DAVID BELL PLANNING
CHARTERED TOWN PLANNERS

Emmock and Tealing
400 kV Overhead Line Tie-Ins

Planning statement

September 2025

Scottish & Southern Electricity Networks
TRANSMISSION

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Contents

1. Introduction

1.1 Introduction

1.1.1 Scottish Hydro Electric Transmission plc ('the Applicant') who, operating and known as Scottish and Southern Electricity Networks Transmission ('SSEN Transmission') has submitted an application under section 37 of the Electricity Act 1989 ('the 1989 Act') along with a request that Ministers issue a direction that planning permission is deemed to be granted under section 57(2) of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') for consent to divert short sections of the Alyth to Tealing 275 kilovolt ('kV') Overhead Line ('OHL') and Westfield to Tealing 275 kV OHL, which currently connect with the existing Tealing 275 kV Substation, to connect with the proposed Emmock 400 kV substation; and for the installation of two short sections of parallel 275 kV OHL 'tiebacks' ('TT'), the East TT and West TT, between the Emmock and existing Tealing substations (hereafter referred to as 'the Proposed Development').

1.1.2 The Proposed Development is being planned in parallel with separate SSEN Transmission projects to reconductor the Alyth to Tealing and Westfield to Tealing 275 kV OHLs to 400 kV for tie-in to Emmock Substation. Section 37 applications for these reconductoring projects were submitted on 28 June 2024 (Alyth to Tealing[1]) and 4 July 2024 (Westfield to Tealing[2]).

1.1.3 Planning applications for the Emmock 400 kV substation[3] were submitted to Angus Council on 18 November 2024, and for Hurlie 400 kV substation[4] on 28 November 2024.

1.1.4 An application to the Scottish Government under Section 37 of the 1989 Act for the proposed new Kintore to Tealing 400 kV OHL was made on the 29th September 2025 (ECU reference ECU00005225).

1.1.5 SSEN Transmission has a licence obligation to invest in its existing assets to maintain network health and conditions, thereby improving operational flexibility and resilience.

1.1.6 An Environmental Impact Assessment ('EIA') Screening Opinion was requested from the Energy Consents Unit ('ECU') and was returned on 13 November 2024 and concluded that the Proposed Development is Schedule 2, and that the Proposed Development constitutes EIA development, and that any forthcoming application for consent (under Section 37 of the 1989 Act) requires to be accompanied by the full EIA Report ('EIAR'). An EIAR has been undertaken in accordance with Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (hereafter referred to as the 'EIA Regulations'). The EIAR presents information on the identified likely significant effects of the Proposed Development in order to inform the decision-making process.

1.1.7 This Planning Statement considers the case for approval in land use planning policy terms at the national (National Planning Framework 4 ('NPF4') and local (Angus) levels, with reference to the statutory Development Plan and national planning and energy policy, all of which supports the delivery of electricity infrastructure that will assist in the delivery of the

[1] SSEN Transmission (June 2024) Alyth to Tealing OHL 400kV Upgrade (Reconductoring) Application for s37 consent. Available at: https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00005167

[2] SSEN Transmission (July 2024) Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Application for s37 consent. Available at: https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00005168

[3] SSEN Transmission (November 2024) Emmock Substation Planning Application 24/00699/FULN. Available at: https://planning.angus.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SN6VOFCFMUA00

[4] SSEN Transmission (December 2024) Hurlie Substation Planning Application APP/2024/1951. Available at: https://upa.aberdeenshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SNUVKWCAJ2G00

Government's legally binding net zero commitments and which will ensure security of supply to customers.

1.1.8 The Proposed Development is categorised as National Development under the provisions of NPF4, National Development 3 'Strategic Renewables Electricity Generation and Transmission Infrastructure' (Scotland wide) and forms a vital element in the delivery of network and grid infrastructure to support net zero objectives.

1.2 Background to the Proposed Development

1.2.1 The Applicant is the electricity transmission licence holder across the North and East of Scotland and has a duty under Section 9 of the 1989 Act to:

- Develop and maintain an efficient, coordinated and economical system of electricity transmission and;
- To facilitate competition in the generation and supply of electricity.

1.2.2 The Proposed Development is therefore required to fulfil the statutory and licence obligations on the Applicant as the transmission licence holder. These obligations related to developing the transmission network to provide adequate transmission capacity and to provide connections to customers who wish to connect to and use the transmission system to participate in the national wholesale electricity market.

1.2.3 In July 2022, the National Energy System Operator ('NESO'), published the Pathway to 2030 Holistic Network Design ('Pathway to 2030 HND') and the Network Options Assessment 2021/22 Refresh, setting out the blueprint for the onshore and offshore electricity transmission network infrastructure required to enable the forecasted growth in renewable electricity across Great Britain ('GB'), including the UK and Scottish Governments' 2030 offshore wind targets of 50 giga-watts ('GW') and 11 GW respectively.

1.2.4 The extensive studies completed to inform the NESO's Pathway to 2030 HND and Networks Options Assessment 2021/22 Refresh confirmed the requirement to increase the power transfer capacity of the onshore corridor from Kintore to Tealing. This requires a new 400 kV connection between these locations to enable the significant power transfer capability needed to take power from onshore and large scale offshore renewable generation, which is proposed to connect at onshore locations on the East Coast of Scotland and transport it to areas of demand.

1.2.5 This project, alongside several other major network upgrades planned in the north of Scotland, is part of a GB wide programme of works that are required to meet UK and Scottish Government energy targets. There is a clear expectation from Government and the energy regulator, Ofgem, that these projects will be delivered by 2030. More specifically, these projects are needed to deliver Government's 2030 renewable energy targets set out in the British Energy Security Strategy and the Clean Power 2030 Action Plan.

1.2.6 A more detailed explanation of the wider project need is set out in **Volume 2, Chapter 2: Established Need for the Proposed Development** of the EIAR.

1.3 Site Location and Description

1.3.1 The Site[5] Location is shown in Figure 1.1 below (Figure 1_1 in the EIAR).

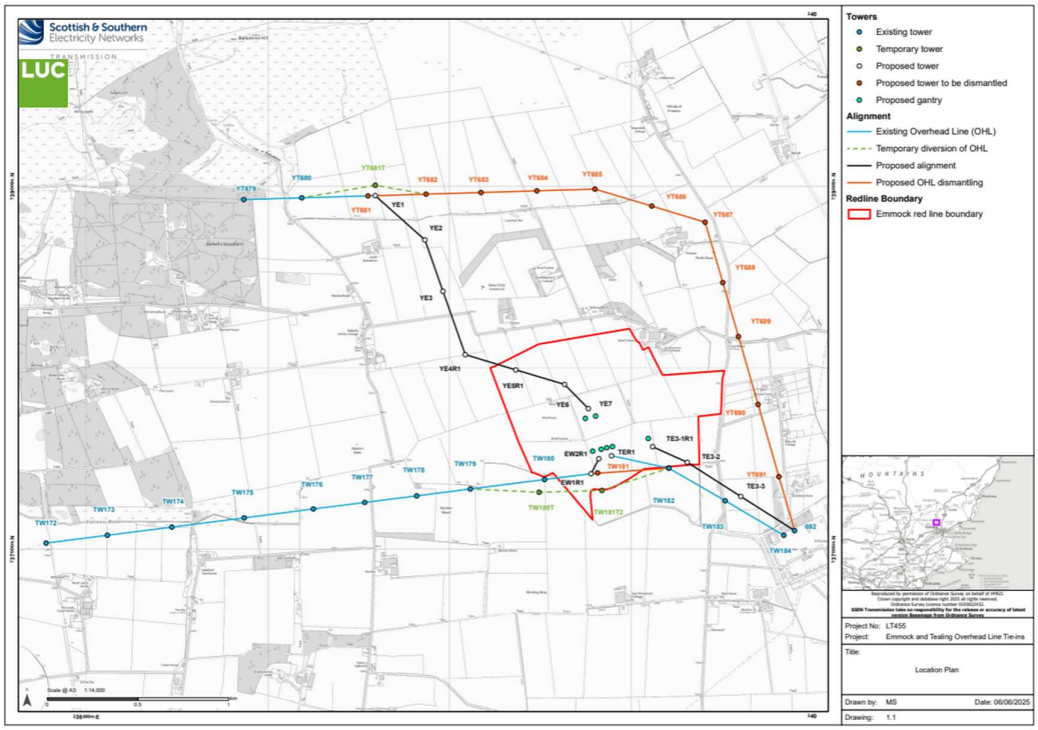
1.3.2 The Proposed Development is located in the Local Authority area of Angus, approximately 5 km north of the city of Dundee, in a predominantly agricultural area, interspersed, particularly to the north of the Site, by a few small woodland plantations and farm shelterbelts. The land uses mainly comprise areas used for arable production and some grazing land on the fields higher up the slope in the north of the Site.

[5] The Site is the land on which the Proposed Development is located

1.3.3 The area around the Site is also characterised by existing utility scale infrastructure, in particular the OHLs for the existing Alyth to Tealing 275 kV OHL and Westfield to Tealing 275 kV OHL which cross the Site in a broadly west to east direction before terminating at Tealing Substation to the southeast. A number of other OHLs also radiate out from the existing Tealing Substation. There are two wind turbines in the fields located to the south of Balkemback (just north of the Alyth to Tealing 275 kV OHL) and a large telecommunications tower at the summit of Craigowl Hill, approximately 1 km north of the Alyth to Tealing 275 kV OHL.

1.3.4 The wider setting of the Proposed Development consists of an area of lowlands between the northern fringe of Dundee and the line of the Sidlaw Hills, forming a broad strath of gently sloping ground from south to north, across the area crossed by the existing Alyth to Tealing and Westfield to Tealing 275 kV OHLs. The area around the Site is sparsely populated with a few small groups of properties generally associated with farms in the areas of Balluderon, Balkemback and Prieston. The village of Kirkton of Tealing is located approximately 1 km northeast of the Site and the settlement of Tealing lies approximately 1.5 km to the northeast of the Site. Two notable exceptions to the general pattern of the wider landscape are: Craigowl Hill, some 2 km north, with its associated elevations and woodland to the northwest; and the existing Tealing Substation to the southeast along with its associated infrastructure.

Figure 1.1: Site Location



1.4 The Proposed Development

1.4.1 A full description of the Proposed Development is provided in **Volume 2, Chapter 3: Project Description** of the EIAR and is summarised below for the purposes of this Planning Statement.

1.4.2 The Proposed Development, as shown in **Volume 4, Figure 3.1: Proposed Development** of the EIAR comprises the diversion of the final easterly sections of two existing OHLs (Alyth to Tealing and Westfield to Tealing 275 kV OHLs) for tie-in to the proposed Emmock 400 kV substation and for a 275 kV tie-back between Emmock substation and the existing Tealing Substation.

1.4.3 The following are elements of the Proposed Development for which Section 37 Consent and deemed planning permission is sought:

- installation of a new section of Alyth to Tealing 400 kV OHL including seven new towers from the location of Tower AT2 southwards for a distance of approximately 2.2 km to connect with the northern side of the platform of the proposed Emmock substation;
- dismantling of 11 towers and the removal of tower foundations over a distance of approximately 3.5 km from Tower AT2 to the current connection at Tealing Substation;
- construction of a temporary tower diversion, consisting of a temporary tower AT2 to maintain transmission on the Alyth to Tealing OHL;
- installation of a new section of Westfield to Tealing OHL, comprising two new towers, WT10 and WT11, northwards for a distance of approximately 150 m to connect with the southern side of the platform of the proposed Emmock substation;
- construction of a temporary tower diversion, consisting of two new towers, WTT1 and WTT2, to maintain transmission on the Westfield to Tealing OHL.
- installation of two new tie-back connections between Emmock and Tealing substations, the East TT and West TT, with the East-TT requiring installation of four new towers, TE1, TE2, TE3, and TEG1, and upgrading of existing end point tower TE4 currently connected to Tealing Substation; and the West TT requiring installation of tower and upgrading of existing towers WT9, TW2, TW3 and TW4.

1.4.4 A tower specification summary is provided in Chapter 3 of the EIAR.

1.4.5 The following ancillary works are also required as part of the Proposed Development or to facilitate its construction and operation and for which deemed planning permission is also sought:

- the upgrade of existing, or creation of new, bell-mouths at public road access points;
- the formation of access tracks (permanent, temporary, and upgrades to existing access tracks);
- temporary working areas around infrastructure to facilitate construction;
- formation of flat areas from which the conductor will be pulled during construction, which will contain earthed metal working surfaces referred to as Equipotential Zones (‘EPZs’);
- vegetation clearance and management;
- other temporary measures required during construction, such as measures to protect road and water crossings during construction (scaffolding etc.);
- public road improvements which would be required in multiple areas within the vicinity of the Proposed Development to facilitate construction traffic; and
- removal of temporary works and site reinstatement, including replanting where required.

1.4.6 These different forms of ancillary development are described in further detail in Chapter 3 of the EIAR.

Limit of Deviation

1.4.7 In general terms a Limit of Deviation (‘LoD’) defines the maximum extent within which a development can be built. In the case of the Proposed Development, an LoD is required for each of the key components of the project, i.e. each of the new steel lattice towers being installed, access track routes and temporary working areas. The application of LODs therefore acts as a design control and embedded mitigation measure, ensuring that any subsequent micrositing of infrastructure remains within assessed parameters.

1.4.8 In general, the horizontal LoD for which Section 37 Consent and deemed planning permission is sought is as follows:

> OHL infrastructure (i.e. steel lattice towers and all temporary working areas, EPZs and conductors):
  - Suspension towers and OHL conductors: 100 m either side of alignment centre[6] line;
  - Tension towers: 200 m LoD radius around the tower position (tension towers would move a maximum of 100 m from their current position due to the Operational Corridor); and

> All temporary working areas must remain within the LoD. Access tracks outwith the OHL infrastructure LoD (distance refers to either side of the track centre line):
  - 100 m LoD for new temporary or permanent access tracks;
  - 25 m LoD for existing access tracks being upgraded and;
  - Where access tracks are within the OHL infrastructure LoD, the LoDs would be merged.

1.4.9 The vertical LoD i.e. the maximum height of a tower above ground level, is also sought to allow a height increase or decrease of 9 m on the proposed tower height presented in the EIAR.

Construction

1.4.10 A detailed description of the construction process for the Proposed Development is contained within the EIAR and is not repeated here. In summary typical stages of the construction are as follows:

> Phase 1 – enabling works;

> Phase 2 – construction works;

> Phase 3 – commissioning;

> Phase 4 – dismantling existing OHLs; and

> Phase 5 – reinstatement.

1.4.11 Construction working is likely to be during daytime periods only. Working hours are currently anticipated to be between approximately 07:00 to 19:00 during British Summer Time ('BST') and 07:00 to 18:00 during Greenwich Mean Time ('GMT'), seven days a week. Special measures and arrangements would be made for works in proximity to sensitive receptors. Any out of hours working would be agreed in advance with Angus Council.

Construction Traffic

1.4.12 Construction of the Proposed Development will give rise to regular numbers of staff transport movements, with small work crews travelling to and from work site areas. The construction compounds will have a safe area for parking away from public roads.

1.4.13 Vehicle movements will be required to construct temporary or upgraded access tracks, deliver the foundation and tower components and conductor materials to the Site, and deliver and collect materials and construction plant from the main Site compound and to individual tower locations.

1.4.14 The Principal Contractors will determine where access is required, and for which items of plant, and prepare Traffic Management Plans in consultation with the Applicant and the local authorities. Traffic Management Plans will describe all mitigation and signage measures that

[6] In plan this is the line of the earth wire which runs between the peaks of each tower

are proposed on the public road accesses based on access maps and subsequent site assessments. An Outline Construction Traffic Management Plan ('CTMP') is presented in Volume 4, Appendix 3.8 Outline Construction Traffic Management Plan of the EIAR.

1.4.15 Access to the Site will be taken from the public road network at Emmock Road and on Tealing Road (located to the north of the proposed substation Site). Material deliveries will originate from the A90 corridor located to the east. To accommodate traffic movements associated with the construction phase, inbound access to the Site will be taken from the A90 at the Moatmill access junction. The Moatmill junction has been used for deliveries associated with the nearby Seagreen offshore wind farm grid connection works. The same route, with a new extension through to Emmock Road will be used to enable access to the Site from the A90.

1.4.16 A safe traffic management system for routeing in and out of the Site will be in place. No construction traffic will be permitted to access the Site via Tealing, and, the section of Emmock Road running south to Dundee and Old Glamis Road will be barred for Heavy Goods Vehicle (HGV) traffic.

Environmental Management During Construction

1.4.17 The EIAR has been carried out on the basis that all works would be carried out in accordance with industry best practice construction measures, guidance and legislation, together with the following documents and procedures:

- General Environmental Management Plans ('GEMP');
- Species Protection Plans ('SPP'); and
- Construction Environmental Management Plan ('CEMP').

Landscape Mitigation Measures and Biodiversity Enhancement

1.4.18 Biodiversity enhancement measures are proposed as part of the Proposed Development and seek to deliver at least 10% 'net gain' per the Applicant's commitments for all projects. A Biodiversity Net Gain Assessment Report is submitted with the application.

1.4.19 A Landscape Mitigation Plan is proposed which would sit alongside the CEMP and will be produced in accordance with the Outline Site Restoration Plan and Visual Impact Management Plan. These documents will be created by the appointed principal contractor.

Operation and Maintenance

1.4.20 OHLs require very little maintenance. Regular inspections are undertaken to identify any unacceptable deterioration of components, so that they can be replaced. The Proposed Development would be subject to periodic inspection for routine maintenance, in cases of damage to the lines or towers, or in the event of a power outage.

1.4.21 The Operational Corridor of the OHL is also monitored through periodic inspection to identify growth of trees which may compromise the resilience of the OHL.

1.4.22 Inclement weather, storms or lightning can cause damage to either the insulators or the conductors on OHLs. If conductors are damaged, short sections may have to be replaced. Insulators and conductors are normally replaced after about 40 years, and towers may require painting as part of maintenance.

Decommissioning

1.4.23 The Proposed Development would not have a fixed operational life. At the time of application, it is not known when, or whether, decommissioning of the Proposed Development would be required. The effects associated with the construction phase can be considered to be representative of worst-case decommissioning effects. An outline mitigation strategy for decommissioning has been provided as Volume 4, Appendix 3.6: Outline Decommissioning Mitigation Strategy of the EIAR.

1.4.24 In the event that the Proposed Development is decommissioned, it is thought likely that the surrounding baseline will have materially changed from the situation at present, and as a result, a new assessment on environmental impacts will be undertaken.

1.5 The Statutory Framework

The Electricity Act 1989

1.5.1 As the Transmission Licence holder in the North and East of Scotland, the Applicant has a duty under section 9(2) of the 1989 Act to facilitate competition in the generation and supply of electricity. The Applicant is obliged to offer non-discriminatory terms for connection to the transmission system both for new generation and for new sources of electricity demand.

1.5.2 The Applicant is also required under section 9(2) of the 1989 Act to ensure that the transmission system is developed and maintained in an economical, coordinated and efficient manner in the interests of existing and future electricity consumers.

1.5.3 Separately, it is also the Applicant's duty to consider the possible environmental impacts of new electric lines and to do what can 'reasonably be done' to mitigate adverse impacts, in line with section 38 of, and Schedule 9 to, the 1989 Act. In terms of its statutory duties and licence obligations, the Applicant must therefore balance technical, cost (economic) and environmental factors.

1.5.4 The application is made to the Scottish Ministers under section 37 of the 1989 Act together with a request that Ministers issue a direction confirming that the development benefits from deemed planning permission under section 57(2) of the 1997 Act.

1.5.5 The Scottish Ministers are obliged to consider whether the Applicant has demonstrated that it has complied with its duties under sub-paragraph 3(1) of Schedule 9 of the 1989 Act. The Scottish Ministers must also have regard to the desirability of the matters specified in Schedule 9.

1.5.6 Applications made under Section 37 of the 1989 Act need to have regard to the provisions of Schedule 9 which relates to the preservation of amenity and fisheries.

1.5.7 Schedule 9, sub-paragraph 3(2) of the 1989 Act, requires a licence holder and the Scottish Ministers to have regard to:

"(a) the desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) above; and (b) the extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of the sub-paragraph."

1.5.8 The matters referred to in Schedule 9 sub-paragraph 3(1)(a) and (b) of the 1989 Act apply to the Applicant as a licence holder. The matters set out in Sub paragraph 3(1)(a) to which regard must be had are:

"…. the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; "

1.5.9 Sub-paragraph 3(1)(b) requires relevant parties to:

"…..do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects"

1.5.10 At sub-paragraph 3(3), the Applicant is [required to…] *"avoid, so far as possible, causing injury to fisheries or to the stock of fish in any waters."*

1.5.11 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a material consideration which should be taken into account alongside all other relevant material considerations.

The Town and Country Planning (Scotland) Act 1997

1.5.12 Section 57(2) of the 1997 Act provides that on granting a consent under section 36 or 37 of the 1989 Act in respect of any operation or change of use that constitutes development, or any development ancillary to the operation or change of use to which the consent relates, the Scottish Ministers may direct that planning permission shall be deemed to be granted, subject to any conditions as may be specified in the direction.

1.5.13 Section 25 of the 1997 Act states that:

"*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*".

1.5.14 Section 57(2) of the 1997 Act makes no reference to the provisions of section 25 which requires regard to be had to the provisions of the Development Plan. The Courts have confirmed that section 57(3) does not apply section 25 to a decision to make a direction to grant deemed planning permission pursuant to section 57(2)[7].

1.5.15 The Scottish Ministers will determine the application having regard to the statutory duties in Schedules 8 and 9 of the 1989 Act, and to material considerations. The statutory Development Plan and national policy are nevertheless both important material considerations in the determination of applications under section 37 of the 1989 Act.

1.5.16 Accordingly, the purpose of this Planning Statement is to provide an assessment of the Proposed Development in the context of relevant national and local planning and energy policies and other material considerations. As such it is important to establish:

- What are the relevant energy and national planning policy considerations relevant to the Proposed Development?
- What Development Plan policies are relevant to the proposal which provide a local policy framework for the consideration of environmental effects arising from the Proposed Development?

1.6 Key Facts

1.6.1 Key facts relevant to this application are:

- The Proposed Development is identified as a National Development ('ND') under the provisions of NPF4 ND3 under the class of development noted at (b) as "*new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more"*.
- ND3 supports renewable electricity generation, repowering, and expansion of the electricity grid. The Socio-economic assessments as part of a wider 'needs case' form an integral part of the justification for development of Scotland's 'Strategic Renewable Electricity Generation and Transmission Infrastructure.' This infrastructure is designated as a National Development and explicitly supported by NPF4 under the provisions set out in NPF4 Policy 11(a)(ii) (Energy).
- The Statement of Need for the Proposed Development as contained in NPF4 is as follows:

  "*A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero-carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial*

7 William Grant & Sons Distillers Limited, Court of Session [2012] CSOH 98.

energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions.

Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas".

- The Proposed Development will facilitate capturing renewable energy potential as well as delivering wider social and economic benefits.
- The Proposed Development is a critical reinforcement of the transmission network to connect consented wind development and increase transmission capacity overall to ensure transmission across the UK, and security of supply and to deliver electricity UK wide.
- The Proposed Development will deliver nationally important network and grid infrastructure required to deliver the Government's legally binding targets for net zero emissions and renewable energy electricity generation targets and policy objectives.
- The Proposed Development will be delivered in such a way that it is environmentally acceptable and will include a co-ordinated scheme of environmental mitigation to ensure the long-term protection of the local and wider environment and to deliver development which is sustainable.

1.7 Structure of Statement

1.7.1 This Statement seeks to address the pertinent land use planning policy matters relevant to the determination of the application, to aid decision makers in their assessment and conclusions on the proposal.

1.7.2 This Statement is structured as follows:

- **Chapter 2** sets out the up-to-date position with regard to the renewable energy policy and emissions reduction legislative framework and includes reference to the Scottish Government's Draft Energy Strategy and Just Transition Plan;
- **Chapter 3** sets out the benefits of the Proposed Development;
- **Chapter 4** appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- **Chapter 5** appraises the Proposed Development against the relevant provisions of the Local Development Plan and related guidance; and
- **Chapter 6** examines the planning balance and presents overall conclusions.

2. The Renewable Energy Policy & Legislative Framework

2.1 Introduction

2.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and greenhouse gas emissions ('GHG') reduction law is based. This underpins what can be termed the need case for renewable energy and associated transmission infrastructure from which the Proposed Development can draw a high level of support.

2.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice.

2.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

2.1.4 The Proposed Development, reinforcing grid and increasing capacity and security of supply, would make a valuable contribution to help Scotland and the UK meet its renewable energy and electricity production targets, while supporting emissions reduction to combat climate change in the current Climate Emergency.

2.1.5 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

2.2 International Commitments

The Paris Agreement (2015)

2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference ('COP21'). The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit global warming to 1.5°C.

2.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's ('CCC') advice to both the UK and Scottish Governments on net zero targets which have now, at both the UK and Scottish levels, been translated into legislative provisions and targets for both 2045 (Scotland) and 2050 (UK).

2.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

United Nations - Intergovernmental Panel on Climate Change

2.2.4 The Intergovernmental Panel on Climate Change ('IPCC') is the United Nations Body for assessing the science related to climate change.

2.2.5 The IPCC prepares comprehensive assessment reports about the state of scientific, technical, and socio-economic knowledge on climate change, its impacts and future risks and options for reducing the rate at which climate change is taking place. IPCC reports are commissioned by the worlds' Governments and are an agreed basis for COP[8] negotiations.

2.2.6 The IPCC's Special Report on Warming of 1.5°C, published in 2018, was a key piece of evidence for the CCC's recommendation to the UK Government for a 2050 net zero GHG emissions reduction target. The IPCC's reports since 2018 provided an estimate of how close global temperatures are to 1.5°C of warming above pre-industrial levels and the remaining volume of global cumulative carbon dioxide that could be emitted to be consistent with keeping global warming below any particular threshold (such as the 1.5°C and 2°C levels referred to in the Paris Agreement).

2.2.7 The IPCC's 6th Assessment Report was published in March 2023. The Summary for Policymakers Report[9] at page 10 states that it is likely that warming will exceed 1.5°C during the 21st Century and make it harder to limit warming to 2°C. Page 24 of the report states *"There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence)".*

COP 28, Dubai 2023

2.2.8 The United Nations Climate Change Conference (Conference of the Parties - COP28) closed on 13 December 2023. The UN press release[10] of the same date states that the agreement reached "Signals the 'beginning of the end' of the fossil fuel era by laying the ground for swift, just and equitable transition, underpinned by deep emissions cuts and scaled up finance."

2.2.9 The statement adds:

"The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to 2019 levels, to limit global warming to 1.5°C. But it notes parties are off track when it comes to meeting their Paris Agreement goals.

The stocktake calls on parties to take actions towards achieving, at a global scale, a tripling of renewable energy capacity and doubling of energy efficiency improvements by 2030. The list also includes accelerating efforts towards the phase down of unabated coal power, phasing out inefficient fossil fuel subsidies, and other measures that drive the transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, with developed countries continuing to take the lead." (underlining added)

UN Emissions Gap Report (2024)

2.2.10 The UN Emissions Gap Report[11] (October 2024) and its 'key messages' summary provides the annual independent science-based assessment of the gap between the pledged GHG) reductions, and the reductions required to align with the long-term temperature goal of the Paris Agreement.

[8] United Nations Framework Convention on Climate Change, Conference of the Parties (COP).

[9] A Summary of the main 6th Assessment Report.

[10] United Nations (2023) Pres Release: COP28 Agreement Signals "Beginning of the End" of the Fossil Fuel Era Last accessed 23.09.2025 https://unfccc.int/news/cop28-agreement-signals-beginning-of-the-end-of-the-fossil-fuel-era

[11] United Nations Environment Programme (2024). Emissions Gap Report 2024: No more hot air … please! With a massive gap between rhetoric and reality, countries draft new climate commitments Last accessed 23.09.2025 https://www.unep.org/resources/emissions-gap-report-2024

2.2.11 The Report states that against the background of GHG emissions reaching new highs and climate impacts intensifying globally, nations are preparing what are termed Nationally Determined Contributions ('NDCs') for submission in early 2025, ahead of COP30 in Brazil.

2.2.12 The Report states that in order to avoid the present trajectory of temperature increase far beyond 2°C over the course of this century:

2.2.13 "*Nations must use COP29 in Baku, Azerbaijan, as the launch pad to increase ambition and ensure the NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5°C will be gone within a few years and the 2°C target will be in danger*".

2.2.14 The Report states (on page 1) that there must be "*unprecedented cuts to greenhouse gas emissions by 2030 to keep 1.5°C alive*".

2.2.15 In order to put the challenge of emissions reduction in context, the key messages document (on page 2), sets out that if only current NDCs are implemented and no further ambition is shown in the new pledges to come, "*the best we could expect to achieve is catastrophic global warming of up to 2.6°C over the course of the century*".

COP 29, Baku 2024

2.2.16 The 29th UN Climate Conference hosted in Baku, Azerbaijan concluded on November 24 2024. New financial goals at COP 29 will build on the significant strides on global action at COP 27, which agreed a historic Loss and Damage Fund, and COP 28, which delivered a global agreement to transition away from fossil fuels in energy systems in a swift and fair manner as well as triple renewable energy and boost climate resilience. Unlike COP 27 and 28 however, COP 29 reached an agreement on carbon markets which will help countries deliver their respective climate plans on a quicker and cheaper basis, as well as make faster progress in halving global emissions.

2.3 UK Climate Change & Energy Legislation & Policy

The Climate Emergency

2.3.1 A critical part of the response to the challenge of climate change was the Climate Emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of Climate Emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new emissions reduction law).

The Climate Change Act 2008 & Carbon Budgets

2.3.2 The Climate Change Act 2008 ('the 2008 Act') provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.

2.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

2.3.4 The CCC has produced seven four yearly carbon budgets, covering 2008 – 2042. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 2.1** below. Essentially, they are five yearly caps on emissions.

2.3.5 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament.

Table 2.1: Carbon Budgets and Progress[12]

Budget	Carbon budget level	Reduction below 1990 levels	Progress on Budgetary Period
1st carbon budget (2008 – 2012)	3,018 $MtCO_2e$	26%	-27%
2nd carbon budget (2013 – 2017)	2,782 $MtCO_2e$	32%	-42%
3rd carbon budget (2018 – 2022)	2,544 $MtCO_2e$	38% by 2020	-50%[13]
4th carbon budget (2023 – 2027)	1,950 $MtCO_2e$	52% by 2025	n/a
5th carbon budget (2028 – 2032)	1,725 $MtCO_2e$	57% by 2030	n/a
6th carbon budget (2033 – 2037)	965 $MtCO_2e$	78% by 2035	n/a
7th carbon budget (2038 – 2042)	535 $MtCO_2e$	87% by 2040	n/a
Net Zero Target	100%	By 2050	

Source: CCC

2.3.6 The Sixth Carbon Budget ('CB6') requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement" (CB6, page 13).

2.3.7 Page 23 of CB6 refers to the devolved nations and sets out that UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland. Key points from CB6 include:

- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.
- The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.

2.3.8 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)[14]) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

[12] Source: CCC.

[13] Confirmed by CCC in 'Final Statement for the Third Carbon Budget' May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions.

[14] The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

2.3.9 The Seventh Carbon Budget[15] ('CB7') was published by the CCC in February 2025. The CCC's recommended level for CB7, namely a limit on the UK's GHG emissions over the five-year period 2038 to 2042 is 535 including emissions from international aviation and shipping.

2.3.10 Page 12 of the CB7 states:

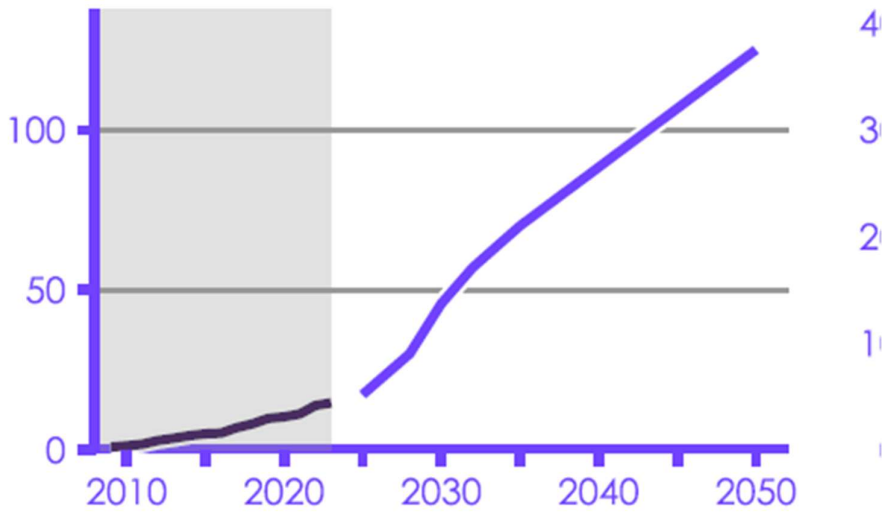
"*By the middle of the Seventh Carbon Budget on our pathway, emissions in the UK will be only a quarter of the level they are today, and 80% lower than levels in 1990 (90% lower excluding emissions from international aviation and shipping.) Achieving this will require a significant reduction in emissions across sectors including surface transport, buildings, industry and agriculture*."

2.3.11 It sets out (page 12) that achieving CB7 will mean that UK based renewable energy provides the bulk of generation and this will replace oil and gas across most of the economy. It adds that "*this requires twice as much electricity as today by 2040*".

2.3.12 In relation to the electricity grid, CB7 states (page 106) that in relation to the increase in renewable technology deployment that "*these technologies need to be accompanied by investment in network infrastructure, including rapidly building out the transmission grid and speeding up the grid connection process, which currently poses a barrier to electrifying industry…. Steep growth is needed from today out to 2040*."

2.3.13 In relation to offshore, capacity increases 15 GW in 2023 to reach 88 GW by 2040. It is stated on page 106 that this will "*require a rapid ramp up this decade*". The anticipated growth of offshore wind capacity is shown in the Report (page 109) and illustrated in **Figure 2.1** below.

Figure 2.1: Offshore Wind Operational Capacity (GW) in CCC 'Balanced Pathway'



The Proposed Development will support the connection of offshore windfarm which are required in order to meet the government's balanced pathway to net zero.

The UK Energy White Paper (December 2020) (the "UK Energy White Paper").

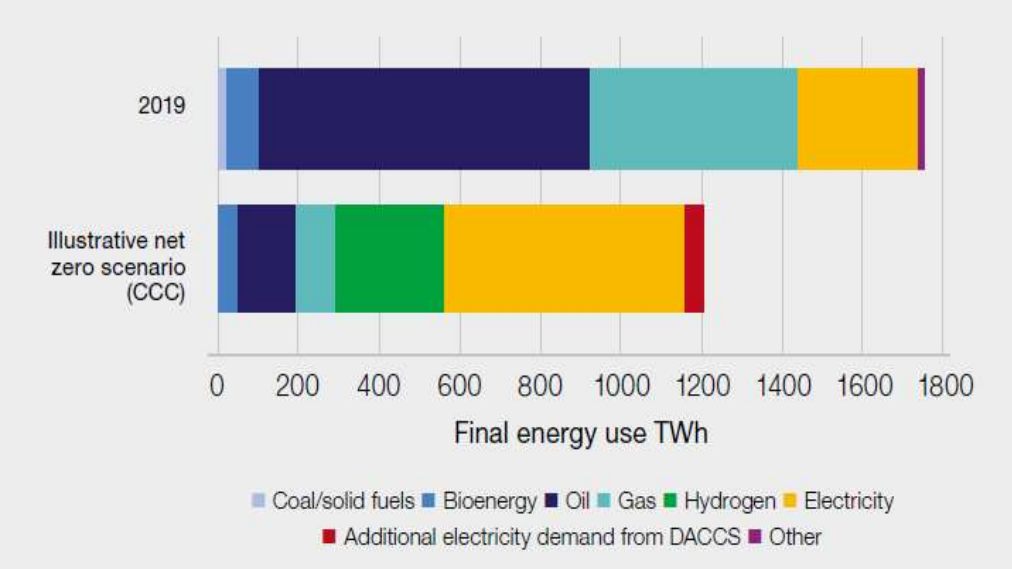
2.3.14 The Energy White Paper 'Powering our Net Zero Future', published on 14 December 2020, represents a sea change in UK policy, and highlights the importance of renewable electricity.

[15] CCC (2025) The Seventh Carbon Budget Advice for the UK Government
https://www.theccc.org.uk/wp-content/uploads/2025/02/The-Seventh-Carbon-Budget.pdf

2.3.15 It sets out that "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050". A key objective is to "accelerate the deployment of clean electricity generation through the 2020s*" (page 38).

2.3.16 Electricity demand is forecast to double out to 2050, which will "*require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target*" (page 42).

2.3.17 This anticipated growth of renewable electricity is illustrated in the graph below – **Figure 2.2**.



2.3.18 Whilst offshore renewables are expected to grow significantly, the White Paper also sets out that *"onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios"* (page 45).

The British Energy Security Strategy (April 2022)

2.3.19 The British Energy Security Strategy[17] ("the Strategy") was published by the UK Government on 7 April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role. The foreword states, *inter alia*:

"Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables….

The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets. Indeed, without the renewables we are putting on the grid today, and the green levies that support them, energy bills would be higher than they are now. But now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."

[16] Source: Energy White Paper page 9 (2020). Energy white paper: Powering our net zero future - GOV.UK

[17] UK Government (2022) Policy paper British energy security strategy Last accessed 23.09.25: https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy

2.3.20 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently.

Climate Change Committee Report to UK Parliament (2024)

2.3.21 The CCC published the report 'Progress in Reducing Emissions 2024 Report to Parliament[18]' in July 2024 ('the CCC Report'). The Executive Summary (page 8) states:

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

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

2.3.22 The CCC Report makes it clear that urgent action is needed to get on track for the UK's 2030 emissions reduction target. In this regard it states (page 8):

"*The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well."*

2.3.23 And further (page 9):

"Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm."

2.3.24 The UK should now be in a phase of rapid investment and delivery, however the CCC notes in the CCC Report that all indicators for low carbon technology roll out are "*off track, with rates needing to significantly ramp up*." In this regard in terms of renewable technologies it states (page 9):

- Annual offshore wind installations must increase by at least three times;
- Onshore wind installations will need to double; and
- Solar installations must increase by five times.

2.3.25 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however "*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero*" (Page 33).

2.3.26 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:

"emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero."

[18] Climate Change Committee (2024) 'Progress in Reducing Emissions 2024 Report to Parliament' Last accessed 23.09.25 https://www.theccc.org.uk/wp-content/uploads/2024/07/Progress-in-reducing-emissions-2024-Report-to-Parliament-Web.pdf

2.3.27 Chapter 3 of the CCC Report examines indicators of current delivery progress and at page 50 it references a number of key points including *inter alia*:

"*Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas…*

Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five."

2.3.28 With regard to the Fourth Carbon Budget (2023-2027) it states (page 70) that although credible plans cover almost all of the emissions reductions required to meet it, "*this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero….*"

2.3.29 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds (page 70) "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

Labour Government & Commitment to Renewables (2024)

2.3.30 The UK Government change at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero.

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

UK Government: Clean Power 2030 Action Plan (2024)

2.3.32 In addition, a key new material consideration is the Clean Power 2030 Action Plan[19], issued by DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*".

2.3.33 It further adds (page 10):

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

2.3.34 The document adds that "*Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors… The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity*".

2.3.35 Page 74 of the Action Plan states that "*Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace*".

[19] UK Government Department for Energy Security and Net Zero Clean Power 2030:Action Plan Last accessed 23.09.25: https://www.theccc.org.uk/wp-content/uploads/2024/07/Progress-in-reducing-emissions-2024-Report-to-Parliament-Web.pdf

2.4 Climate Change & Renewable Energy Policy: Scotland

The Scottish Energy Strategy (2017)

2.4.1 The Scottish Energy Strategy[20] ('SES') was published in December 2017. The SES preceded the important events and publications referred to above but nevertheless sets out that wind energy is recognised as a key contributor to the delivery of renewable energy targets – specifically 50% energy from renewable sources to be attained by 2030. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain net zero targets so it is out of date in that respect.

2.4.2 The SES refers to "Renewable and Low Carbon Solutions" as a strategic priority (page 41) and states "*we will continue to champion and explore the potential of Scotland's huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets*".

2.4.3 It is worth highlighting a key extract from the recent Kendoon to Tongland 132kV Reinforcement Decision (ECU00002124-2128) where Scottish Minsters at para 116 make specific reference to the SES as follows:

"The Energy Strategy states that 'Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place'.

It adds that 'Scotland needs a balanced and secure electricity supply. That means a system and a range of technologies which provide sufficient generation and interconnection to meet demand. It means an electricity network which is resilient and sufficiently secure against any fluctuations or interruptions to supply'."

2.4.4

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

2.4.5 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve "net zero" by 2045. It is clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.

2.4.6 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and has set more ambitious targets.

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

2.4.7 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland'[21] in March 2024. The related press release of the same date states that Scotland's 2030 climate goals are no longer credible. It states:

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish*

[20] Scottish Government (2017) Scottish Energy Strategy Last Accessed 23.09.25 https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2017/12/scottish-energy-strategy-future-energy-scotland-9781788515276/documents/00529523-pdf/00529523-pdf/govscot%3Adocument/00529523.pdf

[21] The Climate Change Committee (2024) Progress in reducing emissions in Scotland 2023 Report to Parliament Last accessed: https://www.theccc.org.uk/wp-content/uploads/2024/03/Progress-in-reducing-emissions-in-Scotland-2023-Report-to-Parliament.pdf

Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.

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

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

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

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

2.4.11 In light of the CCC Report, the Scottish Government stated it remained committed to achieving net zero but would move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which would bring the Scottish Parliament in line with the Welsh and UK approaches.

The Climate Change (Emission Reduction Targets) (Scotland) Act 2024

2.4.12 The Climate Change (Emission Reduction Targets) (Scotland) Act received Royal Assent on 22 November 2024. The Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, to replace the concept of statutory annual and interim targets. The Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.

2.4.13 As explained, the Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved. The Act does not change the existing statutory target of net zero emissions by 2045.

2.5 The Draft Energy Strategy & Just Transition Plan

2.5.1 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan'[22] entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.

2.5.2 The Ministerial Foreword states:

"*The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition…*

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises….

[22] Scottish Government (2023) Draft Energy Strategy and Just Transition Plan Last accessed 23.09.25 https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/01/draft-energy-strategy-transition-plan/documents/draft-energy-strategy-transition-plan/draft-energy-strategy-transition-plan/govscot%3Adocument/draft-energy-strategy-transition-plan.pdf

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities….

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

2.5.3 The Foreword adds that the draft Strategy sets out key ambitions for Scotland's energy future including:

- More than 20 GW of additional renewable electricity on and offshore by 2030.
- Accelerated decarbonisation of domestic industry, transport and heat.
- Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- Energy security through development of our own resources and additional energy storage.
- A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

2.5.4 The draft Strategy states (page 7, Executive Summary) that the vision for Scotland's energy system is:

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

In order to deliver that vision, this Strategy sets out clear policy positions and a route map of actions with a focus out to 2030".

2.5.5 The draft Strategy specifically addresses energy networks (page 36) and states "*Significant infrastructure investment in Scotland's transmission system is needed to ameliorate constraints and enable more renewable power to flow to centres of demand*."

2.5.6 It states that National Grid has identified the requirement for over £21 billion of investment in British electricity transmission infrastructure to meet 2030 targets and that over half of this investment will involve Scottish transmission owners SPEN and SSEN Transmission (the Applicant).

2.5.7 The draft Strategy adds that: *"the Scottish Government is working closely with network companies to support timely delivery of this infrastructure*".

2.5.8 Reference is made to the ambitious business plans of transmission businesses which "reflect the scale and pace of delivery required to meet Scottish Government ambitions".

2.5.9 Chapter 5 of the Strategy refers to 'creating the conditions for a net zero energy system'. It states (page 125) that "*As we transition to a net zero energy system, renewables and other zero carbon technologies… will need to provide all the services required to ensure a secure energy system*".

2.5.10 The Chapter goes on to reference in this regard energy markets and network regulation and with regard to network investment (page 126), it states that the Government is working closely with the network companies "to support timely delivery of required electricity network infrastructure".

2.5.11 It further adds with regard to constraint costs that the Government will continue to work with National Grid ESO, transmission owners and Ofgem *"to explore opportunities to accelerate planned network investment to relieve constraints*".

2.5.12 Therefore, a key aspect of the Energy Strategy in terms of network investment is the need for speed of delivery of infrastructure to ensure not only that need can be met, but that there can be energy security and resilience within the wider energy system.

2.6 The Green Industrial Strategy

2.6.1 The Scottish Government published a Green Industrial Strategy[23] ('GIS') in September 2024. The Executive Summary sets out the mission of the GIS, namely:

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

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

2.6.3 Page 6 sets out that GIS forms a key part of the Government's broader National Strategy for Economic Transformation. It states that "*It also links explicitly to our Just Transition Plans which describe how the transition to net zero in the most emitting sectors will be achieved in a way that delivers economic, social and community benefits, including fair work, environmental preservation and reduced poverty and inequality*."

2.6.4 Actions include *inter alia*:

- Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
- Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
- Delivering planning and consenting systems which enable Scotland's net zero development pipeline; and
- Exploring the circularity opportunity in onshore wind.

2.6.5 Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.

2.6.6 It is clear therefore that to progress the Government's objectives there needs to be clear support for new investment and growth in renewable energy. Realising the economic and social opportunities will only be achieved through the development and consenting of additional developments and related infrastructure.

2.7 CCC Report, Scotland's Carbon Budgets, Advice for the Scottish Government

2.7.1 This CCC Report was published in May 2025, and it sets out the CCC's advice on the level of Scotland's four proposed carbon budgets, covering the period 2026 to 2045. It recommends

[23] Scottish Government (2024) The Green Industrial Strategy Last accessed: https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/09/green-industrial-strategy/documents/green-industrial-strategy/green-industrial-strategy/govscot%3Adocument/green-industrial-strategy.pdf

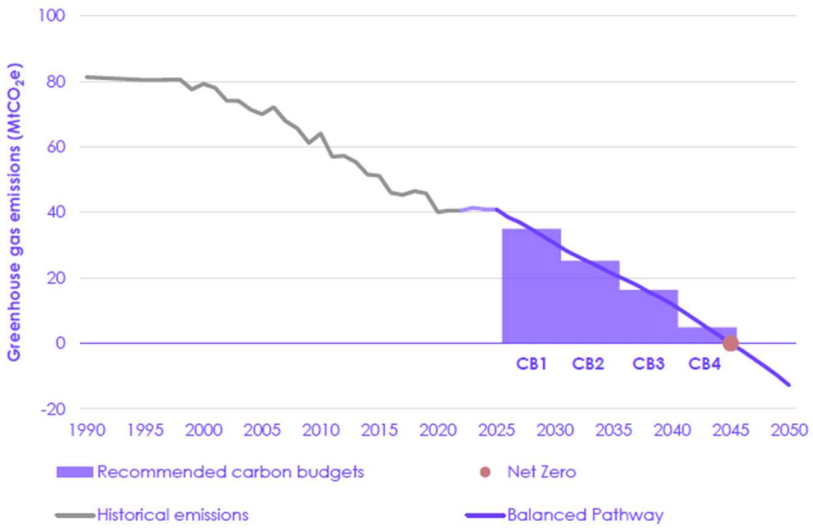
that the Scottish Government sets its carbon budgets, at annual average levels of emissions that are:

- 57% lower than 1990 levels for the First Carbon Budget (2026 to 2030);
- 69% lower than 1990 levels for the Second Carbon Budget (2031 to 2035);
- 80% lower than 1990 levels for the Third Carbon Budget (2036 to 2040); and
- 94% lower than 1990 levels for the Fourth Carbon Budget (2041 to 2045).

2.7.2 The report sets out that the CCC's advice "*shows that the proposed carbon budgets are deliverable and Scotland can achieve its 2045 Net Zero target*." (page 8)

2.7.3 The recommended carbon budgets are illustrated in **Figure 2.3** below.

Figure 2.3: CCC Recommended Carbon Budgets for Scotland[24]



2.7.4 It states that getting to net zero by 2045 will require immediate action, at pace and scale and adds that decisions on the exact pathway and policies are for the Scottish Government.

2.7.5 The Report explains that progress to date has largely come from electricity decarbonisation, reflecting Scotland's abundant renewable resources. It goes on to state (page 9) that:

"Action will increasingly be required in predominantly devolved policy areas to hit the Net Zero 2045 target and the proposed carbon budgets. Now that the framework for climate action has been reset, the Scottish Government has the opportunity to use its powers to match its ambitions with action."

2.7.6 The Report identifies priority actions, which over the period of the first two carbon budgets will be the remaining decarbonisation of electricity generation as well as further electrification of key technologies, particularly the roll-out of EVs and heat pumps.

2.7.7 The Report identifies the sources of future emissions reductions and notes that in the next decade, over the next two carbon budgets, they are predominantly met from electrification of key technologies across the economy and measures to reduce demand for high-carbon activities.

2.7.8 Specifically in relation to electricity and low carbon supply the Executive Summary explains (page 12) that in the Balanced Pathway set out by the CCC:

[24] Source: CCC (May, 2025). The Report states that the 'Balanced pathway' sets the recommended level of Scotland's carbon budgets.

"the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035, increasing to 66 GW by 2045. This provides 98% of electricity generation in Scotland in 2035 and caters for increasing demand in Scotland and the rest of Great Britain (GB). Grid storage, use of storable fuels on the GB-wide network, and smart demand flexibility ensure a reliable supply of electricity even in adverse weather years. These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process. To deliver clean electricity, the planning process to approve large electricity infrastructure projects in Scotland needs to be urgently improved."

2.7.9 Scotland currently has approximately 17.6 GW[25] of renewables operating capacity, therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 48.4 GW to be deployed.

2.7.10 The Report sets out in more detail the key actions to deliver the Balanced Pathway in electricity supply. At page 94 it refers to the key action for the Scottish Government which is to *"Urgently improve the planning process to approve large electricity infrastructure projects in Scotland, such as transmission lines and onshore wind farms."* citing that it can currently take up to four years to approve large electricity infrastructure projects in Scotland.

2.7.11 The Report makes reference to the Scottish Government and the UK Government's commitment to reform the energy consents system in Scotland, including through measures in the Planning and Infrastructure Bill. It states that *"Both governments should ensure that these reforms are now implemented at pace. All bodies involved in the planning and consenting process must also be adequately resourced and skilled."*

2.8 Conclusions on the Renewable Energy Policy & legislative Framework

2.8.1 The Applicant's position is that the Proposed Development is strongly supported by the current renewable energy policy and legislative framework.

2.8.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper than before and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the legally binding target of Net Zero by 2045 will not be met.

2.8.3 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

2.8.4 Whilst there has been a move away from annual emission reduction targets the overall target of Net Zero remains unchanged. Indeed, as set out in the Cabinet Secretary's Statement referenced above, the Government retains its "unwavering" commitment to attaining that legally binding target for Net Zero.

2.8.5 Decisions through the planning system must be responsive to the climate change policy imperative. Decision makers can do this by affording significant weight to the energy policy objectives, articulated above, in the planning balance.

2.8.6 By way of illustration, this was demonstrated recently in the decision by Scottish Ministers on 21 August 2024 to approve the Applicant's Creag Dhubh to Dalmally 275 kV Overhead Line Connection, in Argyll & Bute, where it is stated in the Ministers' Decision Letter at paragraph 78 that:

"The Proposed Development will provide the resilience necessary to maintain secure and reliable supplies of energy to homes and business as our energy transition takes place. It will support the connection of significant amount of renewable energy generation to the national electricity system, making an important contribution to reducing our reliance on fossil fuels. Scottish Ministers conclude that the proposed Development is supported by the Energy

[25] Source: Scottish Government (March 2025) Energy Statistics for Scotland – Q4 2024.

Strategy. The Draft Scottish Energy Strategy and Just Transition Plan 2023 signals that strong support from the Scottish Government for upgrade transmission infrastructure remains".

2.8.7 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge of Net Zero and the need to substantially increase renewable energy capacity.

2.8.8 Overall, the Draft Energy Strategy forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the crucial role that new electricity infrastructure will play in response to the climate crisis which is at the heart of all these policies.

2.8.9 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper than before and it is essential that rapid progress is made through the 2020s.

3. The Benefits of the Proposed Development

3.1 The Benefits: Summary

3.1.1 This chapter summarises the benefits that would arise from the Proposed Development:

Renewable Energy Transmission

- The Proposed Development is required to fulfil the statutory and licence obligations on the Applicant as the transmission licence holder. To fulfil these obligations, the Applicant must develop the transmission network to provide adequate transmission capacity and to provide connections to customers who wish to connect to and use the transmission system to participate in the national wholesale electricity market.
- The Proposed Development would deliver a new OHL tie-in to the proposed new Emmock Substation which is part of the upgrade works required to support and ensure the connection of the new 400 kV OHL between Kintore and Tealing to enhance capacity and security of supply.
- The Proposed Development would enable the delivery of renewable generation which is defined as "essential infrastructure" in NPF4[26].
- The Proposed Development is nationally important and is consistent with the core aims of NPF4 National Development 3 which seeks to deliver additional generation from renewables and delivery enhanced transmission capacity to achieve a net zero economy and support network resilience in rural areas.

Security of Supply

- The British Energy Security Strategy has been referenced in Chapter 2, and the recent Clean Power 2030 Action Plan. They provide an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.
- With this context, the delivery of grid infrastructure improvements to deliver significant benefits to consumers through decarbonisation, security of supply and enhanced capacity to transmit renewable energy is clear.
- The Proposed Development, if consented, would provide a valuable contribution to security of supply for Scotland and for the wider GB area. The Proposed Development would enhance the grid network to enable transmission of existing and future renewable energy efficiently to the grid, safely and consistently.

Economic & Community Socio -Economic Benefits / Local Supply Chain Opportunities

- The Applicant has in place Sustainable Procurement Codes and Supplier Guidance to oblige suppliers and contractors to maximise local employment, economic gain and social benefits as a result of the investment in new energy infrastructure in their area and sets out which measures are to be put in place to maximise opportunities for local people and businesses close to the site and in the wider region.
- A further obligation is that suppliers and contractors are expected to "*have in place education and employability programmes which promote the development of employee skills as well as local employment…*"

[26] NPF4 Annex F, page 148.

- The Applicant's Supplier Guidance as a basic commitment in this regard requires 'decent work and economic growth' alongside addressing environmental obligations, with a key objective to ensure the economic value is shared with particular focus on local supply chains.

Biodiversity Enhancement

- The greatest threat to biodiversity is climate change, and delivering an enhanced grid transmission network with enhanced capacity for renewable energy is a critical step to meet Net Zero.
- The Proposed Development is consistent with the Applicant's commitment in all projects subject of consenting to deliver 10% biodiversity net gain. This is further addressed below with regard to relevant NPF4 policy 3.

4. Appraisal against NPF4

4.1 Introduction

4.1.1 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and came into force on 13 February 2023.

4.1.2 A Chief Planner's Letter was issued on 8 February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contains advice intended to support consistency in decision making ahead of new style Local Development Plans being in place.

4.2 Development Management

4.2.1 Section 13 of the Planning (Scotland) Act 2019 Act (the '2019 Act') amends Section 24 of the 1997 Act regarding the meaning of the statutory Development Plan, such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:

- The National Planning Framework; and
- Any Local Development Plan ('LDP').

4.2.2 Therefore, the statutory Development Plan covering the site consists of NPF4 and the Angus Local Development Plan ('ALDP') (2016) and associated Supplementary Guidance.

4.2.3 The publication of NPF4 coincided with the implementation of certain parts of the 2019 Act. A key provision is that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, then whichever of them is the later in date will prevail. That will include where an LDP is silent on an issue that is now provided for in NPF4.

4.2.4 The Chief Planner's Letter also states with regard to Supplementary Guidance associated with LDPs which were in force before 12th February 2023 (the date on which Section 13 of the 2019 Act came into force) that they will continue to be in force and be part of the Development Plan.

4.3 How NPF4 is to be used

4.3.1 Annex A (page 94) of NPF4 explains how it is to be used. It states:

"*The purpose of planning is to manage the development and use of land in the long-term public interest … Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places*."

4.3.2 Annex A states that NPF4 is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It adds:

"*It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals[27]. NPF4 includes a long-term spatial strategy to 2045*."

4.3.3 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments

[27] The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include *inter alia* 'affordable and clean energy' and 'climate action'.

which are aligned to the strategic themes of the Government's Infrastructure Investment Plan[28] ('IIP').

4.3.4 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Proposed Development, "*meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity*".

4.4 The National Spatial Strategy – Delivery of Sustainable Places

4.4.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):

"*The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change*."

4.4.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework[29].

4.4.3 The Spatial Strategy is aimed at supporting the delivery of:

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

4.4.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

"*Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030…Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment*."

4.4.5 The National Spatial Strategy in relation to 'sustainable places' is described (page 7) as follows:

"*Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.*

Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.

Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation."

4.4.6 Six National Developments ('NDs') support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

[28] The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive net zero emissions economy.

[29] The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

4.4.7 A summary description of this ND is provided at page 7 of NPF4 as follows:

"*Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply*".

4.4.8 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regard to reducing greenhouse gas emissions. It states:

"*The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment*."

4.4.9 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy, recognising that tackling climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

4.5 National Developments

Overview

4.5.1 Page 97 of NPF4 sets out that 18 National Developments have been identified. These are described as:

"*significant developments of national importance that will help to deliver the spatial strategy … National development status does not grant planning permission for the development and all relevant consents are required*".

4.5.2 It adds that:

"*Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors. … In addition to the statement of need at Annex B, decision makers for applications for consent for national developments should take into account all relevant policies*".

4.5.3 Annex B of NPF4 sets out the various NDs and related Statements of Need. It explains that NDs are significant developments of national importance that will help to deliver the Spatial Strategy. It states (page 99) that:

"*The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes*".

National Development 3 "Strategic Renewable Electricity Generation and Transmission Infrastructure"

4.5.4 Page 103 of NPF4 describes ND3 and it states:

"*This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.*

A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions."

4.5.5 The location for ND3 is set out as being all of Scotland and in terms of need it is described as:

"*Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas*."

4.5.6 The designation of classes of development confirms that the Proposed Development is National Development being of a scale or type that otherwise would have been classified as major by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. That is, paragraph (b) *new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more"*.

4.5.7 The Proposed Development is an essential component within the context of the wider National Development that rationalises the OHL connections into and around the Emmock Substation. The Proposed Development will further the delivery of the national Spatial Strategy. The Strategy requires a "large and rapid increase" in electricity generation and the delivery of an enhanced transmission network to enable this. It is recognised (NPF4, page 6) that "we must make significant progress" by 2030.

4.5.8 The Proposed Development is required to facilitate a wider programme of electricity transmission infrastructure to be upgraded to enable the forecasted growth in renewable electricity across GB and will make a meaningful contribution to targets within the key timescale to 2030, which is a very important consideration.

4.6 National Planning Policy

4.6.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.

4.6.2 In terms of planning, development management and the application of the national level policies, NPF4 (page 98) states:

"*The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies*".

4.6.3 In terms of "sustainable places" the relevant policies to the Proposed Development include the following:

- Policy 1: Tackling the Climate and Nature Crises;
- Policy 3: Biodiversity;
- Policy 4: Natural places;
- Policy 5: Soils;
- Policy 6: Forestry, woodland and trees;
- Policy 7: Historic assets and places; and
- Policy 11: Energy.

4.6.4 In terms of 'liveable places', the relevant policies to the Proposed Development include:

- Policy 22: Flood risk and water management.

4.6.5 These policies are addressed below.

4.6.6 The Chief Planner's Letter of 8th February 2023 provides advice in relation to applying NPF4 policy. It states that the application of planning judgement to the circumstances of an individual situation remains essential for all decision making, informed by principles of proportionality and reasonableness. It states:

"*It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement*." (underlining added)

4.6.7 The Letter adds:

"*It is recognised that it may take some time for planning authorities and stakeholders to get to grips with the NPF4 policies, and in particular the interface with individual LDP policies. As outlined above, in the event of any incompatibility between the provision of NPF and the provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible*".

4.7 NPF4 Policy 1: Tackling the climate and nature crises

Policy 1 & Principles

4.7.1 The intent of Policy 1 is "*to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

4.7.2 Policy 1 directs decision makers that "*when considering all development proposals significant weight will be given to the global climate and nature crises*."

4.7.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed to the Proposed Development's ability to provide an essential grid connection between upgraded and new substations, which is consistent with the intent of Policy 1 and would make a positive contribution by helping to attain its outcome of net zero.

4.7.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

"*This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises*."

4.7.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight to the policy, but ultimately it is for the decision maker to decide if it is for or against the proposal. The Proposed Development's contribution is positive and therefore, applying significant weight in this case would result in a favourable outcome for the Proposed Development.

4.7.6 The term "Tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with regard to Policy 1 that the policy gives significant weight "*to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions*".

The application of Policy 1

4.7.7 Given the nature of the Proposed Development, it would make a valuable contribution in relation to targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The

specific emission and carbon saving benefits associated with the transmission of renewable energy which is the purpose of the Proposed Development also needs to be recognised in the context of NPF4 Policy 11 (Energy) which requires the 'contribution' that a development would make to targets to be taken into account. The Proposed Development is part of the wider network upgrade required to support and ensure the connection of the new 400 kV OHL between Kintore and Tealing and is therefore strategically important.

4.7.8 A further important point is the need to recognise that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is to facilitate the earliest possible decarbonisation of the energy system and the achievement of net zero no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). A key purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.7.9 The Reporter's comments on this particular policy in the Sanquhar II Wind Farm Inquiry Report[30] are informative. At paragraph 2.48 of the Supplementary Report, the Reporter addresses NPF4 Policy 1 and states that:

"*tackling the nature crisis is required to be given significant weight alongside the climate crisis. There is no indication that one strand should be given greater priority over the other. That does not necessarily mean that an individual proposal must be shown to respond to both crises in equal measure, however. The two matters are also inextricably linked, with the nature crisis being, in part, exacerbated by climate change*."

4.7.10 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development through the Applicant's own commitment to achieve 10% net gain on all projects. The approach to be taken given the nature of the Proposed Development is for offsite provision. The Proposed Development will achieve positive effects for biodiversity if sufficient off-site measures are identified and implemented and as such the Proposed Development will leave the natural environment in a demonstrably better state than before development work began.

4.8 NPF4 Policy 11: Energy

Policy 11 & Principles

4.8.1 For the consideration of energy transmission proposals, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

"*to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.*"

4.8.2 Policy Outcomes are identified as: *"expansion of renewable, low carbon and zero emission technologies".*

4.8.3 Policy 11 is in the following terms:

"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;

ii. enabling works, such as grid transmission and distribution infrastructure;

iii. energy storage, such as battery storage and pumped storage hydro;

[30] Sanquhar II Wind Farm, Section 36 Decision dated 31 August 2023, Supplementary Report of Inquiry dated 20 February 2023 (Case Reference WIN-170-2006) and Scottish Ministers' Decision dated 31 August 2023.

iv. small scale renewable energy generation technology;

v. solar arrays;

vi. proposals associated with negative emissions technologies and carbon capture; and

vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:

i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;

ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;

iii. public access, including impact on long distance walking and cycling routes and scenic routes;

iv. impacts on aviation and defence interests including seismological recording;

v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;

vi. impacts on road traffic and on adjacent trunk roads, including during construction;

vii. impacts on historic environment;

viii. effects on hydrology, the water environment and flood risk;

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;

xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and

xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity".

4.8.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development will help to deliver in providing the essential grid connection for a consented wind farm.

4.8.5 The wording of Policy 11 Paragraph (a)(ii) makes it clear that the policy supports new and replacement grid transmission and distribution infrastructure.

The application of Policy 11

4.8.6 **Paragraph c) of Policy 11** references socio-economic benefits being maximised, rather than simply being taken into account.

4.8.7 With regard to maximising socio-economic benefits, the Applicant has adopted a 'Sustainable Procurement Code' and a related 'Sustainable Procurement Code – Supplier Guidance' and these are relevant to take into account. The Sustainable Procurement Code ("the Code") is applied to development projects that the Applicant progresses, and its principal purpose is to ensure that the Applicant's key values are supported, managed and where possible improved.

4.8.8 The Code sets out various obligations on suppliers and contractors covering climate action and in relation to providing affordable clean energy. The Code also addresses environmental obligations and sets out a clear commitment to "decent work and economic growth" (page 10). A key objective is to ensure that economic value is shared. Amongst the various specific obligations on the Applicant and suppliers is reference to local supply chains. In that regard, page 10 sets out that:

"*SSE has committed to being a global leader for a just energy transition to net zero, with a guarantee of fair work and commitment to paying fair tax and sharing economic value*".

4.8.9 Furthermore, within the obligations on suppliers and contractors are provisions that require the formation of "*constructive local relationships so that communities have the opportunity to directly benefit from significant capital investments… and to have measures in place to maximise opportunities for local people and businesses close to SSE sites and the wider region*".

4.8.10 A further obligation is that suppliers and contractors are expected to "*have in place education and employability programmes which promote the development of employee skills as well as local employment, including graduate programmes and apprenticeships*".

4.8.11 As regards Local Supply Chains "*SSE is committed to ensuring that real economic and social benefits flow to local businesses as a result of its investment in new energy infrastructure. It aims to promote sustainable domestic employment, increased local content and more competitive domestic supply chains. It does this through engagement with its suppliers as well as government regulators and trade unions*".

4.8.12 The related Supplier Guidance ("the Guidance") document sets out with specific regard to local supply chains that suppliers and contractors are:

- Required to have measures in place to maximise opportunities for local people, supply chains and economies surrounding SSE sites. There may be a requirement to provide evidence of site-specific plans to SSE;
- Encouraged to work closely with SSE to promote and support the development of competitive domestic and local supply chains;
- Required to provide details of spend with local suppliers and subcontractors, when requested by SSE ("local" is defined as either, within a 50-mile radius of the site or the Local Authority area, unless otherwise defined);
- Required to provide reporting of attributed spend with Small Medium Enterprises (SMEs).

4.8.13 Specific reference to the Code and Guidance and these obligations would be set out in any invitation to tender for construction works for the Proposed Development. Therefore, there is clear evidence that beyond the capital spend for the Proposed Development and the direct, indirect and induced employment and economic benefits that would result, that the Applicant has policies and measures in place that seek to maximise the opportunity for socio-economic benefits as a result of the project.

4.8.14 It should also be noted that appointed contractors are required to inform the Applicant of the supply chain engaged.

4.8.15 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations "*will be assessed in relation to Policy 4*". Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such national and local designations is examined further below with specific regard to the provisions of Policy 4.

4.8.16 **Paragraph e) of Policy 11** states that project design and mitigation "*will demonstrate how*" impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below.

Impacts on Communities and Individual Dwellings

4.8.17 In summary, the visual impact assessment notes that there would be significant visual effects within 1 km of the new infrastructure. The closest settlement to the Proposed Development is the hamlet Kirkton of Tealing, located 0.8 km to the north-east.

4.8.18 There are a number of individual residential properties scattered across the EIA study area which are not located within a recognised settlement. The closest properties to the Proposed Development are Seventeen Acres at a distance of approximately 190 m, North Balluderon at approximately 230m, and Dunian at approximately 260 m.

4.8.19 Effects on residential visual amenity for residential properties within 225 m of the Proposed Development are considered in Volume 4, Appendix 7.4: Residential Visual Amenity Assessment ('RVAA') of the EIAR. Most residential properties beyond 225 m have been scoped out of the RVAA, however North Balluderon, is just outside this distance (227 m from the Proposed Development) therefore has been included. Dunian, a property to the west of Balkemback, is 260 m from the Proposed Development, but due to the potential for cumulative effects with the Kintore to Tealing 400 kV OHL this property was also included.

4.8.20 The RVAA considers whether the visual effects of the Proposed Development, as seen from residential properties, are so great as to affect the 'living conditions' experienced by residents at those properties.

4.8.21 The Proposed Development would be visible from three residential properties - Dunian, North Balluderon and Seventeen Acres. The Proposed Development would result in a high magnitude of change from the properties of Dunian and North Balluderon, but is not considered to be so overbearing or dominant in views as to breach the residential visual amenity threshold ('RVAT').

4.8.22 In relation to Dunian, located to the south of the Sidlaw Hills, this is due to the intervening distance between the property and the closest tower, and the sense of separation which would be provided by the minor road immediately south of the property. The proposed Kintore to Tealing 400 kV OHL would be closer to the property but seen in oblique views from the primary elevation and garden. It was judged that the views of the Proposed Development, either alone or cumulatively, would not be so dominant as to breach the RVAT.

4.8.23 From North Balluderon, there would be no breach of the RVAT due to views of the Proposed Development being filtered by intervening trees and buildings around the property in views from the eastern elevation, rear garden and access track. Furthermore, views to the north and west would be largely unaffected by the Proposed Development.

4.8.24 From Seventeen Acres, there would be no breach of the RVAT as views of the Proposed Development would be seen in views to the west and views from other directions, including the primary elevation to the southeast would be unaffected. Furthermore, the Proposed Development would be located beyond the existing Alyth to Tealing 275 kV OHL which would be dismantled as part of the Proposed Development, therefore increasing the separation between the property and OHL infrastructure to the west. The effect of the Proposed Development on this property is therefore considered to be beneficial, and there is no potential for the RVAT to be breached.

4.8.25 Overall, in relation to communities and individual dwellings, the effects predicted are localised and commensurate with the scale of development proposed as part of the Proposed Development, and in the context of the transmission infrastructure projects being delivered within the immediate and wider area. There would be no unacceptable impacts arising in relation to settlements or residential properties.

Noise and Vibration

4.8.26 There is the potential for construction noise and vibration impacts from the Proposed Development. **Volume 2, Chapter 10 Noise** of the EIAR deals with Noise and Vibration. The assessment explains that there are 32 Noise Sensitive Receptors (NSRs) located within the study area. Prior to the implementation of additional mitigation measures, construction noise is assessed as high impact, on a medium sensitivity receptor, causing a major effect which is significant in EIA terms. This is due to the 55 dB limit breaches during construction work of felling, access and enabling, foundations and dismantling.

4.8.27 In line with best practice, a Construction Noise Management Plan ('CNMP') will be developed by the principal contractors prior to starting construction works. The detail of the CNMP will be agreed with Angus Council and is expected to be secured by an appropriately worded condition.

4.8.28 It is expected that with the implementation of a CNMP, where activity near locations of significant impacts can be microsited in terms of active operational time of equipment and increased community engagement to detail the duration of works, any remaining impacts can be eliminated. Therefore, it is predicted that construction noise would result in minor impact at worst and therefore is not significant.

4.8.29 No significant adverse effects are predicted for operational noise.

4.8.30 There is potential for cumulative construction effects in the absence of the proposed mitigation as set out. No significant residual effects would remain.

4.8.31 Chapter 10 also examines the potential for significant adverse effects from construction vibration activities. All impacts, except for the potential dynamic compaction (low), for potential vibration works have been assessed as negligible. In the worst case, the negligible vibration activities might be just perceptible in residential environments, therefore, the significance of effect for construction vibration is minor and not significant.

Landscape and Visual Considerations

4.8.32 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy and transmission infrastructure. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable.

Landscape Character

4.8.33 An assessment of landscape effect has been undertaken.

4.8.34 The Proposed Development is located primarily within Landscape Character Type ('LCT') 387: Dipslope Farmland, with the northernmost part of the Proposed Development within LCT 382: Lowland Hill Ranges which extends to the northern portion of the study area.

4.8.35 During construction, Moderate (Significant) effects on landscape character would occur no more than 1 km from the Proposed Development, in the area between Myreton of Claverhouse and Balkello within LCT 387, and across the southern slopes of Craigowl Hill within LCT 382. Beyond 1 km of the construction works, effects on landscape character would reduce to no significant due to decreased perceptibility of construction activity.

4.8.36 In terms of operational effects, the Proposed Development would result in significant adverse effects on the two LCTs identified as a result of physical changes to landscape features including the introduction of large scale vertical infrastructure into the landscape, which would alter the distinctive profile of the Sidlaw Hills in LCT 382, introduction of permanent access tracks, and the localised loss of agricultural land. Perceptual effects would also contribute to these significant effects in these LCTs, due to the perceived large scale of the Proposed Development in relation to the Medium scale of the underlying landscape, particularly as it ascends the lower slopes of the Sidlaw Hills near Balluderon. The Proposed Development would also slightly increase the influence of vertical infrastructure within these LCTs.

4.8.37 Beyond 1 km from the Proposed Development, effects on landscape character would reduce to Minor (Not Significant) due to the decreased perceptibility of the Proposed Development. In addition, there will be very localised beneficial effects for a section of LCT 387 around Balnuith and Prieston, due to the removal of OHL.

Landscape Designations

4.8.38 Angus Council's Sidlaw Local Landscape Area ('LLA') is located approximately 0.5 km northwest of the Proposed Development, at its closest point.

4.8.39 During construction, given the temporary nature of effects, and that effects would be perceptual and not physical, it is considered that effects on the special qualities of the LLA during construction would be minor (not significant) and would not affect the integrity of this local landscape designation.

4.8.40 The Proposed Development would be seen largely backclothed against distant landform, helping to reduce its overall prominence, and would be seen in the context of existing OHL infrastructure outside the LLA. It is therefore considered that the Proposed Development would have a low magnitude of change on the special qualities of the LLA and effects are judged to be not significant. It is considered that the Proposed Development would not have an adverse effect on the integrity of this local landscape designation.

Visual Effects

4.8.41 In relation to visual amenity, the appraisal identified three representative viewpoints used to represent and assess the visual effects of the Proposed Development. In addition, the assessment identified nine Visual Receptor Areas ('VRAs') to group visual receptors, based on their geographical location, similarities between the likely nature and extent of views, and distance from the Proposed Development.

4.8.42 During construction, Moderate or Major (Significant) effects on views and visual amenity would affect receptors within approximately 1 km of the Proposed Development (e.g., VRA 1 (Balkemback), VRA 2 (Balnuith), VRA 3 (Templeton, Gallowhill, Myreton of Claverhouse, and Inveraldie), VRA 4 (Balluderon and Balkello), VRA 5 (Ark Hill, Balkello, Craigowl and Gallow Hills), and VRA 8 (Tealing and Kirkton of Tealing)), where close-to-middle distance views of construction activity would be available. A lower magnitude of change is expected from VRA 5 (Ark Hill, Balkello, Craigowl and Gallow Hills) but given the High sensitivity of receptors in this VRA, effects are still expected to be significant for the closer receptors.

4.8.43 Significant effects would be the result of the visibility of construction activity including the erection of steel lattice towers, creation and upgrading of access tracks, vehicle movements and lighting in hours of darkness. Construction activities associated with the dismantling of

the Alyth – Tealing 275 kV OHL as part of the Proposed Development would be most visible in VRA 2 (Balnuith), VRA 6 (Prieston and Coldstream), and the eastern extents of VRA 1 (Balkemback).

4.8.44 From more distant receptors beyond 1 km (e.g., VRA 7 (North of Tealing, Huntingfaulds, Todhills, and Cotton of Brighty) and VRA 9 (Downfield), intervening features including vegetation and buildings would partially or fully screen construction works, particularly ground level activity.

4.8.45 In terms of operational effects, significant adverse effects are predicted from within VRA1, 3 and 4. Significant effects are largely restricted to receptors that would be within 1 km of the new infrastructure. Beneficial effects would be predicted within VRA 2 and 6 due to the dismantling and removal of OHL infrastructure. No significant adverse effects would be predicted beyond 1 km and for the remaining VRAs once the Proposed Development is operational.

Cumulative Effects

4.8.46 Cumulative effects have considered the Intra developments (SSEN Transmission projects associated with, and connected to, the Proposed Development) of the proposed Emmock Substation and the proposed Kintore to Tealing 400 kV OHL as well as inter developments (other SSEN Transmission developments and third party developments)[31] in the study area.

4.8.47 When considering the cumulative effects of construction of all the proposed developments in the study area, the following Significant effects are anticipated:

> Effects on landscape character of LCTs 382 and 387 would be significant within the area between Tealing and Seagreen Substations and the lower slopes of Craigowl Hill; and

> Significant effects on views arising from construction activity would affect some receptors in VRAs 1 (Balkemback), 2 (Balnuith), 3 (Templeton, Gallowhill, Myreton of Claverhouse, and Inveraldie), and 4 (Balluderon and Balkello), as multiple construction projects would be visible to people in these areas, affecting combined and sequential views.

4.8.48 The contribution (additional cumulative effect) of the Proposed Development to these cumulative effects is considered to be significant.

4.8.49 There would be very limited (not significant) effects on the special qualities of the Sidlaw LLA.

4.8.50 When considering the cumulative effects of operation of all the proposed developments in the study area, the following significant effects are anticipated:

> Effects on landscape character of LCT 387 and 382 would be significant within the area between the Tealing and Seagreen Substations and the lower slopes of Craigowl Hill; and

> Significant effects on views arising during operation would affect some receptors in VRAs 1 (Balkemback), 2 (Balnuith), 3 (Templeton, Gallowhill, Myreton of Claverhouse, and Inveraldie), and 4 (Balluderon and Balkello), as multiple infrastructure projects would be visible to people in these areas, affecting combined and sequential views.

4.8.51 There would be very limited (not significant) effects on the special qualities of the Sidlaw LLA.

Public Access

4.8.52 The Applicant is committed to managing and enabling access so that the safety of the general public or construction staff is not compromised. During the construction phase, all feasible measures will be taken to ensure access to existing routes and trails are maintained in areas where the proposals have the potential to interact with routes used for access. Furthermore, any construction effects are expected to be short-term and temporary.

[31] Balnuith BESS, Myreton BESS and Fithie Energy Park

4.8.53 Prior to commencement of the construction works, access arrangements and appropriate warnings will be communicated to the local community via the community liaison group, project group and local mailing list.

4.8.54 Potential interactions with recreational routes are identified in Appendix 3.7: Outline Access Management Plan within Annex 1: Outdoor Access Schedule of the EIAR. These are: Core Path 207 – Kirkton of Tealing to Balnuith interaction with construction access; Core Path 210 Kirkton of Auchterhouse to Balluderon – interaction with construction access and OHL crossing and Funnie Nook interaction with construction access and OHL crossing.

4.8.55 The Outline Access Management Plan ('OAMP') sets out how access will be managed and maintained during construction. It is intended that the Outdoor Access Schedule included in Annex 1 will be updated as the project moves forward into pre-construction and construction phases, with specific measures for access at individual locations addressed in further detail, as necessary.

4.8.56 SSEN Transmission aims to maintain access during construction and operation of the Proposed Development where feasible, and by implementing the management strategies set out in this Plan, this will be achieved while ensuring the safety of the public and construction staff.

Aviation, Defence Interests and Telecommunications

4.8.57 The Proposed Development would not give rise to any negative effects on these topics.

Impacts on Road Traffic and Trunk Roads

4.8.58 Traffic and Transport was scoped out of the EIA. An Outline Construction Traffic Management Plan is provided at Appendix 3.8 (Volume 4) of the EIAR.

4.8.59 **Volume 2, Chapter 6 Scope and Consultation** of the EIA sets out the scope and consultation undertaken for the Proposed Development. In summary it explains that traffic generated by the Proposed Development during the construction phase, based upon the Applicant's experience developing similar infrastructure, would be minimal in volume and would utilise existing traffic routes with residual capacity.

4.8.60 Although the volume of construction traffic would be low (and would not be considered as Significant) this information would be updated against the proposed construction programme in the form of a concise Transport Statement (TS) that would be incorporated in the Section 37 application documentation.

4.8.61 Emmock Road (an established active travel route) may require consideration during the construction phase in relation to construction of the Emmock substation, to the extent that works for these developments overlap and/or occur in parallel. If needed, this would be addressed in a Construction Traffic Management Plan (CTMP) for Emmock substation.

4.8.62 The effects on traffic and transportation would be temporary and of limited duration. Trunk roads and local roads could accommodate transportation of components for towers and other materials for construction and installation on-site. To the extent possible, access tracks for construction of Emmock substation would be used in combination with construction of new temporary tracks where needed on agricultural land.

4.8.63 No significant effects are anticipated from transportation and traffic during construction and operation.

Historic Environment

4.8.64 **Volume 2, Chapter 8 Cultural Heritage** of the EIAR considers the potential effects of the Proposed Development on cultural heritage from both construction and operation.

4.8.65 The layout of the Proposed Development, including the positioning of towers and the siting of other infrastructure, has been designed to avoid direct effects on known cultural heritage assets as far as possible.

4.8.66 In terms of construction effects, the majority of assets recorded in the Inner Study Area used for the cultural heritage assessment comprise upstanding buildings, some of which are still occupied, or heritage assets located within the LOD of the existing OHL, to which no works are proposed. No construction effects are predicted for these assets. Of the remaining assets in the inner study area, there is potential for direct impacts on five undesignated heritage assets, and one Scheduled Monument ('SM') (Dundee and Newtyle Railway Embankment (SM 2848).

4.8.67 The adoption of embedded and applied mitigation measures as set out within Chapter 8 of the EIAR, will avoid, minimise, or offset the loss of any archaeological and/or cultural heritage remains that may occur as a result of the construction of the Proposed Development. Taking this proposed mitigation into account, any residual effects arising from the construction of the Proposed Development in relation on heritage assets within the Inner Study Area would be of no more than negligible magnitude.

4.8.68 In the operational phase, impacts are limited to potential impacts on the setting of heritage assets.

4.8.69 Three heritage assets within or beyond the Outer Study Area were identified for detailed assessment and agreed during consultation to require consideration for potential setting affects arising from the Proposed Development:

- Balkemback Cottages, Stone Circle (SM 2868);
- Martin's Stone Cross-slab, Balkello (SM 159); and
- Craig Hill Fort and Broch (SM 3038).

4.8.70 These three heritage assets, in addition to South Balluderon Farm Steading (LB 17458) are discussed in detail within Chapter 8 of the EIAR. Other designated heritage assets from which there is some degree of predicted visibility of the Proposed Development, but for which there is no specific setting impact concern, are assessed in tabulated form in Volume 4, Appendix 8.2: Cultural Heritage: Outer Study Area.

4.8.71 Overall, the impact of the Proposed Development on the Balkemback Cottages Stone Circle is assessed to have an adverse effect of moderate significance (significant in EIA terms). This is largely due to the proximity at which the Proposed Development is to be located relative to the Scheduled Monument, representing a visual change which may distract from the current openness provided by the surrounding agricultural landscape.

4.8.72 The assessment considered whether the predicted effect would 'significantly adversely affect the integrity of its setting' (as required by NPF4 Policy 7(h) ii)). The finding concludes that the key setting contributors to the stone circle's cultural significance are views to the south over lower-lying landscape, and the Scheduled Monument's contemporary relationship with the surrounding farmland, both of which would be retained. The Proposed Development would not change the fundamental agricultural use and character of the landscape, and while southern views would be altered, views to the southeast would be improved. The ability to experience, appreciate, and understand the Scheduled Monument would still be possible, and as such the impact of the Proposed Development to the integrity of the stone circle's setting would not amount to a significant adverse effect in the context of (NPF Policy 7 (h)).

4.8.73 In relation to Martin's Stone Cross Slab (SM 159), the Proposed Development would be located to the north and east, at its closest lying just under 1 km away. The ZTV indicates that the Proposed Development would be visible in views to the northeast from the Scheduled Monument, although this does not take into account screening in the intervening natural environment, such as trees along the South Balluderon road which is likely to limit visibility. A visualisation from the stone circle shows that energy infrastructure is already present in the setting of Martin's Stone, most notably to the south. The Proposed Development would stand at a greater remove from the cross-slab than the existing OHLs, preserving a sense of openness in eastern views. North-western views, away from the road toward higher ground, would be unaffected.

4.8.74 Overall, the impact of the Proposed Development on the Martin's Stone Cross-Slab is assessed to result in an adverse effect of minor significance (not significant in EIA terms). In turn, there would be no effect on the integrity of the scheduled monument.

4.8.75 In terms of Craig Hill Fort and Broch (SM 3038), the Proposed Development would be located approximately 3.5 km to the northwest. The ZTV indicates that the Proposed Development would be visible from the western half of the Scheduled Monument, although this does not take into account screening in the intervening built natural environment, which is likely to limit visibility. A visualisation from the hill fort, illustrates that energy infrastructure, including OHLs, is already present in north-western views from the Scheduled Monument. The sections of existing OHL which run closest to the Scheduled Monument are those proposed for dismantling, such that, whilst new OHLs will be installed, north-western views will be largely unchanged. Where it is visible, the new OHL will be set back at a greater distance from the Scheduled Monument than the existing OHL proposed for removal.

4.8.76 Overall, the impact of the Proposed Development on the Craig Fort and Broch is assessed to be of negligible magnitude, resulting in an adverse effect of negligible significance (not significant in EIA terms). In turn, there would be no effect on the integrity of the scheduled monument.

4.8.77 With respect the South Balluderon Farm Steading (LB 17458), the Proposed Development would be located approximately 500 m to the east. The ZTV indicates that the Proposed Development would be visible in eastern views, although this does not take into account screening in the intervening natural environment, such the enclosing woodland, which is likely to limit visibility. Energy infrastructure, including wind turbines and OHLs, is already visible in this direction. Whilst additional OHLs would be added as part of the Proposed Development, sections of the existing OHL would be dismantled, such that eastern views would remain largely unchanged. The Proposed Development would not alter the essential character of the landscape as agricultural, nor obstruct the experience, appreciation, and understanding of the extant equipment and machinery which best articulate the cultural significance of the farmstead.

4.8.78 Overall, the impact of the Proposed Development on the South Balluderon Farmstead is assessed to be of negligible magnitude, resulting in an adverse effect of negligible significance (not significant in EIA terms).

4.8.79 The cumulative operational effects arising from the Proposed Development in combination with Project-Related SSEN Transmission Developments (specifically Kintore to Tealing 400 kV OHL) are predicted to result in an operational impact of moderate significance (significant in EIA terms) to the setting of the Balkemback Cottages Stone Circle (SM 2868).

Hydrology, the Water Environment and Flood Risk

4.8.80 Hydrology, the water environment and flood risk was scoped out of the EIA. **Volume 2, Chapter 6** of the EIA sets out the scope and consultation undertaken for the EIA for the Proposed Development.

4.8.81 The Fithie Burn is hydrologically connected to the Dighty Burn Local Nature Conservation Site (LNCS) which is located approximately 2.5 km south of the Proposed Development. However, as this connection is via approximately 9 km of watercourse, impacts are considered unlikely.

4.8.82 The design has incorporated a 50 m buffer from all watercourses and water features, which will minimise any effect on water quality and hydrology during construction. However, two of the existing towers (WT180 and TW183) which are to be upgraded and used for the Proposed Development are 16 m and 25 m respectively from watercourses and both are within the predicted fluvial flood risk area from the Fithie Burn and a tributary.

4.8.83 Applied good practice mitigation, including construction pollution control measures and construction Sustainable Drainage Systems (SuDS) will be in place during construction to avoid sedimentation and run-off from construction working areas reaching the water environment. Additional bespoke mitigation (e.g. silt fences, swales) will be put in place

during the upgrades to towers WT180 and TW183 given their proximity to watercourses. In addition, no work will be undertaken during flood events in the known flood risk areas of the Site.

4.8.84 No significant effects are predicted in relation to hydrology, the water environment or flood risk.

Biodiversity

4.8.85 **Volume 2, Chapter: 6: Scope and Consultation** of the EIA considers ecology.

Ecology

4.8.86 The Proposed Development has no direct interaction with any internationally designated sites. Tower TW8 on the Westfield – Tealing 275 kV OHL, nominally located within Long Established of Plantation Origin (LEPO) woodland, is west of the location where new works would be required for the OHL diversion and would not be affected by the Proposed Development. No significant effects are likely during construction or operation.

4.8.87 Construction impacts will be restricted to Negligible loss of habitat around the footprint of the new OHL towers and associated access tracks. Micrositing of the final alignment will seek to avoid any sensitive habitats identified in pre-construction surveys.

4.8.88 Permanent habitat loss may occur if some access tracks remain in situ following construction works and in relation to the new tower foundations. However, in the context of the wider landscape these habitat losses will likely be Negligible and would not affect ecologically important habitats.

4.8.89 No potential significant operational impacts have been identified.

4.8.90 Given the relatively short length of the proposed OHL diversions, the ability to microsite structures away from sensitive ecological receptors, and the relatively small area of habitat to be lost (in the context of the wider landscape), no significant effects are likely during construction or operation.

Ornithology

4.8.91 **Volume 2, Chapter 9 Ornithology** considers the potential effects of the Proposed Development on ornithology.

4.8.92 A range of mitigation measures which are good practice for development of this type, and which are required to comply with environmental protection legislation, will be implemented. Mitigation measures to protect sensitive ornithological features include:

- Installation of line markers (also known as bord flight diverters (BFD)) on the OHL to reduce collision risk for SPA-qualifying species, pink footed geese, and other bird species potentially at risk of collision.
- Bird Species Protection Plan (BSPP) and CEMP: Implementation of the BSPP would be overseen by a suitably experienced Ecological Clerk of Works (ECoW).
- Undertaking all vegetation clearance outside of the breeding bird season; and
- Nesting bird checks prior to and during construction.

4.8.93 No significant effects are predicted on any ornithological feature (and associated designated sites) due to the construction of the Proposed Development due to the implementation of mitigation measures identified.

4.8.94 With the implementation of Embedded Mitigation through the installation of BFDs at identified ‘hot-spot’ spans no likely significant effects on the qualifying features of European sites (SPA’s and RAMSAR) with potential for connectivity with the Proposed Development are predicted (notably Pink-footed geese). The relevant steps of the Habitats Regulations have

been considered in relation to Special Protection Areas (SPAs) and the coincident Ramsar sites, in accordance with updated policy on the protection of Ramsar Sites which came into force on 9 July 2025 such that all listed Ramsar Sites in Scotland should be treated as if they were European sites for the purposes of land use change and decision making.

4.8.95 It is therefore concluded that there will be negligible effect on European sites during the operational phase of the Proposed Development, and this is not significant.

4.8.96 It is concluded that the Proposed Development will not result in likely significant effects either by itself or cumulatively on any identified ornithological receptors subject to the mitigation set out in Chapter 9 to avoid or minimise risk and on the other developments which formed part of the cumulative assessment also doing the same both during construction and operation.

Balancing the Contribution of a Development and Conclusions on Policy 11

4.8.97 **Part e) ii) of NPF4 Policy 11 (Energy)** makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of energy proposals. There is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable. The significant adverse effects predicted in landscape and visual terms are deemed to be localised in this case.

4.8.98 The Proposed Development is considered to be acceptable on balance in relation to all of Policy 11's environmental and technical topic criteria.

4.8.99 The second last paragraph **of Paragraph e) of Policy 11** is expressly clear that in considering any identified impacts of developments, significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets. The Proposed Development is an important and significant element in the expansion of the electricity network in the North East of Scotland to reach the 2030 targets and to achieve net zero.

4.8.100 The "contributions" are inextricably related to the increase in renewable capacity which the Proposed Development is required to provide transmission for, and policy recognises that any identified impacts must be assessed in the context of these contributions.

4.8.101 In terms of contribution to targets, the proposal's contributions have been set out in Chapter 3 above and further detail is also contained in Chapter 2 Established Need for the Proposed Development of the EIA. The importance of delivering grid infrastructure is a critical consideration and one which is provided strong support within NPF4 and National Development status. Assessments undertaken demonstrate that there are only limited adverse effects anticipated as a result of the Proposed Development.

4.9 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

4.9.1 In summary, there are no unacceptable effects arising as a result of the Proposed Development in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 **Policies 3 and 4** address.

4.9.2 **Policy 3** requires developments to, wherever feasible, provide nature-based solutions that have been integrated and made best use of and for significant biodiversity enhancements to be provided.

Current Guidance Position

4.9.3 The **letter from the Chief Planner issued on 8 February 2023** refers to the application of new policy where specific supporting guidance / parameters for assessment are not yet available to aid assessments. The letter states:

4.9.4 *"recognising that currently there is not a single accepted methodology for calculating and / or measuring biodiversity 'enhancement' – we have commissioned research to explore options for development a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise for opportunities to contribute to the enhancement of biodiversity, and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case".* (underlining added)

4.9.5 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance. Accordingly, the current position in relation to guidance summarised below, should not be regarded as settled or standard practice at this stage.

4.9.6 **NatureScot Guidance** was issued in Summer 2023 in support of NPF4 Policy 3 c). This states that the selection and design of enhancement measures will be a matter of judgment based on the circumstances of the individual case but should take into account a number of considerations. These considerations include:

- The location of the development site and the opportunities for enhancing biodiversity;
- The character and scale of development;
- The requirements and cost of maintenance and future management of the measures proposed;
- The distinctiveness and scale of the biodiversity damaged or lost; and
- The time required to deliver biodiversity benefits and any risks or uncertainty in achieving this.

4.9.7 The Scottish Government also published '**Draft Planning Guidance: Biodiversity**' in November 2023. Paragraph 1.1 states that it: "*Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity*."

4.9.8 The guidance refers to 'key terms' and with regard to 'enhancement', states at Paragraph 1.10:

"*The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver*".

4.9.9 The guidance addresses development planning and, in terms of development proposals, references 'core principles.' At Paragraph 3.1 the guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal. Section 3.2 of the guidance states:

"*Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time*."

4.9.10 The principles set out are as follows:

- Apply the mitigation hierarchy;
- Consider biodiversity from the outset;
- Provide synergies and connectivity for nature;
- Integrate nature to deliver multiple benefits;
- Prioritise on-site enhancement before off-site delivery;
- Take a place-based and inclusive approach;

- Ensure long term enhancement is secured; and
- Additionality.

4.9.11 Notwithstanding the fact that the guidance is informal at this stage, these core principles have nonetheless been applied as appropriate to the Proposed Development.

4.9.12 Page 15 of the draft guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points in the guidance include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised; and
- Assessments can be qualitative or quantitative (for example through use of a metric).

4.9.13 It is stated that NatureScot is to shortly commence work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 Policy 3 b). The draft guidance states that further information will be provided on this work "in due course".

4.9.14 Section 4.12 of the draft guidance states:

"*In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required. Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out*".

4.9.15 Section 4.14 of the draft guidance states that it will be for a planning authority to determine whether the relevant policy criteria have been met, taking into account the circumstances of the particular proposal. It adds:

"*NPF4 does not specify how much enhancement, or 'net gain' should be delivered, though biodiversity should clearly be left in a 'demonstrably better state' than without intervention. Rather, the selection and design of enhancements will be a matter of judgement based on the circumstances of the individual case, taking into account a range of considerations*."

4.9.16 The draft guidance makes reference to the various considerations which are already set out in the NatureScot guidance issued in the Summer of 2023 with regard to NPF4 Policy 3 (as listed above).

4.9.17 The draft guidance also makes reference to off-site delivery of enhancement proposals and states at Paragraph 4.19 that:

"*Where the relevant policy tests cannot be met on site, off-site provision may be considered alongside on site. In these circumstances, off-site delivery should be as close as possible to the development site, with consideration being given firstly to the immediate landscape context and existing ecological value of the site*."

4.9.18 In early 2024 **NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'.** The consultation ended on 10 May 2024. The consultation paper outlines work that NatureScot has been commissioned by the Scottish Government to develop a biodiversity metric for Scotland's planning system, to support delivery of NPF4 policy 3(b).

4.9.19 This consultation paper does not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlight here the advice set out in the Scottish Government's draft Planning Guidance on

Biodiversity, as referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making.

4.9.20 The commission's final outputs are expected to include:

- a Scottish biodiversity planning metric tool (to be hosted on the NatureScot website), which is based on current understanding of science and evidence, clear and transparent in its workings, accessible and easy to use by relevant professionals with outputs understandable by decision makers, and which informs siting and design of development as well as evidence-based decision making; and
- a user guide supporting the metric (together with any supporting information).

The application of Policy 3

4.9.21 Notwithstanding the lack of policy guidance at national level in Scotland, there will be a permanent enhancement delivered through the Applicant's proposed enhancements to the natural habitat.

4.9.22 Biodiversity Net Gain (BNG) is a process which leaves nature in a better state than it started. Although it is an internationally recognised process and tool within the development industry, it is not a term that is widely used or implemented in Scotland at this time. SSEN Transmission has developed a BNG toolkit based upon the accepted Department for Environment, Food and Rural Affairs (DEFRA) metric which aims to quantify biodiversity based upon the value of habitats for nature. It is an efficient and effective method for demonstrating whether development projects have been able to maintain or increase the biodiversity value of a development site after construction works.

4.9.23 The Applicant is committed to delivering a 10% net gain for biodiversity as part of the project. The Proposed Development would demonstrably deliver significant positive effects and strengthen nature networks and the connections between them, so they are in a demonstrably better state than without intervention consistent with the provisions of Policy 3.

4.9.24 The BNG Report submitted with the application details the BNG assessment undertaken for the Proposed Development. The BNG Report found that the baseline BNG was 26.75 BU, while the post development BNG was 22.01 BU. Overall the Proposed Development has a 17.71% decrease on the on-site biodiversity and as a result off-site compensation is needed to ensure the Applicant's 10% net gain targets are met. Exploration of opportunities for off-site compensation are ongoing. The amount of biodiversity units required from off-site habitat creation is recorded as 7.41 BU. Opportunities will be identified to deliver additional ecological benefits as a result of habitat creation and enhancement both on and off-site.

4.9.25 In addition to numerical BNG gains, future detailed assessments will consider broader ecological and community benefits. This will include consideration of opportunities to contribute towards national biodiversity targets, alignment with local plans and strategies, integration of habitats and/or collaboration with adjacent land managers, and potential to deliver community benefits.

4.9.26 As part of that process appropriate implementation, maintenance and monitoring procedures will be developed and agreed with stakeholders for embedding into the final proposals for off-site delivery of BNG and biodiversity enhancement. These measures will ensure that habitat enhancements remain sustainable in the long-term.

4.9.27 Irreplaceable Habitats are habitats that are technically very difficult or impossible to restore, recreate or replace once destroyed. The Applicant considers Irreplaceable Habitats within their network to be ancient woodland (Categories 1a and 2a of the Ancient Woodland Inventory (AWI)), individual ancient or veteran trees and blanket bog or raised bog in good or moderate condition. The Proposed Development does not cause a loss or deterioration of such habitats.

4.9.28 The Applicant is committed to delivering significant biodiversity enhancement as part of the Proposed Development in the form of both on and off site habitat creation. SSEN Transmission is actively assessing a pipeline of off-site projects, working with local stakeholders to identify suitable areas for habitat creation. Once these off-site opportunities are confirmed, site-specific BNG calculations will be undertaken to ensure the 10% target is met for all affected habitats, in line with the relevant trading rules and SSEN Transmission's commitment to leaving the natural environment in a demonstrably better state, in accordance with the requirements of Policy 3.

4.9.29 The principal and essential benefit of the Proposed Development is a significant contribution of energy transmission and security within a modern grid network with enhanced capacity, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.10 NPF4 Policy 4: Natural Places

Policy 4 & Principles

4.10.1 Policy 4, Paragraph c) deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or NSA should be addressed.

4.10.2 Policy 4, Part c) states that:

"*Development proposals that will affect the National Park or National Scenic Area….. will only be supported where:*

the objectives of designation and the overall integrity of the areas will not be compromised; or

any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance."

4.10.3 There are no national landscape interests that would be affected by the Proposed Development.

4.10.4 Policy 4, Paragraph d) deals with local landscape designations and contains a different policy approach to that which was contained within the former SPP. Policy 4 is as follows:

"*Development proposals that affect a site designated as …a local landscape area in the LDP will only be supported where:*

Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or

Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance".

4.10.5 The policy now follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "*integrity*" of the area or "*the qualities for which it has been identified*".

4.10.6 The policy set out in the second limb of NPF4 Policy 4, Part d) provides that development proposals that affect a site designated as a local landscape area will only be supported where any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance. It must be noted that:

> this policy provision, reflects the wider NPF4 policy that adverse effects (including adverse landscape and visual effects outside of a National Park or National Scenic Area) must be balanced against the benefits of a proposed development;

- the second limb is independent of the first ("or") and is to be applied where a decision-maker concludes that a proposed development will have significant adverse effects on the integrity of a local designation;
- NPF4, Policy 4, Part d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").

The application of Policy 4

4.10.7 As explained above in the context of NPF4 Policy 11 (Energy), the EIAR contains an assessment of the effects of the Proposed Development and concludes there will be no significant effects in relation to landscape designations by the Proposed Development.

4.10.8 Additionally, no significant effects are predicted in relation to European, national, or local designated sites for nature conservation.

4.10.9 The Proposed Development would result in benefits of national importance and is considered to be in accordance with Policy 4.

4.11 NPF4 Policy 5: Soils

Policy 5 & Principles

4.11.1 **Policy 5 b)** relates to development on prime agricultural land.

4.11.2 **Policy 5 c)** states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects. The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development. This is very similar to the policy position that was in SPP; however, a key difference is that essential infrastructure with a specific locational need is a type of development expressly envisaged to be acceptable in principle on peatlands (Paragraph c).

The application of Policy 5

4.11.3 Although the Site is given over to agriculture, the soils on Site are not Prime Agricultural Land. Given the Sites history, and current use, as arable land it is not anticipated that soil pollution is present and therefore construction of the Proposed Development is considered unlikely to mobilise contaminants.

4.11.4 NatureScot (2016) Carbon and Peatland Mapping indicates that there are no areas of peat or carbon rich soils within the Proposed Development. The soils are classed as Class 0 – Mineral Soils.

4.11.5 The Applicant has developed a Soil Management General Environmental Management Plan (GEMP) which would be adhered to for the Proposed Development. All soils will be appropriately reinstated on completion of construction works.

4.11.6 No Significant effects are likely for soils during the construction and operation or cumulatively.

4.11.7 The Proposed Development is considered to be in accordance with Policy 5.

4.12 NPF4 Policy 6: Forestry, Woodland and Trees

Policy 6 & Principles

4.12.1 The policy intent is to protect and expand forests, woodland and trees. It states that development proposals that enhance, expand and improve woodland and tree cover will be supported.

4.12.2 Policy 6 Paragraph b) states that "*development proposals will not be supported where they will result in*:

"*i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;*

ii. Adverse impacts on native woodlands, hedgerow and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

Iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry."

The application of Policy 6

4.12.3 Tower TW8 on the Westfield – Tealing 275 kV OHL, nominally located within Long Established of Plantation Origin (LEPO) woodland, is west of the location where new works would be required for the OHL diversion and would not be affected by the Proposed Development. No Significant effects are likely during construction or operation.

4.12.4 The Proposed Development is therefore considered to be in accordance with Policy 6.

4.13 NPF4 Policy 7: Historic Assets and Places

Policy 7 & Principles

4.13.1 In terms of Policy 7 which deals with Historic Assets and Places, the policy is very similar to that which was in the former SPP (paragraph 145).

4.13.2 The intent of the policy is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:

4.13.3 **Paragraph c)** states that "*development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest*".

4.13.4 **Paragraph d)** states that "*development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced*".

4.13.5 **Paragraph h)** states that "development proposals affecting Scheduled Monuments will only be supported where:

i) *direct impact on the Scheduled Monument are avoided;*

ii) *significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or*

iii) *exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised*.

4.13.6 **Paragraph l)** states that "*development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site or its setting*".

4.13.7 **Paragraph o)** states that "*non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact*".

The application of Policy 7

4.13.8 As explained above under Policy 11, the cultural heritage assessment has found one operational impact of moderate significance (significant in EIA terms) to the setting of the Balkemback Cottages Stone Circle (SM 2868). The remainder of operational impacts upon the settings of heritage assets in the Outer Study Area would be of no more than minor significance (not significant in EIA terms).

4.13.9 The key setting elements of the Balkemback Cottages Stone Circle (SM 2868) would be retained, and the experience, appreciation, and understanding of the Scheduled Monument's cultural significance, as this is conveyed through setting, would remain possible. As such, the impact of the Proposed Development to the integrity of the stone circle's setting would not amount to a significant adverse effect in the context of NPF Policy 7 (h).

4.13.10 The Proposed Development is considered to accord with the provisions of Policy 7 so far as they are relevant to the nature of the development as proposed.

4.14 NPF4 Policy 22 Flood risk and water environment

4.14.1 The intent of Policy 22 is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

4.14.2 Paragraph a) explains that development proposals at risk of flooding or in a flood risk area will only be supported in certain circumstances, including i. essential infrastructure where the location is required for operational reasons.

4.14.3 Paragraph c) of the policy states that development proposals should not increase the risk of surface water flooding to others, or itself be at risk. In addition, all rain and surface water should be managed through Sustainable Urban Drainage Systems (SUDs).

Application of Policy 22

4.14.4 The Proposed Development is classed as essential infrastructure, and its location is required for operational reasons, as accepted by Policy 22.

4.14.5 As explained above in relation to Policy 11, two of the existing towers to be upgraded are within a flood risk area. Works would not be undertaken during a flood event. New development would be located out with flood risk areas where possible, however the Tie-Back east section of the Proposed Development would be within a surface water flood risk area. Extra precautions will be followed whilst working in flood risk areas. Sustainable Urban Drainage Systems will be used to manage surface water runoff.

4.14.6 The Chief Planner's letter of June 2025 provides new advice and guidance around the application of Policy 22. It highlights that policies in NPF4 should be read and applied as a whole and that some conflict between different policies is normal and to be expected.

4.14.7 The Proposed Development is not considered to increase the risk of flooding on site or elsewhere and overall is deemed to accord with Policy 22.

4.15 Conclusion on NPF4 Appraisal

4.15.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.15.2 A key point within Policy 11 (Energy) is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case.

4.15.3 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crises). This policy direction fundamentally alters the planning balance compared to the position that was set out in in the former NPF3 and SPP.

4.15.4 The term “tackling” the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.15.5 The National Spatial Strategy set out in NPF4 is intended to support the delivery of three types of ‘place’ in Scotland: namely, Sustainable, Liveable and Productive places.

4.15.6 Eighteen National Developments are identified to support the strategy, and they are to be a “focus for delivery” (NPF4 page 4). National Development 3 (strategic renewable electricity generation and transmission infrastructure) is one of six National Developments which support the delivery of Sustainable Places.

4.15.7 Sustainable Places are primarily concerned with dealing with the climate crisis, and this issue is seen as a fundamental threat to the capacity of the natural environment to provide the services and amenities relied on, including clean air, water and food (NPF4, page 6).

4.15.8 In order to deliver Sustainable Places, NPF4 makes it clear that there must be significant progress in achieving net zero emissions by 2030 in order to hit the overall target of net zero by 2045.

4.15.9 Furthermore, it sets out that meeting the Government's climate ambition will require a rapid transformation across all sectors of the economy and society and that this means ensuring “*the right development happens in the right place*” (Page 7)

4.15.10 The importance of applying NPF4 and its aims and objectives as a whole is demonstrated within the recent Creag Dhubh to Dalmally 275 kV Section 37 decision which recognises that conflict with some areas of policy can arise - in that case Policy 6 (Ancient Woodland loss) and to a lesser degree due to localised amenity harm. However, in applying NPF4 as a whole, there was recognition of the wider benefits and accordance with policy. The Ministers stated the following in their Decision letter on that proposed development:

“However, it would satisfy the requirements of all other development plan policies and would benefit from being a national development in NPF4 and from the support that is given within NPF4 to developments that contribute to renewable energy generation and greenhouse gas emissions reduction. Therefore, the Scottish Ministers conclude that the Development is, overall, in accordance with and supported by NPF4”.

4.15.11 The Proposed Development would result in localised significant landscape and visual effects within 1 km of the Site, and as such these would be localised in nature. Additionally, significant adverse effects are predicted for one scheduled monument however it would not result in an impact on the integrity of the asset. The resulting effects are deemed to be acceptable in the context of NPF4 and the requirement to reach national climate change targets.

4.15.12 In a development management context, the application of NPF4 policies has to be done by reading NPF4 as a whole. The policy appraisal contained in this Statement has demonstrated that the Proposed Development would accord with NPF4 when it is read as a whole, and as a consequence, the proposal is considered to be the right one in the right location and one which will contribute to Scotland being a Sustainable Place.

5. Appraisal against the Local Development Plan

5.1 Introduction

1.1.1 The other elements of the statutory Development Plan covering the site comprises the ALDP (2016).

5.1.1 The ALDP was prepared and adopted prior to NPF4 coming into force and as such reflect the provisions of NPF3 and Scottish Planning Policy, both now superseded. Where conflicts or contradictions exists between the LDP and NPF4, or where LDP is silent, the provisions of NPF4 prevail.

5.1.2 Relevant policies from the LDP are referenced below in **Table 5.1**. This Chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 4 against the policy provisions of NPF4. An assessment of key policy and consideration of areas of conflict or contradictions with NPF4 is provided.

5.2 Angus LDP

5.2.1 The Angus LDP makes reference to the Scottish Government targets in terms of moving towards a low carbon economy and identifies planning as having a key role in delivering this. Namely it refers to the target for 100% equivalent to Scottish electricity demand generated from renewable sources by 2020; a largely decarbonised electricity generation sector by 2030; and, a largely decarbonised heat sector by 2050 with significant progress by 2030.

5.2.2 Given the age of the ALDP these targets are outdated and as set out in Chapter 2 of this Planning Statement, the Scottish Government has much more ambitious targets to achieve in relation to achieving net zero and decarbonising the electricity grid.

The Lead LDP Policy

5.2.3 Notwithstanding the age of the ALDP, Policy PV9 Renewable and Low Carbon Energy Development is generally supportive of new renewable and low carbon energy development including infrastructure, activity and materials required for transmission of energy, subject to certain criteria being met.

5.2.4 The policy wording of PV9 Renewable and Low Carbon Energy Development is as follows:

"Proposals for renewable and low carbon energy development will be supported in principle where they meet the following criteria:*

the location, siting and appearance of apparatus, and any associated works and infrastructure have been chosen and/or designed to minimise impact on amenity, landscape and environment, while respecting operational efficiency;

access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable change to the environment and landscape;

the site has been designed to make links to the national grid and/or other users of renewable energy and heat generated on site;

there will be no unacceptable impact on existing or proposed aviation, defence, seismological or telecommunications facilities;

there will be no unacceptable adverse impact individually or cumulatively with other existing or proposed development on:

- *landscape character, setting within the immediate and wider landscape (including cross boundary or regional features and landscapes), sensitive viewpoints and public access routes;*
- *sites designated for natural heritage (including birds), scientific, historic, cultural or archaeological reasons;*
- *any populations of protected species; and*
- *the amenity of communities or individual dwellings including visual impact, noise, shadow flicker.*
- *during construction, operation and decommissioning of the energy plant there will be*
- *no unacceptable impacts on:*
- *groundwater;*
- *surface water resources; or*
- *carbon rich soils, deep peat and priority peatland habitat or geodiversity.*

Where appropriate mitigation measures must be supported by commitment to a bond commensurate with site restoration requirements.

Consideration may be given to additional factors such as contribution to targets for energy generation and emissions, and/or local socio-economic economic impact.

Supplementary guidance will be prepared to set out a spatial framework to guide the location of onshore wind farm developments, consistent with the approach set out in Table 1 of Scottish Planning Policy. It will also provide further detail on the factors which should be taken into account in considering and advising on proposals for all types of renewable energy development.

Prior to the adoption of that supplementary guidance, the Council will apply the principles and considerations set out in Scottish Planning Policy in assessing the acceptability of any planning applications for onshore wind farms.

infrastructure, activity and materials required for generation, storage or transmission of energy where it is within the remit of the council as local planning authority (or other duty). Includes new sites, extensions and/or repowering of established sites for onshore wind." (emphasis added)

5.2.5 Having considered this policy alongside Policy 11 of NPF4, it is considered that there is a partial conflict between Policy PV9 and Policy 11, whereby the NPF4 sets a lower compliance threshold for renewable energy developments and grid transmission infrastructure that would result in localised landscape and visual impacts. Policy 11 also directs decision makers to afford significant weight to the contribution a given development would make to targets, which is not allowed for within PV9.

5.3 Other Relevant LDP Policies

5.3.1 The other policies of relevance in the ALDP are summarised below in **Table 5.1** with brief comment added with regard to how the policies relate to the policies of NPF4, where relevant:

Table 5.1: ALDP 2 Policy Summary

Policy	Topic	Policy Summary	Position against the NPF4
Policy DS1	Development Boundaries and Priorities	This policy states that the Council will support proposals where public interests and social, economic, environmental, or	No conflicts or contradictions with NPF4.

Policy	Topic	Policy Summary	Position against the NPF4
		operational considerations confirm the need for development that is proposed. Furthermore, supported proposals should be of an appropriate scale and nature with regards to their specific location and should be in accordance with all other relevant policies of the ALDP.	
Policy DS3	Design Quality and Placemaking	This policy states that development proposals should deliver a high design standard and contribute positively to the character and sense of place in the area in which they are to be located. Developments should also make a good use of existing resources and sites and should develop a design to minimise environmental impacts and maximise the use of local climate and landform.	No conflicts or contradictions with NPF4.
Policy DS4	Amenity	This policy states that proposed developments should have full regard to opportunities for maintaining and improving environmental quality. The Council will consider the impacts of developments on air quality, noise and vibration levels, levels of light pollution and others similar environmental considerations.	No conflicts or contradictions with the NPF4
Policy PV1	Green Networks and Green Infrastructure	Angus Council will seek to protect, enhance and extend the wildlife, recreational, amenity, landscape, access and flood management value of the Green Network. Development proposals that are likely to erode green networks and green infrastructure will not be permitted unless appropriate mitigation or replacement can be secured. In some cases, a developer contribution towards enhancement of the wider Green Network may be appropriate.	No conflicts or contradictions with the NPF4.
Policy PV3	Access and Informal Recreation	This policy states that new development should not compromise the integrity or amenity of existing recreational access opportunities including access rights, core paths and rights of way. If existing accesses cannot be retained, the Council requires that alternative provisions are offered. Provisions for public access should also be	No conflicts or contradictions with NPF4.

Policy	Topic	Policy Summary	Position against the NPF4
		incorporated into all new development proposals.	
Policy PV4	Sites Designated for Natural Heritage and Biodiversity Value	The Council will seek to protect and enhance habitats of natural heritage value. Development proposals which are likely to affect protected sites will be assessed to ensure compatibility with the appropriate regulatory regime.	No conflicts or contradictions with NPF4.
Policy PV5	Protected Species	The Council will seek to protect and enhance all wildlife and their habitats, important roost or nesting places. Development proposals which are likely to affect protected species (including European, nationally, or locally protected species) will be assessed to ensure compatibility with the appropriate regulatory regime depending on the level of protection.	No conflicts or contradictions with NPF4.
Policy PV6	Development in the Landscape	The Council seeks to protect and enhance the quality of the landscape, its diversity and distinctive local characteristics, important views, and landmarks. New developments which have an adverse effect on landscape will only be accepted, where: The selected site is capable of accommodating the proposed development; The siting and design integrate with local landscape; Potential impacts with any other relevant proposals are considered to be acceptable; and There are adopted mitigation measures and/or reinstatement are proposed where appropriate.	Policy 11 'Energy' states that where significant landscape and visual impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable. *Conflict by virtue of the NPF4 having a lower compliance threshold for renewable energy developments that would result in localised significant landscape and visual impacts. In addition, NPF4 Policy 4 has a specific test in relation to local landscape designations.*
Policy PV8	Built and Cultural Heritage	The Council will seek protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. Development proposals which affect Scheduled Monuments,	No conflicts or contradictions with NPF4.

Policy	Topic	Policy Summary	Position against the NPF4
		Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where: proposed development will not adversely affect the integrity of the site or the reasons for which it was designated; any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and appropriate measures are provided to mitigate any identified adverse impacts.	
Policy PV12	Managing Flood Risk	The Council will seek to reduce potential risk from flooding and there will be a general presumption against built development proposals on the functional floodplain which would involve land raising resulting in the loss of the functional flood plain or which would materially increase the probability of flooding to existing or planned development. Where appropriate, development proposals will be assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans, and will be considered within the context of SEPA flood maps to assess and mitigate surface water flood potential. Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.	Policy 22 'Flood Risk and Water Management' aims to strengthen avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Development proposals at risk of flooding or in a flood risk area will only be supported if they are for essential infrastructure where the location is required for operational reasons. *There is some conflict between Policy PV12 'Managing Flood Risk' and Policy 22 'Flood Risk and Water Management'. NPF4 makes provision for instances where development proposals in a flood risk area will be supported, this includes essential infrastructure where the location is required for operational reasons.*
Policy PV20	Soils and Geodiversity	Development proposals on prime agricultural land will be supported if they: Support the delivery of the development strategy and policies in the ALDP; and Constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements. Furthermore, all development proposals will be incorporate measures to manage, protect and	No conflicts or contradictions with the NPF4.

Policy	Topic	Policy Summary	Position against the NPF4
		reinstate valuable soils, groundwater, and soil biodiversity during construction.	

5.4 Conclusions on the LDP

5.4.1 The relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and are not repeated with reference to the policies of the ALDP.

5.4.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of ALDP Policy PV9 or indeed other relevant policies within the local development plan.

5.4.3 Moreover, through considering the other relevant policies, it is considered that the Proposed Development accords with the LDP when it is read as a whole.

5.4.4 The policy provisions of the LDP are based on those of the 2014 SPP. In addition, there are some incompatibilities between the LDPs and the policies of NPF4 as explained above. This means, as per the amendments made to the 1997 Act, that the provisions of NPF4 (which is the later element of the Development Plan) must prevail.

6. Conclusions

6.1 The Electricity Act 1989

6.1.1 Paragraph 3 of Schedule 9 to the 1989 Act places a specific statutory duty on the Scottish Ministers to have regard to various matters when considering development proposals for consent under section 37 of the 1989 Act.

6.1.2 The information that is contained within the individual topic sections of the EIAR as well as other supporting documentation therefore enables Scottish Ministers to be satisfied that the obligations under Schedule 9 are met and that suitable mitigation has been identified. It is also considered that the detailed work undertaken in the formulation of the EIAR overall has confirmed and provides confidence that the Proposed Development would be undertaken in an environmentally acceptable manner.

6.2 The Climate Crisis & Renewable Energy Policy Framework

6.2.1 The nationally important benefits of the Proposed Development have been set out in the context of the current Climate Emergency – the Proposed Development would help address the issue of global heating and very challenging 'net zero' targets and contribute to improving security of supply.

6.2.2 A large and rapid increase in electricity generation from renewable sources is essential for Scotland to meet its net zero emissions targets. In turn this helps support jobs and business investment. The grid needs substantial reinforcement including new infrastructure to connect and transmit output from new generators and delivering this, and enabling connections is fundamental to achieve a net zero economy and supporting improved network resilience. The Proposed Development is an essential component within the context of the wider National Developments because it rationalises the OHL connections into and around the Emmock Substation.

6.2.3 ND3 supports renewable electricity generation and repowering and expansion of the electricity grid. The infrastructure is designated as national development and essential infrastructure and is explicitly supported by NPF4 Policy 11(a)(ii) Energy.

6.3 The Planning Balance & Conclusion

6.3.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the Climate Emergency and the contribution of individual developments to tackling climate change.

6.3.2 NPF4 came into force on 13 February 2023 and provides up to date statements of Scottish Government policy, directly applicable to determination of this application. This should be afforded very considerable weight in decision-making.

6.3.3 NPF4 is unambiguous as regards the policy imperative to combat climate change, the crucial role of facilitating further renewable energy production and transmission and the scale and urgency of renewables deployment required. As described in this Planning Statement:

- The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "*at the heart of our vision for a future Scotland*" so that "*the decisions we make today will be in the long-term interest of our country*"[32]. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that which was set out in NPF3 and SPP;
- NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global Climate Emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step

[32] NPF4, page 2.

change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and

- NPF4 is clear that grid transmission infrastructure plays a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including transmission infrastructure.

6.3.4 This change in policy is also seen in the designation of transmission infrastructure applications as National Developments. National Developments are significant developments of national importance and essential infrastructure that will help to deliver the spatial strategy, as the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains.

6.3.5 Scottish Ministers have reinforced the position set within policy within their decision on the Creag Dhubh to Dalmally 275kV OHL project[33] stating (paragraph 87) of their Decision Letter that:

"Scotland faces a real challenge in building an electricity grid which will allow Scotland to harvest and export its vast resources of clean energy. ***The Scottish Ministers recognise that to achieve the dual aims of maintaining a resilient electricity network for businesses and consumers and enabling renewable ambitions to be realised, the need for grid reinforcement is greater than ever…****"* (emphasis added)

6.3.6 Furthermore, paragraph 88 of the Decision Letter states:

"Scotland's energy policies and planning policies are all material considerations when weighing up the proposed Development. ***NPF4 makes it clear that low carbon energy deployment, maintaining security of electricity supply, and electricity system resilience remain a priority of the Scottish Government.*** *These are matters which should be afforded significant weight in favour of the Proposed Development".* (emphasis added)

6.3.7 The Proposed Development accords with relevant policies and is in accordance with the statutory Development Plan when read as a whole. The Proposed Development has been designed with embedded mitigation as well as applied and additional mitigation where necessary to ensure a satisfactory relationship with the receiving environment and to protect residents and communities from undue impact. While some significant adverse effects remain following the application of mitigation, these are limited and localised.

6.3.8 The Proposed Development is considered to be in accordance with policy and delivers essential infrastructure improvements whilst ensuring biodiversity enhancement in line with the Applicants 10% net gain commitment, and local socio-economic benefits where possible, in order to contribute to Net Zero and in doing so addresses both the global climate and nature crisis.

[33] ECU Case Reference: ECU00002199
https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=122768&T=20

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