that the Revised Development would not lead to the objectives of the SSSI and the overall integrity of the area being compromised. |
| Category 2 (National) | Inventory of Gardens and Designed Landscapes | The closest Garden and Designed Landscape is the Falls of Clyde, located around New Lanark, 7 km to the northeast of the site. The Revised Development would not lead to the objectives of the Designed Landscape and the overall integrity of the area being compromised. |
| Category 2 (National) | Inventory of Historic Battlefields | The closest Historic Battlefield is located at Bothwell Bridge, located 26 km to the north of the application site. No site listed on the Inventory of Historic Battlefields would be affected by the Revised Development. |
| Category 2 (National) | Prime Agricultural Land (Categories 1, 2, and 3.1) | No prime agricultural land will be affected by the Revised Development. The closest prime agricultural land is located over 6 km to the north of the site. |
| Category 2 (National) | The Water Environment | Chapter 11 (Hydrology, Hydrogeology & Geology) of this ES assesses the potential impact of the Revised Development on the water environment. Three watercourses are identified within the application site, all flowing into the Poniel Water located to |

| Category | Designation | Comment |
|-----------------------|---|---|
| | | the north of the site. Chapter 11 concludes that subject to mitigation measures, which include the management of silt laden run-off, containment of chemicals and fuel etc., there would be no more than a minor to negligible adverse effect on the water environment during construction. |
| Category 2 (National) | Ancient Semi-natural Woodland (categories 1 and 2a on SNH Ancient Woodland Inventory) | No ancient semi-natural woodland will be affected by the Revised Development. |
| Category 3 (Local) | Special Landscape Areas | The site is located partially within the Douglas Valley SLA. Four wind turbines and associated infrastructure are located within the boundary of the SLA, however the majority of the Revised Development is located to the north. Further consideration is given to the potential impacts of the Revised Development on the Douglas Valley SLA within Chapter 6 of this ES which concludes that the Revised Development would not increase the level of cumulative effect of wind farm development which is already experienced within this part of the SLA, and would not create an impact which affects the overall quality of the designated landscape area. Further, it is noted that whilst there are visual differences between the Consented Development and the Revised Development, the overall effects of the Revised Development on the landscape character of the local area have not changed from that assessed as part of the Consented Development. |
| Category 3 (Local) | Category B and C Listed Buildings and their setting | Sixteen B-Listed Buildings are located within 5 km of the Revised Development. The effect of the Revised Development on these B-Listed Buildings, and their settings, is systematically considered within |

| Category | Designation | Comment |
|--------------------|---|---|
| | | Chapter 10 of this ES. Chapter 10 concludes that the level of significance created by the Revised Development on each of these B Listed Buildings would be negligible or no effect. |
| Category 3 (Local) | Other archaeological sites and monuments | Twenty-two confirmed, non-designated features were identified within the site. Each of these features is systematically assessed within Chapter 10 of this ES. This assessment concludes that there would be a negligible on all identified features, with the exception of features (4) Alder Burn and (5) Poniel Water, which have the potential to experience a minor impact. The Revised Development would not lead to a significant adverse impact in these resources and there would therefore be no conflict with the policy in this regard. |
| Category 3 (Local) | Conservation Areas | The Douglas Conservation Area is located to the southeast of the application site. Chapter 10 of this ES gives consideration to the potential impact of the Revised Development on the Douglas Conservation Area, and notes that it is an urban setting, with the emphasis on the style and nature of the surrounding buildings as opposed to the wider landscape. As a result, Chapter 10 considers that the effect of the Revised Development on the Conservation Area would be negligible. |
| Category 3 (Local) | Local Nature Reserves | No local nature reserves will be affected by the Revised Development. |
| Category 3 (Local) | Tree Preservation Orders | No tree preservation orders will be affected by the Revised Development. |
| Category 3 (Local) | Other long established woodlands and woodlands of high conservation value | No long established woodland nor woodlands of high conservation value will be affected by the Revised Development. |
| Category 3 (Local) | Peatlands | Other than some minor covering of superficial organic soils overlying the glacial till, no peat deposits were |

| Category | Designation | Comment |
|--------------------|---|---|
| | | identified, therefore there can be no impact on peatlands. |
| Category 3 (Local) | Country Parks | No Country Parks will be affected by the Revised Development. |
| Category 3 (Local) | Core Paths, Core Water Routes (Paths) and water access/egress points, and Rights of Way | A number of core paths or aspirational core paths pass close to or go through the site. Temporary diversions of aspirational core paths may be required during the construction but through the access improvements proposed in Appendix 3.1 it is considered that, overall, the development will have a positive effect on the access network in the local area. |
| Category 3 (Local) | Quiet Areas | No Quiet Area's will be affected by the Revised Development. |

5.5.29 In addition to the protection afforded to designated sites, Policy 15 also states that;

“Development which will have an adverse effect on protected species following the implementation of any mitigation measures will not be permitted unless it can be justified in accordance with the relevant protected species legislation.”

5.5.30 Chapter 7 (Ecology and Natural Heritage) of this ES gives consideration to a variety of protected species and, following the implementation of a Species Protection Plan, scopes out further assessment of the following species; otter, Great Crested Newts, bats (during construction), water vole, badger, red squirrel, fish, pine martin, reptiles and terrestrial invertebrates. Chapter 7 notes that there is the potential for collision risks upon bat species during the operational phase of the Revised Development. Chapter 7 considers the risk relative to specific bat species and concludes that the Revised Development would lead to no more than a minor to negligible effect on bat species.

5.5.31 Therefore, having regard to the above assessment, it is considered that the Revised Development complies with the policy considerations contained within *Policy 15* of the LDP.

5.5.32 In summary, the Revised Development supports sustainable economic growth and regeneration and protects and enhances the environment and therefore adheres to the Proposed LDP's spatial strategy contained within *Policy 1*. In addition, being a renewable energy development, it supports the principles contained within *Policy 2* relating to climate change. The issues identified within *Policy 4* relating to Development Management and Placemaking are considered in detail within the assessment set out above and within the relevant chapters of this ES. The Revised Development represents a significant investment within the local area and would create and support local jobs, in accordance with *Policies 7 and 11*. Having regard to the findings of this ES, it is considered that the Revised Development will not result in an unacceptable effect on the character and amenity of the natural and built environment, and therefore complies with *Policy 15*. Minimal impact would be created on the local road network, and most HGV's would be routed along the M74 motorway directly

onto the private site access road via Junction 11, adhering to the terms of *Policy 16*. Finally, the Revised Development would have a negligible impact on the water environment and therefore complies within *Policy 17*.

- 5.5.33 Therefore, having regard to the relevant policies contained within the LDP 2015, it is considered that the Revised Development is in accord with both the relevant policies contained within the plan and the overall strategic vision of the LDP.

Supplementary Guidance (SG)

- 5.5.34 SLC has prepared a number of SG documents which form part of the Development Plan and planning applications should therefore be determined in accordance with the adopted SG, unless material considerations indicate otherwise.

Sustainable Development and Climate Change SG

- 5.5.35 The *Sustainable Development and Climate Change SG* (SDCC) notes that the climate in Scotland is already changing and that these changes impact many aspects of society. The SDCC contains a number of policies relevant to the determination of this planning application which support *Policy 2* of the LDP. These include *Policies SDCC2 Flood Risk and SDCC3 Sustainable Drainage Systems*. The terms of Policies SDCC2 and 3 have been fully assessed within Chapter 11 of this ES which concludes that adequate drainage measures will be put in place during construction works through the Construction and Environmental Management Plan (CEMP) to ensure that any pollution risks to watercourses are minimised, and the Stage 1 Flood Risk Assessment concludes that the site is not at risk of flooding nor will it increase the risk of flooding downstream. It is therefore considered that the Revised Development accords with the provisions of the *SDCC SG*.

Natural and Historic Environment SG

- 5.5.36 The Natural and Historic Environment SG (NHESG) supports the terms of *Policy 15* of the LDP, which is given consideration above. The NHESG contains policies of relevance including Policies NHE2 Scheduled monuments and their setting, *NHE3 Listed Buildings*, *NHE6 Non-scheduled archaeological sites and monuments*, *NHE7 Conservation Areas*, *Policy NHE8 Natura 2000 sites*, *NHE9 National Nature Reserves and Sites of Special Scientific Interest*, *NHE16 Landscape*, *NHE18 Walking, cycling and riding routes*, *NHE19 Protected species*, and *NHE20 Biodiversity*. The assessment contained elsewhere within this Planning Statement addresses the issues raised within these policies.

- 5.5.37 Of particular relevance is *Policy NHE16 Landscape*, which states;

“Development proposals within a Special Landscape Area (SLA) identified on the Proposals Map will only be permitted if they satisfy the requirements of LDP Policy 3 Green Belt and Rural Area and can be accommodated without significantly adversely affecting the landscape character, scenic interest and special qualities, as identified within the Council’s Report on Validating Local Landscape Designations, 2010 and features for which the area has been designated”.

- 5.5.38 Validating Local Landscape Designations (VLLD) prepared by Ironside Farrar on behalf of SLC in 2010, reviewed the landscape designations within South Lanarkshire. VLLD identifies 6 Special Landscape Areas (SLA’s), which replace the areas previously designated as AGLV’s and RSA’s.

- 5.5.39 Four of the wind turbines consisting of the Revised Development are located within the Douglas Valley Special Landscape Area (SLA). In addition, all of the proposed wind turbines will be visible from certain parts of the SLA.
- 5.5.40 To establish whether the development “can be accommodated without adversely affecting the overall quality of the designated landscape area”, as required by *Policy NHE16*, it is necessary to consider what the key qualities of the SLA are.
- 5.5.41 VLLD describes the Douglas Valley SLA as follows:
- “The Douglas Valley is a sheltered valley containing a well preserved designed landscape with significant mature woodland planting. It is centred around the historic village of Douglas and provides an accessible, contained and tranquil landscape in contrast to the open and expansive rolling moorland to both the south and north of the valley.”*
- 5.5.42 VLLD acknowledges that the expanded Hagshaw Hill Wind Farm and opencast mining in the area have and will continue to affect the landscape. However, the document considers that these developments are relatively limited or transient features that will not affect the key landscape characteristics sufficiently to be excluded from the designated area.
- 5.5.43 It is noteworthy that the boundary of the Douglas Valley SLA was drawn to incorporate part of the Hagshaw Hill Wind Farm. This demonstrates that wind farm development can be accommodated both immediately adjacent to an SLA and also within the designated landscape without affecting the overall quality and integrity of the designated landscape area.
- 5.5.44 VLLD goes on to identify the significance of the scenic and cultural features of the Douglas Valley SLA, which are as follows:
- Scenic compositional qualities of a meandering upland river passing through a sheltered, mature pastoral landscape enclosed by moorland hills;
 - Cultural features include the designed landscape of the Douglas Castle and historic village of Douglas together and their historic associations with the Douglas Family, the Cameronians regiment and literary associations with Sir Walter Scott;
 - A network of mature policy woodlands and shelterbelts and a high quality water environment;
 - Frequently visited, as the M74 passes through the eastern end of the designated area and intersects with the main east-west route of the A70 which passes along the valley. The village and castle are visitor destinations with well-maintained footpaths through the designed landscape.
- 5.5.45 Having regard to the scenic compositional qualities of the Douglas Valley, it is considered that the Revised Development would not affect the notable landscape fabric of the SLA, it would not result in tree loss nor would it affect the ‘meandering river’. The limited development within the SLA would be located on moorland, located on the periphery of the SLA.
- 5.5.46 VLLD states, with regards to the choice of boundary for the Douglas Valley SLA, that the boundary considers the visual envelope and setting of the valley and that it includes Hagshaw Hill which encloses the valley in views to the west and north. The north western boundary is noted to follow the hill crest and forestry boundary of Curly Brae towards Douglas West. It then rises to meet the hill crest and forestry on Hagshaw Hill to join the western boundary at Wedder Hill. When viewed on an accompanying plan (*See Figure 6iv of VLLD*), it is clear that the boundary of the SLA reflects physical boundaries of fences and where forestry uses meet moorland.

- 5.5.47 The section of the SLA boundary which dissects the site follows the line of a fence, which formed part of the boundary of the Dalquhandy Opencast site. This fence does not follow any specific landscape feature. In the absence of the fence, it is possible that the boundary of the SLA would have followed the hill crest between Long Plantation and Arkney Hill, in which case Turbines T10 - T13 would have been largely outwith the SLA.
- 5.5.48 Notwithstanding, the area in which Turbines T10 - T13 are to be located makes very little contribution to the compositional qualities of the SLA.
- 5.5.49 In terms of impact on cultural features, whilst it is noted that the Revised Development has the potential to cause significant impacts on views from certain more elevated, south eastern, parts of the grounds of the Douglas Castle (a C listed building), a substantial proportion of the Revised Development will be screened by the intervening landform and coniferous plantation. Other views are available within the Castle grounds where the Revised Development is entirely screened by landform and the Long Plantation. It is noted that the existing Hagshaw Hill and Hazelside turbines are also visible from Douglas Castle and its grounds, and from the majority of the Douglas Valley. Whilst the proposed turbines will appear closer and as a separate grouping in most available views within the grounds of the Douglas Castle, they will not create an effect which impacts on the ability to appreciate the cultural features located within the Douglas Valley. Further assessment is given to the impact of the Revised Development on the Cultural Heritage features within Chapter 10 of this ES.
- 5.5.50 The Revised Development would not adversely affect the network of mature policy woodlands and shelterbelts and a high quality water environment within the Douglas Valley.
- 5.5.51 In terms of the Revised Development's impact on visitor routes and attractions within the area, a detailed assessment of these potential impacts are considered within Chapter 6 (Landscape and Visual) of this ES. In addition, Chapter 13 (Socio-Economics) of this ES assesses the potential impact of the Revised Development on recreation and tourism within the local area. Having regard to these assessments, it is concluded that the Revised Development would not create an unacceptable impact on visitor routes and attractions within the area.
- 5.5.52 Therefore, having regard to the potential impact of the Revised Development on the key scenic and cultural features of the Douglas Valley SLA, it is considered that it will not create an impact which affects the overall quality of the designated landscape area, and therefore complies with the aims of Policy NHE16.
- 5.5.53 The assessment of the Revised Development against the LDP above confirms that the proposal complies with LDP Policy 3 Green Belt and Rural Area, as also required by Policy NHE16. Whilst it is acknowledged that the Revised Development may create significant effects on certain views from within the Douglas Valley SLA, it is not considered that these effects would affect the key qualities which contribute to its local distinctiveness and, overall, it is concluded that the Revised Development would not significantly increase the level of cumulative effect of wind farm development which is already experienced within this part of the SLA. Further, it is noted that whilst there are visual differences between the Consented Development and the Revised Development, the overall effects of the Revised Development on the landscape character of the local area have not changed from that assessed as part of the Consented Development. It is therefore considered that the Revised Development meets with the provisions of Policy *NHE16* and complies with the aims of the *NHE SG*.

Green Belt and Rural Area SG

- 5.5.54 *The Green Belt and Rural Area SG* (GBRA) supports the terms of *Policy 3* of the LDP. The *GBRA* notes that tourism has a significant role to play in increasing employment opportunities and broadening the local rural economy. *Policy GBRA1* states that;

"The Council will however seek to support the rural economy by promoting rural diversification and facilitating job creation by encouraging development of an appropriate type and scale.

For new businesses and those seeking to relocate or extend into sites within the Green Belt and rural area, the preference is to re-use and convert redundant buildings together. Sympathetic extensions and alterations and an element of new build in association with re-use and conversion may also be acceptable. Where it is shown that appropriate buildings are not available to accommodate the needs of the business, new build development may be acceptable where it is shown to integrate within an established building group or it involves the redevelopment of previously developed land.

Exceptionally, proposals for larger scale business development that generate employment opportunities in the Green Belt or the rural area may come forward. They will be considered on their merits with particular regard to their economic benefits for the area.”

- 5.5.55 The Revised Development’s economic impacts are considered in detail within Chapter 13 (Socio-economics) of this ES. The Revised Development represents a major investment in the rural area of South Lanarkshire and would deliver a range of positive economic impacts including the creation of 330 ‘job years’ and £37m Gross Value Added (GVA) in the Scottish economy during the construction phase (including 100 job years and £12.4 million GVA in South Lanarkshire) and 25 jobs and £2.9 million GVA per annum (including 8 jobs and £1.1m GVA per annum in South Lanarkshire) during the 25 year operational period, as well as stimulating further national and local economic benefits from the development of community infrastructure through the Community Benefit funding. It is noted that the Revised Development does not fall within the Green Belt. The Revised Development therefore accords with the provisions of the *GBRA SG*.

Renewable Energy SG (2015)

- 5.5.55 The *Renewable Energy SG 2015 (RESG)* sets out policies and other advice to assist in positively planning for renewable energy development in South Lanarkshire.
- 5.5.56 The *RESG* sets out policy and criteria for assessing renewable energy developments. The aim of the *RESG* is to accommodate renewable energy developments where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily.
- 5.5.57 The *RESG* identifies ‘Areas of Significant Protection’ for wind energy developments. These are illustrated on the associated *Figure 4.1* and include International and National natural heritage designations, the Southern Uplands Foothills and Pentland Hills area, the Green Belt, and the urban areas of South Lanarkshire. The Application Site is located within an Area of Significant Protection where detailed assessment of potential impacts is required.
- 5.5.58 In addition to Areas of Significant Protection, the *RESG* introduces a number of other constraints and policy considerations which require to be assessed when determining this planning application. These considerations are addressed below.
- 5.5.59 *Policy RE1* states that applications for onshore wind turbine developments of a height to blade tip of 15m or over must accord with the Spatial Framework and meet the relevant criteria set out in:
- Section 6 Development Management considerations for the assessment of renewable energy proposal.
 - Table 7.1 Assessment Checklist for Renewable Energy Proposals.
- 5.5.60 *Policy RE2* effectively repeats the requirement for applications to accord with the relevant criteria in *Section 6 and Table 7.1*.
- 5.5.61 The Development Management Considerations set out in *Table 6.1* and the Assessment Checklist for Renewable Energy Proposals set out in *Table 7.1* of the *RESG* effectively mirror the criteria set out in paragraph 169 of *SPP2014*, which are addressed at *Table 5.1* above.

- 5.5.62 In summary, the technical chapters of this ES have addressed all relevant criteria to be considered as set out in *Table 6.1 and Table 7.1* of the *RESG*, and the proposal has been assessed against the provisions of paragraph 169 of SPP2014 above. This ES also includes an assessment of the impact of the proposal on the Douglas Valley SLA (refer to paragraphs 5.5.37 to 5.5.52 above and in Chapter 6), detailed cumulative impact assessment (refer to Chapter 16), a detailed LVIA and RVAS (refer to Chapter 6) as also required by Section 6 of the *RESG*. Considering the assessment of the proposal against the key criteria of the *RESG* (set out in Table 5.1 above) and having due regard to the significant socio-economic benefits from the Revised Development, it is concluded that whilst the project will give rise to some significant landscape and visual effects, these are localised and an inevitable consequence of this type of development, and when all matters are considered in the round, against the current baseline in the local area, it is concluded that the Revised Development is in general accord with the relevant provisions of the *RESG*.

5.6 Material Considerations

Planning History

- 5.6.1 Much of the site formed part of the former Dalquhandy Opencast Coal Site which was once the largest opencast in Europe and operated between c.1988 and 2004. Multiple historic planning permissions exist in relation to operations at the Opencast Site but the only one considered to remain relevant is planning permission CL/08/0185 for the retention of the access road and concrete hardstanding at the former DP area on this site. This access road will be used to service the Revised Development.
- 5.6.2 In respect of wind energy development on this site, a Scoping Opinion was originally sought from SLC in March 2012, by the previous developer Community Windpower, for a wind farm of up to 15 turbines up to a maximum tip height of 150m. A Scoping Opinion was subsequently issued by SLC in June 2012 (further detail on this is provided in Chapter 4).
- 5.6.3 In the intervening period 3R Energy took ownership of the development proposals and decided to develop an integrated renewable energy project at the site. A planning application was submitted in July 2015, by 3R Energy, for a development comprising 15 wind turbines, up to 126.5 m blade tip height, and an associated Wood Fuel Drying Facility (WFDF). Consent for the application, the Consented Development, was granted in February 2016 (Appendix 1.1). The SLC Planning Committee Report on that application concluded that: *“Taking the [above] assessment into account and together with the longer term economic benefits as set out in paragraph 6.4.26 [of the Committee Report] and given the benefits of the proposal in contributing towards Scotland’s renewable energy targets, it is concluded that the application should be supported subject to conditions and a legal agreement”*. The principle of a wind farm on this site was therefore established through that permission.
- 5.6.4 Two subsequent Non-Material Variation Submissions to increase the tip height to 131m and the rotor size to 113m (CL/15/0273/1), and relocate the substation and construction compound (CL/15/0273/2) have also been consented (Appendix 1.2).
- 5.6.5 The above noted planning decisions have therefore confirmed the appropriateness of the site as a location for a wind farm.
- 5.6.6 Planning permission (CL/16/0157) was granted to amend the means of powering the WFDF from wind turbines to a wood gas combined heat and power (CHP) plant, and for the WFDF to be constructed as a stand-alone development. The WFDF is now built and operational within the northern extent of the DP area.

5.6.7 Planning permission in principle (Planning Reference: CL/17/0157) has been granted for the phased development of the wider extent of the DP area for a mix of Class 4 (Business), 5 (General Industrial) and 6 (Storage or Distribution) uses including associated landscaping, service facilities, SUDS/drainage features, internal roadways, infrastructure, parking and other ancillary works (refer to Figure 3.2). Electricity generated by the Revised Development could be used to power industrial operations within that part of the site.

Conclusions of Revised Development EIA

5.6.8 Chapter 18 of this ES provides a summary of residual environmental effects following the incorporation of mitigation measures, and includes a comparison of the effects of the Revised Development against that of the Consented Development. In summary, the predicted environmental effects of the Revised Development are essentially the same as those of the Consented Development, with the exception of the predicted effects on the following viewpoints/receptors.

- Viewpoint 4 (Douglas) – Change from Moderate/Major to Major.
- Viewpoint 8 (Hyndford Bridge) - Change from Moderate/Minor to Moderate/Minor to Moderate.
- Viewpoint 12 (Southern Upland Way) - Change from Minor to Moderate/ Minor.
- Blackwood Cottage (owned) and Station House (financially involved) - Change from a Moderate and Not Significant effect to a Moderate and Significant effect.
- 1 Westoun Steadings - Change from Minor to Moderate/Minor.

5.6.9 Whilst there are visual differences between the two schemes, the predicted significance of effects of the Revised Development on the landscape character of the local area has not changed from that assessed as part of the Consented Development.

South Lanarkshire Local Development Plan 2 (Main issues Report)

5.6.10 The SLLDP2 MIR proposes some amendments to the wording of LDP Policy 19 (Renewable Energy) which include a Table and Figure better illustrating the requirements of SPP2014 and including updated references to the SLC Renewable Energy SG 2015 which is considered in Section 5.5 above. The proposed changes to Policy 19 do not alter the thrust or substance of the policy within the extant LDP against which the proposal has been assessed above.

Landscape Character Assessment

5.6.11 The South Lanarkshire Landscape Character Assessment prepared by Ironside Farrar on behalf of the Council in 2010, provides a review and maps of the landscape character types within South Lanarkshire. The LCA notes that South Lanarkshire represents a transition from the urban area of greater Glasgow and its neighbouring large towns, through a largely rural landscape to the remote hills of the Southern Uplands. The site is located within Landscape Character Type 5B – Plateau Farmland and Opencast Mining and Landscape Character Type 7 – Rolling Moorland.

Validating Local Landscape Designations

- 5.6.12 Validating Local Landscape Designations (VLLD) prepared by Ironside Farrar on behalf of the Council in 2010, sets out an assessment of landscape character within South Lanarkshire and reviewed the landscape designations. VLLD identifies 6 Special Landscape Areas (SLA's), and these areas are carried into the LDP (Policy 15) and the Renewable Energy SG. An assessment of the Revised Development's impact on the Douglas Valley SLA is provided within Section 5.5 above where it is concluded that the Revised Development would not significantly increase the level of cumulative effect of wind farm development which is already experienced within this part of the SLA, nor would it affect the key qualities which contribute to its local distinctiveness. Further, it is noted that whilst there are visual differences between the Consented Development and the Revised Development, the overall effects of the Revised Development on the landscape character of the local area have not changed from that assessed as part of the Consented Development.

Spatial Framework and Landscape Capacity for Windfarms

- 5.6.13 Spatial Framework and Landscape Capacity for Windfarms prepared by Ironside Farrar on behalf of the Council in 2010, sets out the reasoning for the spatial framework for windfarm development within South Lanarkshire, which identifies 'Areas of Significant Protection', 'Stage 2' and 'Stage 3' areas.

South Lanarkshire Core Paths Plan

- 5.6.14 The South Lanarkshire Core Paths Plan (CPP) was adopted by the Council in November 2012. The CPP states that the Council recognises the importance of outdoor access for both health and social well-being of communities and the economic vitality of the area. The CPP notes that Scottish Government guidance defines the system of core paths as "providing the basic framework of routes sufficient for the purpose of giving the public reasonable access throughout their area". The CPP identifies four types of paths (1) Core Paths, (2) Aspirational Core Paths, (3) Wider Path Network and (4) Core Water Paths (i.e. Rivers).
- 5.6.15 One Core Path (CL/5735/3) extends from the north and crosses the site access road to the north east of the existing DP hardstanding. Thereafter the path changes to a 'Wider Network' path within the Long Plantation.
- 5.6.16 A number of 'Aspirational Core Paths' run through the site and include the existing access road, which runs through the site from east to west, a path which follows the route of the dismantled railway line running along the south eastern boundary and a path which follows a former fence line which delineates the boundary of the SLA.
- 5.6.17 Public access within the area has been identified as a key local issue through pre-application community consultation. An Access Strategy has therefore been developed, in consultation with the local community. The Access Strategy proposes the development of a Heritage Trail allowing for a number of points of interest to be connected with a useable, well surfaced and signposted path. It is proposed that this Heritage Trail utilises much of the existing path network identified within the Core Path Plan, along with some additional improvements. Please refer to the Access Strategy contained within Appendix 3.1 of this ES for further details.

South Lanarkshire Biodiversity Strategy (2010 – 2015)

- 5.6.18 The Biodiversity Strategy sets out the long and medium term aims of the Local Biodiversity Action Plan (LBAP) and identifies measures and actions which can deliver biodiversity gains over a longer timescale than a more traditional LBAP. The Strategy also sets the strategic policy framework for the associated, stand- alone Biodiversity Action Plan. The Strategy includes a compilation of projects and

programmes taking place across South Lanarkshire which are contributing towards the delivery of the aims outlined in the Strategy. This Plan details the habitats deemed as important at a local level and receiving dedicated plans for their conservation as a result. The Strategy does not contain particular species of importance but considers that all species which are viewed as a priority nationally are considered to be a priority locally. An update to the current Strategy is presently out to consultation.

- 5.6.19 As discussed above, Chapter 7 (Ecology and Nature Conservation) of this ES concludes that the Revised Development would have a minor or negligible direct and indirect impacts on habitat as a result of loss of small areas of wet heath during the construction phase. It is however proposed to employ an Ecological Clerk of Works (ECoW) to monitor construction works to ensure the requirements of the Construction Environmental Management Plan (CEMP) are met. In addition, an Outline Habitat Management Plan (OHMP) has been prepared (Appendix 7.8). The OHMP identifies 5 aims; (1) to enhance the wet heath resource, (2) enhance the vegetation species within the grassland habitat, (3) increase the number of breeding waders, (4) increase Hen Harrier foraging and (5) maintain and enhance the black grouse numbers and usage within the site. These aims are underpinned by a number of actions, such as the creation of ponds and scrapes to attract wading birds, and riparian planting along Longhill Burn and Alder Burn to create habitat diversity.
- 5.6.20 The Revised Development therefore has the potential to improve the biodiversity value of the site and complement the aims of the South Lanarkshire Biodiversity Strategy.

5.7 Policy Conclusions

- 5.7.1 The need to tackle climate change is recognised at an international level and this has acted as the main driver for domestic energy policy within the UK.
- 5.7.2 As noted above, planning permission already exists for a 15 turbine wind farm on the site. The principle of a large-scale wind farm on this site has therefore already been established through planning permission ref. CL/15/0273. The conclusions of this ES confirm that there is very little change in the environmental effects of the Revised Development, compared with that of the Consented Development. Those elements of change are confined to a moderately increased level of effect on small number of landscape and visual receptors in close proximity to the site. The range of socio-economic and environmental benefits to be delivered through the Consented Development remain as part of the Revised Development. The scope of consideration for this application is therefore narrow and focused upon the balance of whether the benefits of the Revised Development still outweigh the moderately increased landscape and visual effects associated with the revised layout and turbine dimensions.
- 5.7.3 It is firstly important to review a number of key points in favour of the Revised Development which require to be considered when reaching a decision on this planning application:
- a) The principle of a large wind farm on this site has already been established by the Consented Development (ref. CL/15/0273).
 - b) With two fewer turbines (13% decrease) than the Consented Development, and a modest 18.9m increase (14%) in tip height (and no increase in hub height), the Revised Development can achieve a 25% increase in energy production through the use of new modern and efficient turbines.
 - c) The need for renewable energy development and the transition to a low carbon economy supplied by indigenous sources is strongly supported by national legislation, energy and planning policy. The Revised Development would make a marked and positive contribution to the Scottish Government's target of meeting an equivalent of 100 % demand for electricity from renewable sources by 2020.

- d) The Revised Development would have a total capacity of 49MW, generated by thirteen ~3.8MW turbines which together would produce around 137 GWh/year of clean power which would generate enough electricity to supply over 34,300 average UK households.
- e) The Revised Development would have a positive impact on the reduction of greenhouse gas emissions, resulting in a saving of approximately 58,910 tCO₂ per year through the displacement of carbon-emitting generation.
- f) Energy generated from renewable sources makes a significant contribution to Scotland and the UK's energy security. The Revised Development will increase indigenous production of renewable energy in Scotland, reducing the country's reliance on foreign fossil fuels, generating wealth from our own natural resources, and improving the country's energy security.
- g) The Revised Development represents a significant investment in the local area, injecting money into the local economy and creating both temporary construction jobs and longer-term operational contracting and employment opportunities. The Applicant is committed to a local supplier approach which aims to deliver a significant proportion of construction and operational contracts to local companies.
- h) The Revised Development creates an opportunity to improve public access through the site and reinstate a formal footpath link between Douglas and Coalburn, a key issue identified during the pre-application consultation exercise with the local community.
- i) The proposed Heritage Trail represents an opportunity to improve access to, and understanding of, interesting local heritage sites which are important parts of the area's history. The Heritage Trail also has the potential to provide an interesting part of the missing link between two of Scotland's key long distance walking routes: the Clyde Walkway and the River Ayr Way, which would enhance the existing tourism and recreation offering in the local area, bringing more passing trade and visitors to Douglas and Coalburn.
- j) The Revised Development represents a positive re-use of part of a former opencast coal site and provides an opportunity to implement a Habitat Management Plan to improve the habitats and nature conservation interests of the former opencast mine.
- k) Co-location of the Revised Development with the M74 Heat & Power Park presents a significant opportunity for the local area to encourage industrial/logistics businesses to locate here through the excellent motorway access and provision of clean, low-cost electricity from the Revised Development (in addition to the on-site CHP Plant). This accords with local aspirations set out in the Coalburn, Douglas and Glespin Community Action Plan (August 2016) which seeks to *"maximise opportunities to attract new industry through the area's direct access to/from the M74 motorway (Junctions 11 & 12) - one of the area's key assets in attracting inward investment"*.
- l) The Applicant will make a Community Benefit Contribution of £5,000 / MW of installed capacity from the Revised Development which means that the project would generate a £6.1 million Community Benefit Contribution (based on a total installed capacity of 49 MW) to Douglas Valley communities over its lifetime. The aim of this funding will be to support the delivery of strategic projects in Douglas, Coalburn and the immediate surrounding area over the next 25 years, with the final distribution mechanism to be agreed with SLC and local communities
- m) Pre-application consultation has been undertaken with the local community in the form of two public events held in Douglas and Coalburn. Feedback from the two closest communities to the Revised Development has been broadly neutral, with both communities recognising

the change in financial circumstances for onshore wind projects in the UK since the application for the Consented Development was made.

- n) If approved, the Revised Development will be capable of rising to the challenge set by the Scottish Government for the onshore wind industry in Scotland to start building wind farms subsidy-free.
- o) Section 25 of the Town and Country Planning (Scotland) Act 1997 requires decisions on planning applications to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Revised Development has been assessed against relevant policies contained within the Development Plan and has been found to comply with the terms of these policies. No material considerations have been identified which indicate that the development should not proceed.

5.7.4 These key points in favour of the Revised Development must be considered in the context of the potential effects of the Revised Development, which are set out within this ES. The significant effects of the Revised Development are limited to localised landscape and visual impacts and socio-economic impacts, and are briefly summarised below;

- a) The LVIA predicts significant effects on (1) certain landscape character types, (2) 6 of the 20 viewpoints, and (3) a number of Core paths within the immediate local area. It is notable that the LVIA finds that the Revised Development would not create significant landscape and visual impacts on (1) the closest residential properties within 1.2 km (which are not owned or financially involved), (2) landscape features, (3) a number of core routes including the M74 motorway. It is concluded that; the site is located within a 'wind turbine landscape'; the introduction of the proposed turbines would reinforce the presence of turbines in views rather than introducing turbines into any views which are currently unaffected by existing or consented turbines; and that the significant effects on landscape character and visual amenity predicted within the assessment are localised and are inevitable as a result of commercial wind energy development anywhere in the UK. Furthermore, it is noted that whilst there are visual differences between the Consented Development and the Revised Development, the overall effects of the Revised Development on the landscape character of the local area have not changed from that assessed as part of the Consented Development.
- b) Chapter 13 (Socio-Economic) of this ES predicts that the Revised Development would have a significant beneficial effect on the surrounding area. The local area has a small aging population and employment opportunities are primarily concentrated in the public sector. The creation of employment and contracting opportunities in the local economy during both the construction and operational phases of the project would make a positive contribution towards overcoming these issues, particularly in light of the large employers that have left the Douglas Valley in recent years and the limited employment opportunities that remain in the area. The co-location of the wind farm with the M74 Heat and Power Park and the opportunity for clean, low-cost electricity from the Revised Development to be a further catalyst for future investment, and job creation at the site is truly exciting. The Applicant is committed to maximising local benefits at every stage of the project which is demonstrated through a Responsible Contracting Policy (Appendix 13.1).

5.7.5 Chapters 7 (Ecology and Nature Conservation), 8 (Ornithology), 9 (Noise and Vibration), 10 (Cultural Heritage), 11 (Hydrology, Hydrogeology and Geology), 12 (Traffic and Transport), 14 (Aviation, Radar and Telecommunications) and, 15 (Shadow Flicker) of this ES predict that there will be no significant effects on the chapter specific topics following the implementation of mitigation measures.

- 5.7.6 The principal effect of the Revised Development is therefore its Landscape and Visual impact within the local area. The question to be addressed in the planning balance is whether these acknowledged effects are of such significance and magnitude that they outweigh the clear benefits of the Revised Development to the extent that planning permission should not be granted. Or, on the other hand, whether on balance the absence of significant environmental effects on other receptors and the benefits of the Revised Development are such that they outweigh the acknowledged visual effects of the Revised Development, which are generally confined to local receptors within 5 km of the site and are noted to be inevitable as a result of commercial wind energy development.
- 5.7.7 The need to develop renewable energy to fight climate change has never been greater, with the switch to the use of electric cars over the coming years, the demand for electricity is set to soar, and this needs to come from clean sources. In parallel, there is an increasing drive to protect Scotland's precious landscape, minimising the impact on nationally important locations and areas of 'wild land'. Finding viable projects that fit within these often conflicting requirements is always a compromise, and the Applicant considers that the Revised Development represents a good compromise where the level of impact is acceptable for the benefit it will create.
- 5.7.8 With subsidies having been removed for onshore wind, it is necessary for projects to now maximise the available wind resource, drive down costs, and use the most modern and efficient turbines. With significant advances in turbine design, onshore wind has become the UK's cheapest source of new build power¹. With new taller and more efficient turbines, wind farms such as Douglas West can produce more electricity from fewer turbines, and at lower cost to the consumer. The Scottish Government has recognised that larger turbines are necessary to unlock cost reductions and ensure projects, such as Douglas West, are viable subsidy-free. In this regard, the recently published Draft Scottish Energy Strategy (January 2017) highlights this need for greater efficiencies and welcomes work which has already been done by the industry to identify cost reduction measures. The Scottish Energy Strategy also contains unambiguous policy support for the further development of onshore wind as the technology that has an important role in helping to deliver the Government's energy strategy for the period out to 2050.
- 5.7.9 Likewise, in an address to industry the Head of the Scottish Government Energy Consents Unit Frances Pacitti said "*We will acknowledge the need for us to be much more realistic in where the onshore wind industry is as a market and how to attract investment into Scotland*". She said that the Scottish Government will work towards "*normalcy*" around higher tip heights. "*The dialogue to date has been capped at 132 metres but it's time to move that on. The discussion is 150 metres-plus for most applications going forward*".
- 5.7.10 Against this backdrop, the Applicant has sought to optimise the Consented Development at Douglas West to maximise energy production, within acceptable limits, to ensure that the project is viable subsidy-free and capable of delivering the range of benefits to the local area as set out above.
- 5.7.11 In overall summary therefore, the Applicant's local supplier approach, proposed Community Benefit contributions, the opportunities presented by co-locating with the M74 Heat & Power Park, alongside the proposed Heritage Trail and Access Improvements all provide evidence of the Applicant's commitment to maximising benefits for the local area. The localised landscape and visual effects are acknowledged but are not considered to be of sufficient magnitude to outweigh the substantial benefits which would be delivered to the local area and the contribution that the Revised Development would make to national renewable energy targets for both electricity generation and carbon reduction. Having regard to all the beneficial and adverse effects which the Revised Development could create in the context of national, strategic and local planning policy, it is considered that the Revised Development is in accord with the relevant provisions of National Planning Policy and the Development Plan, and that there are no material considerations which indicate that the development should not proceed.

¹ Bloomberg New Energy Finance, 2017

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