Fred. Olsen Renewables

Fetteresso Wind Farm

Planning, Design and Access Statement

Document history

Author	Kirstin Leckie	29/03/2019
Checked	Craig Potter	20/05/2019
Approved	Euan Hutchison	23/05/2019

Client Details	
Contact	Gareth Swales
Client Name	Fetteresso Wind Limited
Address	c/o Fred. Olsen Renewables, 64-65 Vincent Square, London, SW1P 2NU

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Local Office:

Ochil House,
Springkerse Business Park,
Stirling,
FK7 7XE
SCOTLAND,
UK
Tel: +44 (0) 1786 542 300

Registered Office:

The Natural Power Consultants Limited
The Green House
Forrest Estate, Dalry,
Castle Douglas, Kirkcudbrightshire,
DG7 3XS

Reg No: SC177881
VAT No: GB 243 6926 48

Contents

1. Introduction

1.1.1. Natural Power Consultants Limited (Natural Power) have, on behalf of Fetteresso Wind Limited (the Applicant) submitted an application under Section 36 of the Electricity Act 1989 to seek consent from the Scottish Ministers for the development of Fetteresso Wind Farm. The application also seeks a direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission for the development be deemed to be granted.

1.1.2. This Planning, Design and Access Statement has been prepared by Natural Power to accompany the Section 36 application. The Planning, Design and Access Statement (PDAS) includes:

- The procedures used by the applicant to find a suitable location and design for the proposed development;
- Details of the proposed development;
- The methods proposed by the applicant to ensure that any residual environmental impacts are avoided/minimised/mitigated;
- Consideration of the proposed development against the relevant policies of the Scottish Ministers; and
- Consideration of the proposed development against the Local Development Plan (LDP) for Aberdeenshire, the area in which the proposed development is located, and other material planning considerations.

1.1.3. It is proposed that, as far as is practical, the planning conditions that applied to the Mid Hill Wind Farm consent in 2013, (see Appendix 1.3 in Volume 4 of the EIAR) should also be applied to the proposed development. This will ensure that there is, in general, duplicate sets of similar conditions applying to the wind farm as a whole, with the new set of regulations recognising the use of shared infrastructure for the lifetime of the new phase of development.

1.1.4. The existing Mid Hill I & II Wind Farm developments are considered, in combination, to be a very successful operational wind farm that has been delivered and operated within the various requirements of the existing consents. It is therefore appropriate that this success and the contribution that it makes towards renewable energy production, carbon reduction and economic wellbeing continues with the proposed Fetteresso Wind Farm.

2. Environmental Impact Assessment Report

2.1.1. The Environmental Impact Assessment Report (EIAR) has been prepared in line with the Electricity Works (Environmental Impact Assessment) Regulations 2017. The EIAR reports the findings made in the Environmental Impact Assessment (EIA) of the proposed development. The scope of the EIA was the subject of a formal scoping opinion from the Scottish Government on behalf of Scottish Ministers, which included input from the Local Planning Authority, which is Aberdeenshire Council, and from other consultees including Scottish Environmental Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Environment Scotland (HES).

2.1.2. During the EIA process, site visits and desktop assessments, in line with relevant guidance, were carried out to ascertain the potential impacts and mitigation measures to be made. A review of planning and other relevant policies was also made to inform the assessment process and ensure the proposed development was in line with local and national policy.

3. Design and Access

3.1.1. Whilst acknowledging that the proposed development is submitted under Section 36 of the Electricity Act 1989, as a measure of good practice, the applicant has provided a detailed written statement about the design principles and concepts that were applied to the proposed development before submission in Chapter 3: Site Selection and Design Evolution of the EIAR. Consideration of access is normally required by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and although the details sought by these Regulations are of limited relevance to the proposed development, access issues have also been addressed in the EIAR, in particular Chapter 4: Description of Development and Chapter 12: Traffic and Transport Assessment. It is therefore considered that this Design and Access Statement, in combination with the EIAR fulfils the usual planning requirement for a statement on design and access.

3.1.2. The site has been selected through a pro-active prospecting exercise and chosen for its positive balance between high wind yield and low environmental effects. The layout of the site itself has also followed strict criteria to avoid sensitive features and avoid causing direct effects as much as possible. The design strategy has followed the principles within Planning Advice Note 68 – Design Statements. The design strategy for the key elements of the proposed development has taken into account the following objectives:

- To provide a turbine layout, which relates to the landscape character of the site and its surroundings;
- To create a turbine layout which takes into account the scale of the landscape in which it is located;
- To avoid an overly complex and visually confusing layout;
- To achieve a balanced composition of the turbines against the landscape and skyline from key view point locations;
- To reflect the pattern of nearby existing wind farms;
- To maximise site efficiency and electricity production targets; and
- To reach a design that aims to balance all of the objectives stated above.

3.1.3. Initial layouts comprising a higher number of turbines at lower tip heights were considered in 2014. Due to the changes to UK government policy towards onshore wind in 2015, this proposal was not progressed. This led to a fundamental reappraisal and redesign of the project which has resulted in the current proposed development. The final design has used fewer, larger turbines than was proposed in 2014, thus enabling the site to be viable, contribute to the emerging energy market in the UK and reflect the implementation aims of the Scottish Energy Strategy and the Scottish Onshore Wind Energy Policy Statement. These are discussed in more detail in section 7 of this statement.

3.1.4. The various relevant bodies were consulted during the initial EIA process, feedback from which was fed directly in to the iterative design process. Public events were also held, and full details of the consultation process are provided in the Pre-Application Consultation (PAC) Report which accompanies the application.

3.1.5. Consideration of other wind farm developments, including the operational Mid Hill Wind Farm development were also taken into account in the layout design. Chapter 3: Site Selection and Design Evolution of the EIAR details the design process and the rationale for location and the design of the proposed development.

3.1.6. The proposed development's location and site design including access requirements has resulted in there being 7 watercourse crossings required. There are assessed in Appendix 10.5 of the EIAR.

3.1.7. From an access point of view, Chapter 16: Access of the EIAR notes that Public Right of Way GK70. GK71, GK74 and the Cryne Corse Mounth transect the proposed development area. Three other path networks also transect the site boundary (See Figure 16.1 in Volume 2 of the EIAR). Public use of these paths would be managed during the construction phase for health and safety reasons, using temporary diversions, for example. Once operational, these tracks would be fully accessible again and the public would be free to roam in and around the wind farm site, paying due attention to health and safety notices displayed on the turbines and associated infrastructure. Additionally, the access tracks of the wind farm will also improve accessibility across the proposed development area in general. This is considered to be a positive enhancement of the existing access on site and across the proposed development area.

3.1.8. The provision of access associated with the proposed development will give due consideration to Local Development Plan (LDP), Policy P2: Open space and access in new development, which states the following: *'Existing and potential public access routes (including core paths) should be protected and new developments must include appropriate opportunities for informal recreation and promote walking or cycling as a means of transport…"* (page 48). Having proposed measures to manage any short term disruption to pedestrian access during the construction phase it is the Applicant's view that access to and through the site during the operational phase of the development will be improved in accordance with this policy.

3.1.9. In conclusion, it is considered that the proposed development voluntarily meets the usual Design and Access requirements for a major development under the Planning Acts and Regulations, and, as stated above, reflects the implementation of the Scottish Energy Strategy and the Scottish Onshore Wind Energy Policy Statement. Although explored in more detail elsewhere in this statement it is also the applicant's view that the proposed development and its associated mitigation meets the requirements of the Applicant's design strategy as summarised above.

4. Overview of the Proposed Development

4.1.1. The proposed development is located east and southeast of the existing Mid Hill wind farm developments and is located entirely within the Aberdeenshire Council area, situated approximately 15 km west of the town of Stonehaven. The proposed development will comprise of:

- Up to 10 turbines, 4 of a maximum height base to tip not exceeding 200 m, 3 maximum height base to tip not exceeding 180 m and 3 maximum height base to tip not exceeding 149.9 m;
- External transformer housing;
- Crane pads;
- Turbine foundations;
- Access tracks;
- Substation;
- Underground electricity cables;
- Anemometry mast;
- Up to 4 temporary borrow pits;
- Water crossings and drainage attenuation measures as necessary;
- Forestry felling and restocking;
- Temporary construction and storage compounds;
- Associated works/infrastructure; and
- Health and safety sign posting.

4.1.2. A new substation will be constructed as part of the proposed development, shown on Figure 1.2 in Volume 2 of the EIAR. The Fetteresso onsite substation will connect to the wider network via the Fetteresso SSE grid supply point (GSP), which is connected to the 275kV line to the east of the site (see Figure 1.3 in Volume 2 of the EIAR).

4.1.3. The proposed development will act as an extension to the operational Mid Hill I and II Wind Farms. Mid Hill I Wind Farm became operational in 2014 and comprises 25 turbines of up to 125 m to tip height. Mid Hill II Wind Farm received consent in 2013 and was constructed alongside Mid Hill I and comprises 8 turbines of up to 125 m to tip height. Key features of the proposed development have been informed by the Applicant's experience of consenting, building and operating the existing Mid Hill Wind Farm developments. It is proposed as part of this application that the same, or similar, consenting construction and operating requirements that have been successfully implemented on the existing Mid Hill I and II Wind Farm developments can be used as a basis for, and, where appropriate, replicated for the delivery of the proposed development.

4.1.4. The proposed development is expected to have an operational live of 35 years. To enable the use of shared infrastructure over this period, the application also seeks to extend the use of shared access tracks and other essential infrastructure over the proposed 35 year period.

5. The Applicant

5.1.1. Fetteresso Wind Limited is a subsidiary company of Fred. Olsen Renewables Ltd. (FORL). FORL has been developing and operating wind farms since the mid 1990's and is fully committed to the Scottish and UK renewable energy generation market, with an operational portfolio generating capacity of over 596.5 MW. In the UK, FORL has a total of six operational wind farms, including the existing Mid Hill wind farm developments.

6. Consultants

6.1.1. Natural Power, the lead consultancy on the project, has been providing expertise to the renewable energy industry since the company was formed in 1995 and is one of the UK's leading renewable energy and infrastructure consultants. As well as development and EIA services, Natural Power also provide expert advice and due diligence consultancy, site construction management and site operation and maintenance.

6.1.2. Natural Power currently employs over 360 people working full time on providing wind energy services internationally. In Scotland, Natural Power has offices in Stirling and Inverness, and its headquarters 'The Green House' is an award winning, environmentally friendly office building located in Dumfries and Galloway.

6.1.3. Alongside the Applicant, Natural Power has been providing a range of planning, construction and operational services on the operational Mid Hill wind farm developments for over 10 years, which has informed the proposed development. The proposed development has also been informed through work provided by Hayes McKenzie Partnership, CFA Archaeology and Stephenson Halliday Landscape Architects (contact details of these can be found in the accompanying Non-Technical Summary and in Chapter 1 in Volume 2 of the EIAR).

7. National Legal and Policy Framework

The Electricity Act 1989

7.1.1. For the proposed development an application is prepared and submitted under Section 36 of the Electricity Act 1989. The scheme requires consent from the Scottish Government under Section 36 of the Electricity Act 1989 to construct and operate the proposed development, and involves the Scottish Government considering the arguments for and against the proposed development before determining an application and awarding any consent.

7.1.2. Pursuant to schedule 9 of the Act, regard is given to the desirability of preserving natural beauty, conserving flora and fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural interest. The Scottish Ministers will consider the extent to which the applicant has done, within reason, to mitigate any effect the proposal might have on these features. There is also a requirement when exercising relevant functions related to the generation of supply of electricity to seek to avoid, so far as reasonably practicable, causing injury to fisheries or fish stocks.

7.1.3. These matters have been addressed as appropriate in the EIAR and assessments of these features have been undertaken and are described along with a summary of the proposed mitigation measures, in the relevant sections of the EIAR to mitigate potential environmental effects upon these assets. It is therefore considered that the proposed development is in accordance with the relevant requirements of the Act.

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

7.1.4. Regulation 3 states that a Section 36 application for consent which requires an EIA shall not be granted unless the requirements of the regulations have been satisfied. The Applicant must submit an EIAR and adhere to the proper publicity procedures. In determining the application, the Scottish Ministers must take the findings of the EIAR and other environmental information into account.

7.1.5. The EIA identifies the direct and indirect potential significant effects of the proposed developments during each stage of the development. It considers these impacts on the following factors and the interaction between those factors: population and human health; biodiversity; land, soil, water, air and climate; and material assets, cultural heritage and the landscape.

7.1.6. The EIAR has been structured in such a way as to best presents the impacts on the factors outlined above. Relevant maps and plans of the proposed development have also been included within the EIAR. The relevant potential significant effects created by the proposed development have been assessed and presented in the EIAR. The design alternatives have also been considered in chapter 3 of the EIAR. It is therefore considered that the requirements of the Regulations have been duly followed.

The Town and Country Planning (Scotland) Act 1997 as amended

7.1.7. With the application submitted under Section 36 of the Electricity Act 1989, the Applicant also seeks direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006, that planning permission for the development be deemed to be granted.

7.1.8. Aberdeenshire Council is a statutory consultee for the application, as the proposed development is located within their local authority boundary. Although carrying less weight than a determination under

the planning acts, the relevant development plan for the proposed development is Aberdeenshire Council Local Development Plan (LPD) 2017. This along with other guidance and emerging policies of the planning authority are considered in sections 9 and 10 of this planning statement.

Scottish Climate Change Legislation and Energy Policy

7.1.9. The Scottish Government is a devolved administration and is responsible for climate change and energy issues in Scotland. In line with the UK's agreement with the Kyoto Protocol and the targets set out in the European Directive 2009/28/EC, the Scottish Government has brought into force:

- The Climate Change (Scotland) Act 2009;
- The Scottish Energy Strategy 2017; and
- The Scottish Onshore Wind Energy Policy Statement 2017.

7.1.10. These documents are the main drivers in steering Scotland towards a low carbon economy and meeting international targets on climate change and renewable energy generation.

7.1.11. The Scottish Energy Strategy, published in December 2017, sets targets for the energy system for 2030, building on these presented by the 2020 Route Map for Renewable Energy in Scotland the Renewables Action plan. It includes the aim to meet 30 % of Scotland's whole energy demand from renewables by 2020.

7.1.12. The document outlines a vision to drive Scottish Energy Production for 2050 and stresses the importance of renewable energy in achieving a low carbon economy in Scotland. The importance of renewable energy to Scotland's economy is also recognised.

7.1.13. Amid the growing concern globally of climate change and the risks it poses to habitats and civilisations, the Paris Agreement symbolises the latest international effort to limit its effects. The Paris Agreement was arranged in Paris in December 2015 between 195 countries. Nations including the UK signed the Agreement in April 2016 to make the global plan to limit global warming below 2 ^{o}C legally binding.

7.1.14. The Paris Agreement will take effect from 2020. In addition to the target of keeping global warming below 2 ^{o}C of pre-industrial levels, it recognises the role of non-party stakeholders, including local authorities, to address climate change by scaling up efforts and support actions to reduce emissions and build resilience, and decrease vulnerability to the adverse effects of climate change. It is envisaged for Scotland to be a leading force in renewables and that such policies will create investment and job opportunities in the 'green' business sector and as a nation become self-sufficient in energy use.

7.1.15. At the time of writing, the UK is still subject to the requirement of the European Union's (EU) Directive 2009/28/EC 2003. The Directive establishes a framework for the promotion of energy from renewable sources, setting mandatory national targets for member states. These national targets are such that the European Community as a whole will meet its overall target of at least 20 % of energy consumption from renewable sources by 2020. Against this EU target, the Directive establishes a requirement for the UK to achieve an equivalent target of 15 % by 2020. As stated below, this is only possible if clear, stable and well-designed policies are introduced in the UK to reduce emissions further across the economy without delay. Current policy is considered insufficient for even the existing targets.

The Climate Change (Scotland) Act 2009

7.1.16. The Climate Change (Scotland) Act 2009 is seen as a key commitment of the Scottish Government which aims to establish a framework and creates mandatory climate change targets to drive greater efforts at reducing greenhouse gas emissions in Scotland.

7.1.17. Section 44 of the Climate Change (Scotland) Act 2009 placed a duty on every public body to act:

- In the best way calculated to contribute to the delivery of the emissions targets in the Act;

- In the best way calculated to help deliver the Scottish Government's climate change adaption programme; and
- In a way that is considers is most sustainable.

7.1.18. Owing to its energy production, emission savings, economic and social effect, as noted in the relevant chapters of the EIAR, the proposed development will make a significant contribution to achieving the targets set by the Act and should be given due cognisance by the relevant public authorities when exercising their duties under this legislation.

Scotland's Energy Strategy 2017

7.1.19. Scotland's Energy Strategy (SES) was published in December 2017 and outlines a vision for the future of energy production in Scotland for 2050. The vision is centred on achieving a strong, low carbon economy in which renewable energy is recognised to play an important part.

7.1.20. Scotland's Energy Strategy states the target to produce 50 % of Scotland's energy demand for heat, transport and electricity, as well as to increase the productivity of energy use across the Scottish economy, by 30 %.

7.1.21. Scotland's Energy Strategy also sets out the aim to achieve a largely decarbonised economy by 2050. This represents a significant progression in policy terms towards meeting wider climate change goals and targets to those which were reflected in the SPP in 2014. Although these have yet to formally be carried into Scottish Planning Policy, this movement in policy terms and the lag that has been created in planning policy is itself a material consideration in the determination of this application. Accordingly it is the Applicant's view that additional weight must be given to these more recent and demanding targets than more historic planning policies.

7.1.22. An important driver of the SES is the recognition of the requirements of the renewable energy industry to improve efficiency by utilising taller wind turbines with larger rotor diameters to operate in the market following the removal of government subsidy through Renewable Obligation Certificates and subsequently Contracts for Difference. Enabling these requirements is essential in order to meet the ambitious, but achievable, targets set out in the Scottish Energy Strategy.

7.1.23. The strategy recognises that Scotland's energy system is changing and there has been a sharp rise in harnessing the country's renewable resources as a means of energy production. It is also recognised that renewables are a key driver in Scotland's economy.

7.1.24. The proposed development has been designed to operate in the current and emerging market conditions and as such will contribute positively towards reaching the targets set out in the Scottish Energy Strategy and towards the estimated 17 GW of installed renewable capacity required by 2030 in order to reach these targets.

Scottish Onshore Wind Energy Policy Statement 2017

7.1.25. The Scottish Onshore Wind Energy Policy Statement recognises the wind energy sector is a big contributor to the Scottish economy. Scotland has 46 % of all UK employment in the sector and 57 % of all UK turnover in the sector. The Policy Statement furthermore recognises that the future of the market for onshore wind is uncertain following the removal of subsidies in 2015. However, it is believed this can be facilitated with the right regulatory framework and Government support.

7.1.26. The Scottish Government states that it will support new and repowered wind farms and recognises that if wind farms are to continue to contribute to Government targets without subsidies, this inevitably means the use of larger turbines, where appropriately located. Such wind turbines can capture more of the available wind resource and improve the efficiency of wind farm developments. With the necessary

support for such large turbine projects by Scottish Ministers, statutory and non-statutory consultees, the ambitious 2030 energy target can be met.

7.1.27. The OWPS recognises the importance of onshore wind to the Scottish economy and for meeting energy needs: *"**In order for onshore wind to play its vital role in meeting Scotland's energy needs, and a material role in growing our economy, its contribution must continue to grow. Onshore wind generation will remain crucial in terms of our goals for a decarbonised energy system, helping to meet the greater demand from our heat and transport sectors, as well as making further progress towards the ambitious renewable targets which the Scottish Government has set**".*

7.1.28. The proposed development is therefore considered to adhere to the OWPS and will contribute positively to the Scottish economy and towards meeting renewable energy targets. It is imperative that decision makers give due weight to the content of this important document especially in relation to the age and consequent relevance of other policy documents in assessing the merits of this application.

The Climate Change Plan 2018

7.1.29. Published in February 2018, the Climate Change Plan sets out Scotland's strategy to meet emission reduction targets between 2018 and 2032, taking a visionary approach. It is published under the Climate Change (Scotland) Act 2009 and is intended to be the last plan published under this Act, with future plans being proposed under the proposed Climate Change (Emissions Reduction Targets) (Scotland) Bill 2018. The plan sets out the emissions reductions pathway towards 2032, with the target of reducing emissions by 66 % against the 1990s levels. It is acknowledged that "this will be an enormous transformational change" (page 22 of Climate Change Plan).

7.1.30. The plan states the following targets for the electricity sector, aligning itself with the Scottish Government's Energy Strategy (2017) (outlined in section 2.3):

7.1.31. By 2032, Scotland's electricity system will supply a growing share of Scotland's energy needs and by 2030, 50 % of all Scotland's energy needs will come from renewables.

7.1.32. By 2032, Scotland's electricity system will be largely decarbonised and be increasingly important as a power source for heat and transport.

7.1.33. Electricity will be increasingly important as a power source for heat and transport to charge Scotland's growing fleet of ultra-low emission vehicles. The proposed development will make a meaningful contribution to these commitments and targets.

Net Zero - The UK's Contribution to Stopping Global Warming 2019

7.1.34. The most recent UK initiative on Climate Change is a reassessment of emissions targets. The 'Net Zero – The UK's contribution to stopping global warming' report (May 2019) responds to a request from the Governments of the UK, Wales and Scotland, asking the Committee on Climate Change to reassess the UK's long-term emissions targets. The new emissions scenarios draw on ten new research projects, three expert advisory groups, and reviews of the work of the IPCC and others.

7.1.35. The report's key findings are that:

- The Committee on Climate Change recommends a new emissions target for the UK: net-zero greenhouse gases by 2050.
- In Scotland, we recommend a net-zero date of 2045, reflecting Scotland's greater relative capacity to remove emissions than the UK as a whole.
- In Wales, we recommend a 95% reduction in greenhouse gases by 2050.

7.1.36. A net-zero green house gas (GHG) target for 2050 will deliver on the commitment that the UK made by signing the Paris Agreement. It is considered achievable with known technologies, alongside

improvements in people's lives, and within the expected economic cost that Parliament accepted when it legislated the existing 2050 target for an 80% reduction from 1990.

7.1.37. However, this is only possible if clear, stable and well-designed policies to reduce emissions further are introduced across the economy without delay. Current policy is considered insufficient for even the existing targets. The alignment of the proposed development with climate change commitments and more recent Scottish Energy Policies provides an example of the type of change which this report identifies as being necessary to meet the targets.

Scotland's Economic Strategy

7.1.38. Published in 2015, Scotland's Economic Strategy sets out an ambition to make Scotland's economy more resilient and more cohesive and improve the quality of life of the country's citizens by increasing competitiveness and tacking inequality. This is with the overarching aim to support long term, sustainable economic growth.

7.1.39. The proposed development represents an additional major investment by the applicant in the Aberdeenshire Council area. The proposed development along with the existing phases of the Mid Hill Wind Farm will bring additional investment in modern technologies, skilled jobs and contracting opportunities which will help to further decarbonise, modernise and diversify the local economy and wider Aberdeenshire area. In doing so the proposed development is considered to be in alignment with Scotland's Economic Strategy.

8. Scottish Planning Policy and Advice

8.1.1. National Planning policy and advice in Scotland is practised through the following hierarchy:

- National Planning Framework 3 (NPF3) provides a spatial vision for the future growth of Scotland. It provides the strategic policy context for decision and actions by the Scottish Government and its agencies.
- Scottish Planning Policy (SPP) provides a succinct statement of national planning policy.
- Circulars contain guidance on policy implementation through legislative or procedural change.
- Planning Advice Notes (PAN) provide information and advice relevant to particular policies.

National Planning Framework 3 (NPF3)

8.1.2. Scotland's third National Planning Framework was laid in the Scottish Parliament on 23 June 2014.

8.1.3. NPF3 is the spatial expression of the Scottish Government's Economic Strategy – with a focus on supporting sustainable economic growth and the transition to a low carbon economy. NPF3 sets out the ambition for Scotland as a whole and highlights the distinctive opportunities for sustainable growth in our cities and towns, or rural areas and our coast and islands.

8.1.4. NPF3 promotes the greater use of renewable energy, supporting further deployment of onshore wind farms and moving Scotland further towards becoming a "Low Carbon Place".

8.1.5. Although not a national development itself, the proposed development adheres to the vision set by NPF3. The proposed development will contribute to the reduction of greenhouse gases by producing electricity from a renewable source and reducing the need for fuel from finite resources. It will increase the percentage of electricity supplied by renewable sources and move Scotland closer towards having a low carbon economy and reaching energy supply targets. The proposed development is therefore supported in general terms by NPF3.

Scottish Planning Policy (SPP)

8.1.6. Published in June 2014, the current SPP provides a statement of Scottish Government Policy on nationally important land use. As well as providing a context for different types of development in Scotland, it also sets out policy on how the planning system should operate and how planning authorities should prepare development plans and supplementary guidance and determine planning applications.

8.1.7. In terms of its Core Principles for the planning system, SPP makes it clear that the system should be plan led, to the point where decision making is transparent and predictable, that constraints on development are necessary and proportionate and that all interests are engaged as early as possible, all seeking to ensure there is a clear focus on the quality of outcomes.

8.1.8. Although the SPP has in some respects been superseded in Energy Policy terms by the publication of the SES and OWPS in 2017 and will no doubt be updated itself in due course to reflect this changing position, the proposed development has nevertheless considered the relevant constraints and opportunities presented by the site, had due regard to the development plan for the area, included consultation with all stakeholders including the planning authority, consultees and local communities from an early stage throughout the design and assessment process (see the accompanying Pre-Application Consultation (PAC) Report for further information) and has therefore been developed in accordance with the Core Principles of SPP. Relevant sections of SPP are described in more detail in relation to the proposed development in the paragraphs below.

A Low Carbon Plan

8.1.9. SPP states in section 152 that:

"NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the Scottish Government's Report on Proposals and Policies. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas".

8.1.10. SPP states in Section 154 that:

"The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving:
  - 30% of overall energy demand from renewable sources by 2020;
  - 11% of heat demand from renewable sources by 2020; and
  - the equivalent of 100 % of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:
  - Energy efficiency;
  - Heat recovery;

- Efficient energy supply and storage;
- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced."

8.1.11. The proposed development will increase the amount of renewable energy generation in Scotland, thus helping to support the transformational change to a low carbon economy consistent with national objectives and targets. Appendix 10.5 of the EIAR provides more detail of the carbon balance associated with the proposed development. The carbon dioxide emissions savings and renewable electricity generating capacity are consistent with the aims of SPP from transitioning to a low carbon economy and increased renewable energy supply. Again, it is noted in this regard that the targets presented in the SPP have been superseded by those in the SES and OWPS and should be considered with this in mind.

Onshore Wind

8.1.12. SPP has a section dedicated to onshore wind. Paragraph 161 states that:

8.1.13. *Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Development plans should indicate the minimum scale of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out criteria that will be considered in deciding all applications for wind farms of different scales – including extensions and re-powering – taking account of the considerations set out at paragraph 169."*

8.1.14. Section 169 states *"Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:*

- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walk and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration."

8.1.15. All such constraints have been taken into account with regards to the proposed development and have been assessed during the EIA process. The results of the EIA are presented in further detail in the relevant chapters of the EIAR and the factors above are assessed against relevant policies in section 9

of this statement. The proposed Fetteresso Wind Farm, as an extension to Mid Hill I and II and is considered an appropriate proposed location in the context of Moray's spatial strategy.

8.1.16. In addition, with regards to the last factor above, the proposed development has a high level strategy for decommissioning which is presented in Chapter 4: Description of Development in Volume 2 of the EIAR and is considered in each of the different assessments carried out. A detailed decommissioning strategy would be developed in agreement with Moray Council towards the end of the operational period of the proposed development.

8.1.17. The proposed development is therefore considered to be in accordance with the most directly relevant part(s) of the SPP in so far as these remain relevant following the publication of the more recent SES and OWPS.

Promoting Rural Development

8.1.18. The overall approach advocated in SPP is that of a proactive stance to development in rural areas. Paragraph 75 of the SPP states that the planning system should:

- "In all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces; and
- Encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality."

8.1.19. The proposed development will be situated in a relatively remote upland rural area adjacent to an existing wind farm in Aberdeenshire.

8.1.20. Chapter 15: Socioeconomic Assessment of the EIAR reports that during the construction phase of the development, the proposed development is predicted to generate 140 job years in Scotland during construction, 47 of these being in Aberdeenshire. The proposed development would further sustain 3 full time jobs in Aberdeenshire during the operational phase.

8.1.21. Job creation is expected to trickle down to provide additional spending within this relatively remote rural area, thus helping to sustain the local economy over the construction period and operational lifetime of the proposed development. The proposal will also add to the supply of renewable electricity locally which can be utilised to support local businesses and underpin the wider decarbonisation of the Moray economy. The proposed development is therefore considered to be in line with the SPP's vision for rural development.

Valuing the Historic Environment

8.1.22. The SPP supports the recognition of the contribution made by cultural heritage to our economy, cultural identity and quality of life and describes the historic environment in paragraph 136 as a *"key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places."* As per paragraph 137, the planning system should:

- promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

8.1.23. Chapter 9: Cultural Heritage of the EIAR confirms that there are no direct or indirect significant effects associated with the construction, operation and decommissioning of the proposed development predicted in relation to any nationally important assets.

A Successful, Sustainable Place

8.1.24. The SPP recognises the importance of supporting sustainable economic growth and regeneration, setting out the role that the Scottish Government expects the planning system to play in the sustainable economic growth of Scotland.

8.1.25. In addition to full time job creation, Chapter 15: Socioeconomic Assessment of the EIAR also notes that since the existing Mid Hill Wind Farm developments became operational in 2014, the developer (FORL) has undertaken ongoing site surveys to monitor the ecological conditions, to manage and mitigate when required and to improve the wider understanding of the potential environmental effects on wind farms such as Mid Hill, Rothes I and II and Paul's Hill Wind Farm in the north of Scotland. The developer's commitment to environmental monitoring will continue should the proposed development receive consent and commences operation in 2023.

Planning Advice Notes (PAN)

Specific Advice Sheet: Onshore Wind Turbines

8.1.26. Specific Advice Sheet: Onshore Wind Turbines has replaced Planning Advice Note (PAN) 45 – Renewable Energy and is a source of specific advice for the development of onshore wind farms. The document provides specific advice to inform both development plans and developers involved in onshore wind projects. It is updated online and identifies key issues to be considered within the design and development process.

Other PAN

8.1.27. In addition to the Specific Advice Sheet: Onshore Wind Turbines is a range of topic and procedural Planning Advice Notes which have been considered in the design and assessment of the proposed development, including:

- PAN 1/2013 – Environmental Impact Assessment and Annex A
- PAN 51 – Planning, Environmental Protection and Regulation
- PAN 60 – Planning for Natural Heritage
- PAN 68 – Design Statements
- PAN 73 – Rural Diversification
- PAN 75 – Planning for Transport
- PAN 3/2010 – Community Engagement
- PAN 1/2011 – Planning and Noise
- PAN 2/2011 – Planning and Archaeology

8.1.28. The proposed development has progressed with careful consideration of the advice contained within the Specific Advice Sheet: Onshore Wind Turbines and other PAN. The design and assessment of the proposed development has evolved to comply with the advice supplied and has been clearly addressed throughout the EIAR. The proposed development is therefore considered to be in accordance with the general direction of these Planning Advice Notes.

9. Development Plan

Aberdeen City and Shire Strategic Development Plan 2014

9.1.1. The Aberdeen City and Shire Strategic Development Plan was published in 2014 and outlines a strategy for the region's development, based on the desired changes for the region.

9.1.2. There are several key influences on the strategy, with the *urgent* issue of climate change considered to be one of the international influences on the plan.

9.1.3. The SDP has the aim to achieve sustainable economic growth in the region by building on its strengths in the offshore oil and gas industry while growing and diversifying the economy in other sectors to achieve the following vision:

9.1.4. *"We will be recognised for:*

- *our enterprise and inventiveness, particularly in the knowledge economy and in high-value markets;*
- *the unique qualities of our environment; and*
- *our high quality of life.*

We will have acted confidently and taken the courageous decision necessary to further develop a robust and resilient economy and lead the way towards development being sustainable, including dealing with climate change and creating a more inclusive society."

9.1.5. The proposed development is considered to be sustainable and to make a positive contribution towards tackling climate change and is therefore considered to be coherent with the SDP's vision. Moreover, the proposed development could also contribute to a more inclusive society with its ability to support rural communities as previous phases of the proposed development has done, in the shift towards a low carbon economy.

9.1.6. The policy states that "*in accessing development proposals, we will balance the importance given to each aim in coming to a decision, taking into account the spatial strategy, objectives and targets of the plan."*

9.1.7. Providing a high level spatial strategy, the plan advises Local Development Plans to set out policies and identify land for development. Local Development Plans should therefore identify areas and technologies that can contribute to the supply of renewable energy.

9.1.8. One key objective of the plan, considered relevant to the proposed development, is that of achieving sustainable development and mitigating against climate change. This includes increasing energy efficiency, encouraging the use of alternative fuels, implementing electric vehicle charging points and encouraging their use and increasing the supply of energy obtained from renewables.

9.1.9. The proposed development is seen to be a sustainable development that will help the Aberdeen City and Shire area in mitigating against climate change. As a renewable energy technology, the proposed development fits with the objective in the sense that it will be an alternative fuel use to oil and gas, and will provide clean, renewable electricity that could service electric vehicle charging points, which will be vital in the future shift towards a low carbon economy.

9.1.10. The proposed development is considered to be aligned as far as possible with the vision of the Aberdeen City and Shire Strategic Development Plan however due consideration should be given to the more recent targets outlined in the SES and the OWPS to meet renewable energy targets, mitigate against climate change and transition towards a low carbon economy,

Aberdeenshire Local Development Plan 2017

9.1.11. The vision of the Aberdeenshire Local Development Plan (LDP) is to *balance economic growth with the urgent challenges of sustainable development and climate change.* Further aims are included that: *deliver quality of life; help improve natural and cultural heritage; can create sustainable mixed communities; and make the best of the existing transport network.* Furthermore, it is recognised that in remoter locations there may be no transport alternative to using cars.

9.1.12. The Aberdeenshire LDP contains policies to be considered in relation to new developments under the following themes:

- Shaping business development
- Shaping development in the countryside
- Shaping homes and housing
- Shaping places
- Natural heritage and landscape
- The historic environment
- Protecting resources
- Climate change
- The responsibility of developers

9.1.13. The polices below have been considered relevant to the proposed Fetteresso Wind Farm development. It should be noted it is important that the determining authorities take account of more recent SES and OWPS and the extent to which the SPP's presumption in favour of sustainable development (SPP32) and where required the 'tilted balance' (SP33, as it if often referred to) should be applied.

9.1.14. The policies regarding climate change within the LDP are considered the most relevant to the proposed development, which are detailed first below, followed by other policies considered to be of relevance to the proposed development. The proposed development is an example of a sustainable development which address climate change while enhancing local communities and is therefore considered to be aligned with the vision of the plan.

Policy C2: Renewable energy

9.1.15. Policy C2: Renewable Energy states that solar, wind, biomass and hydro-electricity development which are in appropriate sites and of the right design will be supported.

9.1.16. The appropriateness of the site for this form of development was identified following an extensive site selection process of all Forestry and Land Scotland sites across Aberdeenshire and Moray in 2011. This in turn was undertaken in response to an initiative by Scottish Ministers to maximise the contribution of Forestry and Land Scotland land to meeting national targets for renewables. Having undergone a competitive tendering process, Fred. Olsen Renewables was selected to take forward the development of potential wind farm sites in the North East of Scotland (Lot 4) area. The Fetteresso site was one of five selected from a search of over 200 land parcels. The site selection process was undertaken in consultation with FLS, SNH, SEPA and Aberdeenshire Council.

9.1.17. Policy C2 details that wind energy development will be approved in appropriate locations taking into account the relevant spatial framework mapping. It should be noted however that under SPP the proposed development is located within a Group 3 site within the spatial framework, where *wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria*. The map on page 63 of the LDP confirms that the proposed development is in a Group 3 site where wind farms are likely to be acceptable with detailed consideration. More detailed guidance on siting wind farms is set out in the Strategic Landscape Capacity Assessment. However, having been published in March 2014 prior to the SPP (June 2014) and more recent Scottish Government policies on climate change, renewable energy and especially onshore wind in the SES (Dec. 2017) and OWPS it is the applicant's view that the Strategic Landscape Capacity Assessment is not only out of date with national policy but contrary to it. Whilst Landscape Character Assessments continue to be recognised as a starting point for properly considered LVIA's, the use of Capacity Studies as a prejudicial means of assessing wind farm developments has been routinely and broadly rejected. As a consequence of these considerations it is the applicant's view that the SLCA should be given little if any weight in the determination of this application.

9.1.18. Accordingly, although the proposed development lies within an area which the LDP describes as having limited capacity for development, the underlying assumptions behind this 'designation' are considered to be out of sync with current national policy and have should also be given little or no weight in this determination. Instead it is the Applicant's view that more weight should be given in the planning balance to the site's strategic location in a group 3 area according to the SPP and on FLS land which has been promoted by Scottish Ministers for the purpose of wind farm development through a consultative process involving FLS, SNH, SEPA and other consultees.

9.1.19. In design terms proposed development has undergone an iterative design process which is set out in Chapter 3: Site Selection and Design Evolution in Volume 2 of the EIAR.

9.1.20. The layout of the proposed development was designed under the guidance, requirements and considerations of Fetteresso Wind Farm, contributions from Natural Power and from other contributing specialist consultants such as landscape architects and a cultural heritage advisor. The site design process was also guided by the findings of the baseline surveys, by the opinions of the specialist consultants and by issues raised by statutory and non statutory consultees in line with Scottish Planning Policy.

9.1.21. The aim of the siting and design process was to arrive at a design that would minimise environmental effects, limit significant landscape and visual effects, be technically feasible and economically viable. The design process included the selection in number and size of turbines, placement of turbines, tracks and other associated infrastructure whilst taking account of landscape and visual concerns, ecology, hydrology and peat.

9.1.22. The location of individual turbines was guided by the technical requirements for the turbines, slope angles and the nature of the topography in which the turbine is to be located. Siting was also guided by the results of the baseline studies scoping exercise with particular attention given to the likely landscape and visual assessment effects, residual amenity and the hydrology and peat resource at the site.

9.1.23. The iterative design process was brought to a conclusion and the final design fixed, when it was considered that an acceptable balance had been struck between the requirements of Fetteresso Wind Farm in the context of the policies and the various other environmental constraints and influences identified in this chapter.

9.1.24. The iterative design process was undertaken under the influence of policy guidance and best practice principles, such as the SNH guidance on 'Siting and Designing Windfarms in the Landscape' (February 2017) and the final design arrived at is considered to adhere to the requirements of Policy C2.

9.1.25. Furthermore, Policy C2 recommends that wind farms are appropriately sited and designed to avoid unacceptable environmental effects, taking into account the cumulative effects of existing and consented turbines.

9.1.26. A cumulative impact assessment has been undertaken in Chapter 8: Landscape and Visual Impact Assessment in Volume 2 of the EIAR. The potential for significant cumulative landscape and visual effects of the proposed Fetteresso Wind Farm have been considered in relation to the fully consented Scenario 2 and the scenario of other proposed wind energy projects with validated planning applications as Scenario 3.

9.1.27. The addition of Fetteresso to Scenario 2 would result in no additional significant cumulative landscape effects and the overall pattern of development in this part of Aberdeenshire would remain unaffected.

9.1.28. The addition of Fetteresso to Scenario 3, with either Craigneil or Glen Dye, would result in no additional significant cumulative landscape effects and the overall pattern of development in this part of Aberdeenshire would remain unaffected. However, if both Craigneil and Glen Dye were consented and built there could be some change to the Aberdeenshire Summits and Plateaux LCT overall. However, the addition of Fetteresso as an extension to the Mid Hill array would not lead to any further transformations in landscape character and the pattern of development.

9.1.29. Also noted in Policy C2 is that turbines must not compromise health and safety or adversely affect aircrafts or airfields and/or telecommunications.

9.1.30. Chapter 4: Description of Development in Volume 2 of the EIAR outlines that adequate health and safety measures would be carried out in the proposed development area during the construction and operational phases of the proposed development and health and safety sign posting would be erected to advise the public within the vicinity of the wind farm. The proposed development is therefore not expected to compromise health and safety in this sense.

9.1.31. Chapter 13: Noise Assessment in Volume 2 of the EIAR has undertaken noise assessments during the construction, operational and decommissioning phases of the proposed development.

9.1.32. The assessment found that no significant impacts are predicted for road traffic noise generated by construction traffic accessing the site during the construction phase of the development. Noise levels arising from decommissioning activities are likely to be similar to those associated with construction activities, and therefore no significant noise impacts are predicted during the decommissioning phase of the development.

9.1.33. During the operational phase, an assessment of the noise impact of the proposed development in its own right and a cumulative assessment with the operational Mid Hill Wind Farm developments was undertaken. Predicted noise levels from the proposed Fetteresso Wind Farm are below 30 dB LA90 at all except 4 residential properties. Predicted cumulative noise levels have been calculated at these properties including the contribution from Mid Hill I, and Mid Hill II Wind Farms. Cumulatively, the results presented show that predicted noise levels from all wind farms in the area are below the 40 dB LA90 minimum noise limit. In terms of noise, the proposed development is not expected to compromise health and public amenity.

9.1.34. Chapter 14: Aviation and Existing Infrastructure assesses the impacts on aviation and airfields. Discussions are ongoing with the MoD and is expected the impacts could be mitigated and secured through an appropriate planning condition.

9.1.35. The chapter also includes an assessment on existing infrastructure. A desk-based review, using online tool “Linesearch before U dig” of the proposed development area indicated that there are National Gas Transmission Pipelines and associated equipment in the vicinity of the proposed development. Cables and pipelines are also known to exist along the main access route and along the track network that serve the existing Mid Hill turbines. It will therefore be essential to identify where these are prior to construction start and that safe working practices are undertaken in the vicinity of any cables and pipelines. Buried cables and pipelines will be protected and will be physically marked out on site ahead of any construction works taking place.

9.1.36. Due to the proximity of gas pipelines a schedule of works will be submitted prior to construction. Suitable exclusion zones will be observed. Further investigations will be carried out pre-construction to ensure that all existing infrastructure is identified and suitably marked prior to construction start.

9.1.37. With this embedded mitigation the proposed development is considered to adhere to this part of Policy C2.

9.1.38. Policy C2 also details that unacceptable significant adverse effects on the amenity of dwellings or tourism and recreation interests, including core paths and other established routes used for public walking, riding or cycling should also be avoided.

9.1.39. Chapter 8: Landscape and Visual Impact Assessment is supported by Appendix 8.8: Residential and Visual Amenity Assessment. The residential visual amenity assessment identifies and predicts visual effects on residential properties within a 3km radius of the proposed Fetteresso turbines. A total of 29 residential dwellings are located within the 3km study area, of which 21 of those would have visibility of the proposed development but only 11 of those are predicted to experience significant effects, although

in no case would any property become an unattractive place to live, when judged objectively in the public interest.

9.1.40. While turbines would be seen from some properties, that presence would not be dominating or overbearing. This is due to the physical separation and, in some circumstances, intervening buildings, property aspect, landform and vegetation.

9.1.41. In terms of settlements, significant effects are predicted for some residents of Auchenblae but other settlements such as Fordoun, Laurencekirk, Stonehaven, Inverbervie and Portlethen would not experience significant effects.

9.1.42. The Landscape and Visual Impact Assessment also includes an assessment of recreational receptors. Recreational receptors included sequential receptors and representative viewpoints:

- Fordoun to Auchenblae Core Path
- Sustrans Route 195 (The Deeside Way)
- Public Rights of Way GK 70, 71 and 74
- Viewpoint 1: Stonehaven Monument
- Viewpoint 4: Cairn o' Mount
- Viewpoint 6: Scolty Hill
- Viewpoint 11: West of Blererno
- Viewpoint 12: Hill of Garvock car park and picnic site

9.1.43. The assessment concluded that the effect on sequential recreational receptors would not be significant on either of the PRoW which cross the proposed development, nor on users of the Core Path between Fordoun to Auchenblae and Sustrans Route 195 (The Deeside Way), however there would be a moderate but significant effect at the Cairn o' Mount viewpoint. It is however considered that this impact has been reduced as far as possible with mitigation by design and, in balance, if the project were to be consented would generate funding for Forestry and Land Scotland to invest in the national forest estate, including recreational use.

9.1.44. As unacceptable significant adverse effects are not predicted on tourist and recreational routes the proposed development is considered favourably under this part of Policy C2.

9.1.45. Overall, having taken steps thought careful siting and design to avoid unacceptable environmental effects it is considered that the proposed development is aligned with Policy C2, and should be approved under the terms of this policy.

Policy C3: Carbon sinks and stores

9.1.46. Policy C3: Carbon sinks and stores states that carbon sinks and stores such as woodland and high carbon peat rich soils (Class 1 and 2 and greater than 0.5m in depth) from disturbance and destruction. The use of the "Carbon Calculator" tool is recommended to demonstrate that the development will, within its lifetime, *have no net effect on CO_2*.

9.1.47. Policy C3: Carbon sinks and stores also states that the removal of woodland will only be permitted if an equal area is replanted so as to maintain the carbon balance.

9.1.48. Chapter 10: Hydrology, Geology and Hydrogeology, accompanied by Appendix 10.1: Peat Landslide Risk Assessment; Appendix 10.2: Peat Management Plan and Appendix 10.4: Carbon Balance Assessment assesses the impact on peat and other carbon rich soils.

9.1.49. Embedded mitigation includes the design of the layout of the turbines, access track and associated infrastructure to avoid the areas of deepest peat and peat slide hazard zones while taking into account other constraints.

9.1.50. With mitigation by design and best practice measures implemented during construction and operation, the impact on peat and other carbon rich soils is expected to be not significant.

9.1.51. The results from the carbon calculator in Appendix 10.4: Carbon Balance Assessment reveal that the proposed development would have effectively paid back its expected carbon debt from manufacture, construction, impact on habitat and decommissioning within 2.4 years, if it replaced the fossil fuel electricity generation method.

9.1.52. The proposed development is therefore considered to be in keeping with Policy C3 of the LDP in terms of the impact on peat and other carbon rich soils.

9.1.53. Policy C3 notes that development resulting in the loss of, or serious damage to, trees and woodlands of significant ecological, recreational, historical, landscape of shelter value will not normally be permitted.

9.1.54. Chapter 11: Forestry of the EIAR includes a full assessment on the impact of forestry as a result of the proposed development.

9.1.55. Chapter 11: Forestry has found that there would be 26.13 ha of forest will be lost as a result of the proposed development. Compensatory planting proposals for this 26.13 ha will ensure that there is no net loss of woodland as a result of the proposed development. It should be noted again that the proposed development has come as a result of the Scottish Ministers seeking to diversify the national forest estate and the proposed development has been arrived at following several years of discussion with Forestry and Land Scotland and with their specific agreement prior to submission. In terms of forestry, the proposed development is considered to be in keeping with Policy C3 of the LDP.

9.1.56. . Overall, the proposed development is considered to be acceptable under Policy C3.

Policy E1: Natural heritage

9.1.57. The policy states that new development will not be permitted where they may have an adverse effect on a nature conservation site designated for its biodiversity or geodiversity importance. The proposed development is not located within a nature conservation site, nor is it predicted to have any significant impacts upon surrounding sites.

9.1.58. The policy also states the development should seek to avoid any detrimental impacts on protected species through carrying out surveys and appropriate mitigation where necessary. A full assessment of both avian and non avian species have been assessed within the EIAR in Chapter 6: Ecology and Chapter 7: Ornithology. This has included the preparation of a baseline surveys. No significant impacts upon protected species have been identified. In terms of Ecology, by applying effective mitigation measures and following best practice guidelines through construction, it is considered that the impacts upon ecological interests will be low/negligible and not significant in terms of the EIA Regulations. No significant impacts are predicted on ornithological features pre-mitigation as a result of the proposed development. Embedded mitigation/best practice will ensure that these impacts be non-significant.

9.1.59. The proposed development is not located within a nature conservation site and the EIAR has conducted an assessment in line with the recommendations of Policy E1 and found there to be no significant impacts. The proposed development is considered to be acceptable under Policy E1.

Policy E2: Landscape

9.1.60. The policy advocates that developments that cause unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character (as in the landscape character assessments produced by SNH). Cumulative impacts should be considered as well as the impact of the development in its own right. The policy states that developments should not be located within the defined Special Landscape Areas (SLA's) as outlined in the Supplementary Guidance document.

9.1.61. The proposed development is not located within the candidate SLA's. The Landscape and Visual Impact Assessment found the impacts on neighbouring SLA's to be of minor or minor to moderate significance and therefore not significant in EIA terms.

9.1.62. The Landscape and Visual Impact Assessment also contains a cumulative impact assessment in line with the requirements of Policy E2. The potential for significant cumulative landscape and visual effects of the proposed Fetteresso Wind Farm have been considered in relation to the fully consented Scenario 2 and the scenario of other proposed wind energy projects with validated planning applications as Scenario 3. The addition of Fetteresso to Scenario 2 would result in no additional significant cumulative landscape effects and the overall pattern of development in this part of Aberdeenshire would remain unaffected. The addition of Fetteresso to Scenario 3, with either Craigneil or Glen Dye, would result in no additional significant cumulative landscape effects and the overall pattern of development in this part of Aberdeenshire would remain unaffected. However, if both Craigneil and Glen Dye were consented and built there could be some cumulative impacts. However, the addition of Fetteresso as an extension to the Mid Hill array would not lead to any further transformations in landscape character and the pattern.

9.1.63. The EIAR has concluded that the proposed development is not located within a candidate SLA and will not have any significant impacts upon the neighbouring candidate SLA's outlined in the Supplementary Guidance. Although it is acknowledged that the proposed development will have a moderate but significant effect on the host landscape character type (LCT 29), this has been minimised as far as possible through siting and design of the proposed development. The proposed development is also predicted to have a moderate but significant impact on the neighbouring LCT (LCT 24) however this has only been considered to be moderate up to 5 km away and will not impact the whole LCT to this extent. On the basis that these significant effects are not *unacceptable* under Policy E2, the proposed development is therefore considered to be in line with the policy.

Policy HE1: Protecting historic buildings, sites and monuments

9.1.64. Policy HE1 states that all listed buildings, archaeological sites and scheduled monuments will be protected. Their protection, maintenance, enhancement and appropriate active use and conservation will also be encouraged. Developments that would have a negative effect on the character, integrity or setting of listed buildings, scheduled monuments or other archaeological sites would not be allowed.

9.1.65. The Cultural Heritage Assessment, in Chapter 9 of the EIAR has identified one Scheduled Monument, Cowie Line pillbox and earthworks (SM6437), within the Inner Study Area.

9.1.66. Where heritage assets lie in close proximity to proposed development features they would be avoided as far as practical in order to ensure their preservation in situ. Where appropriate, sites would be either entirely fenced off or visibility marked out to prevent accidental damage occurring to the remains during construction activities in the vicinity. This includes the Cowie Water, Pillbox and Earthworks Scheduled Monument (SM). A minimum 5 m stand-off buffer would be applied to the Scheduled Monument, Cowie Water, Pillbox and Earthworks (5 / SM6437), marked off by a visible barrier or fence to be located outside the Scheduled Area, for the duration of the works to ensure that no accidental plant or vehicle encroachment occurs within the Scheduled Area.

9.1.67. If road upgrading works are required along the section of existing access track that crosses the Scheduled Monument Cowie Water, Pillbox and Earthworks (5 / SM6437) consultation would be carried out with Historic Environment Scotland and Scheduled Monument Consent (SMC) would be sought prior to any works being carried out within the Scheduled Monument Area. If any road widening works are required along the section of existing access track that runs immediately north of the Scheduled Monument, every effort would be made to ensure widening works would be kept to the opposite side of the track away from the Scheduled Monument and there would be no encroachment upon the Scheduled Area.

9.1.68. Mitigation measures have been set out that would avoid or reduce the predicted effects. No significant residual effects are anticipated in relation to cultural heritage interests, including listed buildings, scheduled monuments and archaeological sites. The proposed development is therefore considered to be acceptable under Policy HE1.

Development Plan Conclusions

9.1.69. The proposed development has been considered under the vision of the Aberdeen City and Shire SDP and its objective of achieving sustainable development and mitigating against climate change.

9.1.70. The proposed development has also been considered against the overarching vision of the LDP as well as the detailed requirements of Policies C2: Renewable energy, C3: Carbon sinks and stores; Policy E1: Natural heritage; Policy E2: Landscape; and Policy HE1: Protecting historic buildings, sites and monuments.

9.1.71. From the results of the individual assessments, it is considered that the proposed development has support from the SDP and LDP.

9.1.72. The proposed development is considered to be aligned with the strategic visions of the SDP and the LDP albeit recognising that there is a policy gap between these documents and the more recently published SES and OWPS. Given that the 2019 Net Zero report highlighted that failing to implement current policies would mean failing to meet the UK and Scotland most recent decarbonisation targets it is essential that this policy gap is closed as soon as possible. In the meantime where such a gap exists the 'tilted' balance set out in the SPP should apply meaning that the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

10. Guidance and Emerging Plans

Regional Economic Strategy – North East Region 2015

10.1.1. The regional economic strategy for the North East Region was written in 2015 and had input from both Aberdeenshire Council and Aberdeen City Council. Aligning itself with Scotland's economic strategy and recognising the importance of sustainable economic growth, the document provides a future vision and strategy for the future of the economy in North East Scotland for 2035. The strategy focuses on a "*long term commitment to a range of priorities and objectives across partner organisations to maintain and grow the economy"*.

10.1.2. The strategy identifies four key strands to focus on to achieve the long term outcome plan to boost the economic development of the North East through investment. These are:

- Infrastructure;
- Innovation;
- Inclusive Economic Growth; and
- Internationalisation.

10.1.3. The strategy also highlights the importance of mitigating against climate change and recognises European and national targets for renewable energy production and decarbonisation.

10.1.4. One of the aims of the strategy is to diversify the economy in other sectors through emerging opportunities within these sectors.

10.1.5. With the Aberdeenshire LDP's vision to balance economic growth with the urgent challenges of sustainable development and climate change, the Regional Economic Strategy is considered relevant in terms of the proposed development. The proposed development has the potential to boost sustainable economic development in the region.

Banchory Community Action Plan 2017

10.1.6. The Banchory Community Action Plan (CAP) was published in 2017. The CAP identifies issues, challenges and areas for improvement within Banchory and the surrounding area (such as Crathes, Durris and Strachan).

10.1.7. The CAP states that *"services and social facilities have been unable to keep up with the rate of population expansion"*.

10.1.8. The CAP identifies 7 key themes of areas for improvement. These themes are listed below, along with some examples of action points listed under these themes.

Education

- Replace Banchory Academy in the medium/long term and upgrade the Academy in the short term;
- Upgrade Banchory Primary School in the short term
- Improve adult education opportunities in the short/medium term

Health and Wellbeing

- Replace the Health Campus in the short/medium term
- Review the range of health services and staffing provided, including for nutrition advice
- Provide various outreach services, including for mental health

Local Economy

- Feasibility plans for a new cinema
- Upgrade to town hall
- Create a community hub
- Develop an events calendar
- Refurbish Bellfield Park
- Consideration of signage
- Investigate possible reintroduction of coat of arms

Recreation

- Early delivery of Banchory Sports Village
- Improve play parks
- Develop a skateboarding/BMX park
- Feasibility of a 3G sports pitch
- Better facilities for teenagers eg a mountain bike trail network

Communication

- Improve broadband connection
- Improve mobile phone reception
- Better communication of events and activities

Housing and Domestic Services

- Take action to improve waste services

Access for All

- Improve pedestrian safety on the A93

- Improve public transport
- Improve street lighting on footpaths

Stonehaven Town Partnership

10.1.9. Stonehaven Town Partnership is a charitable organisation with the overarching aim to make Stonehaven a better place in which to live, work and visit. The Partnership is a central point of contact and coordination for matters regarding these areas and aims to develop, promote a strategy for development in Stonehaven which will benefit the local community and to prioritise, develop, initiate, lead or support key projects in the town.

10.1.10. One of the Partnership's charitable aims is: *to assist in the regeneration of the area through the improvement of the physical, social and economic environment in order to:*

10.1.11. Manage community land and associated assets for the benefit of the Community and the public in general;

10.1.12. *Provide, or assist in providing, recreational facilities, and/or organising recreational activities, which will be available to members of the Community and public at large with the object of improving the conditions of life of the Community;*

10.1.13. *Advance community development, including urban or rural regeneration within the Community;*

10.1.14. *Advance the education of the Community about its environmental, cultural, heritage and/or history;*

10.1.15. *Advance environmental protection or improvement including preservation, sustainable development and conservation of the natural environment, the maintenance, improvement or provision of environmental amenities for the Community and/or the preservation of buildings or sites of architectural, historic or other importance to the community.*

10.1.16. The Partnership comprises members from approximately 50 organisations and works closely with Aberdeenshire Council to implement their strategy.

Conclusions on Guidance

10.1.17. With the overarching aim of the Scottish Economic Strategy being to make Scotland's economy more resilient by diversifying its business ventures (also recognised by the Regional Economic Strategy for the North East Region), and the Scottish Energy Strategy seeking to further invest in renewable energy, the proposed development can be seen to be supported by national and regional guidance.

10.1.18. The local strategies show that communities local areas in the vicinity of the proposed development have ambitions to continue to improve these areas through placemaking. Previous phases of the proposed development have helped support the ambitions and desires of local communities and the proposed development could continue to contribute positively and also by help them transition towards a low carbon economy.

Aberdeenshire Local Development Plan 2021

10.1.19. The Main Issues Report (MIR) was published in preparation for the new Aberdeenshire Local Development Plan which is due to be adopted in 2021. The main issues report is currently out for consultation and is expected to lead to a Proposed Plan being produced in Autumn 2019. This will then be under examination for 6 – 12 months prior to the plan being adopted in 2021.

10.1.20. The MIR seeks to retain the vision of the existing LDP and provide greater guidance on its value and strengthen its relation to the proposed policies.

10.1.21. The MIR also includes a section on Climate Change. The section outlines the proposed policies to help mitigate and adapt to climate change, recognising it as a key global issue and that a long term strategy for this is required.

10.1.22. The MIR seeks to retain the inclusion of Policy C2: Renewable Energy in the 2021 LDP and to add text regarding the repowering of wind farms to the policy.

10.1.23. The section on Climate Change in the MIR relies on policy on renewable energy from the SPP, published in 2014. The MIR fails to consider the updated targets in the SES and the OWPS outlined in section 2.4 above. Given its current status, and the expectation that the finalised LDP will have to be altered to reflect more recent Scottish Government energy policy, the MIR should be given limited weight in the determination of this application.

Proposed Aberdeen City and Shire Strategic Development Plan

10.1.24. The MIR was published in March 2018 in preparation for the future Aberdeen City and Shire Strategic Development Plan.

10.1.25. The MIR recognised the demand for electricity will increase by 2030 due to the increasing reliance on electric and hybrid vehicles amongst other trends.

10.1.26. The MIR stated the importance of increasing the mix of renewable energy within the region.

10.1.27. The MIR's preferred option was to become a net exporter of renewable electricity by achieving a target of at least 5 Gigawatt hours over the lifetime of the plan. This was mainly through implementing offshore wind schemes that have already been approved and moving towards non wind resources and energy storage. In this sense, the future plan could be considered to be more aligned with the 2014 SPP than more recently published energy policy.

10.1.28. The MIR failed to recognise new renewable energy targets and referred to the target of producing 100 % of electricity from renewables by 2020 and fails to recognise the new targets and general direction of travel for onshore wind within the SES and OWPS outlined above.

10.1.29. Following the MIR, the Proposed Strategic Development Plan was published in August 2018 and was consulted on between 8th October 2018 and 17th December 2018.

10.1.30. The proposed plan recognises there is some capacity for future onshore wind development however fails to provide the level of support for the technology that might have been expected following the SES and OWPS.

10.1.31. On 20th March 2019, the Strategic Development Planning Authority authorised the submission of the Proposed Strategic Development Plan and appropriate supporting documentation to the Scottish Ministers for examination in public.

10.1.32. The Proposed Plan aims to continue and build on the vision of the current plan in that it seeks to achieve sustainable growth, be able to mitigate against climate change and create a more inclusive society.

10.1.33. Like the current SDP, the Proposed Plan makes reference to climate change and has included it under the 'Our Resources' section. The objective is:

"To make sure new development safeguards and, where appropriate, enhances the City Region's historic, natural and cultural assets and is within the capacity of the environment.

To be a City Region which:

- *Takes the lead in reducing the amount of emissions and pollutants released into the environment;*
- *Mitigates and adapts to the effects of climate change and changing weather patterns;*
- *Limits the amount of non-renewable resources it uses; and*

- *Supports and protects our biodiversity"*

10.1.34. Similarly (to the Aberdeenshire LDP MIR) given its current status, the Proposed Plan should be given limited weight in the determination of this application. The proposed development is considered to be aligned with the overall vision of the Proposed SDP and is considered to be coherent with this to an extent however the emerging strategies in the SDP are not considered to be fully aligned with the policy direction of the SES and the OWPS. Unless altered by the examination process there will continue to be a policy gap between these local policy documents, and the current requirements of national energy policy. Given that the 2019 Net Zero report highlighted that failing to implement current policies would mean failing to meet the UK and Scotland most recent decarbonisation targets it is essential that this policy gap is closed as soon as possible. In the meantime where such a gap exists the 'tilted' balance set out in the SPP should apply meaning that the presumption in favour of development that contributes to sustainable development will be a significant material consideration. The SES and OWPS will also be significant material considerations given their role in further promoting sustainable development and decarbonisation targets.

Summary and Conclusions

10.1.35. This Planning, Design and Access Statement has been prepared by Natural Power, on behalf of the Applicant, to allow determination of the proposed development under the terms of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

10.1.36. Although not a statutory requirement under the Act, this statement identifies as a measure of good practice and the principle design and access considerations that have been incorporated into the proposed development. The EIAR provides a detailed written statement about the design principles and concepts, including consideration of alternatives that have been applied to the proposed development in Chapter 3: Site Selection and Design Evolution in Volume 2 of the EIAR and access in the wider context is assessed in Chapter 4: Description of Development, Chapter 12: Traffic and Transport Assessment and Chapter 16: Access of the EIAR. In doing so, having been assessed through a rigorous EIA process and having been evaluated against relevant national and local policies it is the applicants view that the proposed development fulfils the design objectives set out above.

10.1.37. As stated in the introduction, it is proposed that, as far as practical, the planning conditions that applied to the Mid Hill Wind Farm consent (see Appendix 1.3 in Volume 4 of the EIAR) could also be applied to the proposed development. This will ensure that there is, in general, duplicate sets of similar conditions applying to the wind farm as a whole with the new set recognising the use of shared infrastructure for the lifetime to the new phase of development. The existing Mid Hill I and II Wind Farm developments are considered to be very successful and have been delivered and operated within the various requirements of the existing consent. It is therefore appropriate that this success continues with the proposed Fetteresso Wind Farm.

10.1.38. The Scottish Energy Strategy (SES) and the associated Scottish Onshore Wind Energy Policy Statement, published in 2017, provide key support for the proposed development. It highlights the importance of transitioning towards a low carbon economy and the integral role that onshore wind plays in this - a shift in focus from SPP where offshore developments are promoted. An important driver of the Scottish Energy Strategy is the recognition of the requirements of the renewable energy industry to improve efficiency by utilising taller turbines with larger rotor diameters to operate in the post subsidy world, and that such wind turbines can capture more of the available wind resource and improve the efficiency of wind turbine developments. Enabling these requirements is essential in order to meet the ambitious, but achievable targets set out in the Scottish Energy Strategy. In the shift towards a decarbonised economy, rural areas in particular will have to adapt. For instance, in the case of electric vehicles which is important to those rural areas described in section 9.1.1 above where there may be no alternative mode of transport to cars. This shift is also vital to sustain tourism in the area and will

ultimately result in more affordable living. The SES plan focuses on the importance of moving towards a decarbonised economy in tackling climate change.

10.1.39. The proposed development will make a valuable contribution to the ongoing efforts encapsulated in national policy to reduce the release of greenhouse gases, to the stability of supply and to sustainable economic growth. In the case of climate change policy and the ambition to reduce greenhouse gases, there is a recognition that this accords with a much wider framework of international protocols, directives and legislation.

10.1.40. More than most, the Fetteresso proposal reflects directly the emergence of this current policy position. The proposed development is one of a relatively small number of projects to have emerged so far from the initiative of Scottish Ministers in 2010 to seek to make better use of the National Forest Estate to help meet renewable energy and climate change targets as well as generating revenue funding for Forestry and Land Scotland. The project as described elsewhere in this submission was originally conceived under very different policy and financial conditions. The removal of subsidies in 2015 and emergence of a new policy direction from Scottish Ministers in 2017 has directly influenced the design and layout of the current Fetteresso proposal. This is critical in assessing the potential impacts of the proposed development and the weight which should be afforded to the various other policies under consideration.

10.1.41. Examination of the proposed development also found general support from the current SPP albeit noting that key elements of this have been overtaken by more recent and specific national energy policies and statements. Critically however these changes represent a continuation of the direction of travel set out in the SPP rather than a reversal. The need and support for onshore wind energy projects in particular is enhanced by both the SES and OWPS. The proposed development is situated within a Group 3 area as identified in the SPP and as such enjoys strategic level support which is reflected in the Aberdeenshire LDP. The development is also considered to enjoy support under SPP 32 which sets out the Scottish Ministers presumption in favour of development which contributes to sustainable development. The extent to which the decision on this application relies on the LDP or the more recent SES and OWPS is also set out in SPP 33.

10.1.42. Whilst it has yet to fully reflect these more recent changes in national policy, both the Aberdeen City and Shire SDP and Aberdeenshire LDP provide a supportive framework for the proposed development, within the context of its overarching policies aimed to support sustainable economic growth while also helping to tackle climate change. Whilst this support is balanced against the need for appropriate environmental protection, the proposed development has been found through the EIA process and examination of the SDP and LDP's policy requirements to be acceptable. Any perceived conflict with the detail of the LDP, supplementary guidance or other supporting documents including the Strategic Landscape Capacity for Wind Farms Aberdeenshire (2014) must be viewed firstly within the context of the balance required in the key policies of the LDP, secondly within the balance of the wider LDP itself and finally within the balance of the SDP and LDP against national and especially the most recent national policy. In the situation where local policy is out of date with more recent national policy then national policy dictates that the presumption in favour of sustainable development should take precedence. Bringing all of this together it is the Applicant's view that the proposed development has the support of both national and local policy and is reflective of the direction which policy at both a national and local level must follow if demanding decarbonisation targets are to be met.

10.1.43. Taking all of these factors into account, the proposed development is considered to be in accordance with the Scottish Energy Strategy, the Scottish Onshore Wind Energy Policy Statement, the relevant parts of the SPP and Development Plan and has had due regard to other material considerations in so far as it is practical and relevant to do so. Accordingly, in line with the terms of the Electricity Act 1989 and the Town and Country Planning (Scotland) Act 1997 as amended, the application should be approved.

Fred. Olsen Renewables

natural power

Natural Power acting as lead consultants
on behalf of Fred. Olsen Renewables.

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