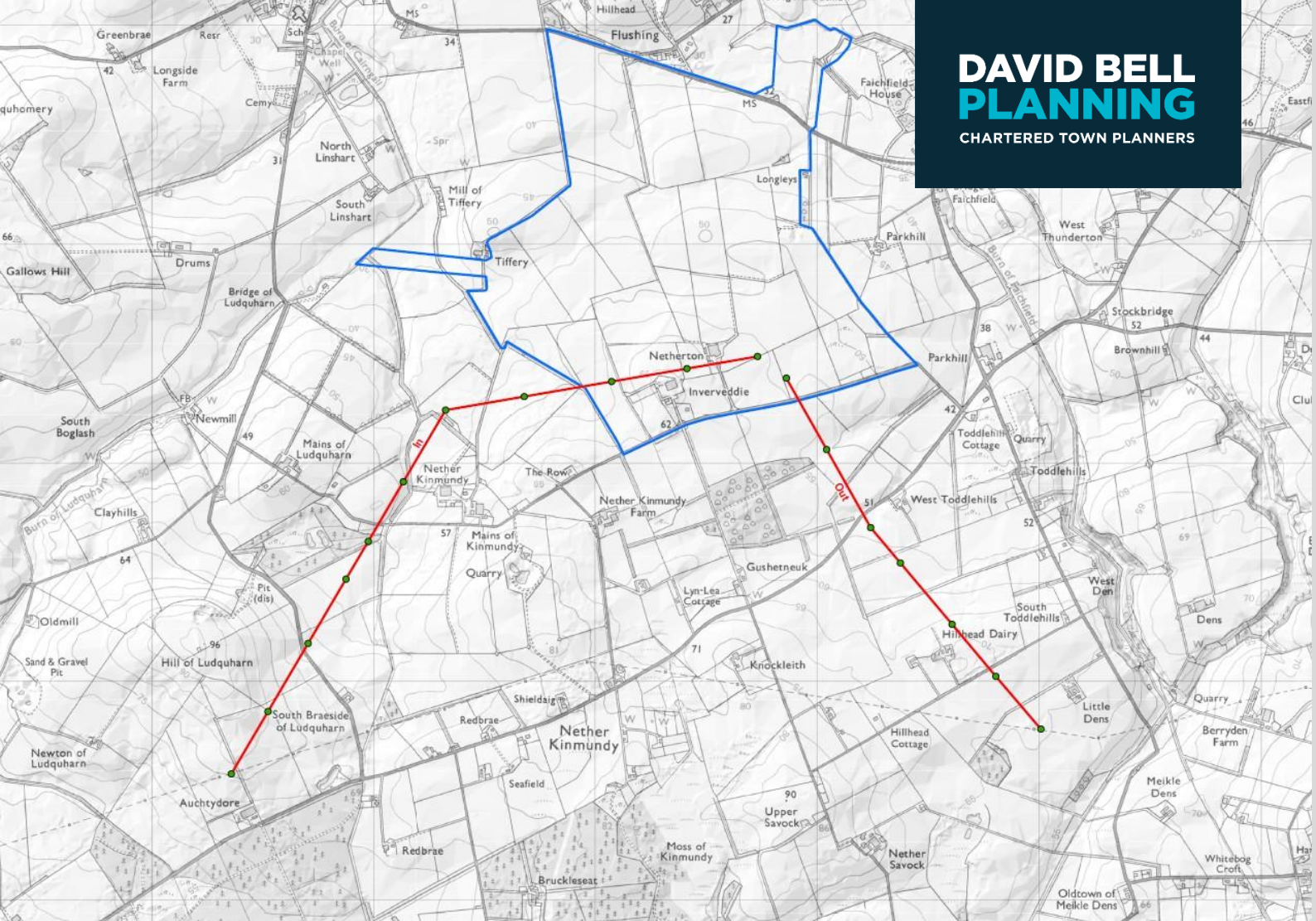




Netherton Hub

400 kV OHL Connection to New Deer & Peterhead - Tie-In:

Planning Statement

July 2026

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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 construct, install and operate a permanent diversion, otherwise known as the 'Tie-In', (hereafter referred to as the 'Proposed Development') to replace part of the existing New Deer to Peterhead 400 kV Overhead Line ('OHL') by creating a diversion into the Netherton Hub. The Netherton Hub, which has been consented separately, is currently under construction.
- 1.1.2 To ensure compliance with the terms of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the 'EIA Regulations') the Applicant submitted a request for an Environmental Impact Assessment ('EIA') Screening Opinion to the Scottish Government Energy Consents Unit ('ECU') in April 2025. An EIA Screening Opinion was adopted by the ECU in July 2025, which determined that the Proposed Development does not constitute EIA development in terms of the EIA Regulations. The Opinion nevertheless outlined environmental topics which should be considered further as part of the Section 37 application.
- 1.1.3 The Applicant is therefore submitting a voluntary Environmental Appraisal Report ('EAR') with the application for consent which evaluates whether any specific environmental effects are likely to occur as a result of the Proposed Development.
- 1.1.4 This Planning Statement considers the case for approval in land use planning policy terms at the national and local 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 Government's legally binding net zero commitments and which will ensure security of supply.
- 1.1.5 The Proposed Development is categorised as National Development under the provisions of National Planning Framework 4 ('NPF4')¹, National Development 3 'Strategic Renewables Electricity Generation and Transmission Infrastructure' and forms a vital element in the delivery of network and grid infrastructure to support net zero ambitions.

1.2 Background to the Proposed Development

- 1.2.1 Significant volumes of new renewable generation are expected to connect to the SSEN Transmission network, resulting in much greater bulk power transfer requirements on all major SSEN Transmission boundaries. A strategic hub at Peterhead is required for the purpose of establishing a common and coordinated approach to development for the future network reinforcements as identified in the Holistic Network Design to meet the UK's 2030 net zero targets. This holistic approach to project planning and development was considered necessary to maximise the potential efficiencies which comes from a single coordinated and collocated development site for both Alternating Current ('AC') and Direct Current ('DC') transmission infrastructure in the region. This collective development will substantially strengthen the local transmission network and support new onshore and offshore connections, such as those created through the Scotwind offshore lease rounds. Furthermore, it will help facilitate the export of future renewable generation from the North of Scotland to demand centres throughout the UK.

¹ Scottish Government (2023) National Planning Framework 4.

- 1.2.2 The diversion of the existing New Deer to Peterhead 400 kV OHL into a 400 kV AC substation (the 'Netherton Hub') is required to integrate the new substation site into the existing network and maximise the transfer capability between the new Hub substation and the wider transmission network to increase network security.
- 1.2.3 The Applicant is committed to leaving a positive legacy for nature with a commitment to deliver 10% Biodiversity Net Gain (BNG) on all projects granted consent, alongside a further commitment to protecting irreplaceable habitats and continuing to delivery no net loss of woodland. These are important considerations in the design and delivery of all projects for the Applicant.

1.3 The Statutory Framework

The Electricity Act 1989

- 1.3.1 As the Transmission Licence holder in the north 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.
- 1.3.2 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.
- 1.3.3 Separately, it is also the Applicant's duty to consider the possible environmental impacts of new overhead, underground and subsea cables 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 when designing its transmission system proposals.
- 1.3.4 The Application for the Proposed Development 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.
- 1.3.5 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.
- 1.3.6 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. Schedule 9, sub-paragraphs 3(1) and (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."
- 1.3.7 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; "
- 1.3.8 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"

- 1.3.9 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.”*
- 1.3.10 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is not expressly identified as a consideration within the 1989 Act (unlike, for example, Section 25 of the 1997 Act, considered below). Nevertheless, it is a material consideration which should be taken into account alongside all other relevant material considerations.

The Town and Country Planning (Scotland) Act 1997

- 1.3.11 Section 57(2) of the 1997 Act provides that on granting a consent under section 36 or 37 of the Electricity Act 1989 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.
- 1.3.12 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”.*
- 1.3.13 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(2) does not apply section 25 to a decision to make a direction to grant deemed planning permission pursuant to section 57(2)².
- 1.3.14 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.
- 1.3.15 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 energy and national planning policy considerations are relevant to the Proposed Development?
 - > What Development Plan policies (including local policy provisions) are relevant to the proposal which provide a policy framework for the consideration of environmental effects arising from the Proposed Development?

1.4 Key Facts

- 1.4.1 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 132 kV 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 Policy 11(a)(ii) (Energy).

² William Grant & Sons Distillers Limited, Court of Session [2012] CSOH 98.

- > 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 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.

Location: All Scotland

Need: 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 deliver nationally important 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 implemented 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 in nature.

1.5 Structure of Statement

1.5.1 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 Proposed Development.

1.5.2 This Statement is structured as follows:

- > **Chapter 2** describes the Proposed Development;
- > **Chapter 3** sets out the up-to-date position with regard to the renewable energy and emissions reduction legislative and policy framework and includes reference to the Scottish Government’s Draft Energy Strategy and Just Transition Plan;
- > **Chapter 4** sets out the benefits of the Proposed Development;
- > **Chapter 5** appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- > **Chapter 6** appraises the Proposed Development against the relevant provisions of the Local Development Plan (‘LDP’) and related guidance; and
- > **Chapter 7** examines the planning balance and presents overall conclusions.

2. The Site and Proposed Development

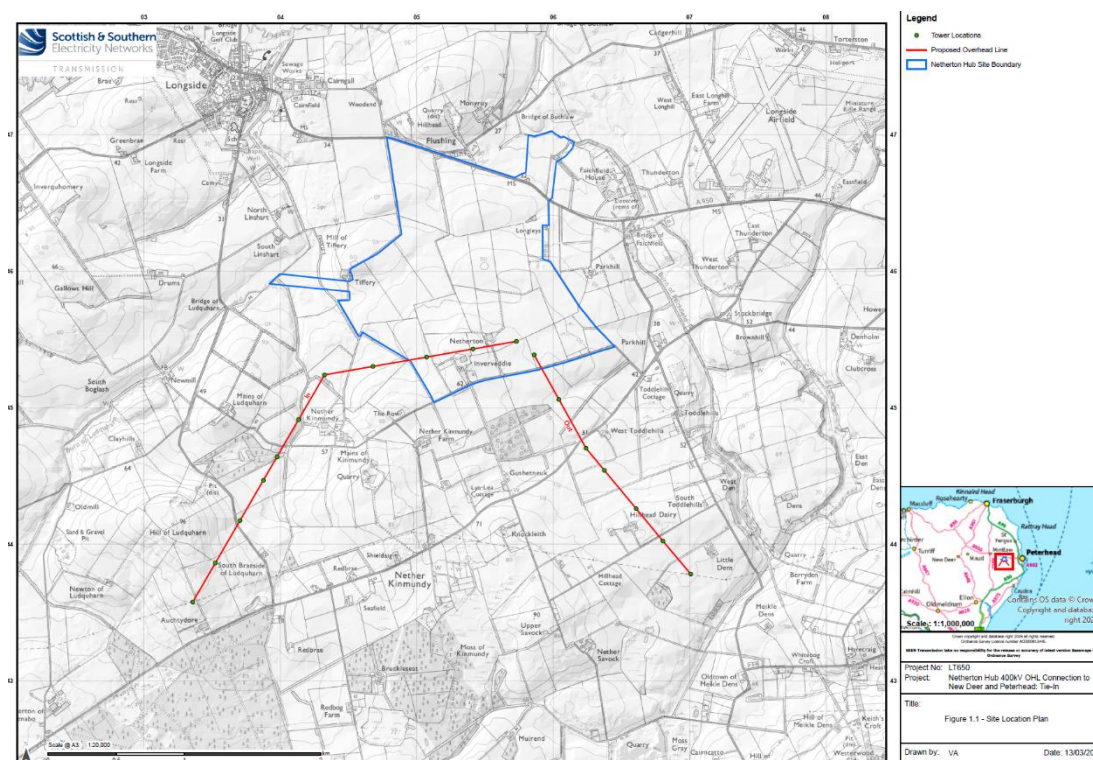
2.1 Introduction

2.1.1 This Chapter describes the Site and its location alongside providing a description of the elements that constitute the Proposed Development. It provides a description of the key components and information regarding the construction, operation and maintenance of the Proposed Development.

2.2 Site Location and Description

2.2.1 The Site is located within a rural area west of the settlement of Peterhead and passes through the locality of Nether Kinmundy. The location of the Proposed Development is shown in **Figure 1.1** below.

Figure 1.1: Site Location



2.2.2 The midpoint of the 'In' leg of the Proposed Development has the National Grid Reference NK 04044 44606 and, at its furthest point from the Netherton Hub, is approximately 7.5 km south west of Peterhead. The midpoint of the 'Out' leg has the National Grid Reference NK 06867 43865, and is approximately 3.9 km south west of Peterhead.

2.2.3 There is an existing OHL south of the Proposed Development which passes through Nether Kinmundy from New Deer in a south east direction toward Peterhead.

2.2.4 The Site for the Proposed Development comprises the proposed location of the new OHL, the existing OHL and towers to be dismantled, and the Limits of Deviation ('LoD'). The LoD comprises an area which defines the practical limits within which micro-siting of the overhead line infrastructure can be sited and construction can be undertaken within the terms of the Section 37 consent.

2.2.5 Both the 'In' and 'Out' legs of the proposed OHL alignment are located in a rural area comprising predominantly agricultural land, with approximately 20 properties interspersed throughout the Site and surrounding area. A section of native woodland is located in the south east of the Site, approximately 100 m from one of the temporary towers that forms part of the Proposed Development. There is also one area of Class 1 peatland (nationally important carbon-rich soils, deep peat and priority peatland habitat) at the location of one of the proposed access tracks and one of the dismantled towers.

2.2.6 In terms of landscape character³ the location is within a Coastal Agricultural Plain, characterised by gently undulating landform and typically comprising low-lying exposed farmland.

2.2.7 The Site is not located within any statutory or non-statutory designated sites.

2.3 The Proposed Development

2.3.1 The purpose of the Proposed Development is to construct and install a permanent diversion (the 'Tie-In') of the existing New Deer to Peterhead 400 kV OHL into a new 400 kV Alternating AC substation, proposed separately as part of the consented Netherton Hub, which is currently being constructed.

2.3.2 The Proposed Development comprises the following elements which are described in detail in **Chapter 2 (Description of Proposed Development)** in the EAR:

- > **Overhead Line Connection** - One section of 400 kV OHL stemming from the existing New Deer to Peterhead OHL to the Netherton Hub substation (the 'In' leg) and one section of 400 kV OHL connecting the substation back to the existing New Deer to Peterhead OHL (the 'Out' leg), and the erection of 18 new towers.
- > **Temporary Diversions** - Temporary diversions of the OHL to facilitate the diversion of the existing OHL to the new length of OHL during the construction phase.
- > **Existing OHL and Towers** - Dismantlement of the existing OHL between the points of diversion and 12 redundant towers.
- > **Construction Infrastructure** - Creation of approximately 10 km of proposed access tracks and upgrade of approximately 1 km of existing access tracks to provide an access route for construction vehicles between the public road network and the site during the construction phase.

2.3.3 Additional information on each of the development elements is set out below.

The Overhead Line Connection

2.3.4 The proposed 400 kV 'In' leg will divert from the existing New Deer to Peterhead OHL to the Netherton Hub for a length of approximately 3.3 km, while the proposed 400 kV 'Out' leg will connect the Netherton Hub back to a new proposed OHL ('The Rebuild') that will connect to the Peterhead substation, for a length of approximately 2 km.

2.3.5 The Proposed Development will consist of 18 steel lattice towers – 11 towers along the 'In' leg and seven towers along the 'Out' leg – which will support six conductor bundles on six cross arms and an earth wire between the peaks for lightning protection. The 'In' Tie-In to the Netherton Hub from the west will use the same L8(c) towers as the existing line. These towers are expected to have an average height of approximately 55 m. The 'Out' Tie-In from Netherton Hub eastwards will use the ASTI SSE400 tower design due to the requirement to support larger conductors to facilitate greater power transfer. These towers are expected to have an average height of approximately 57 m.

³ Nature Scot (2019). SNH National Landscape Character Assessment: – Aberdeenshire.

- 2.3.6 The average distance between the towers is expected to be between 320 m and 350 m for both the 'In' and 'Out' sections, with the distance between them depending on several factors such as altitude, climatic conditions and topography.

Temporary Diversion

- 2.3.7 Two temporary diversion towers will be erected at Grid Reference NK 03349 43523 and Grid Reference NK 06972 43735 respectively, as shown on **Figure 1.2: Site Layout Plan in the EAR** (and reproduced below), to facilitate the diversion of the existing OHL to the new length of OHL during the construction phase. Once the permanent towers have been erected and the conductors transferred to the new OHL, these two towers would be dismantled.

Existing OHL and Towers

- 2.3.8 Once the conductors have been transferred from the temporary diversion to the new length of OHL, the existing OHL and the 12 redundant towers located between the two points of diversion would be dismantled. The tower foundations would be removed to approximately 1.2 m below ground level to enable reinstatement of the ground to its previous use (agricultural land).

Construction Activities

- 2.3.9 The construction of High Voltage OHL would follow a standard sequence of events as follows:

- > Phase 1 – Enabling Works;
- > Phase 2 – Construction Works;
- > Phase 3 – Commissioning;
- > Phase 4 – Removal of Existing OHL Sections; and
- > Phase 5 – Re-instatement.

- 2.3.10 A detailed description of the construction methodology and associated activities is contained in **section 2.4 of Chapter 2 (Description of Proposed Development)** (Volume 1) in the EAR.

Proposed Limits of Deviation

- 2.3.11 The LoD comprise an area which defines the practical limits within which micro-siting of the OHL infrastructure can be sited and construction can be undertaken within the terms of the Section 37 consent. The LoD is shown on **Figure 1.2: Site Layout Plan (Volume 2) in the EAR**.
- 2.3.12 The location of the proposed tower positions, presented has been determined on the basis of environmental and technical considerations, including engineering analysis of ground conditions and suitability based on desk studies and site walkover surveys.
- 2.3.13 It is explained in the EAR that it is possible that individual tower locations, working areas and access tracks and tower types may be subject to minor changes in position post-determination of the Section 37 application and following completion of geotechnical investigations. No towers or working areas would however be located outside the proposed LoD.
- 2.3.14 The proposed horizontal LoD is:
- > OHL infrastructure (i.e. steel lattice towers and all working areas, Equipotential Zones ('EPZs'), conductors and forestry Operational Corridor):
 - Suspension towers: 100 m LoD radius around the tower position; Tension towers: 200 m LoD radius around the tower position;

- OHL conductors: 100 m LoD either side of the alignment centreline;
- All construction working areas must remain within the LoD (public road improvements works are excluded from this).
- > Access tracks outwith the OHL infrastructure LoD (distance is either side of the track centre line):
 - 100 m LoD for new temporary or permanent access tracks;
 - 100 m LoD for upgrades to existing tracks in very poor condition;
 - 50 m LoD for upgrades to existing tracks in very good, good, fair, or poor condition.
 - Where access tracks are within the OHL infrastructure LoD, the LoDs would be merged.
- > Widening of the LoD through areas of forestry and woodland to 145 m either side of the alignment centreline, to allow for movement to the forestry Operational Corridor in the event of tower micro-siting.

2.3.15 It is explained in the EAR that it is possible that further engineering analysis at the detailed design stage might alter the required heights of towers necessary to maintain statutory ground clearance. A vertical LoD, i.e. the maximum height of a tower above ground level, is therefore also sought to allow a height increase of 9 m on the proposed tower heights.

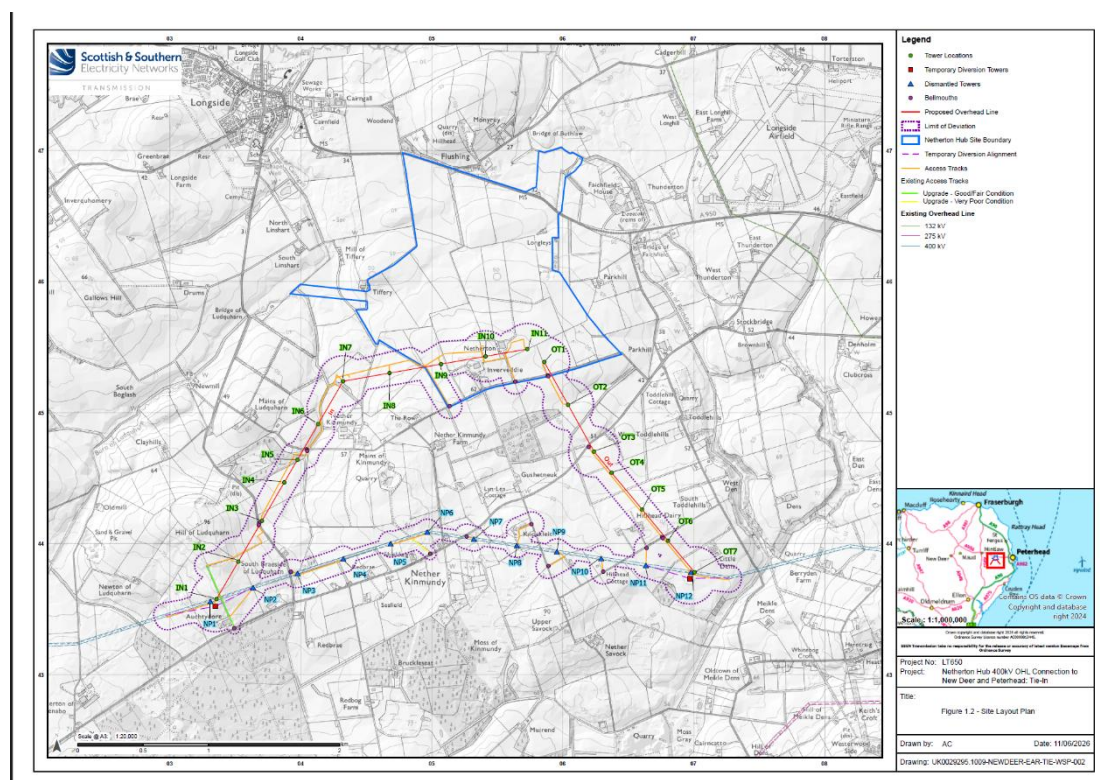
Enhancements - Biodiversity Net Gain

2.3.16 It is explained in the EAR that the Applicant is committed to protecting and enhancing the environment by minimising the potential impacts from construction and operational activities. In line with this approach, the Applicant has undertaken a Biodiversity Net Gain Assessment (see **Appendix 7.4: Biodiversity Net Gain Assessment (Volume 3)** of the EAR) for the Proposed Development. This will entail quantification of the pre- and post-development biodiversity across the Site to determine the actions necessary to work towards a net gain biodiversity target.

Operation and Decommissioning

2.3.17 The Proposed Development is designed to have a minimum operational design life of 80 years for the towers (repainted every 15 – 20 years) and 40 years for the conductors and insulators. During this time, the Applicant will have ownership of, and responsibility for, maintenance activities for all elements of the Proposed Development. Maintenance works would be carried out routinely to ensure the safe operation of the Proposed Development and as soon as practicable following any unexpected events on-site.

Figure 1.2: Site Layout Plan



2.4 Development & Routeing Principles

2.4.1 The OHL alignment selection process is described in the EAR. It is explained that given the height, linear form and potential visual prominence of an OHL, the principal means of mitigating potential landscape and visual effects is the identification of an appropriate alignment within the receiving landscape. An alignment selection process was undertaken by the Applicant between 2023 and 2025.

2.4.2 This process considered a range of environmental and technical factors, with landscape and visual matters forming an important consideration in the development and refinement of alignment options. OHL specific considerations included the relationship of towers and conductors with skylines, the potential for cumulative or visually complex wirescape effects, the siting of angle towers, the use of landform to provide containment or visual backdrop, and the avoidance of unnecessary interruption to distinctive landscape features or key views. These various matters were reviewed through desktop study, fieldwork and iterative design development to inform the preferred alignment of the Proposed Development.

2.4.3 The following principles were taken into account, where practicable, during the routeing stage, in accordance with the steps set out in the Holford Rules:

- > Avoid, where possible, major areas of highest landscape value, including those subject to national and international designations and other sensitive landscapes;
- > Avoid, by deviation, smaller areas of high amenity value;
- > Avoid, where possible, sharp changes in direction and reduce the number of larger angle towers required;
- > Avoid skylining the route in key views and, where necessary, cross ridges obliquely where a dip in the ridge provides an opportunity;

- > Target the route towards open valleys and woodland areas where the scale of poles or towers would be reduced and views broken by trees, avoiding the division of landscape types and seeking to follow edges and landscape transitions where practicable;
- > Consider the appearance of other overhead lines in the landscape to avoid a dominant or visually confusing wirescape effect, and arrange, where practicable, for parallel or closely related routes to be planned so that tower types, spans and conductors form a coherent appearance; and
- > Approach urban areas through industrial zones and consider undergrounding in residential and valued recreational areas.

2.4.4

Following a comprehensive design process undertaken by the Applicant's engineering, civil engineering and environmental disciplines, the preferred alignment was developed, as shown in **Figure 1.2: Site Layout Plan (Volume 2)** in the EAR. The landscape and visual impact assessment of the Proposed Development (referred to further below) has been undertaken on the basis of this alignment.

2.5 The Proposed Development: Section 37 Consent & Deemed Planning Permission

2.5.1

For the avoidance of doubt, it is explained in the EAR which specific aspects of development consent is being sought for in relation to Section 37 and deemed planning permission, as follows:

Development for which Section 37 Consent and Deemed Planning Permission is sought

- > Approximately 3.3 km of new 400 kV OHL between a point of diversion from the existing 400 kV OHL to Netherton Hub ('In' leg) and approximately 2.0 km of new 400 kV OHL from the Netherton Hub to another point of diversion of the existing 400 kV OHL;
- > Construction of 18 new steel lattice towers and two temporary towers; and
- > Construction of temporary OHL diversions to facilitate the permanent modifications to existing OHLs required to construct the Proposed Development.

Ancillary Development for which Deemed Planning Permission is sought

- > Removal of approximately 3.7 km of the redundant section of the existing 400 kV OHL including the removal of 12 redundant towers;
- > The upgrade of existing, or creation of new, bellmouths at public road access points;
- > The formation of access tracks (permanent, temporary, and upgrades to existing tracks);
- > 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.); and
- > Public road improvements which would be required in some areas to facilitate construction traffic.

3. The Renewable Energy Policy & Legislative Framework

3.1 Introduction

- 3.1.1 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.
- 3.1.2 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 and local planning policy and advice.
- 3.1.3 There is clear and consistent policy support at all levels, from international to local, for the deployment and transmission 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.
- 3.1.4 The Proposed Development will facilitate renewable generation connections by energising Netherton Hub, increasing renewable energy capacity, reinforcing security of supply and making a valuable contribution towards helping 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.
- 3.1.5 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. In the sections to follow, the context of international climate change commitments by way of policy and targets 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.

3.2 International Commitments

The Paris Agreement (2015)

- 3.2.1 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 aim of stopping the increase in global average temperature to below 2°C above pre-industrial levels and to pursue efforts to limit global warming to 1.5°C.
- 3.2.2 An outcome of the Paris Agreement is 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 new legislative provisions and targets for both 2045 (Scotland) and 2050 (UK).
- 3.2.3 The Paris Agreement does not represent Government policy in the UK or Scotland. However, it sets the general context to domestic policy and renewable energy and GHG reduction targets to meet the UK's commitment in the Paris Agreement.

UN Emissions Gap Report (2025)

- 3.2.4 The UN Emissions Gap Report (November 2025) entitled “Off Target” 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.
- 3.2.5 The Executive Summary Report comments on the background of GHG emission increases and the new Nationally Determined Contributions (‘NDCs’) submitted ahead of COP30 in Brazil as follows (page 4):
- “As this sixteenth Emissions Gap Report shows, the new NDCs have limited effect on narrowing the emissions gap by 2030 and 2035, leaving global warming projections well above the Paris Agreement’s temperature goal. New scenarios show that limiting warming to 1.5°C by 2100 remains technically possible. However, due to the continued delay in deep emission cuts, 1.5°C pathways now imply higher and higher temporary exceedance of this temperature target. The magnitude and duration of this overshoot must be limited as much as possible. Each year of delayed action locks in carbon intensive infrastructure results in greater losses for people and ecosystems, higher adaptation costs and a heavier reliance of costly and uncertain carbon dioxide removal. Each year of inaction makes the path to net zero by 2050 and net negative emissions thereafter steeper, more expensive and more disruptive.”*
- 3.2.6 Section 7 of the Executive Summary sets out that “*despite the increasing likelihood of higher and longer temperature overshoot, pursuing efforts to limit global warming to 1.5°C remains as critical and relevant as ever*”.
- 3.2.7 The report adds: “*accelerated mitigation action provides benefits and opportunities. In many cases, mitigation aligns with economic growth, job creation, energy security and achievement of other pressing development needs and the sustainable development goals. The required technologies are available, and wind and solar energy development continue to exceed expectations, lowering deployment costs and driving market expansion. Yet deployment remains insufficient, and accelerated emission reductions require overcoming policy, governance, institutional and technical barriers.....*”
- 3.2.8 The latest Gap Report is expressly clear that the international position in relation to combating climate change is worsening. The conclusions also make clear that deployment of renewable energy, including wind energy, remains key to combating the climate emergency.

3.3 UK Climate Change & Energy Legislation & Policy**The Climate Emergency**

- 3.3.1 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

- 3.3.2 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.
- 3.3.3 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.

3.3.4 The CCC has produced seven carbon budgets every four years, 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 3.1** below. Essentially, they are five yearly caps on greenhouse gas emissions measured in million tonnes of carbon dioxide equivalent (MtCO₂e).

3.3.5 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 3.1: Carbon Budgets and Progress⁴

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

Source: CCC

3.3.6 The Sixth Carbon Budget⁶ (‘CB6’) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is considered 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).

3.3.7 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.

⁴ Source: CCC.

⁵ 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.

⁶ CCC (2020) The Sixth Carbon Budget, The UK’s path to Net Zero.

- 3.3.8 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')⁷) 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.
- 3.3.9 The Seventh Carbon Budget⁸ ('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 MtCO₂e including emissions from international aviation and shipping.
- 3.3.10 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."*
- 3.3.11 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"*.
- 3.3.12 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."*
- The British Energy Security Strategy (April 2022)**
- 3.3.13 The British Energy Security Strategy⁹ ('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*:
- "this government will reverse decades of myopia and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power...."*
- 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."*
- 3.3.14 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 for global political stability and energy security reasons.

⁷ 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.

⁸ CCC (2025) The Seventh Carbon Budget Advice for the UK Government.

⁹ UK Government (2022) Policy paper British Energy Security Strategy.

Climate Change Committee Report to UK Parliament (June 2025)

- 3.3.15 The CCC published its report 'Progress in reducing emissions – 2025 Report to Parliament'¹⁰ (the CCC 2025 Report) in June 2025. It highlights that *“greenhouse gas emissions have more than halved since 1990, with the pace of reduction having more than doubled since the introduction of the UK’s Climate Change Act in 2008”* (Page 10).
- 3.3.16 The CCC 2025 Report identifies ten priority actions for the year 2025-2026, one of which is:
“Effectively deliver rapid expansion of the low-carbon electricity system. An effective Allocation Round 7 will be critical to achieving this, given that projects typically take several years to come onstream.” (Page 19)
- 3.3.17 The CCC 2025 Report highlights that renewable electricity generation expanded more in 2024 than in any of the previous six years, driven by wind and solar. However, the pace still needs to accelerate significantly to meet 2030 goals. This will require a tripling in annual installations of both offshore and onshore wind and a four-fold increase in solar compared to the average rate seen since the start of the decade.
- 3.3.18 Total operational capacity for onshore wind was 16 GW in 2024, and further capacity is currently contracted to bring total capacity to 20 GW by 2027. The report goes on to state in relation to reaching the 27GW 2030 target (UK) for onshore wind, which is the lower end of the Government's capacity range, *“will require more than 1.8 GW to be added each year on average, the same as the peak seen in 2017. However, only 0.8 GW of onshore wind was installed in 2024. Onshore wind installation rates will need to triple compared to the average pace of deployment since the start of the decade.”*(page 60)
- 3.3.19 In relation to solar, operational capacity has been increasing but deployment will need to accelerate significantly beyond the currently contracted pathway in order to meet the Government's target range for 2030. The Report notes that currently around 18 GW of solar capacity is installed, with a further 5 GW contracted to bring total capacity to 23 GW in 2027.
- 3.3.20 It states that *“Meeting the lower end of the Government’s capacity range - 45 GW - will require this ambition to be matched with supportive policy developments that enable a considerable increase in roll-out rates, to 4.5 GW installed each year on average. This is over quadruple the amount added over the past three years but is similar to the highest annual installations seen to date, with 4.1 GW installed in 2015.”* (Page 61)
- 3.3.21 In terms of the required emissions savings to achieve the 2030 Nationally Determined Contributions ('NDC') the CCC 2025 Report highlights some risks. One of which include *“delivery risks for planning, grid connections, and successful Contracts for Difference auctions to deliver the rest of the renewables deployment required by 2030 under the Clean Power 2030 Action Plan”.* (page 17)
- 3.3.22 At page 105, the role of low carbon electricity is highlighted further in reducing emissions. In the Committee's Seventh Carbon Budget advice, 60% of the required emissions reduction is delivered through electrification and low-carbon electricity. The CCC 2025 Report sets out at Box 3.5:
“Delivering this requires continued growth of renewables deployment over the coming years, to ensure a rapid scale-up in supply of low-carbon electricity.
 1. *Renewable generation from wind and solar is well established and is the cheapest form of new electricity generation capacity.*
 2. *The UK also benefits from extensive wind resources.*
 3. *As such, renewables have an essential role to play in achieving Net Zero and meeting the vast majority of demand in the Balanced Pathway. This will require strong and sustained deployment of renewables capacity...*

¹⁰ CCC (2025) Progress in reducing emissions – 2025 Report to Parliament.

These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process.”

- 3.3.23 The CCC 2025 Report notes that transmission network development is progressing, but timely delivery depends on removing barriers in planning; supply chains; and access to grid connections.
- 3.3.24 The CCC 2025 Report repeatedly stresses that electrification of transport, buildings, and industry depends on a rapidly expanding and decarbonised grid. Without faster grid upgrades this will result in renewable projects risking delay, the electrification of heat and transport could stall, and the UK may miss its 2030 NDC.
- 3.3.25 In relation to transmission and grid readiness, these are highlighted as critical enablers for renewable deployment and electrification.

Labour Government & Commitment to Renewables (2024)

- 3.3.26 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.
- 3.3.27 Energy policy is reserved to Westminster and therefore, 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)

- 3.3.28 In addition, a key new material consideration is the Clean Power 2030 Action Plan¹¹, issued by the Department for Energy Security and Net Zero ('DESNZ') in December 2024. It sets out (page 9) that Britain needs to install “*clean sources of power at a pace never previously achieved*”.
- 3.3.29 It further adds (page 10):
- “clean 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”.*
- 3.3.30 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”.*
- 3.3.31 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*”.

Government Statement on Energy Security (March 2026)

- 3.3.32 The Energy Secretary (The Right Hon Ed Miliband MP) issued a statement on 15 March 2026 outlining a package of measures to go “further and faster” in the pursuit of national energy security, as a response to events in the Middle East. The Energy Secretary announced various energy interventions to boost the UK's energy security, including relating to solar deployment and stated an intention to bring forward the Government's next annual renewables option to July 2026. The Energy Secretary stated:

¹¹ UK Government Department for Energy Security and Net Zero Clean Power 2030: Action Plan.

“Global events demonstrate there is not a moment to waste in our drive for clean power because there can be no energy security while we are so dependent on fossil fuels... everything we are doing is about one purpose: fighting the corner of the British people by taking back control of our energy”.

3.4 Scotland: Climate Change & Emissions Reduction Legislation

The Climate Change (Scotland) Act 2009 and The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

- 3.4.1 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, much needs to happen by 2030.
- 3.4.2 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 Climate Change (Scotland) Act 2009 to set the even more ambitious interim targets. However, the provisions setting out those interim targets were repealed by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2024, which replaced them with a system of carbon budgets. This is further referenced below.
- 3.4.3 Scotland will need significant expansion of renewable generation capacity and associated transmission infrastructure to achieve these ambitious targets by 2045.

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

- 3.4.4 On 5 September 2024 the Scottish Government introduced the Climate Change (Emission Reduction Targets) (Scotland) Bill to the Scottish Parliament. The Bill was passed on 5 November 2024 and became an Act on 22 November 2024. The Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and established a carbon budget approach to target setting, 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.
- 3.4.5 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.
- 3.4.6 The emissions reductions targets set out are significant as the 2009 Act states the Scottish Ministers have a duty to ensure the targets are met. The Scottish Ministers have duties to keep the Scottish Parliament informed about whether the targets are being met and to publish plans for meeting those targets. All Scottish public authorities also have a duty to exercise their functions in a way best calculated to contribute to the delivery of the targets.

Climate Report to Scottish Parliament - Progress in reducing emissions in Scotland (February 2026)

- 3.4.7 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland' in February 2026 ('CCC 2026 Report').
- 3.4.8 The CCC 2026 Report acknowledges the progress made stating that *“the Scottish Government and Scottish Parliament have made rapid progress in legislating the levels of the four carbon budgets, covering the period 2026 to 2045.”* This was secured through the Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 ('2025 Regulations') which came into force on 10 October 2025.
- 3.4.9 In relation to Energy supply the CCC 2026 Report states that (page 20):

“deployment of variable renewable electricity generation is continuing to increase in Scotland, with 1.1 GW of offshore and 1.3 GW of onshore wind capacity deployed in 2024. Remaining emissions in electricity generation come predominantly from the Peterhead gas-fired power station. Reducing emissions further relies on the continued roll-out of wind and solar generation and of network capacity to accommodate it. The draft CCP sets out plans to replace Peterhead with a CCS-enabled gas plant.”

- 3.4.10 The CCC 2026 Report states that *“Scotland will need to continue its strong progress in rolling out renewable electricity generation and ensure development of electricity networks can keep pace. The Scottish Government should act to accelerate planning and consenting for transmission infrastructure to achieve this.”* (Page 22)
- 3.4.11 This is discussed in further detail at page 77, *“To achieve the Scottish Government’s target of 20 GW of onshore wind by 2030, nearly 10 GW needs to be installed in the next five years, which would be a doubling of capacity. This equates to a rate of deployment approximately two and a half times higher than the average annual deployment in 2023 and 2024.”*
- 3.4.12 The CCC 2026 Report acknowledges the progress in emission reductions relating to energy supply sector noting that *“around two-thirds of the emissions reductions seen since the introduction of the Act in 2009 have been in the energy supply sector. Electricity supply in Scotland is now almost fully decarbonised”*. (Page 58)
- 3.4.13 However, it goes on to state that *“further expanding low-carbon generation and supporting transmission network infrastructure in Scotland remains critical to enable decarbonisation of other sectors and to supply low-carbon electricity to the rest of the UK.”*
- 3.4.14 In relation to transmission, it states that transmission network capacity in Scotland needs to rapidly increase to enable wider electrification across the UK. *“There needs to be a rapid build out of the transmission grid and an acceleration in the grid connection process, to support rapid electrification across the UK needed to achieve the UK’s 2030 Nationally Determined Contribution (NDC) and later targets”* (Page 77)
- 3.4.15 The CCC call on the Scottish Government to enable *“rapid expansion of renewable energy and ensure timely planning approval of the transmission infrastructure required to move power from generation sites to where it will be used”*. (Page 108)
- 3.4.16 As part of the priority recommendations the CCC note that *“constraints on the transmission network mean that a significant proportion of Scotland’s renewable electricity cannot be exported and is curtailed.”* (Page 123)
- 3.4.17 To address this issue the CCC call on the Scottish Government to act to accelerate planning and consenting for electricity transmission infrastructure. The CCC notes that actions to accelerate the approval of transmission network infrastructure could include:
1. *“Enhancing planning resources across local authorities and key statutory consultees, such as Transport Scotland and NatureScot.*
 2. *Developing the National Planning Framework and National Marine Plan to improve clarity, reduce consenting risk and support a coordinated, GB-wide approach to electricity network development.”* (Page 123)
- 3.4.18 The CCC 2026 Report identified positive progress in securing emissions reduction but identifies a lot more to do, including continued deployment of renewable energy infrastructure and the acceleration of the transmission infrastructure need to support the route to net zero.

3.5 Scotland: Climate Change & Renewable Energy Policy

3.5.1 The sections below address the key Scottish Government climate change and energy policy and related documents, as follows:

- > The Scottish Energy Strategy (2017);
- > The Draft Energy Strategy and Just Transition Plan (2023);
- > The Green Industrial Strategy (2024); and
- > The Climate Change Plan (2026).

The Scottish Energy Strategy (2017)

3.5.2 The Scottish Energy Strategy ('SES') was published in December 2017. The SES preceded the important events and publications referred to above but nevertheless sets out that onshore wind 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 the new legally binding 'net zero' targets so it is out of date in that respect.

3.5.3 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*".

The Draft Energy Strategy & Just Transition Plan (2023)

3.5.4 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan'¹² entitled 'Delivering a fair and secure zero carbon energy system for Scotland' (the 'draft Strategy') on 10 January 2023. The draft Strategy is to replace the one previously published in 2017. The consultation period ended in April 2023. The draft Strategy is consistent with, and signals strong support for, 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.

3.5.5 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, generates 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....

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."

3.5.6 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.

¹² Scottish Government (2023) Draft Energy Strategy and Just Transition Plan.

- > 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 oil and gas production.

- 3.5.7 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".*
- 3.5.8 A fundamental part of the Strategy is expanding the energy generation sector. The Executive Summary states (page 8) that Scotland's renewable resources mean that:
- "....we can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.*
- We are setting an ambition of more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind....*
- An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030....."*
- 3.5.9 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."*
- 3.5.10 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).
- 3.5.11 The draft Strategy adds that: *"the Scottish Government is working closely with network companies to support timely delivery of this infrastructure"*.
- 3.5.12 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"*.
- 3.5.13 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"*.
- 3.5.14 The Chapter goes on to reference energy markets and network regulation and with regards 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"*.
- 3.5.15 It further adds with regards to constraint costs, that the Government will continue to work with National Grid ESO (now NESO), transmission owners and Ofgem *"to explore opportunities to accelerate planned network investment to relieve constraints"*.

- 3.5.16 Therefore, a key aspect of the draft 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.
- The Green Industrial Strategy (2024)**
- 3.5.17 The Scottish Government published a Green Industrial Strategy¹³ ('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".*
- 3.5.18 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.
- 3.5.19 The GIS confirms that *"timely grid connections and strengthened grid infrastructure will be key to securing renewables project delivery and investor and supply chain confidence in Scotland."* It continues stating *"The Scottish Government welcomes the proposal for Mission Control to bring together industry experts with government and regulators to help deliver energy projects and speed up the connection of new power infrastructure to the grid."* (page 18)
- 3.5.20 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states that this:
- "is about making the most of our natural resources, established onshore and offshore wind sectors and first-mover advantage in floating offshore wind to generate clean electricity; participating in global supply chains as well as expanding our domestic supply chain capacity and seizing opportunities across the offshore wind supply chain, from infrastructure to manufacturing; positioning Scotland as a leader in material circularity of wind turbines and components."* (page 20)
- 3.5.21 Point 4 of their approach to "onshore wind" states at page 22:
- "work with UK Government, Ofgem and the National Energy System Operator to ensure that the interests of Scotland are best represented. Markets, policies, and regulation affecting the electricity sector are largely reserved to the UK Government under the UK Electricity Act (1989). We are working with the UK Government to enable a faster, more efficient, and strategic approach to designing and regulating the net zero energy system, in particular for accelerating grid connections and network build."*
- 3.5.22 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.
- 3.5.23 Availability of grid connections is further referenced as a barrier to tackle as part of the decarbonisation of industrial processes.

¹³ Scottish Government (2024) The Green Industrial Strategy.

- 3.5.24 It is clear therefore that to progress the Government's objectives with regards to wind energy, there needs to be clear support for new investment and growth in onshore wind development. This is reinforced in the GIS through the clear support for the delivery of grid expansion and strengthened grid infrastructure which is required to realise the expansion of onshore wind. Realising the economic and social opportunities will only be achieved through the development and consenting of additional wind energy developments. Such deployment will not only be critical towards achieving the net zero target, given the important contribution that wind energy will make in that regard but will also help deliver the Government's clear green infrastructure mission.

Scotland's Climate Change Plan (2026)

- 3.5.25 The Scottish Government published 'Scotland's Climate Change Plan – 2026-2040' ('CCP') on 25 March 2026. The CCP covers the period 2026 to 2040 and aligns with three five-year "carbon budget" periods: 2026-30, 2031-35 and 2036-40. The CCP sets out the policies and proposals the Scottish Government will take forward to enable the carbon budgets set out in legislation to be met. The carbon budgets have been set in line with the levels proposed by the CCC in May 2025, referred to above, and provide a clear pathway towards Scotland achieving net zero by 2045.
- 3.5.26 The CCP acknowledges the opportunity the transition to net zero provides in terms of growing the economy, noting that the net zero transition can support significant economic opportunities for Scotland.
- 3.5.27 The CCP sets out average reductions in GHG emissions (compared to 1990 baseline) for each five-year period as follows:
- > 57% lower than baseline levels for 2026-2030;
 - > 69% lower than baseline levels for 2031-2035;
 - > 80% lower than baseline levels for 2036-2040; and
 - > 94% lower than baseline levels for 2041-2045.
- 3.5.28 These budgets provide a "pathway" toward net zero by 2045, and the Plan is designed to ensure policies are in place to meet them.
- 3.5.29 The CCP sets out sectoral policies relating to a range of sectors, which are prescribed in legislation, including energy supply, agriculture and transport, amongst others. Key policies and actions have been set out for each sector to meet the carbon budgets.
- 3.5.30 Annex 2 of the CCP contains the Sectoral Annexes which support the CCP. Energy supply is one of the key areas of focus. At page 84, the document sets out the vision for Scotland stating that:
- "By 2035, we will have expanded our renewable capacity significantly to meet the increasing demand as other sectors decarbonise. We already have an ambition to have delivered 20 GW of onshore wind by 2030 and in January 2026, we published the 'Offshore Wind Policy Statement 2020 update: Scotland's Offshore Wind Ambition'. This set out an increased offshore wind ambition for Scotland of up to 40GW of new offshore wind capacity by 2040."*
- 3.5.31 One of the actions identified to achieve the vision of emissions reduction for the energy generation sector means *"moving to an electricity system in which the residual amount of unabated gas is displaced by low carbon and renewable sources. To deliver this target, whilst ensuring a safe and secure supply, we must grow our renewables capacity, including from offshore and onshore wind, and solar."* (Page 89, Annex 2)
- 3.5.32 The publication of the CCP demonstrates the continued commitment and needs case for delivering additional renewable energy capacity. One can take from that that the associated need for reinforced / new transmission infrastructure to achieve net zero is in turn strengthened.

3.6 Conclusions on the Renewable Energy Policy & legislative Framework

- 3.6.1 The Proposed Development is strongly supported by the current renewable energy policy and legislative framework.
- 3.6.2 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.
- 3.6.3 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 and imperative of attaining and sustaining net zero and the need to substantially increase renewable capacity, notably onshore and offshore wind, and, it can reasonably be taken in turn, the transmission network, to connect and export the generation to places of need across the GB network.
- 3.6.4 The change from annual Scottish emission reduction targets to a system of carbon budgets has served to show that Scotland is not on track to attain net zero, and it strengthens the case for rapidly approving schemes that can contribute to this goal, including essential transmission infrastructure proposals.
- 3.6.5 Decisions through the planning and wider consenting system must be responsive to this position and the need for strengthened energy security. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance in a given case.
- 3.6.6 Substations, grid connections and associated infrastructure are critical to enabling more renewable generation and the attainment of net zero.
- 3.6.7 The CCP now forms part of the policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role renewable energy and associated transmission infrastructure will play in response to the climate crisis, which is at the heart of all these policies.
- 3.6.8 It must follow that the need case for the Proposed Development is to be afforded significant weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual infrastructure and generation projects which will move Scotland towards where it needs to be in order to attain net zero.

4. The Benefits of the Proposed Development

4.1 The Benefits: Summary

4.1.1 This Chapter summarises the benefits that would arise from the Proposed Development:

Renewable Energy Transmission

- > As explained, the Proposed Development is required to fulfil the statutory and licence obligations on the Applicant as the transmission licence holder. To fulfil these obligations within its licencing framework, 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 contribute to the transition to net zero in line with the UK and Scottish Government targets of achieving net zero by 2050 and 2045 respectively.
- > As explained in **Chapter 1**, the Proposed Development will substantially strengthen the local transmission network and support new onshore and offshore connections, such as those created through the Scotwind offshore lease rounds. Furthermore, it will help facilitate the export of future renewable generation from the North of Scotland to demand centres throughout the UK.
- > The Proposed Development is nationally important and is consistent with the core aims of NPF4 National Development 3, as referenced in **Chapter 1**, which seeks to deliver additional generation from renewables and deliver enhanced transmission capacity to achieve a net zero economy and support network resilience in rural areas.

Security of Supply

- > The British Energy Security Strategy and the Clean Power 2030 Action Plan have been referenced in Chapter 3. 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 deliver capacity within the transmission network for committed connections and expand the grid network to enable transmission of 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 Codes¹⁴ 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. This includes measures to be put in place to maximise opportunities for local people and businesses close to the Proposed Development and in the wider region supporting the aims of the Green Industrial Strategy, as discussed in **Chapter 3**, to expand domestic supply chains.
- > 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.
- > The Applicant's guidance as a fundamental 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.
- > A detailed Socio-Economic Assessment Report accompanies the Section 37 application. In summary, the Proposed Development is forecast to deliver meaningful economic value to Aberdeenshire Council area, as well as to the wider Scottish and UK economies. The socio-economic assessment states that the total GVA that would be generated by the Proposed Development during the construction phase is estimated to be approximately:
 - £16 million at the Aberdeenshire Council area level;
 - £30 million accruing across Scotland; and
 - £61 million at the UK level.

4.1.2

In terms of employment, the construction activities are expected to support:

- 76 jobs in Aberdeenshire;
- 140 jobs within Scotland; and
- 278 jobs across the UK.
- > The above figures represent the cumulative employment impact over the construction phase, including both direct and indirect jobs generated through supply chain activities and local service provision. Most economic gains are expected to occur during construction, increasing demand for local services and labour. Once operational, the Proposed Development is anticipated to generate £4.1 million in GVA in Aberdeenshire and support an average of two local jobs over its 45-year span.
- > These impacts would help economic growth, support the resilience of the local economy, and contribute positively to national infrastructure strategies. Aberdeenshire Council can expect the Proposed Development to reinforce the local economic base and deliver sustainable employment opportunities for the community.
- > In addition to economic growth, the Applicant has committed to Community wealth building to align with Aberdeenshire Council's Energy Developments Charter. The Applicant has committed to delivering 300 new, permanent homes in Aberdeenshire Council area, boosting the availability of affordable and social housing. This initiative supports council objectives to address rural depopulation and foster sustainable communities.

¹⁴ SSE (2024) Sustainable Procurement Code.

- > The Proposed Development presents a valuable opportunity for the Council area to realise meaningful economic and social gains. By facilitating local regeneration and investment in local supply chains, the Proposed Development ultimately supports a vision of long-term prosperity in Aberdeenshire.

Biodiversity Enhancement

- > Climate change is the biggest threat to Scotland's wildlife and habitats¹⁵, and delivering an enhanced grid transmission network, with enhanced capacity for renewable energy is a critical step to meet net zero, and in doing so, reduce that threat.
- > The Proposed Development is consistent with the Applicant's commitment on all projects to deliver 10% BNG. This is further referred to below with regard to relevant NPF4 policy 3 (Biodiversity).

¹⁵ Scottish Government, 'Climate Change Scottish National Adaptation Plan 2024-2029' (2024) pg 19.

5. Appraisal against NPF4

5.1 Introduction & Approach to Appraisal

- 5.1.1 This Chapter provides an appraisal of the Proposed Development against the policy provisions of NPF4. The policy assessment has been undertaken following review of the EAR.
- 5.1.2 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and was adopted by Scottish Ministers and came into force on 13 February 2023.
- 5.1.3 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.
- 5.1.4 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 LDP.
- 5.1.5 Therefore, the statutory Development Plan against which the Proposed Development must be assessed consists of NPF4 and the Aberdeenshire Local Development Plan ('ALDP') (2023).
- 5.1.6 The publication of NPF4 coincided with the implementation of certain parts of the 2019 Act. A key provision (set out in section 24(3) of the 1997 Act) 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.
- 5.1.7 The Chief Planner's Letter states with regard to Supplementary Guidance associated with LDPs which were in force before 12 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.

How NPF4 is to be used

- 5.1.8 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."*
- 5.1.9 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 Goals¹⁶. NPF4 includes a long-term spatial strategy to 2045."*

¹⁶ 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'.

- 5.1.10 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan¹⁷.
- 5.1.11 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"*.
- The National Spatial Strategy – Delivery of Sustainable Places**
- 5.1.12 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."*
- 5.1.13 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 Framework¹⁸.
- 5.1.14 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"*.
- 5.1.15 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."*
- 5.1.16 The new Draft Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4 and referred to in **Chapter 3** of this Planning Statement) was published as a consultative draft on 10 January 2023.
- 5.1.17 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,*

¹⁷ 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.

¹⁸ The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

development that is accessible by sustainable travel, and expansion of renewable energy generation."

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

5.1.19 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".

5.1.20 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regards 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."

5.1.21 A key point in the statement above 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.

5.2 National Developments & National Planning Policy

5.2.1 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".

5.2.2 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".

5.2.3 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"

5.2.4 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."

- 5.2.5 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."

- 5.2.6 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 132 kV or more"*.

- 5.2.7 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.

- 5.2.8 The Proposed Development is of national importance to Scotland achieving its targets within this key timescale and that is a very important consideration.

National Planning Policy

- 5.2.9 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.

- 5.2.10 In terms of planning, development management and the application of the national level policies, NPF4 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".

- 5.2.11 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.

- 5.2.12 In terms of "liveable" places, the relevant policies of the Proposed Development include the following:

- > Policy 22: Flood risk and water management.

5.2.13 These policies are addressed below.

5.2.14 The Chief Planner's Letter of 8 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)

5.2.15 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".

5.3 NPF4 Policy 1: Tackling the climate and nature crises

Policy 1 & Principles

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

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

5.3.3 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 essential nationally important electricity transmission infrastructure.

5.3.4 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. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with regards 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

5.3.5 Given the nature of the Proposed Development, being the provision of new electricity infrastructure, it would make a valuable contribution in relation to targets for achieving net zero. 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 and the provision of that connection to grid to 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.

5.3.6 The Proposed Development is consistent with the intent of Policy 1 and would make a positive contribution by helping to attain its outcome of net zero.

5.3.7 The Chief Planner's Letter of 8 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."

- 5.3.8 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 an important element of infrastructure to help attain targets, therefore, applying significant weight in this case would be in favour of the Proposed Development.
- 5.3.9 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 enabling transmission of renewable energy, 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.
- 5.3.10 The Reporter's comments on this particular policy in the Sanquhar II Wind Farm Inquiry Report¹⁹ 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."*
- 5.3.11 Furthermore, as explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development and will be satisfied through the Applicant's commitment to a 10% net gain across all Proposed Developments. Further details are provided within the Biodiversity Net Gain Assessment (see **Appendix 7.4: Biodiversity Net Gain Assessment (Volume 3) of the EAR**).

5.4 NPF4 Policy 11: Energy

Policy 11 & Principles

- 5.4.1 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."* (emphasis added).
- 5.4.2 Policy Outcomes are identified as: *"expansion of renewable, low carbon and zero emission technologies"*.
- 5.4.3 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;*

¹⁹ 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".

5.4.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy development and transmission infrastructure, through encouragement, promotion and facilitation, all of which the Proposed Development will help to deliver.

5.4.5 The wording of Policy 11 Paragraph (a)(ii) makes it clear that the policy supports new and replacement grid transmission and distribution infrastructure subject to the appropriate approach to impact management via avoidance and mitigation.

The application of Policy 11

5.4.6 **Paragraph c) of Policy 11** references socio-economic benefits being maximised.

5.4.7 It is relevant to note with regard to community benefit; guidance was issued via the Chief Planner's letter of 20 September 2024 which provides clarity on the application of Policy 11(c) and the role of community benefits alongside policy considerations on maximising economic impact. The Chief Planner states explicitly that *"We are, however, clear that these are voluntary agreements that sit independent of our planning and consenting systems, and NPF4 Policy 11 (c) does not alter this"*.

5.4.8 With regard to maximising socio-economic benefits, the Applicant has adopted 'Sustainable Procurement Code – Supplier Guidance'²⁰ and this is relevant to take into account. The Supplier Guidance 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.

5.4.9 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".

5.4.10 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"*.

5.4.11 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"*.

5.4.12 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"*.

5.4.13 The related Supplier 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;

²⁰ SSE (2024) Sustainable Procurement Code Supplier Guidance.

- > 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).

- 5.4.14 Specific reference to both of the Codes 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 Proposed Development.
- 5.4.15 It should also be noted that, under the terms of the Code, appointed contractors are required to inform the Applicant of the supply chain engaged, within the local area and further afield.
- 5.4.16 Critically the provision of the Proposed Development will ensure the delivery of the wider socio-economic benefits and commitments to be provided as part of enabling the transmission of a renewable energy generation for Scotland and UK as a whole.
- 5.4.17 A **Socio-Economic Impact Assessment** accompanies the application and sets out that within the Aberdeenshire economy, during the construction phase (Q3 2027 to Q3 2029), the Proposed Development is expected to generate around £16 million in Gross Value Added ('GVA') within Aberdeenshire, creating on average 76 local jobs per year (including a maximum of 48 direct jobs) during that period. Socio-Economic benefits are further referenced in the next Chapter.
- 5.4.18 **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 international, national and local designations is examined further below with specific regard to the provisions of Policy 4. In summary, there would be no significant adverse effects in relation to internationally or nationally important designations as a result of the Proposed Development.
- 5.4.19 **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.
- Policy 11 (e) (i) - Communities and Individual Dwellings**
- 5.4.20 Landscape and visual considerations are addresses in a landscape and visual impact assessment ('LVIA') set out in **Chapter 5 (Landscape and Visual) (Volume 1)** in the EAR. The LVIA considers scattered residential receptors as groups and clusters of properties, categorised by distance from the Site as set out below.
- 5.4.21 The LVIA identifies that the most notable visual effects would occur where receptors would experience open, sustained or relatively direct views towards the Proposed Development and associated works.
- 5.4.22 For settlement receptors located within Longside and Flushing, construction effects would be significant where views are available towards the 'In' and 'Out' OHL structures at Netherton Hub, with major (significant) residual effects identified for high sensitivity receptors. During operation, effects would remain significant in those locations where the proposed towers are visible within open or partially filtered views, giving rise to major to moderate (significant) residual effects, although these would reduce where views are screened, filtered, oblique or more distant. It is noted in the assessment that the removal of a short section of the existing 400 kV overhead line would provide a localised moderating influence in some views, partially offsetting the introduction of new tower infrastructure.

5.4.23 It is explained in the assessment that for individual residential properties, effects would vary according to distance, orientation, elevation, intervening landform, vegetation and built form, and the relationship between existing and proposed OHL infrastructure. Significant effects would be limited to a small number of close range or more visually exposed receptors with open and sustained views of construction activity or operational towers. Elsewhere, effects would reduce to not significant where visibility is indirect, filtered or more distant. Although significant visual effects are predicted for some residential receptors, the assessment concludes that no property would experience visual change approaching the Residential Visual Amenity Threshold ('RVAT'), having regard to the nature, scale, proximity and extent of the change, the availability of screening and alternative outlooks, and the existing infrastructure baseline.

5.4.24 In conclusion, although there would be a change in some views, the RVAT would not be breached such that living conditions would be impacted in a manner that any property would be considered an unattractive place in which to live.

Policy 11 (e) (i) - Noise

5.4.25 Noise and vibration matters are addressed in **Chapter 11 (Noise Environment) (Volume 1)** of the EAR. It is explained in the assessment that during the demolition and construction phase, without consideration of mitigation, including compliance with the proposed Construction Environment Management Plan ('CEMP') and Noise Management Plan, impacts of major magnitude are predicted at worst-affected receptors closest to the relevant works. Such impacts are predicted when works are undertaken at the closest reasonable location to each affected receptor. However, for the majority of the construction and demolition phase it is expected that activities will be located at greater distances, thus generating lower noise levels at sensitive receptors. Worst case impacts are therefore predicted for only limited durations. For the majority of works, activities would be undertaken at sufficient distances from sensitive receptors such that lesser impacts are anticipated. Best practice mitigation measures embedded within the CEMP and Noise Management Plan would serve to further minimise potential adverse impacts.

5.4.26 For vibration during the demolition and construction phases, worst case impacts of moderate magnitude have the potential to arise when worst case activities are undertaken close to sensitive receptors. It is, however, expected that the duration of vibration generative activities that take place at the closest distances to nearby receptors would be short. Consequently, associated impacts would be limited in extent and duration with appropriate mitigation in place to monitor and control these.

5.4.27 Noise generated by construction traffic would also be appropriately managed and minimised through implementation of the Construction Traffic Management Plan ('CTMP').

5.4.28 A worst-case assessment has been undertaken to determine the likely noise impact arising from the operational phase considering the shortest distance from the LoD to the nearest noise sensitive receptors.

5.4.29 It is explained in the assessment that the conductors selected for the OHL would generate an operational noise impact, however this is classified as either negligible or low no adverse impact.

Policy 11 (e) (ii) - Landscape and Visual Considerations

5.4.30 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 provision provides a clear steer to decision makers that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable.

Landscape Character

- 5.4.31 It is explained in the LVIA that the Proposed Development would give rise to a contained and geographically localised pattern of landscape effects, principally associated with the alteration of OHL infrastructure within and around the existing New Deer to Peterhead 400 kV OHL corridor and the emerging Netherton Hub context.
- 5.4.32 Within Landscape Character Type ('LCT') 17: 'Coastal Agricultural Plain – Aberdeenshire', during the operational period, it is explained that the revised tower arrangement would remain perceptible locally but would be experienced within a landscape where overhead line infrastructure is already a familiar component; operational effects are therefore assessed as moderate to minor adverse (not significant).
- 5.4.33 Effects on LCT 21: 'Farmed and Wooded Policies' would be indirect and perceptual, reflecting the location of the Proposed Development outside this character type and the moderating influence of separation distance, intervening landform, woodland, vegetation and built form. Operational effects within this subtype are assessed as being moderate to minor adverse (not significant), reflecting the limited extent of change and its association with an established infrastructure context. Effects on the 'Peterhead Urban Fringe' subtype would remain indirect, limited and not significant during both construction and operation, given the subtype's existing association with settlement edge, industrial, transport, airfield and energy infrastructure.

Landscape Designations

- 5.4.34 The Proposed Development is not located within a landscape designation. It is explained in the LVIA that the potential for visibility of, and perceptual influence arising from, the Proposed Development to indirectly affect the key characteristics and/or special qualities of designated landscapes within the wider LVIA Study Area was considered. In this regard, consideration was given to the extent of theoretical visibility indicated by the zone of theoretical visibility ('ZTV'), the separation distance of approximately 6 km to 9 km, and the intervening influence of landform, built form and vegetation. On this basis, it is explained in the LVIA that the likelihood of significant effects on the Special Landscape Qualities of the Northeastern Aberdeenshire Coast Special Landscape Area ('SLA') is considered to be highly unlikely. Accordingly, this designation was excluded from further assessment within the LVIA.

Visual Effects

- 5.4.35 It is explained in the LVIA that visual effects on transport routes would be variable and strongly influenced by the sequential and transient nature of views. From the A952, visibility would be intermittent, largely distant and frequently filtered, resulting in effects ranging from negligible to minor (not significant) for general road users and up to moderate (significant) for more sensitive tourist receptors in limited locations.
- 5.4.36 Along the A950, significant effects would be concentrated on short, more open sections around Viewpoint 04 and other locations where the revised OHL arrangement is most apparent, with effects reducing rapidly to the east and west. Minor roads closest to Netherton Hub and the 'In' and 'Out' alignments would experience the greatest degree of change, with significant effects concentrated on short, localised sections where open, close-range views are available.
- 5.4.37 Recreational receptors, including users of the Formartine and Buchan Way and Core Path 208.01 at Longside, would experience significant effects in more open sections where the tower arrangement forms a noticeable component of the view, particularly around Viewpoint 03; however, these effects would be localised and would reduce where views are oblique, distant, screened or filtered.

Cumulative Effects

- 5.4.38 It is explained in the assessment that cumulative landscape and visual effects have been addressed under two scenarios:

- > Scenario 1, comprising existing and consented developments together with the Proposed Development; and
- > Scenario 2, comprising existing, consented and in-planning developments together with the Proposed Development.

- 5.4.39 Across the landscape assessment, cumulative effects would be focused principally around Netherton Hub and the wider Peterhead hinterland, where existing, consented and emerging energy infrastructure would reinforce an increasingly infrastructure led local landscape context.
- 5.4.40 Within LCT 17, Scenario 1 would result in a localised moderate (significant) combined cumulative effect around Netherton Hub, while Scenario 2 would increase this to major to moderate (significant) locally, reflecting the additional influence of in-planning battery energy storage systems ('BESS') and OHL developments. It is explained however that effects would reduce rapidly beyond this concentration and would not result in a widespread or fundamental change to the character of LCT 17 as a whole.
- 5.4.41 For LCT 21, cumulative effects would remain indirect and not significant, with the principal direct influences arising from existing and in-planning OHL infrastructure rather than the Proposed Development, which lies in adjacent LCT 17.
- 5.4.42 The 'Rural Local Landscape Character subtype' would experience significant combined cumulative effects locally under both scenarios, rising to major to moderate (significant) under Scenario 2 in the immediate Netherton and West of Greystone area, where substations, BESS developments and multiple OHL routes would be experienced as a concentrated infrastructure node. Within the 'Peterhead Urban Fringe subtype', cumulative effects would remain not significant, reflecting the *low* sensitivity of this already modified landscape and the localised nature of direct and indirect cumulative influence.
- 5.4.43 Cumulative visual effects would be most pronounced where the Proposed Development is experienced in close visual association with Netherton Hub, the existing New Deer to Peterhead 400 kV OHL, and the identified consented and in-planning energy infrastructure.
- 5.4.44 For settlement receptors at Longside and Flushing, significant cumulative effects would be concentrated on the southern, southeastern and southwestern aspects where views towards the Netherton infrastructure cluster are available.
- 5.4.45 Scenario 1 would give rise to localised major to moderate (significant) in-addition effects and substantial to major (significant) in-combination effects, while Scenario 2 would increase the density and complexity of infrastructure visible from these settlements, although effects would continue to reduce with distance, screening and separation from the cluster.
- 5.4.46 For residential receptors, significant cumulative effects would be limited to a small number of properties with open and sustained outlooks towards the concentration of infrastructure at and around Netherton Hub. Scenario 2 would result in the highest levels of combined cumulative effect, with substantial to major (significant) effects predicted in the most affected views; however, these effects would be principally attributable to the combined concentration of existing, consented and in-planning energy infrastructure rather than to the Proposed Development in isolation.
- 5.4.47 The cumulative assessment also confirms that, notwithstanding the potential for significant cumulative visual effects, no individual residential property would experience a level of cumulative visual change that would breach the RVAT.
- 5.4.48 For transport and recreational routes, cumulative effects would be geographically focused and sequential in nature. From the A952, significant cumulative effects would be limited to short sections where eastward views towards Netherton Hub are available, with the Proposed Development making a limited and incremental contribution. Along the A950, significant combined cumulative effects would occur around the more open sections near Viewpoint 04, increasing under Scenario 2 where in-planning infrastructure adds to the density and complexity of the view. Minor roads closest to Netherton Hub would experience the greatest cumulative change, particularly where multiple infrastructure components are visible together.

- 5.4.49 Recreational receptors on the Formartine and Buchan Way and Core Path 208.01 would experience significant cumulative effects in short, open sections where the Proposed Development is viewed in conjunction with existing, consented and in-planning infrastructure, with the highest effects under Scenario 2 associated with the Beauly to Peterhead 400 kV OHL, Netherton BESS and the wider Netherton Hub cluster.

Policy 11 (e) (iii) - Public Access

- 5.4.50 Core paths have been assessed with regard to amenity impacts in the LVIA as referenced above. No recreational access routes would be directly impacted by the Proposed Development.

Policy 11 (e) (iv) (v) - Aviation, Defence Interests and Telecommunications

- 5.4.51 There are no predicted effects on aviation, defence interest or telecommunications as a result of the Proposed Development.

Policy (e) (vi) - Impacts on Road Traffic and Trunk Roads

- 5.4.52 The contractor for the Proposed Development would prepare a Construction Traffic Management Plan prior to construction. This approach accords with the EIA Screening Opinion.

Policy 11 (e)(vii) - Historic Environment

- 5.4.53 **Chapter 6 (Cultural Heritage) of the EAR** provides and assessment of the potential effects of the Proposed Development on the historic environment. No significant adverse effects have been identified post mitigation on heritage assets or their settings in the Study Area as defined.

- 5.4.54 Mitigation measures have been embedded into the design of the OHL. No significant effects are predicted in relation to heritage assets. This topic is further addressed below in the context of NPF4 Policy 7.

Policy 11 (e)(viii) - Hydrology, the Water Environment and Flood Risk

- 5.4.55 **Chapter 9 (Hydrology) of the EAR** assesses hydrology, hydrogeology, geology and soil receptors that could be affected by the Proposed Development. It examines:

- > Surface water bodies and private water;
- > Groundwater bodies; and
- > Flooding, including baseline fluvial and pluvial sources of flood risk.

- 5.4.56 The assessment demonstrates how the Proposed Development may potentially affect the above sensitive receptors during the construction phase by way of pollution incidents, erosion and sedimentation, loss and compaction of soils, modification of surface water drainage patterns, and modification in groundwater levels and flow, and/or impacts on public/private water supplies or flooding.

- 5.4.57 There is limited peat on the Site, and it is explained in the assessment that SEPA responded to the Applicant on 20 April 2026 confirming that the proposed approach to peat survey and peat management across all elements of the Proposed Development is acceptable. Any sensitive /peaty soils would be managed on Site, which is extensively modified and agricultural in its nature. On the basis of this position, further assessment of peat was scoped out.

- 5.4.58 It is explained that through successful application of good practice measures (General Environmental Management Plans ('GEMPs') and a 'CEMP') and additional mitigations, the appraisal has concluded that impacts from the Proposed Development can be mitigated to reduce the likelihood of any direct and indirect environmental residual risks on the hydrology, hydrogeology, geology and soil receptors. Therefore, no residual material effects are considered likely to arise as a result of the Proposed Development.

Policy 11 (e) (ix) - Biodiversity including impacts on birds

Ecology

- 5.4.59 **Chapter 7 (Ecology) of the EAR** provides an assessment of the potential impacts and likely significant effects of the construction and operation of the Proposed Development on ecology.

- 5.4.60 The appraisal focused on the following non-ornithological important ecological features ('IEFs'):

- > Native hedgerows;
- > Wet woodland;
- > Lowland mixed deciduous woodland;
- > Bats;
- > Badger;
- > Otter;
- > Water vole; and
- > Pine marten.

- 5.4.61 It is explained in the assessment that no significant effects are predicted in relation to these IEFs. Notwithstanding this position, some additional mitigation is recommended to include:

- > Pre-construction bat survey – Aerial PRF inspection and Activity Survey (Structures)
- > Pre-construction badger surveys & licensing
- > Artificial lighting restrictions
- > Pre-construction otter, water vole and pine marten surveys
- > General Mitigation for Works near Watercourses

Ornithology

- 5.4.62 The ornithology appraisal is set out in **Chapter 8 (Ornithology) of the EAR**. It identifies and evaluates the ornithology baseline of the Site and wider Ecological Zone of Influence ('EZoI') - the range over which a direct or indirect effect could occur depending on factors such as hydrological connectivity, territorial and foraging ranges of species.

- 5.4.63 The assessment concludes that the agricultural habitats within the EZoI are determined to support farmland breeding bird assemblages and provide foraging habitat for overwintering geese. However, it is explained that such habitat is very extensive beyond the EZoI of the Site throughout rural Aberdeenshire. Barn owl has been recorded within this habitat with potential for roosting, nesting, and hunting, as well as herring gull flights.

- 5.4.64 Residual effects on protected areas designated for ornithology receptors and breeding and over-wintering bird species would be negligible or sufficiently low and measures have been identified to minimise impacts. Mitigation measures would minimise the impact upon ornithological qualifying features of the nearby Special Protection Areas ('SPAs') including an

Ecological Clerk of Works ('ECoW') presence and surveys, timing of works, buffer zones, and bird flight diverters.

Policy 11 (e)(x) – Trees, woods and forests

- 5.4.65 Forestry and woodland is addressed in **Chapter 10 of the EAR**. This topic is addressed below in relation to NPF4 Policy 6.

Policy 11 (e) (xi) Decommissioning and (xii) Site Restoration Plans

- 5.4.66 The operation of the Proposed Development is considered to be in perpetuity.

Policy 11 (e) (xii) Cumulative impacts

- 5.4.67 **Chapter 12 (Cumulative Appraisal) of the EAR** addresses potential cumulative impacts. The in-combination effects appraisal has identified the potential for significant cumulative effects in relation to landscape and visual, and ornithology.
- 5.4.68 For landscape and visual, as explained, the Proposed Development would give rise to localised significant effects, particularly during construction and from receptors closest to the Netherton Hub and associated overhead line infrastructure. However, these effects would be contained within a landscape already influenced by energy and transmission infrastructure and would not result in widespread or fundamental change to the wider landscape character of the area.
- 5.4.69 It is expected that ornithological cumulative effects can be minimised by the application of mitigation measures (including the use of bird flight diverters).
- 5.4.70 The assessment identifies the potential for material construction cumulative effects associated with noise and vibration, although these are not expected to exceed the worst-case scenario of the Proposed Development considered in isolation from other developments.
- 5.4.71 Minor to negligible in-combination effects are expected for the remaining topics: cultural heritage, ecology, hydrology, hydrogeology, geology & soils, and forestry.
- 5.4.72 There is the potential for significant effect interactions during construction and operation associated with noise and visual impacts. During construction, these effects are expected to be localised, short-term and temporary. During operation, these effects are expected to be no greater than the effects reported in the individual appraisals.

Balancing the Contribution of a Development and Conclusions on Policy 11

- 5.4.73 **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. As explained above, only localised significant effects on landscape and visual receptors are predicted. The effects have been minimised as a result of embedded design mitigation and need to be viewed within the context of the benefits of the Proposed Development as regards addressing climate change and delivering essential transmission infrastructure to contribute to net zero and connect a consented wind farm.

5.5 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

- 5.5.1 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.
- 5.5.2 **Paragraph b) of Policy 3** states that:

“Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria.”

- 5.5.3 The policy goes on to reference the need for an understanding of the existing characteristics of a site and states that an assessment of potential negative effects should be undertaken which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.
- 5.5.4 **Paragraph b) iv)** of the policy sets out a requirement that *“significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate.”*
- 5.5.5 **Paragraph d)** adds that *“any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration”.*

Current Guidance

- 5.5.6 The Chief Planner’s Letter of 8 February 2023 provides some guidance with regard to Policy 3. It confirms that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and reiterates that research has been commissioned to explore options for developing a biodiversity metric or other tool for use in Scotland. This is currently being developed by NatureScot, details below. It adds that there will be some proposals which will not give rise to 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”.*
- 5.5.7 The Scottish Government published ‘**Planning Guidance: Biodiversity**²¹’ (‘Biodiversity Guidance’) in December 2025. 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.’”*
- 5.5.8 The draft 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”.*
- 5.5.9 The Biodiversity Guidance addresses development planning and, in terms of development proposals, references ‘core principles.’ At Paragraph 3.1 the draft 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 states:

²¹ Scottish Government (2025) Planning Guidance: Biodiversity.

“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.”

5.5.10 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 (ensuring that enhancement delivered is additional to any measures which would have been likely to happen in the absence of the development).

5.5.11 Page 17 of the Biodiversity 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 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).

5.5.12 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”.

5.5.13 Section 4.14 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. The Biodiversity Guidance 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.”

5.5.14 The Biodiversity 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.”

- 5.5.15 In early 2024 NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'. The Biodiversity Guidance notes that NatureScot has commenced work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 policy 3b. This includes guidance on the use of existing biodiversity metrics in the Scottish Planning system.
- 5.5.16 This consultation paper did not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlighted the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, now finalised and 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.

The application of Policy 3

- 5.5.17 Notwithstanding the lack of policy guidance at national level in Scotland, the Applicant has a business commitment²² for all projects gaining consent to deliver a minimum 10% BNG. This is consistent with NPF4 Policy 3 expectation for projects to leave nature in a demonstrably better state than without intervention.
- 5.5.18 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.
- 5.5.19 It is explained in **Chapter 7 (Ecology) of the EAR** that a number of positive effects for biodiversity would be delivered by the Proposed Development.
- 5.5.20 A BNG assessment has been undertaken to assess whether the Proposed Development would be able to deliver significant biodiversity enhancements on Site. The BNG assessment has calculated that the Proposed Development will result in a net loss of biodiversity units and cannot deliver significant biodiversity enhancements on Site.
- 5.5.21 At the time of writing no off-site location has been secured for the purposes of habitat creation and enhancement, but as is set out in the Chief Planners letter of April 2025²³, it is entirely appropriate for such matters to be secured by way of planning conditions.
- 5.5.22 The Applicant will identify suitable areas off site where habitat losses across the Proposed Development can be offset via the creation of new compensatory habitats and / or the enhancement of existing habitats. In this regard the Applicant is in discussions with local landowners and is committed to engaging with landowners to identify and secure suitable areas for delivery of all relevant biodiversity enhancement measures.
- 5.5.23 Once suitable areas for habitat enhancement and/ or habitat creation are secured off site, and their management is agreed with landowners, a Habitat Management and Monitoring Plan ('HMMP') would be drafted outlining methodology and monitoring of the identified management/ restoration areas in order to discharge the planning condition that would be applied. To ensure that the required BNG will be generated via the required habitat creation and/ or enhancement, the outcomes of the HMMP would be tracked against the predicted BNG values.
- 5.5.24 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. The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

²² SSEN Transmission: Delivering a positive environmental legacy.

²³ Planning - 2025 progress update: Ministerial and Chief Planner letter - April 2025.

5.5.25 In line with the Chief Planner and Minister Letter (April 2025) which provides guidance on the use of suspensive conditions to secure the submission and implementation of compensatory planting and biodiversity measures as appropriate, it is considered that any off-site measures can be satisfactorily addressed by way of a planning condition.

5.5.26 The Applicant's commitment to delivering 10% BNG on all projects and their quantification of the approach to be taken, insofar as possible at this stage of the Proposed Development, is such that the proposals are considered to accord with the aims and objectives of Policy 3 of NPF4.

5.6 NPF4 Policy 4: Natural places

Policy 4 & Principles

5.6.1 The policy has an intent to protect, restore and enhance natural assets, making best use of nature-based solutions. Policy outcomes are stated as being protection and restoration of natural places, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.

5.6.2 **Policy 4, Paragraph a)** of the policy states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported.

5.6.3 **Policy 4, Paragraph b)** refers to development proposals which are likely to have a significant effect on a European designated site and sets out in such circumstances the requirement for appropriate assessment.

5.6.4 **Policy 4, Paragraph c)** deals with national landscape designations in relation to how a proposal that affects a National Park or National Scenic Area ('NSA') should be addressed. There are no national landscape interests that would be affected by the Proposed Development.

5.6.5 **Policy 4, Paragraph d)** deals with local landscape designations and is as follows:

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

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

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

5.6.6 The policy 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*".

5.6.7 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 NSA) 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*”).

5.6.8 **Policy 4, Paragraph e)** addresses the precautionary principle.

5.6.9 **Policy 4, Paragraph f)** sets out that “...*development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application*”.

5.6.10 **Policy 4, Paragraph g)** of the policy deals with Wild Land Areas (‘WLA’). There are no WLAs within the LVIA Study Area of the Proposed Development. Therefore, WLAs are not affected by the Proposed Development.

The application of Policy 4

5.6.11 As explained above in the context of NPF4 Policy 11 (Energy) the EAR contains an assessment of the effects of the Proposed Development in relation to natural heritage interests.

5.6.12 There are no designated sites in terms of nature conservation or landscape interests which would be impacted by the Proposed Development and only very localised effects on landscape fabric and visual receptors are anticipated from the EAR. Embedded design mitigation and siting is such that visual impacts are localised.

5.6.13 The Proposed Development is considered to be in accordance with Policy 4 of NPF4.

5.7 NPF4 Policy 5: Soils

Policy 5 & Principles

5.7.1 The policy intent is to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development.

5.7.2 Policy 5 deals with prime agricultural land at part (b) and notes that development will only be supported for certain types of development including essential infrastructure where there is a specific locational need.

5.7.3 Part (c) of Policy 5 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. 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

5.7.4 The Proposed Development is not located on areas of peatland categorised as being of international and national importance.

5.7.5 Impacts on soils would be minimised by way of good practice construction methods and by way of the proposed CEMP to be secured by way of a standard planning condition.

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

5.8 NPF4 Policy 6: Forestry, woodland and trees

Policy 6 & Principles

5.8.1 The policy intent is to protect and expand forests, woodland and trees.

5.8.2 **Policy 6 Paragraph a)** states that *“Development proposals that enhance, expand and improve woodland and tree cover will be supported.”*

5.8.3 **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.”

5.8.4 **Policy 6 Paragraph c)** states that:

“Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered”.

The application of Policy 6

5.8.5 Forestry and woodland is addressed in **Chapter 10 (Forestry and Land Use) of the EAR**. It is explained that the closest area of native Woodland is situated approximately 100 m From the proposed temporary tower in the east of the Site. Although part of this woodland is located within the Site, which includes the LoD, careful micro-siting of the temporary tower and associated compound would ensure that there is not a requirement for tree felling within the woodland land parcel. Therefore, from a forestry perspective, the Proposed Development is not expected to impact on native woodland. The Proposed Development is considered to accord with Policy 6.

5.9 NPF4 Policy 7: Historic assets and places

Policy 7 & Principles

5.9.1 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:

5.9.2 **Paragraph a)** states that *“development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impact of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.”*

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

5.9.4 **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”.*

- 5.9.5 **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.*

- 5.9.6 **Paragraph i)** 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*”.

- 5.9.7 **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

- 5.9.8 A detailed cultural heritage assessment has been undertaken and is reported in **Chapter 6 (Cultural Heritage) of the EAR**. It is explained in the assessment that a comprehensive desk-based review of existing information was undertaken, highlighting the presence of 14 heritage assets within the cultural heritage study areas.
- 5.9.9 It is stated in the assessment that there are 11 non-designated heritage assets (referenced as - HA2, HA3, HA4, HA6, HA7, HA8, HA9, HA10, HA11, HA12, and HA14) located within the Site, consisting of post-medieval buildings, and a probable agricultural ditch and pit.
- 5.9.10 It is explained that Ludquharn cottage (NK04SW0043; HA4) is the only heritage asset within the Site with upstanding remains that could be impacted by the Proposed Development. The appraisal of this impact has been assessed as slight adverse, prior to mitigation. Demarcation and avoidance of the upstanding remains would ensure there would be no impacts if the tower location remains the same. If the tower location moves and demarcation and avoidance is not possible, archaeological investigations of the site would ensure their preservation by record.
- 5.9.11 The appraisal of the potential impacts has been assessed as neutral for the other five heritage assets within the Site, and no mitigation is recommended as there are no surviving remains associated to the heritage assets that would contribute to the current understanding of the historic environment.
- 5.9.12 One designated heritage asset, Easterton of Lenabo Airship Station, Scheduled Monument (SM13679; HA12), is located within the Outer Study Area approximately 670 m from the Site boundary. Due to the presence of intervening woodland and topography, no significant setting effects are predicted, and no mitigation for setting change is required.
- 5.9.13 The Proposed Development is considered to be in accordance with NPF4 Policy 7.

5.10 NPF4 Policy 22: Flood risk and water environment

- 5.10.1 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.
- 5.10.2 **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.

- 5.10.3 **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 SUDs.

Application of Policy 22

- 5.10.4 Appropriate assessments have been undertaken, and no additional mitigation is considered necessary over and above standard embedded mitigation and best practice measures. With those measures in place no significant effects are predicted in relation to hydrological interests. No water quality monitoring is necessary in light of these findings.
- 5.10.5 The assessments undertaken and findings thereof are considered to be in accordance with Policy 22.

5.11 Conclusion on NPF4 Appraisal

- 5.11.1 A detailed assessment of the Proposed Development has been undertaken referencing the EAR and other supporting documents.
- 5.11.2 The lead policy in this case is Policy 11 (Energy) and the Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria. The application of the mitigation hierarchy has resulted in very few significant effects arising as a result of the Proposed Development, which will deliver nationally important essential infrastructure. In particular, the residual significant adverse effects are limited to very localised landscape and visual effects, which are clearly identified by Policy 11 as matters to be expected from development of this nature.
- 5.11.3 A key point within Policy 11 (Energy) is that any impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case.
- 5.11.4 It has been demonstrated that the Proposed Development attracts strong support from Policy 11.
- 5.11.5 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crises). The term "tackling" the respective crises in Policy 1 is important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.
- 5.11.6 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.
- 5.11.7 Eighteen National Developments are identified to support the Strategy, and they are to be the *"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.
- 5.11.8 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).
- 5.11.9 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.
- 5.11.10 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)
- 5.11.11 The Chief Planners letter makes it clear that the application of planning judgement remains essential in all decision making and states that:

"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."

5.11.12

The Proposed Development would be in accordance with all relevant NPF4 policies and draws particularly strong support from Policies 1 and 11. Accordingly, when read as a whole in line with the Chief Planner's advice, the Proposed Development is considered to be the right one, in the right location and one which will contribute to Scotland being a Sustainable Place.

6. Appraisal against the Local Development Plan

6.1 Introduction

- 6.1.1 The other element of the statutory Development Plan covering the Site comprises the Aberdeenshire Local Development Plan ('ALDP', 2023).
- 6.1.2 The ALDP was prepared and adopted prior to NPF4 coming into force and reflects the provisions of the former SPP, now superseded. Where incompatibilities exist between the ALDP and NPF4, or where the ALDP is silent, the policies of NPF4 prevail.
- 6.1.3 Relevant policies from the ALDP are referenced below. This chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 5 above against the policy provisions of NPF4. A high-level appraisal of relevant ALDP policies and consideration of areas of conflict or contradictions with the policies of NPF4 is provided.

6.2 ALDP Policy / Overview

- 6.2.1 Spatial framework mapping on page 86 of the ALDP identifies national development sites, including high voltage transmission infrastructure. The ALDP makes reference to high voltage infrastructure being required at various locations within Aberdeenshire.
- 6.2.2 This is set out under **Policy PR2 Reserving and Protecting Important Development Sites** which is concerned with protecting sites that may be required for certain categories of development including 'sites to support the national developments identified in the National Planning Framework.' It notes that high-voltage electricity transmission infrastructure, including cabling, substations, and converter stations, will be at a range of locations within Aberdeenshire.
- 6.2.3 The Proposed Development can draw direct support from this Policy. As noted, the Proposed Development is an identified National Development in NPF4.
- 6.2.4 The policy wording of Policy PR2 Reserving and Protecting Important Development Sites is as follows:

"PR2.1 We will protect and not allow alternative development on sites that may reasonably be needed in the future for:

- *delivering improvements to transportation including projects identified in the Settlement Statements, the Aberdeen City and Shire Strategic Development Plan, the Local or Regional Transport Strategy, or the Strategic Transport Projects Review, routes recognised in the Core Paths Plan network, closed railways and their abutments, embankments and cuttings, existing airports and airfields and operational areas of ports and harbours;*
- *generating and providing energy;*
- *waste management facilities;*
- *education facilities;*
- *cemeteries;*
- *other community facilities and infrastructure; and*
- *sites to support the national developments identified in the National Planning Framework.*

PR2.2 National developments that directly affect the area covered by this Plan include proposals for contribution to capturing and storing carbon and making use of heat generation. Carbon Capture is specifically promoted at the St Fergus Gas Terminal but also at other locations associated with the pipeline from the central belt to St Fergus. High-voltage electricity transmission infrastructure, including cabling, substations, and converter stations, will be at a range of locations but are expected to include sites associated with the electricity substation south of Peterhead.

PR2.3 Where we know about the above, we have identified them in the relevant Settlement Statements typically identified as 'Reserved Land'."

6.3

Other Relevant ALDP Policies

6.3.1

The other policies of relevance in the ALDP are summarised below in **Table 6.1** with brief comment added with regard to how the policies relate to the policies of NPF4, where relevant.

Table 6.1: Relevant ALDP Policies & Comment regarding NPF4

Policy	Topic	Policy Summary	Position against NPF4
Policy E1: Natural Heritage	Natural Heritage	This policy seeks to protect sites designated for nature conservation interests at European, National, and local levels, seeks to avoid unacceptable adverse impacts on protected species and seeks to generally enhance the wider biodiversity and geodiversity of development sites. The Council will not permit new development which may unacceptably adversely impact on a site designated for nature conservation interests at a European level unless there are no alternative solutions; there are imperative reasons of overriding public interest; and compensatory measures have been identified and agreed. Similarly for sites designated at the national and local levels, development will only be permitted where assessments demonstrate that the designation objectives and overarching site integrity 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. In all cases, there is a requirement that any impacts are minimised through careful design and mitigation measures. Development proposals must seek to avoid any unacceptable detrimental	NPF4 Policy 4 (Natural places) deals with natural heritage matters and NPF4 Policy 3 Biodiversity covers the protection and enhancement of biodiversity. The provisions of Policy E1 are contained within the scope of NPF4 Policy 4 and Policy 3. No incompatibility has been identified with NPF4 in relation to ALDP Policy E1.

Policy	Topic	Policy Summary	Position against NPF4
		impact on protected species. Where it is believed protected species may exist on or adjacent to the site, a Protected Species Survey will be required and a Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development which will impact protected species will be refused unless justified in accordance with the relevant protected species legislation. The Council will only approve development proposals when evidence of a baseline ecological survey is provided; when proposals have been designed to avoid impacts where possible; when an ecological or geological management plan is provided that includes necessary mitigation and compensation measures to result in ecological net gain; and, where impacts cannot be avoided, the public benefits clearly outweigh the site's ecological or geological value. Development proposals must also identify what the proportionate measures are that will be taken to enhance biodiversity on Site.	
Policy E2: Landscape	Landscape	The Council will refuse development that causes unacceptable impacts as a result of its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character (as defined in the Landscape Character Assessments produced by NatureScot) whether impacts are alone or cumulatively with other recent developments. The policy outlines that a Landscape and Visual Impact Assessment (LVIA) may be required to assess the effects of change on a landscape as a result of a development proposal. The Council also requires appropriate mitigation be included in a proposal to address adverse impacts on	NPF4 Policy 11 (Energy) deals with landscape and visual impacts and Policy 4 (Natural places) deals with natural heritage matters including landscape designations. The provisions of policy E2 insofar as relevant are contained within the scope of NPF4 Policy 11 and Policy 4. No incompatibilities have been identified with NPF4 in relation to ABLDP Policy E2.

Policy	Topic	Policy Summary	Position against NPF4
		the landscape and ensure that there are not unacceptable.	
Policy HE1: Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)		The Council will resist developments that have an adverse impact on the character, integrity or setting of Listed Buildings, Scheduled Monuments, or other archaeological sites. In situations where adverse impacts are not avoidable, the Council require these to be minimised through the exploration of mitigation measures and other alternatives. Development on nationally or locally important sites (or which will have an adverse impact on their setting) will only be permitted under exceptional circumstances, including those of a social or economic nature, and so long as there is no alternative Site. Development proposals should include details of any mitigation measures for the conservation of important sites.	NPF4 Policy 7 (Historic assets and places) seeks to protect and enhance historic environment assets and places, and Policy 11 Energy requires project design and mitigation to demonstrate how impacts on the historic environment will be addressed. The provisions of policy E2 insofar as relevant HE1 contained within the scope of NPF4 Policy 7 and Policy 11. No incompatibilities have been identified with NPF4 in relation to ALDP Policy HE1.
Policy PR1: Protecting Important Resources		This policy seeks to protect important environmental resources associated with air quality, the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and important trees and woodland. Development proposals which will impact any of these resources will only be permitted when public economic or social benefits clearly outweigh any negative effects on the protected resource, and where there are no reasonable alternative sites. Development proposals which will impact water bodies, or their catchment areas must not prejudice water quality or flow rates, or their ability to achieve or maintain good ecological status. Policy PR1 requires opportunities for the improvement of water quality, physical enhancement of waterbodies and for the creation, enhancement and management of habitats to be	NPF4 Policies 11 (Energy) and 22 (Flood risk and water management) deal with hydrology and the water environment. The provisions of policy PR1 insofar as relevant to hydrology and the water environment are contained within the scope of NPF4 Policy 11 and Policy 22. When considering hydrology and the water environment, no incompatibilities have been identified with NPF4 in relation to ALDP Policy PR1. Separately, NPF4 Policy 6 deals with forestry, woodland and trees. The general provisions of policy PR1 with regard to forestry, woodland and trees are contained within the scope of NPF4 Policy 6. No incompatibilities have been identified with NPF4 in relation to ABLDP Policy PR1.

Policy	Topic	Policy Summary	Position against NPF4
		included in development proposals where feasible. Policy PR1 establishes a strong presumption in favour of retaining woodland on development sites. Development resulting in the loss of, or serious damage to, trees and woodlands of significant ecological, recreational, historical, landscape or shelter value will not normally be permitted. In order to determine whether there are significant public benefits that would outweigh any loss or damage to trees and woodlands, developers are required to submit a Tree Survey to the British Standard for Trees 5837. Where removal is considered appropriate, damage to existing trees must be minimised and compensatory planting will be required.	
Policy C4: Flooding		This policy requires Flood Risk Assessments to be undertaken (in accordance with SEPA's Technical Flood Risk Guidance) for development proposals that are located in the medium to high flood risk category. Development should avoid location within areas of medium to high flood risk, functional floodplains or other areas where the risks are otherwise assessed as heightened or unacceptable, except, <i>inter alia</i>, where it is essential infrastructure, and an alternative lower risk location is not available. Policy C4 states that developments should not increase flood risk vulnerability on site or elsewhere. Developments will not be approved if they enclose culverting of watercourses for land gain and all developments are subject to Sustainable Urban Drainage principles.	NPF4 Policies 11 (Energy) and 22 (Flood risk and water management) deal with hydrology and the water environment. The provisions of policy C1 insofar as relevant are contained within the scope of NPF4 Policies 11 and 22. No incompatibilities have been identified with NPF4 in relation to ALDP Policy C4.

6.4 Conclusions on the ALDP

- 6.4.1 The relevant development management considerations have been addressed above (**Chapter 5**) in the context of NPF4 Policy 11 and are not repeated with reference to the ALDP.
- 6.4.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of relevant policies within the ALDP when the plan is considered as a whole.
- 6.4.3 Relevant policies within the ALDP are considered to be compatible with those of NPF4 and given the appraisal set out above in Chapter 5 in relation to the various environmental and technical topics of relevance to the Proposed Development, there would be no conflict with their terms.

7. Conclusions

7.1 The Electricity Act

- 7.1.1 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.
- 7.1.2 The information that is contained within the individual topic sections of the EAR 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 environmental and technical appraisals overall has confirmed and provides confidence that the Proposed Development would be undertaken in an environmentally acceptable manner.

7.2 The Development Plan

- 7.2.1 NPF4 comprises the primary Development Plan Document and the lead policy, which should be afforded most weight in this case, is considered to be **Policy 11 (Energy)**. **NPF4 Policy 1 (Tackling the climate and nature crises)** is also key, stating that in considering all development proposals, significant weight must be given to the global climate and nature crises.
- 7.2.2 The Proposed Development is **considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria when read as a whole**.
- 7.2.3 Overall, the LVIA identifies that the Proposed Development would give rise to a limited, proportionate and highly localised pattern of landscape and visual effects. Significant effects would occur in a small number of locations where visibility is greatest, where receptors are closest to, or most directly orientated towards, the proposed works and operational infrastructure, and where existing screening by landform, vegetation or built form is limited. This outcome is not unusual for a development of this nature, size and scale, particularly where new and modified OHL infrastructure is introduced into open or partially open rural views. Indeed, as noted Policy 11 states that such significant effects for this type of infrastructure are to be expected.
- 7.2.4 The most notable effects would arise during construction, when temporary activity, plant, cranes, tower assembly and dismantling would increase movement and visual prominence within the local landscape.
- 7.2.5 Operational effects would generally be lower and more contained, reflecting the cessation of construction activity, the limited extent of new infrastructure, the removal of a short section of the existing 400 kV overhead line, and the established presence of energy infrastructure within the receiving landscape.
- 7.2.6 In isolation, effects arising from the Proposed Development would therefore be geographically limited and would not result in a widespread or fundamental change to landscape character or visual amenity across the wider LVIA Study Area.
- 7.2.7 Similarly, where significant cumulative effects are identified, these would also be highly localised and concentrated around Netherton Hub, nearby open views, and short sections of affected routes or receptor locations where multiple infrastructure elements may be experienced together or sequentially.

- 7.2.8 The highest cumulative effects would be driven primarily by the scale, concentration and intervisibility of the wider cumulative infrastructure baseline, including the consented Netherton Hub, existing transmission infrastructure and, under Scenario 2, the wider suite of in-planning BESS and OHL developments. The Proposed Development would form a secondary and incremental component within this broader infrastructure context and would not materially extend the geographical extent of significant cumulative landscape or visual effects.
- 7.2.9 Accordingly, the LVIA undertaken demonstrates that both the in isolation and cumulative significant landscape and visual effects would be limited in spatial extent, localised, focused around the immediate Netherton Hub context and associated nearby receptors, and consistent with the type of localised effects that can reasonably be expected for strategic electricity transmission infrastructure of this scale.
- 7.2.10 Policy 11 of NPF4 recognises that significant landscape and visual impacts are to be expected for some forms of renewable energy and associated infrastructure, and that where such impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered acceptable. In this context, the Proposed Development is considered to accord with NPF4, with significant effects being highly localised, proportionate to the scale of the development, moderated by the existing and emerging energy infrastructure baseline, and acceptable in landscape and visual terms.
- 7.2.11 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. It has been demonstrated that the Proposed Development is in accordance with Policy 11.

7.3 The Climate Crisis & Renewable Energy Policy Framework

- 7.3.1 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 climate emergency and very challenging net zero targets and would contribute to improving security of supply.
- 7.3.2 The need for a high voltage electricity transmission network to support renewable energy generation and meet net zero, and to ensure energy security and supply, is included within NPF4:
- “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”. (pg. 103)*
- 7.3.3 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.

7.4 The Planning Balance & Conclusion

- 7.4.1 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.
- 7.4.2 NPF4 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.
- 7.4.3 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”²⁴;
 - > 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 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.
- 7.4.4 It is important to consider the Development Plan as a whole when applying the planning balance and it is clear from the NPF4 Statement of Need, that need considerations and benefits of national importance attract significant weight.
- 7.4.5 The Proposed Development would deliver nationally important essential infrastructure and has been carefully routed and aligned such that the level of significant effects remaining post-mitigation are localised and limited overall. When assessed in overall terms, it is considered that the benefits arising outweigh the adverse effects that would arise, and that the Proposed Development should be supported.

²⁴ NPF4, page 2

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