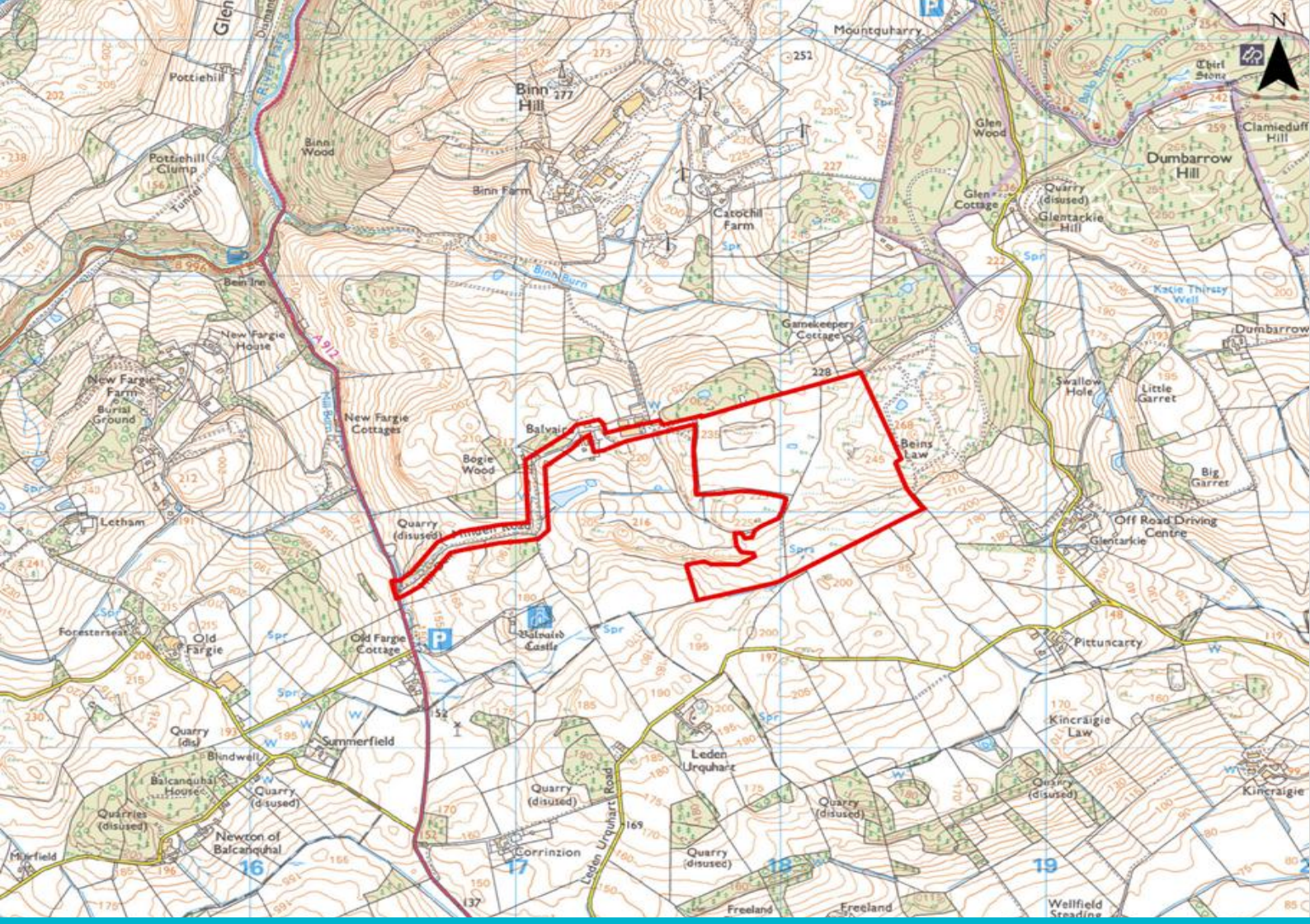

Binn Solar & BESS
Planning Application

Planning Statement

December 2025

trio

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Contents

1. Introduction

1.1 Background

1.1.1 This Planning Statement has been prepared by David Bell Planning Ltd ('DBP') on behalf of TRIO POWER Limited (hereafter referred to as 'the Applicant') to construct and operate a solar photovoltaic (PV) array and Battery Energy Storage System (BESS) with associated electrical equipment, drainage, access, landscaping, underground cabling, fencing and other ancillary infrastructure, (hereafter referred to as 'the Proposed Development') at a site near Glenfarg in Perth and Kinross. The Proposed Development would have an export capacity of up to 30 megawatts ('MW') solar PV and an energy storage export capacity of up to 6 MW.

1.1.2 As the Proposed Development has a generating capacity of less than 50 MW, planning permission is required from Perth and Kinross Council ('PKC') under Section 25 of Town and Country Planning (Scotland) Act 1997, as amended ('the 1997 Act').

1.1.3 Section 25 of the 1997 Act requires that planning decisions are taken in accordance with the statutory Development Plan unless material considerations indicate otherwise. Therefore, the **key questions** for the Proposed Development are:

> Is the development as proposed in accordance with the relevant policies of the adopted Development Plan? and

> Are there material considerations that determine a decision should be made contrary to the Development Plan? Or, do material matters further support the position that the Proposed Development should be approved?

1.1.4 In answering these questions, consideration is given to whether:

> There is an identifiable need for the proposed development; and

> The environmental effects of the proposed development would be acceptable when considered against the Development Plan policy framework and material considerations.

1.1.5 Under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, the Proposed Development falls under Schedule 4 'Electricity Generation' and exceeds the threshold of 20 MW and is therefore categorised as 'Major Development'. The application has therefore been subject to Pre-Application Consultation (PAC). A Proposal of Application Notice (PAN) was submitted on 22 May 2025 and public consultation events were held at Glenfarg Village Hall on 25th June 2025 and 8th October 2025. Two online presentations were also held on the 30th June 2025 and 13th October 2025. A series of other focused meetings and presentations to Glenfarg Community Council have also been undertaken. A PAC Report is submitted as part of the application as statutorily required, which summarises the consultation process and outcomes thereof.

1.1.6 As the Proposed Development will have a generating capacity of less than 50 MW it is therefore assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (hereafter referred to as the 'EIA Regulations'). The Proposed Development falls under Schedule 2 of the EIA Regulations in that it is an industrial installation for the production of electricity where the area of the development exceeds 0.5 hectares (ha). The Applicant submitted a request for a Screening Opinion under Regulations 8 (1) of the EIA Regulations on 31st July 2025 to establish whether the consenting authority agreed with the Applicant that an EIA would not be required.

1.1.7 A Screening Opinion (Planning Ref: 25/01164/SCRN) was received from PKC dated 3rd September 2025 which confirmed that the application would not require to be accompanied by an EIA.

1.1.8 Notwithstanding, it is recognised that assessment of potential environmental impacts, and identification of appropriate measures to mitigate such impacts, is an important part of the planning and design process. The planning application is accompanied by a Supporting Environmental Information Report (SEIR) which provides assessments of the potential environmental effects the Proposed Development may have. This is supported by a series of topic specific technical appendices and figures to allow PKC to consider the application in full and with due consideration of environmental impacts and planning policy.

1.1.9 This Planning Statement makes various cross references to the information contained in the SEIR, its appendices and other supporting documents submitted with the application, and presents an assessment of the Proposed Development against relevant policy with due regard given to the provisions of the statutory Development Plan, made up of National Planning Framework 4 (NPF4) and the Local Development Plan (LDP) for Perth and Kinross, and other relevant material considerations.

1.1.10 This Planning Statement considers the potential benefits and the effects which may arise and concludes as to the overall acceptability of the Proposed Development in relation to the planning policy framework and relevant material considerations.

1.2 The Applicant

1.2.1 Trio Power Ltd, is a company owned by Octopus Renewable Infrastructure Trust (ORIT) and managed by BLC Energy Limited.

1.2.2 BLC Energy was set up in 2022 to develop solar and BESS projects in the UK. The three partners have over 60 years' experience in developing renewable energy projects and have so far secured planning consent for three solar projects in Scotland.

1.2.3 BLC Energy is based in Perthshire and is currently developing eleven solar and BESS projects throughout the UK, including five in Scotland. Further information on BLC Energy can be found on the company website at www.blcenergy.com

1.2.4 In 2023, BLC entered into a development services agreement with Octopus Energy (via Octopus Renewable Infrastructure Trust (ORIT)) on an exclusive basis. TRIO POWER Limited was set up as the development company and is wholly owned by ORIT and managed by BLC Energy. BLC Energy is developing the Site on behalf of the Applicant, TRIO POWER Ltd.

1.2.5 ORIT is an Impact Fund with a core objective to accelerate the transition to net zero through its investments, building and operating a diversified portfolio of Renewable Energy Assets. ORIT is managed by Octopus Energy Generation.

1.2.6 Octopus Energy Generation are one of Europe's largest investors in renewables, operating around £4 billion of green energy generation across seven countries. Octopus Energy Generation operate solar and wind projects across the UK.

1.2.7 Further information on Octopus Energy Generation and Octopus Renewable Infrastructure Trust can be found on its company website at https://www.octopusenergygeneration.com/ and https://www.octopusrenewablesinfrastructure.com/

1.3 Binn Eco Park

1.3.1 The proposed solar facility is located on the Binn Eco Park. This leading edge low carbon and circular economy innovation centre is developing and demonstrating a mixed-use eco innovation space based on the deployment of low carbon and clean technologies in three key economic areas. Circular economy resource management systems (CERM); renewable energy (RE) and controlled environment agriculture (CEA). Each of these three themes support societal fundamentals and will be essential in making the transition to regenerative low carbon economies to address climate change, climate resilience and other pressing environmental pressures. The Park is deeply connected into the wider Tayside low carbon

transition and is developing its own micro-grid with Schneider Electric as the energy platform for new low carbon developments. The clean technology sector is increasingly recognised as a vital component of the global shift towards sustainability. The eco-park model is designed to facilitate the growth of businesses that prioritise environmental responsibility, innovation, and the circular economy. The Binn Eco Park aims to demonstrate how such facilities can support both the regional and national transition to a regenerative low carbon economy.

1.3.2 In recent years, there has been a notable surge in demand for development spaces that support clean technology, controlled environment agriculture, and low carbon enterprise development. This demand is fuelled by a growing awareness of climate change and the urgent need for sustainable practices across all sectors of the economy. The proposed solar farm forms a key component of the ethos and approach to supporting and delivering sustainable development and resources at Binn Eco Park.

1.4 Site Location and Description

1.4.1 The Site is located on land approximately 4 km north-west of Strathmiglo and 5 km north-east of Glenfarg at Glentarkie, Perth and Kinross, KY14 7RU. The Site location and boundary are shown on **Figure 3.1** of the SEIR.

1.4.2 The total Site area within the red line boundary measures approximately 58.85 hectares (ha). The landform is gently sloping, with elevation varying from a high of 245 m Above Ordnance Datum (AOD) on the eastern edge of the Site to a low of 205 m AOD in the south-west of the Site. The Site is currently used for rough grazing and arable farming, and according to the Scotland's Soils website is Agricultural Land Capability (ALC) Class 4.1 (i.e. land capable of producing a narrow range of crops) to the east and Class 5.1 (e.g. land capable of high quality grassland) to the west.

1.4.3 The Site is adjacent to Binn Farm, and approximately 1 km south-east of Binn Eco Park. The Site includes an access track known as Millden Road which connects to the A912. There are no recognised walking routes, rights of way, or core paths in the immediate vicinity. There are a small number of residential properties in the vicinity, and those closest to the Site comprise Gamekeeper's Cottage (to the north), a small group of houses at Balvaird (to the west) and the small settlements of Glentarkie (to the east) and Pittuncarty (to the south-east). The closest designated heritage asset to the Site is the Category A listed Balvaird Farmhouse, adjacent to the access track.

1.4.4 There are no watercourses running through the Site. There is one stand of coniferous woodland adjacent to the northern Site boundary, but no trees within the Site. There are no designated ecological sites present within the Site, however there are two Special Protection Areas (SPAs) and Ramsar sites designated for pink-footed goose within 10 km of the Site boundary. The Site is within core foraging distance for the pink-footed goose and thus there is a possible functional link with these European/international sites.

1.4.5 The Site is a fringe upland landscape characterised within the immediate wider context by agricultural buildings, an off-road driving centre, and the industrial site of Binn Eco-Park. The Site is within the non-statutory landscape designation of the Ochil Hills Local Landscape Area (LLA), with the Lomond Hills LLA 2.7 km to the south-west.

1.4.6 The Site will be accessed from the A912 and the private Millden Road through Binn Farm. No Abnormal Indivisible Load Vehicles (AILVs) will be needed to deliver components to the Proposed Development.

1.5 Site Selection

1.5.1 The Site was identified as an area appropriate for solar through initial feasibility work which considered a range of key factors including residential amenity; topography; environmental, landscape and heritage designations; visual impact; flood risk; traffic access; agricultural land

use; cumulative impacts; available grid capacity at nearby substation and land available to the applicant.

1.5.2 Importantly the location was also driven by grid connection location, approximately 5 km to the north east at Abernethy Substation with associated capacity and grid connection offer. The cable route from the Site to Abernethy Substation will be subject to a separate consenting process in due course.

1.6 The Proposed Development

1.6.1 The Proposed Development will comprise a ground-mounted solar photovoltaic ('PV') array and associated infrastructure with an export capacity of up to 30 MW. The array will comprise PV modules arranged in rows with a clearance of approximately 1 m Above Ground Level (AGL) with a maximum height of 2.7 m AGL.

1.6.2 The Proposed Development also includes a BESS with an export capacity of up to 6 MW. The BESS will store excess energy generated by the solar PV array during periods of low demand or high generation and release it during periods of high demand or low generation.

1.6.3 The annual power output of the Proposed Development is estimated at approximately 31,851 Mega-Watt hours per annum ('MWh/pa'), which would provide enough electricity to power approximately 11,800 average Scottish households.

1.6.4 The infrastructure associated with the Proposed Development will include:

- PV module mounting frames;
- Battery units housed in containers;
- Substations;
- Inverter cabins to convert direct current (DC) electricity into usable alternating current (AC) power;
- Transformers;
- Underground cabling;
- Internal access tracks;
- Temporary construction compound;;
- Spares container;
- CCTV cameras mounted on posts;
- Perimeter fencing;
- Site drainage; and
- Biodiversity and landscaping enhancements.

1.6.5 The Proposed Site Layout of the Proposed Development is shown in **Figure 4.1** of the SEIR. The Proposed Development's key components are described in more detail as follows.

Solar PV Module and Mounting Frames

1.6.6 The solar PV modules will stand approximately 1 m AGL and the maximum panel height will be up to 2.7 m AGL.

1.6.7 Each PV module will be fixed and mounted upon a prefabricated alloy metal frame. The frames will be anchored to the ground via steel piles that will be driven to approximately 1 to 2 m below ground.

Inverters, Transformers

1.6.8 The Proposed Development will include string inverters, typically mounted to the underside of the PV modules (approximately 28 modules per string) to convert the Direct Current (DC) produced by the PV modules, into Alternating Current (AC) for export. These will measure a maximum width and length of 3 m, with a height of 2 m.

1.6.9 Transformer stations (approximately 5) will be installed in various locations across the Site, to ensure voltage compatibility for export to the local electricity distribution network. These will measure a maximum of 2.4 (w) x 6.1 m (l) x 2.9 m (h).

BESS Containers

1.6.10 The BESS compound will consist of approximately 48 battery components measuring approximately 1.3 m x 1.3 m and installed in a row of 6. There will be 8 rows x 6 rack containers, measuring a maximum of 8.3 m (l) x 3.1 m (w) x 2.6 m (h).

1.6.11 Two associated Power Conversion Systems (PCS) units will be located adjacent to the BESS containers, to allow the batteries to switch between inverter and charger modes. They measure approximately 9.2 m (l) x 5.3 m (w) x 2.3 m (h). The BESS and PCS units will be located in a compound in the north-west of the Site.

Substations and Spares Containers

1.6.12 The Proposed Development will include a distribution network operator ('DNO') substation compound, two customer (private) substation compounds, and two dedicated spares containers (one for BESS components and one for solar components).

1.6.13 The DNO substation will consist of electrical infrastructure required to facilitate the export of electricity from the Proposed Development to the distribution network. The building will measure approximately 8.1m (l) x 2.6m (w), with an indicative height of 2.7m.

1.6.14 The private substations (one for the PV array and one for the BESS) will each measure a maximum of 8.1m (l) x 2.6m (w), with an indicative height of 2.7m.

1.6.15 The solar PV spares container will provide space to store replacement modules, string inverters, connectors, combiner boxes and monitoring equipment. It will measure a maximum of 12.2 m (l) x 2.4 m (w) x 2.9 m (h).

1.6.16 The BESS spares and communications container will provide space for storage of critical components such as battery modules, PCS parts, cooling fans, BMS units, fire suppression gear, HVAC filters and communication modules and will measure a maximum of 6.1 m (l) x 2.4 m (w) x 2.9 m (h).

Temporary Construction Compound

1.6.17 A temporary construction compound will be located near the Site entrance, south of the proposed BESS area. The total compound is anticipated to be approximately 10,000m^2 and will incorporate a laydown area, welfare facilities, storage containers, on-site office and vehicle parking.

1.6.18 On completion of construction works, all temporary structures will be removed and this area will be installed with solar panels, as shown on the Site Layout Plan.

On Site Cabling

1.6.19 Low voltage electrical cabling is required to connect the PV modules to the inverter. AC cabling from the inverters will connect to the transformers and the on-site substation via underground trenches.

Welfare Container

1.6.20 The Proposed Development will include two welfare containers measuring approximately 6.1 m (l) x 2.4 m (w), with an indicative height of 2.9 m.

Firewater Tanks

1.6.21 A water supply is required on site to support the BESS compound. Water will be used primarily for firefighting and safety purposes and stored in dedicated tanks within the BESS area. It also provides for routine welfare facilities. The water provision forms part of the Sites fire strategy and ensures that suitable resources are available in the unlikely event of a thermal incident within the battery units. The water tanks will each be 115,000L in volume with an indicative height of 3 m and diameter 7 m.

1.6.22 The water tanks will be located next to the BESS containers and will remain full so that they are available for immediate use in the unlikely event of a fire.

Security fencing and CCTV

1.6.23 Security fencing will be constructed around Site perimeter. The fencing will stand up to 2.4m AGL and is proposed to comprise of security palisade fencing, painted an appropriate shade of green.

1.6.24 Entrance to the solar development will be from Binn Farm via 5 m wide double leaf access gates. These will be of a similar design to the security fencing, up to 2.4 m high, of galvanised steel construction and painted the same colour as the fencing.

1.6.25 Closed Circuit Television (CCTV) will be deployed as a security measure. The CCTV cameras will be mounted on galvanised steel posts each measuring approximately 4.5m in height. The CCTV cameras will be located just inside the proposed security fencing with the exact locations to be confirmed prior to construction. They will be installed at discreet locations and will be oriented away from external landowners and dwellings.

Site Access and Tracks

1.6.26 The Site will be accessed via Millden Road off the A912.

1.6.27 The BESS area will be accessible via two separate access points at the south-western and north-western points of the compound, in line with relevant fire safety guidance.

1.6.28 Internal access tracks within the solar PV areas will allow for ongoing access for maintenance.

1.6.29 The tracks will have a typical 4 m running width, wider on bends and at junctions and will be surfaced with local compacted aggregates.

Grid Connection

1.6.30 The proposed point of connection is the Abernethy Substation located approximately 5 km to the east of the Site. The date of connection is currently anticipated to be 2031. The cable route will be subject to a separate consenting process.

Landscape and Biodiversity Enhancement

1.6.31 There will be a programme of planting in order to screen the development from residential properties, Balvaird Castle and other sensitive receptors. The planting and landscaping strategy has been designed to also add to the ecological enhancement of the Site. Planting being proposed includes:

> Native woodland mix along the northern Site boundary;

- Native species-rich hedgerow;
- Planting of gorse on the raised areas within the Site;
- Grassland planting between solar panels to allow for continued grazing; and
- Grassland planting within verge areas to include species-rich meadow mix.

1.6.32 Further details on biodiversity enhancement are provided at **Section 3.9** of this Planning Statement. An Outline Biodiversity Enhancement Management Plan (OBEMP) is submitted as Annex D to the Ecological Impact Assessment Report (EcIA) (Appendix D of the SEIR) which sets out the aim and objectives and measures to secure biodiversity enhancement for the Site.

Construction and Environmental Management

1.6.33 The construction period is expected to take place over eight to twelve months.

1.6.34 A detailed construction programme will be provided as part of a Construction Environmental Management Plan (CEMP) which is expected would be secured through an appropriately worded condition. This would be prepared by the appointed construction contractor with details submitted prior to commencement of construction.

1.6.35 Normal construction hours are likely to be between 07.00 and 18.00 Monday to Friday and 08.00 and 13.00 on Saturdays. These times seek to minimise disturbance to local residents. Due to necessity arising from weather conditions or health and safety requirements, some generally quiet activities may occur outside of these hours.

BESS Emergency Response Plan

1.6.36 The Applicant will comply with the National Fire Chiefs Council (NFCC) guidance on the risk management process of >1 MW BESS facilities. An appropriate Risk Management Plan and Emergency Response Plan will be provided and agreed with PKC and the Scottish Fire and Rescue Service prior to commissioning. This will also be included as part of the Operational Environmental Management Plan (OEMP) for the Proposed Development and will be subject to the final technology chosen. Monitoring equipment including fire detection and fire prevention systems will be installed within the containerised battery units and Site access is designed to ensure that fire appliances can safely access and egress the Site.

1.6.37 An Outline Battery Storage Safety Management Plan (OBSMP) (Appendix B of the SEIR) has been provided in support of the application.

Operation and Maintenance

1.6.38 Once operational, the solar array will require occasional maintenance to the solar panels and associated infrastructure over its 40-year lifespan. Once the solar PV array and BESS are fully operational, they will require minimal maintenance. Maintenance is expected to consist mostly of monthly routine site inspections, as well as some unscheduled visits when required. Routing cleaning is occasional as rainwater will generally suffice.

Decommissioning

1.6.39 The Applicant is committed to decommissioning and restoring the Site to its previous agricultural use at the end of the projects predicted 40 year lifespan. In the event the decision was made that the Site could be repowered, then a new consenting process would be required.

1.6.40 Prior to decommissioning, a Restoration and Decommissioning Plan (RDP) will be produced to reflect the current legislation and policy at that point in time and will be agreed with the relevant statutory authorities

1.7 The Role of BESS

1.7.1 BESS are designed to support local distribution and national transmission electricity networks with the balancing of supply and demand. BESS also provide additional services to district and national network operators to help manage electrical grid stability.

1.7.2 The UK's energy network is undergoing a significant transition, comprising a reduced reliance on fossil fuel power plants as they reach the end of their operational lifecycles, and an increasing preference for and reliance upon renewable energy sources. National and international legislation and policies are in place to encourage this transition, including the Climate Change (Scotland) Act 2009 and which has set an ambitious target to reduce Scotland's emissions of all greenhouse gases ('GHG') to net zero by 2045.

1.7.3 BESS play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. BESS import large amounts of renewable energy from surrounding renewable generators (e.g. wind or solar farms) when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low (e.g. still, cloudy days).

1.7.4 The Electricity System Operator ('ESO') currently pays renewable generators to turn off supply in Scotland to prevent an overload of the system and simultaneously instructs fast response generators (normally gas power plants) in areas of high consumption to switch on to increase supply. This results in both increased costs to consumers and undermines efforts to transition to a net-zero energy system.

1.7.5 BESS are recognised as an essential technology to realise the benefits of renewable generation. BESS such as the Proposed Development, offer a sustainable alternative to carbon-intensive energy sources to supply and maintain the grid, which reduces the energy network's reliance on fossil fuels and ultimately contributes to achieving the UK and Scottish Governments' GHG emissions reduction targets. The Proposed Development also contributes to energy security and reduced energy costs for consumers.

1.8 Design Approach

1.8.1 The design of any solar development is driven by the key objective of positioning panels so that they capture the maximum energy possible whilst respecting site constraints. The array development is designed and aligned per operational function for solar exposure but with full cognisance to ensuring minimal disturbance by internal access tracks and ensuring appropriate sympathy to amenity and environmental constraints. The iterative design process allows for appropriate set-back from sensitive heritage, residential and ecological features.

1.8.2 The scheme layout was developed following the completion of baseline studies, surveys and consultations. The aim was to maximise electricity-generating capacity while avoiding environmental and technical constraints, ensuring no significant adverse environmental effects. Key design considerations for the Proposed Development included:

- Locating the BESS at least 500 m away from neighbouring residential receptors;
- Locating the solar infrastructure at least 100 m away from neighbouring residential receptors;
- Locating away from sensitive environmental, heritage and landscape receptors;
- Maintaining hedgerows within the Site and trees around the perimeter of the Site;
- Avoiding areas of scrub vegetation and rocky areas on Site;
- Utilising existing vegetation and terrain to maximise screening;
- Optimising the opportunity for biodiversity enhancement measures; and

- Respecting buffer zones around watercourses, woodland and key ecological habitats

1.8.3 Key design changes that have been made during this iterative process include:

- Implementing a 100 m buffer around private water supplies in the north and south of the Site;
- Additional scattered scrub and tree planting in the south-west of the Site to provide screening of views from Balvaird Castle;
- Additional hedgerow planting in the south-east of the Site to screen from glamping pods to the east; and
- Increased setback of solar panels along the northern Site boundary to allow for planting.

1.8.4 Reducing intensive agricultural grazing regimes within the Site and allowing for a grassland management strategy that favours a species rich grazing meadow establishment between rows off the array allows biodiversity to be enhanced and betterment of the Site and wider landscape over the lifetime of the array.

1.8.5 Due to the exposed nature of the semi-upland site and footprint of development, it is not feasible nor practical to implement an extensive perimeter structured landscape screen in the form of woodland or hedgerow. Such boundary treatment would be incongruous with the wider landscape framework. Instead, considered and embedded landscape interventions would soften direct and indirect adverse impacts on identified sensitive receptors, while being of benefit to local and wider habitats. By optimising the layout of the solar array to reflect the existing field pattern, the scale of development is suited to the scale of the receiving landscape.

1.8.6 The Proposed Development has been designed to achieve the following landscape objectives:

- Buildings, structures, and palisade fencing would be finished in a recessive colour (RAL 6003 Olive Green, or similar approved) to assist with blending into the natural landscape.
- Suitable species-rich seeding is proposed within the solar array and BESS area. This would boost species within the Site and be of benefit to the wider area. Ground preparation and sowing would be undertaken at the first available season and would establish thereafter through appropriate maintenance and reduced livestock grazing.
- Suitable species-rich seeding and woodland / scrub mixes are proposed on the perimeter of solar areas. This to boost biodiversity and increase habitat connectivity.

1.9 Direction Under Section 58 of the Town and Country Planning Act 1997 (as Amended)

1.9.1 The Applicant is seeking a direction to be made by Perth and Kinross Council under Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) to extend the period of consent to five years. This is to align with the grid connection offer and allow for any alterations or changes in the programme related to delivery of the Proposed Development.

1.10 Scope & Structure of Planning Statement

1.10.1 The planning policy framework changed significantly in early 2023, with the adoption of NPF4.

1.10.2 This Planning Statement addresses relevant energy and planning policy documents and provides an assessment of the Proposed Development against relevant policy provisions and the new make-up of the statutory Development Plan. The appraisal also highlights policy differences where there are incompatibilities between new national planning policies and those of the Local Development Plan ('LDP').

1.10.3 This Planning Statement is structured as follows:

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

2. The Renewable Energy Policy & Legislative Framework

2.1 Introduction

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

2.1.2 The Proposed Development must therefore be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These taken together provide very strong support for renewable energy, which includes the use of PV panels in principle, as explained below.

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

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

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

2.2 International Commitments

The Paris Agreement (2015)

2.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2^0C above pre-industrial levels, and to pursue efforts to limit global warming to 1.5^0C.

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

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

United Nations - International Panel on Climate Change

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

2.2.5 The IPCC prepares comprehensive assessment reports about the state of scientific, technical and socio-economic knowledge on climate change, its impacts and future risks and options for reducing the rate at which climate change is taking place. IPCC reports are commissioned by the worlds' Governments and are an agreed basis for COP[1] negotiations.

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

2.2.7 The IPCC's 6th Assessment Report was published in March 2023. The Summary for Policymakers Report (page 10) states that it is likely that warming will exceed 1.5°C during the 21st Century and make it harder to limit warming 2°C. It states (page 12):

2.2.8 "*Continued greenhouse gas emissions will lead to increasing global warming, with the best estimate of reaching 1.5°C in the near term in considered scenarios and modelled pathways. Every increment of global warming will intensify multiple and concurrent hazards (high confidence). Deep, rapid and sustained reductions in greenhouse gas emissions would lead to a discernible slowdown in global warming within around two decades, and also to discernible changes in atmospheric composition within a few years (high confidence)*".

2.2.9 Page 24 of the report states "*There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence)*".

United Nations Statement, July 2023

2.2.10 The UN issued a statement on 27 July 2023 with regard to increasing global temperatures. The UN Secretary General Antonio Guterres stated that it was "*virtually certain that July 2023 will be the warmest on record*".

2.2.11 The Secretary General stated "*Climate change is here. It is terrifying. And it is just the beginning. The era of global warming has ended, and the era of global boiling has arrived*."

2.2.12 The statement refers to climate conditions in the month of July 2023 as being remarkable and unprecedented, and that there is virtual certainty that the month of July as a whole will become the warmest July on record and the warmest month on record. In addition, the statement sets out that ocean temperatures are at their highest ever level recorded for this time of year [July].

2.2.13 The statement also refers to the net zero goal and the Secretary General stated: "*The need for new national emissions targets from G20 members and urged all countries to push to reach net zero emissions by mid-century*."

COP 28, Dubai 2023

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

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

2.2.15 The statement adds:

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

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

UN Emissions Gap Report (2025)

2.2.16 The UN Emissions Gap Report (November 2025) entitled "Off Target" provides the annual independent science-based assessment of the gap between the pledged GHG reductions, and the reductions required to align with the long-term temperature goal of the Paris Agreement.

2.2.17 The Executive Summary Report comments on the background of GHG emission increases and the new Nationally Determined Contributions ('NDCs') submitted ahead of COP30 in Brazil as follows (page 4):

"As this sixteenth Emissions Gap Report shows, the new NDCs have limited effect on narrowing the emissions gap by 2030 and 2035, leaving global warming projections well above the Paris Agreement's temperature goal. New scenarios show that limiting warming to 1.5°C by 2100 remains technically possible. However, due to the continued delay in deep emission cuts, 1.5°C pathways now imply higher and higher temporary exceedance of this temperature target. The magnitude and duration of this overshoot must be limited as much as possible. Each year of delayed action locks in carbon intensive infrastructure results in greater losses for people and ecosystems, higher adaptation costs and a heavier reliance of costly and uncertain carbon dioxide removal. Each year of inaction makes the path to net zero by 2050 and net negative emissions thereafter steeper, more expensive and more disruptive."

2.2.18 Section 7 of the Executive Summary sets out that *"despite the increasing likelihood of higher and longer temperature overshoot, pursuing efforts to limit global warming to 1.5°C remains as critical and relevant as ever".*

2.2.19 The report adds: *"accelerated mitigation action provides benefits and opportunities. In many cases, mitigation aligns with economic growth, job creation, energy security and achievement of other pressing development needs and the sustainable development goals. The required technologies are available, and wind and solar energy development continue to exceed expectations, lowering deployment costs and driving market expansion. Yet deployment remains insufficient, and accelerated emission reductions require overcoming policy, governance, institutional and technical barriers….."*

2.2.20 The latest Gap Report is expressly clear that the international position in relation to combating climate change is worsening. The conclusions also make clear that deployment of renewable energy remains key to combating the climate emergency, including solar energy.

2.3 UK Climate Change & Energy Legislation & Policy

The Climate Emergency

2.3.1 A critical part of the response to the challenge of climate change was the Climate Emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris

Agreement and what followed from it as a result of the declaration (new emissions reduction law).

The Climate Change Act 2008 & Carbon Budgets

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

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

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

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

Table 2.1: Carbon Budgets and Progress[2]

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

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

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

> UK climate targets cannot be met without strong policy action in Scotland.

[2] Source: CCC.

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

- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.

2.3.8 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021[4] (The Order)) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

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

2.3.10 Page 12 of the CB7 states:

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

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

2.3.12 In relation to solar, CB7 states "*solar capacity increases to 82 GW by 2040, compared to 16 GW in 2023. Recent annual installation rates will need to almost quadruple this decade, reaching similar levels to the historical peak seen in 2015. The cost of solar has fallen significantly in recent years, and is expected to fall further in our pathway*…"

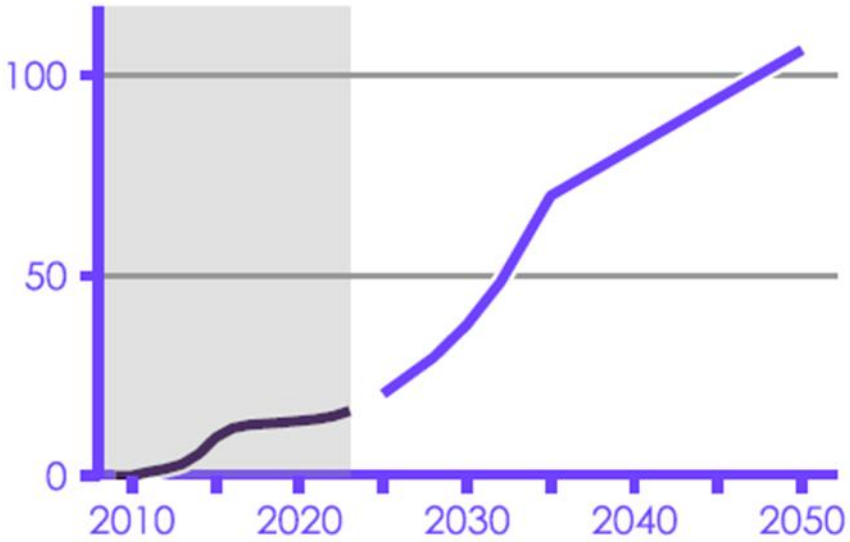
2.3.13 In relation to solar build out rates, CB7 (page 209) states that *"an average deployment rate of 3.4 GW per year is needed. This requires build rates to grow to around the historical peak (4.1 GW in 2015) this decade."*

2.3.14 It adds that to deploy the 2050 levels of solar in the balanced pathway, this would "conservatively require around 1% of UK land". **Figure 2.1** shows this as almost 100 GW[5].

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

[5] Seventh Carbon Budget (2025) page 109.

Figure 2.1: Solar PV Operational Capacity (GW) in CCC 'Balanced Pathway'



The UK Energy White Paper (December 2020)

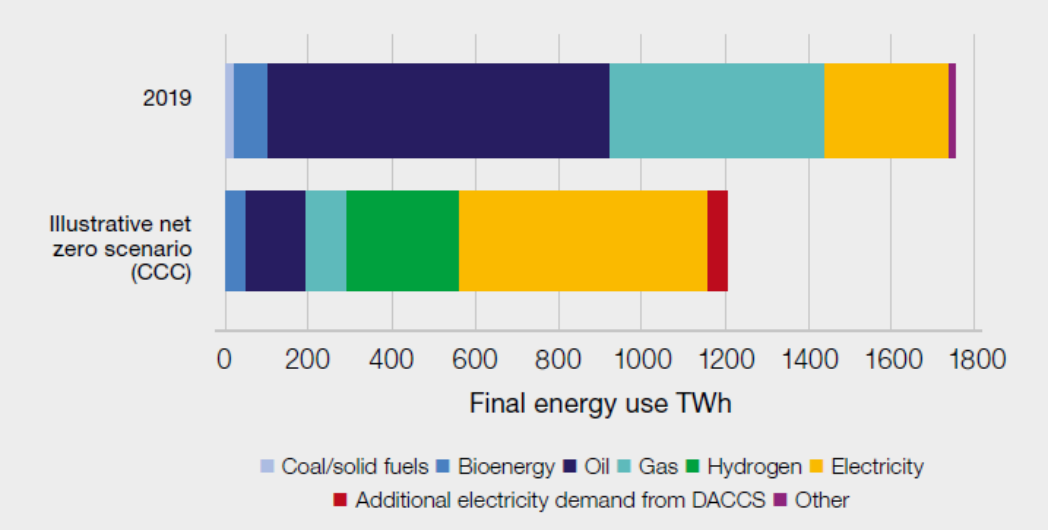
2.3.15 The Energy White Paper 'Powering our Net Zero Future' was published on 14 December 2020 represents a sea change in UK policy and highlights the importance of renewable electricity.

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

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

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

Figure 2.2: Illustrative UK Final Energy Use in 2050[6]



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

The British Energy Security Strategy (April 2022)

2.3.20 The British Energy Security Strategy was published by the UK Government on 7th April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

"*this government will reverse decades of myopia and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power.*

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

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

2.3.21 In terms of solar development, the Strategy states:

"*With the sun providing enough daily energy to power the world 10,000 times over, solar power is a globally abundant resource. There is currently 14GW of solar capacity in the UK split between large scale projects to smaller scale rooftop solar. The cost of solar has fallen by around 85% over the past decade and can be installed in just one day on a domestic roof. We expect a five-fold increase in deployment by 2035*." (underlining added)

2.3.22 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

[6] Source: Energy White Paper page 9 (2020).

The UK Battery Strategy (2023)

2.3.23 The UK Government published the UK Battery Strategy on 26 November 2023. The Strategy brings together Government activity to achieve a globally competitive battery supply chain by 2030 that supports economic prosperity and the Net Zero transition in the UK.

2.3.24 In summary, the Government's vision is for the UK to continue to grow a thriving battery innovation system and to become a world leader in sustainable design, manufacture and use.

2.3.25 The Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. The Strategy is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:

> Design and develop batteries for the future;

> Strengthen the resilience of UK manufacturing supply chains; and

> Enable the development of a sustainable battery industry.

2.3.26 In the foreword to the document, the Minister of State for Industry and Economic Security at the Department of Business and Trade states that (page 3):

"Batteries will play an essential role in our energy transition and our ability to successfully achieve Net Zero by 2050."

2.3.27 Batteries are seen as key to the Net Zero transition as they enable more flexible use of energy such as maximising use of intermittent low carbon generation.

Climate Change Committee Report to UK Parliament (2024)

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

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

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

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

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

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

2.3.30 The CCC Report sets out priority actions (page 9) and they include:

> The UK should now be in a phase of rapid investment and delivery, however CCC note that all indicators for low carbon technology roll out are "*off track, with rates needing to significant ramp up*." In this regard in terms of renewable technologies it states solar installations must increase by five times.

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

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

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

2.3.33 Chapter 3 of the CCC Report examines indicators of current delivery progress and it sets out (page 50) it references a number of key points including *inter alia*:

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

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

2.3.34 Chapter 2 of the CCC Report addresses the risks to the UK in achieving its emissions reduction targets.

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

2.3.36 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2033 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

Labour Government & Commitment to Renewables (2024)

2.3.37 The UK Government change at Westminster in 2024 resulting in a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to Net Zero. It is clear that the Labour administration is seeking to accelerate the pace of renewable development to achieve Net Zero.

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

UK Government: Clean Power 2030 Action Plan (2024)

2.3.39 A key new material consideration is the Clean Power 2030 Action Plan, issued by the Department for Energy Security and Net Zero DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*".

2.3.40 It further adds (page 10):

"*clean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce*

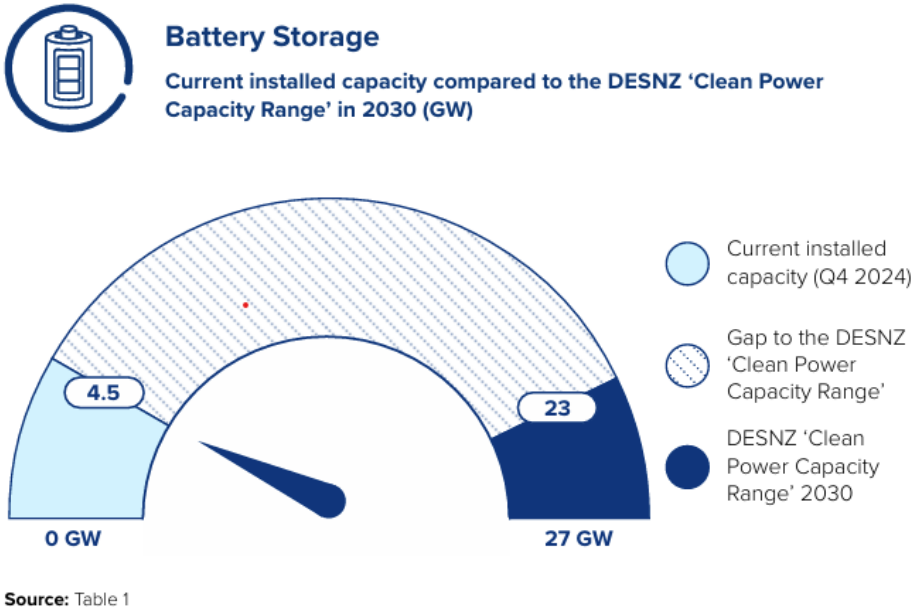
greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals".

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

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

2.3.43 In terms of BESS, **Figure 2.3** below shows the current gap between current installed capacity compared to the DESNZ requirement to 2030.

Figure 2.3 Battery Storage: Current installed capacity compared to the DESNZ 'Clean Power Capacity Range' in 2030 (GW)

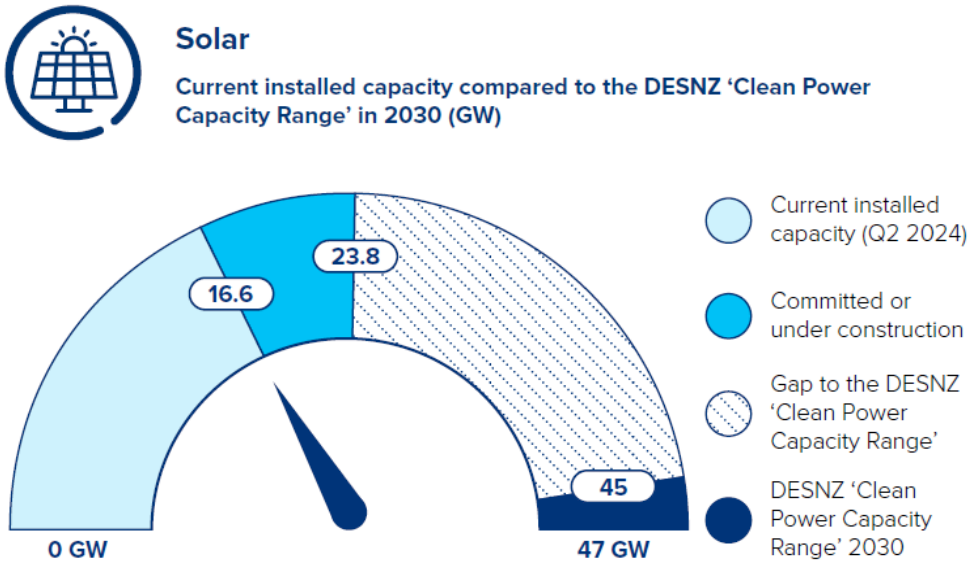


Source: Table 1

2.3.44 Currently there is 4.5 GW of battery storage in Great Britian, and based on NESO and DESNZ BESS growth scenarios for 2030 it is expected that 23-27 GW of battery storage will be needed by 2030 to support clean power – a very significant level of increase. It is stated that *"Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity".* (pg.96)

2.3.45 In relation to solar development, the Action Plan sets out an ambition of having a range of 45-47 GW of solar capacity by 2030. Current UK installed solar capacity is only 16.6 GW. **Figure 2.4** below shows the current gap between current solar installed capacity compared to the DESNZ requirement to 2030.

Figure 2.4 Solar: Current installed capacity compared to the DESNZ 'Clean Power Capacity Range' in 2030 (GW)



The UK Solar Roadmap (June 2025)

2.3.46 DESNZ published the Solar Roadmap 'United Kingdom powered by Solar' in June 2025 (APP 4.5). The Ministerial Foreword by the Secretary of State for Energy, Security and Net Zero states:

"Solar is at the heart of our mission to make the United Kingdom a clean energy superpower. It is one of the cheapest and quickest to build power sources we have. And every solar panel we install helps us to take back control of our energy supply – protecting families, businesses, and the public finances from the rollercoaster of fossil fuel markets controlled by petrol states and dictators. That is why in our first weeks in office I reconvened the Solar Taskforce to raise our ambitions for solar."

2.3.47 In addition, the Head of Clean Power 2030 states in the Foreword:

"Solar generation is the best example of a clean technology that can bring substantial bill savings and energy system benefits at multiple scales, from household rooftops to efficient, well-sited installations on the scale of whole power stations. The Clean Power Action Plan seeks 45-47GW of installed solar capacity by 2030, a once in a generation increase. This will only be possible with a mission-focus, industry and Government working in partnership to grow solar at pace, and fundamental reforms to the queue of projects waiting to connect to the grid. This Solar Roadmap, developed through the Solar Taskforce, puts us on the right path.

The Solar Roadmap makes clear the opportunities for the UK solar industry, providing jobs and opportunities throughout the country if we can capture the solar opportunity at all scales. With our solar objectives now aligned through this roadmap, the momentum behind clean power continues to grow."

2.3.48 The Executive Summary explains that the UK Solar Roadmap presents a comprehensive strategy and a clear plan of action to achieve a significant increase in solar deployment needed to support the delivery of clean power by 2030. It adds (page 6):

> The Clean Power Action Plan calls for the rapid acceleration of solar deployment from over 18 GW at present to 45-47 GW by 2030 and with scope to exceed 47 GW;

> The Roadmap outlines practical actions for industry and Government to overcome the challenges to delivering this ambition within the next five years and is aimed at boosting the UK's energy security and to ramp up solar deployment.

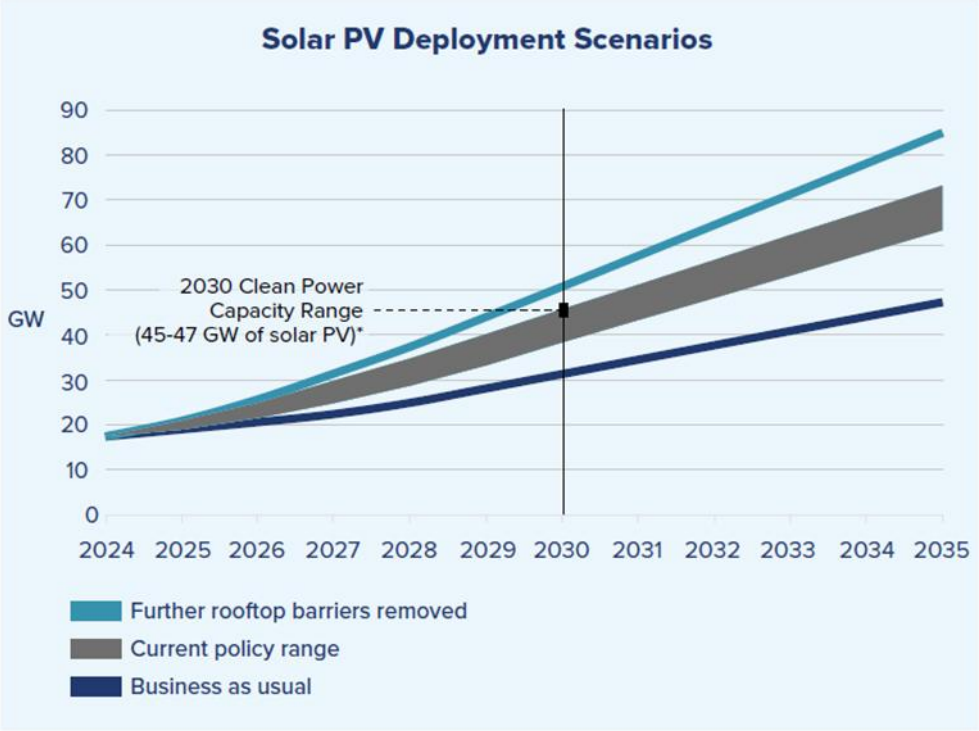
2.3.49 The Roadmap makes reference to the role of devolved Governments and references the Scottish Government's Solar Vision for Scotland as set out in the draft Energy Strategy and Just Transition Plan (January 2023). It states (page 12) that "The Scottish Solar Vision sets actions to reduce barriers and facilitate greater deployment of solar in Scotland."

2.3.50 Part 1 of the Roadmap references the role of solar in making Britain a clean energy superpower. It explains that ramping up deployment is *"crucial for creating new, good quality jobs and promoting stable and consistent economic growth."* (page 15).

2.3.51 It explains that speed of deployment is a huge benefit of solar with construction of a large solar project typically taking less than a year and it makes installing solar *"one of the fastest ways the UK can reduce its dependence on volatile fossil fuel markets."*

2.3.52 Part 1 of the document sets out deployment scenarios and these are set out as plausible and which have been developed to highlight the potential solar deployment relative to the specific 45-47 GW ambition that is set out in the Clean Power Action Plan.

Figure 2.5 below shows the illustrative solar deployment scenarios from 2024 to 2035 for Great Britain in terms of gigawatt capacity.



2.3.53 The current policy range scenario seeks to achieve by 2030 deployment consistent with the Clean Power Action Plan (namely 45-47 GW) and up to 75 GW by 2035.

2.3.54 At page 19, the Roadmap acknowledges that there will be questions about the effect of land use change and in relation to agricultural land, makes reference to the applicable policies of the devolved administrations within the UK. It states (page 20) that solar sites typically cause minimal disturbance to the ground and that the remainder of the land on which they are installed can be used for plant growth as well as nature conservation enhancement during the lifetime of a solar development. It adds that solar and farming in combination, can provide financial opportunities and benefits for land through diversification. It adds that there can be continued livestock grazing.

2.3.55 A key point is that it states that the Government's position is *"We do not believe that increased solar deployment poses a threat to food security."* (page 21) This is a very important material consideration. As highlighted in the Roadmap, *"The biggest risk to food security and the natural environment is the climate and nature crisis."*

2.4 Climate Change & Renewable Energy Policy: Scotland

The Scottish Energy Strategy (2017)

2.4.1 The Scottish Energy Strategy ('SES') was published in December 2017. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain the new legally binding 'Net Zero' targets so it is out of date in that respect.

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

2.4.3 The SES sets out what is termed the "opportunity" for solar stating that it can make an increasing contribution to Scotland's energy needs.

2.4.4 The SES sets out the Government's clear position on solar namely:

"Solar will play an important role in a low carbon energy system, helping meet Scotland's renewable generation ambitions. Combining storage with wind and solar assets presents a valuable solution for the energy system as a whole, offering the potential for demand to be managed locally." (Page48)

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

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

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

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

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

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.*

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

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

2.4.9 The main report (page 10) states that "*The Scottish Government should build on its high ambition and implement policies that enable the 75% emissions reduction target to be achieved at the earliest date possible*."

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

2.4.10 On 5 September 2024 the Scottish Government introduced the Climate Change (Emission Reduction Targets) (Scotland) Bill to the Scottish Parliament. The Bill was passed on 5 November 2024 and became an Act on 22 November 2024. The Act repeals the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC once available to replace the concept of statutory annual and interim targets. The Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.

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

2.5 The Draft Energy Strategy and Just Transition Plan

2.5.1 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. The new Strategy is to replace the one previously published in 2017. The consultation period on the draft ran up to 9th May 2023. As a draft document it can only be afforded limited weight.

2.5.2 The draft document is however consistent with the policy set out in NPF4 which recognises the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting urgent transition to net zero.

2.5.3 The Ministerial Foreword states:

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

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

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

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

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

> **More than 20 GW of additional renewable electricity on and offshore by 2030** (emphasis added).

> Accelerated decarbonisation of domestic industry, transport and heat.

> Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.

> Energy security through development of our own resources and additional energy (emphasis added).

> A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

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

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

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

2.5.6 A fundamental part of the Strategy is expanding the energy generation sector. The Executive Summary states (page 8) that Scotland's renewable resources mean that:

"*we can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.*

We are setting an ambition of more than 20 GW of additional low cost renewable electricity generation capacity by 2030…….

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030…...."

2.5.7 As part of the strategy to transition to a net zero energy system it is recognised that *"in addition to building our renewable capacity, we also now need to focus significant efforts on decarbonising energy for heat, transport and industry, on reforming markets to ensure security and affordability, an on maximising the benefits from the transition to net zero for our economy and our communities. The opportunities that creates are immense".*

2.5.8 As regard the potential for solar the draft strategy states:

"Solar has an important role to play in decarbonising our energy system, particularly when combined by other renewables. Our aim is to maximise the contribution solar can make to a just, inclusive transition to net zero… Solar is a long established, commercially viable renewable technology that has been at the forefront of decarbonisation efforts. It has seen great success in Scotland and we wish to provide clarity as to the important role it will play in meeting net zero…." (page 70)

2.5.9 The statement goes further, adding "*We see a strong role for solar thermals, as well as domestic and commercial solar PV …..We are considering the evidence for setting a solar deployment ambition…*". A finalised solar vision is expected later in 2023, with a clear commitment to enabling greater solar development to assist in the drive to net zero.

2.5.10 The Draft Strategy reiterates the support for solar PV as set out in NPF4 (page 130).

2.6 The Green Industrial Strategy

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

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

2.6.2 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's potential in relation to renewable energy and creating a competitive centre for clean energy intensive industries of the future.

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

2.6.4 Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to Net Zero.

2.6.5 It is clear therefore that to progress the Government's objectives with regard to renewable energy that there needs to be clear support for new investment and growth in solar and battery development. Realising the economic and social opportunities will only be achieved through the development and consenting of additional developments. Such deployment will not only be critical towards achieving the Net Zero target, given the important contribution that solar generation will make in that regard but will also help deliver the Government's clear green infrastructure mission.

2.7 CCC Report, Scotland's Carbon Budgets, Advice for the Scottish Government (May 2025)

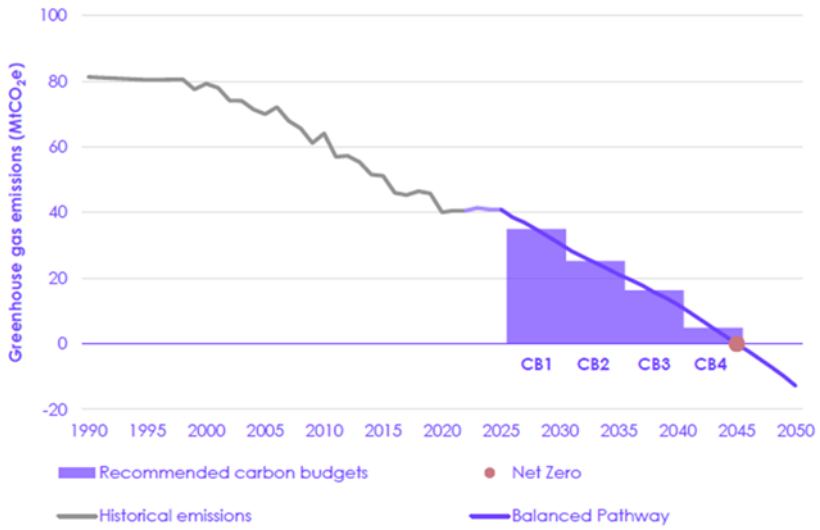
2.7.1 The CCC Report, Scotland's Carbon Budgets sets out the CCC's advice on the level of Scotland's four proposed carbon budgets, covering the period 2026 to 2045. It recommends that the Scottish Government sets its carbon budgets, at annual average levels of emissions that are:

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

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

2.7.3 The recommended carbon budgets are illustrated in Figure 2.6 below.

Figure 2.6: CCC Recommended Carbon Budgets for Scotland



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

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

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

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

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

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

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

2.7.9 Scotland currently has approximately 17.7 GW[7] of renewables operating capacity, a 4.3% increase compared to 17.0 GW at the end of the second quarter of 2024, therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 48.3 GW to be deployed. This would equate to approximately 2.4 GW of operating capacity coming online each year over the next 20 years.

2.7.10 Following the CCC's recommendations, the Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 ('2025 Regulations') came into force on the 10th October 2025. These Regulations reinforce the Scottish Government's commitment to achieving the climate targets. The 2025 Regulations amend the 2009 Act to include the Scottish carbon budgets for the five-year periods of 2026 to 2030, 2031 to 2035, 2036 to 2040 and 2041 to 2045 and align with the recommendations of the CCC in May.

2.7.11 Scotland's Cabinet Secretary for Climate Action and Energy Gillian Martin said in a statement to Parliament on 8 October 2025[8]:

"This Government's commitment to tackling the climate emergency remains unwavering, and enshrining carbon budgets in legislation is a crucial step towards our net zero goal…It remains our intention to publish a draft climate change plan in the autumn, to allow sufficient time for the final version to be published before the end of this session of Parliament".

2.7.12 The Scottish Government published and are now consulting on a new draft Climate Change Plan (November 2025) outlining the specific actions required to reduce emissions so as to meet each of the first three carbon budget targets, as well as setting out the associated costs and benefits.

[7] Scottish Government (September 2025) Energy Statistics for Scotland – Q2 2025

[8] https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-08-10-2025?meeting=16625&iob=141948

2.8 Scotland's Climate Change Plan

2.8.1 The Scottish Government published 'Scotland's Climate Change Plan – 2026-2040' ('draft CCP') on 6th November 2025. The Plan covers the period 2026 to 2040 and aligns with three five-year "carbon budget" periods: 2026-30, 2031-35 and 2036-40. The draft CCP sets out the policies and proposals the Scottish Government will take forward to enable the carbon budgets set out in legislation to be met. The carbon budgets have been set in line with the levels proposed by the CCC in May 2025, referred to above, and provide a clear pathway towards Scotland achieving net zero by 2045.

2.8.2 The draft CCP confirms that Scotland remains committed to achieving net zero GHG emissions by 2045 at the latest and that as of 2023, Scotland had reduced emissions by 51.3% since 1990 — the largest reduction in the UK.

2.8.3 The Plan notes that the key driver of the transition to date has been the transformation in the way energy is generated - from coal and gas to a thriving renewables sector. In 2023, 70% of electricity generated in Scotland was from renewable sources.

2.8.4 It acknowledges the opportunity the transition to net zero provides in terms of growing the economy noting that the net zero transition can support significant economic opportunities for Scotland.

2.8.5 The Plan sets out average reductions in GHG emissions (compared to 1990 baseline) for each five-year period:

- 57% lower than baseline levels for 2026-2030,
- 69% lower than baseline levels for 2031-2035,
- 80% lower than baseline levels for 2036-2040, and
- 94% lower than baseline levels for 2041-2045.

2.8.6 These budgets provide a "pathway" toward net zero by 2045, and the Plan is designed to ensure policies are in place to meet them.

2.8.7 The draft CCP sets out sectoral policies relating to a range of sectors, which are prescribed in legislation including energy supply; agriculture; and transport, amongst others. Key policies and actions have been set out for each sector to meet the carbon budgets. The draft CCP outlines the emissions pathway for each sector covered by the plan, some of the key actions which will be taken to achieve it and the economic opportunities and benefits this action will support.

2.8.8 Annex 2 of the draft CCP contains the Sectoral Annexes which support the draft CCP. Energy supply is one of the key areas of focus. At page 70, the document sets out the vision for Scotland stating that:

"By 2035, we will have expanded our renewable capacity significantly to meet the increasing demand as other sectors decarbonise. We already have an ambition to have delivered 20GW of onshore wind by 2030 and we have consulted on a proposed updated ambition for the development of up to 40GW of new offshore wind by 2040."

2.8.9 It continues that as we transition to net zero and reduce reliance on fossil fuel generation *"energy storage will play a larger role in ensuring a secure and resilient electricity system by providing a reliable and flexible electricity supply."* (page 79)

2.8.10 One of the actions identified to achieve the vision of emissions reduction for the energy generation sector means *"moving to an electricity system in which the residual amount of unabated gas is displaced by low carbon and renewable sources. To deliver this target, whilst ensuring a safe and secure supply, **we must grow our renewables capacity**, including from offshore and onshore wind**, and solar**."* (Page 83, Annex 2) (emphasis added)

2.8.11 The publication of the CCP demonstrates the continued commitment required and needs case for delivering additional renewable energy capacity to achieve net zero.

2.8.12 The draft CCP is out for consultation until 29th January 2026. Scottish Parliament committees also have until 5th March to scrutinise and report on the aspects of the Plan which fall under their remit.

2.8.13 The Scottish Government has committed to publishing its final Climate Change Plan before the dissolution of Parliament for the 2026 election.

2.9 Conclusions on the Renewable Energy Policy & Legislative Framework

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

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

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

2.9.4 The change from annual Scottish emission reduction targets has served to show that we are not on track to attain Net Zero and it strengthens the case for rapidly approving schemes that can contribute to this goal. The overall target of Net Zero remains unchanged.

2.9.5 Decisions through the planning system must be responsive to this changed position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance.

2.9.6 The need case overall is founded upon the contribution that the Proposed Development can make to these important policy aims, namely:

- Net zero and the importance of deploying zero carbon generation assets at scale; and
- Security of supply (geographically and also by way of technologically diverse supplies).

2.9.7 In short, greater capacities of low carbon generation can be integrated into the GB grid system by deploying technologies such as Solar PV.

2.9.8 Solar PV is referenced in all of the key UK and Scottish Government energy policy documents referenced above.

2.9.9 In addition, the document '**Scotland's Fair Share – Solar's role in achieving net zero in Scotland'**[9] is informative on the attributes of the technology and shows that a target of 4-6GW of solar PV for Scotland for 2030 would be achievable, with around 3.5GW of deployment coming from ground mounted solar farms.

2.9.10 This document was the subject of a motion in the Scottish Parliament on December 2021 by Fergus Ewing MSP as follows, and which is considered to provide a helpful summary of the positive role solar PV can take:

"*That the Parliament welcomes Solar Energy Scotland's policy agenda,* Scotland's fair share: Solar's role in achieving net zero in Scotland*, published in the run-up to COP26, which sets out the potential for solar energy to play a much greater role in Scotland's low-carbon energy mix; understands that Scotland has levels of solar irradiation that can be effectively*

[9] Solar Energy Scotland (2023) Scotland's Fair Share: Solar's role in achieving net-zero in Scotland

captured and that, compared to other nearby countries on the same latitude, such as Denmark, Scotland is behind in equivalent levels of solar technology deployment; considers that a number of policy matters within the control of the Scottish Government, including permitted development rights and business rates, could help the sector grow significantly; recognises what it sees as the ability of solar energy systems to work as a good companion to wind to make more effective, efficient use of the electricity grid and storage network; considers that, due to reported projections for solar to be the UK's cheapest form of energy this decade, and to have the unique capability to be deployed at all scales, solar is vital to supporting an affordable energy mix, and a just transition".

2.9.11 Given significant capacities of renewable generation to be deployed in Scotland, solar PV will play an essential part in delivering Net Zero for Scotland and the wider UK. The Proposed Development is therefore an essential near-term element of infrastructure in assisting to meet Government objectives for decarbonisation and achieving Net Zero, which will address the Climate Emergency.

2.9.12 The proposal will generate renewable energy by way of solar PV, and support security of supply. The proposal is therefore in accordance with UK and Scottish Government energy policy on the need for increased renewable energy generation, to ensure that such technologies support the transition to a fully low carbon grid system.

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

2.9.14 The Draft Energy Strategy and draft CCP forms part of the new policy approach alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the crucial role that solar PV can play in response to the climate crisis which is at the heart of all these policies.

2.9.15 It must follow that the need case is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be.

3. Appraisal Against NPF4

3.1 Introduction

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

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

3.1.3 The Letter confirms with regard to the statutory Development Plan that from 13th February, NPF3 and Scottish Planning Policy (SPP) will no longer represent Scottish Ministers' planning policy and should not form the basis for or be a consideration to be taken into account when determining planning applications.

3.2 Development Management

3.2.1 NPF4 forms part of the statutory Development Plan. Section 25 of the 1997 Act requires that decisions on planning applications are made in accordance with the adopted Development Plan, unless material considerations determine otherwise.

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

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

3.2.3 The publication of NPF4 also has the effect that all Strategic Development Plans ceased to have effect. Therefore, the statutory Development Plan covering the application site consists of NPF4 and the Perth and Kinross Local Development Plan (adopted 29th November 2019) (PKCLDP).

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

3.2.5 In this case, the PKCLDP was adopted in November 2019, a significant period of time prior to NPF4 coming into force. It is clear that the document has been prepared under the previous NPF3 and Scottish Planning Policy (SPP), and to be consistent with the Strategic Development Plan for Angus, Dundee, parts of Fife and Perth and Kinross (TAYplan), which is no longer in force. The Council are in the process of preparing the next LDP on a timetable that will see its adoption between October – December 2027, under the new Planning legislation and LDP arrangements.

3.2.6 Section 13 of the 2019 Act amends Section 24 of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') to provide that:

"*In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail*."

3.2.7 The Chief Planner's Letter of February 2023 also states with regard to Supplementary Guidance associated with LDPs which were in force before 12th February 2023 (the date on

which Section 13 of the 2019 Act came into force) that they will continue to be in force and be part of the Development Plan.

3.2.8 A number of statutory supplementary guidance documents are relevant to the proposal, most importantly 'Renewables and Low Carbon Energy Development (excluding Wind Energy)', adopted 15th July 2021. Statutory Supplementary Guidance does not make, replace, or amend LDP policy, but should be read in conjunction with the LDP and relevant policies, it is a material consideration in the determination of applications and appeals, and forms part of the LDP.

3.3 How NPF4 is to be used

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

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

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

"*It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals[10]. NPF4 includes a long-term spatial strategy to 2045*."

3.3.3 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments which are aligned to the strategic themes of the Government's Infrastructure Investment Plan[11] (IIP).

3.3.4 NPF4 therefore for the first time, introduces centralised development management policies which are to be applied Scotland wide. It also provides guidance to Planning Authorities with regard to the content and preparation of LDPs.

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

3.4 The National Spatial Strategy – Delivery of Sustainable Places

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

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

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

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

3.4.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework[12].

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

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

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

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

3.4.5 The new Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4) was published as a consultative draft on 10th January 2023 (see above).

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

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

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

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

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

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

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

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

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

3.4.10 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy. Recognising that tackling

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

climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

3.5 National Developments

Overview

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

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

3.5.2 It adds that:

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

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

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

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

3.5.4 Page 103 of NPF4 describes ND3 and it states:

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

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

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

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

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

3.5.6 Reference is made to the designation and classes of development which would qualify as ND3, and it states in this regard:

"*A development contributing to 'Strategic Renewable Electricity Generation and Transmission' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development:*

(a) on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity;

(b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and

(c) new and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations."

3.5.7 Although the Proposed Development is not National Development it is nevertheless important for the delivery of the national Spatial Strategy, contributing substantive renewable energy (30 MW of solar and 6 MW of BESS) and supporting the grid.

3.5.8 The Strategy requires a "*large and rapid increase*" in electricity generation from renewables and the National Spatial Strategy makes it clear (NPF4, page 6) that "*we must make significant progress*" by 2030.

3.5.9 The Proposed Development would deliver renewable generation and contribute to stability and security of supply, and would make a meaningful contribution to targets within this key timescale and that is a very important consideration.

3.6 National Planning Policy

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

3.6.2 In terms of planning, development management and the application of the national level policies, NPF4 states:

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

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

- Policy 1: Tackling the Climate and Nature Crises;
- Policy 3: Biodiversity;
- Policy 4: Natural Places;
- Policy 5: Soils;
- Policy 6: Forestry, Woodland and Trees;
- Policy 7: Historic Assets and Places; and
- Policy 11: Energy.

3.6.4 In terms of "liveable places" the policy of most relevance to the Proposed Development is:

- Policy 22: Flood Risk and Water Management.

3.6.5 These policies are addressed below.

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

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

3.6.7 The Letter adds:

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

3.7 NPF4 Policy 1: Tackling the Climate and Nature Crises

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

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

3.7.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1 and would help attain its outcome of Net Zero.

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

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

3.7.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal.

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

The Application of Policy 1

3.7.7 Given the nature of the Proposed Development, it would make a valuable contribution in relation to targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The contribution to decarbonisation and grid support to support net zero also need to be recognised in the context of NPF4 Policy 11 (Energy) which requires the contribution that a development would make to targets to be taken into account.

3.7.8 The Proposed Development could make a meaningful contribution to targets within this key timescale and that is a very important consideration.

3.7.9 Solar is recognised as a key contributor to the overall mix of renewable energy projects to meet electricity heat and transport needs within the Scottish Governments Renewable and Low Carbon Energy Policy.

3.7.10 The Scottish Ministers made clear their support provided for BESS within NPF4 within their decision on the Auchtentiber BESS proposal published in September 2024 at paragraph 47 of their decision letter which states:

"Grid scale battery energy storage provides a means to store the electricity generated from the wind, solar etc at times when electricity generation outstrips demand or when the capacity of a constrained electricity grid is insufficient to supply the generated electricity to consumers. On this basis battery energy storage makes an indirect but significant contribution to renewable energy generation targets and greenhouse gas emissions reduction targets."

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

3.7.12 As explained below with reference to NPF4 Policy 3, biodiversity enhancement is integral to the proposals. Solar development is particularly capable in providing a range of positive opportunities for biodiversity enhancement throughout the lifetime of the proposals, leaving the land and environment in a better overall position than prior to development.

3.8 NPF4 Policy 11: Energy

3.8.1 For the consideration of solar and BESS development, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

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

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

3.8.3 Policy 11 is as follows:

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

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

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

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

iv. small scale renewable energy generation technology;

v. solar arrays;

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

vii. proposals including co-location of these technologies.

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

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

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

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

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

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

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

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

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

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

vii. impacts on historic environment;

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

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

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

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

xiii. cumulative impacts.

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

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

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

3.8.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation - which the Proposed Development, would help further.

3.8.5 The wording of Policy 11 Paragraph (a) (iii) and (v) makes it clear that the policy supports battery storage and solar array proposals.

The application of Policy 11

3.8.6 **Paragraph c) of Policy 11** requires socio-economic benefits to be maximised, rather than just taken into account.

3.8.7 The Proposed Development would support jobs during construction across the Scottish economy. The socio-economic effects of the capital investment and employment to the economy would be beneficial.

3.8.8 The main contractor may be Scotland-based, but it is assumed that whoever is appointed as the main contractor, that a proportion of the work will be carried out by sub-contractors and labour resident in the east of Scotland. If consented and constructed, the Proposed Development will offer opportunities for local businesses such as accommodation providers, hire companies, fencing contractors, tradesmen etc.

3.8.9 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations "*will be assessed in relation to Policy* 4". Policy 4 also deals with impacts in relation to local landscape designations. The Proposed Development has no direct impact on international or national designations.

3.8.10 Local landscape effects have been assessed within the Landscape and Visual Impact Appraisal ('LVIA') submitted in support of the application. The matter of the impacts of the Proposed Development in relation to such designations is examined further below with specific regard to the provisions of Policy 4. There are no landscape effects arising such that they outweigh the balance of benefits to climate change that the Proposed Development will deliver. Indeed, no significant adverse effects are, greater than those with a localised effect, are predicted in relation to local landscape designations.

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

Impacts on Communities and Individual Dwellings - Residential Visual Amenity

3.8.12 A Landscape and Visual Appraisal has been undertaken and is submitted as Appendix C of the SEIR. This has given careful consideration to the visual effects of the Proposed Development from residential properties within 1 km of the Proposed Development. Residential receptors within dispersed dwellings and farmsteads are identified and assessed to 1 km. An iterative design approach has been undertaken and mitigation planting is proposed in order to protect residential visual amenity and further enhance the overall visual appearance of the proposals. Overall, the effects are considered to be local in nature and would not result in unacceptable effects on residential visual amenity.

3.8.13 Visual effects are restricted based on the Site location, which is spatially remote from sizeable residential settlements and busy travel routes.

Noise and Shadow Flicker and Glint and Glare

3.8.14 Noise is addressed in a Noise Impact Assessment submitted as Appendix J to the SEIR. Noise has been assessed against the criteria outline in BS4142 whereby a rating of up to 5 dB above the representative background level is considered indicative of a low impact.

3.8.15 A baseline noise survey was conducted at two noise monitoring positions ('NMPs') to characterise the noise environments at nearby noise sensitive receptors ('NSR'). This determined that the baseline noise environment is influenced from anthropogenic noise sources and industrial sounds at the nearby facilities to the north.

3.8.16 Overall, it is concluded that there will be no likely significant effects arising from the Proposed Development during the construction, operational and maintenance or decommissioning phases. Cumulative effects at NSRs from the approved or proposed schemes within a 5 km search area were considered to be negligible. Mitigation during construction will be secured within the CEMP. No additional mitigation is required during the operational phase of the Proposed Development.

3.8.17 Shadow flicker is not a relevant consideration.

3.8.18 Glint and Glare has been assessed, and the details are presented in Appendix I to the SEIR. The study area is determined as a 2 km radius from the Proposed Development for buildings and a 5 km radius for other ground-based receptors (roads and trainline). The assessment considers the effects of glint and glare arising from the proposed solar farm on those receptors around the Proposed Development.

3.8.19 The assessment included residential properties and the following key routes: M90, west of the Proposed Development, from Junction 1A of the M90 motorway to Perth (Route 1); A912, west of the Proposed Development (Route 2) and Leden Urquhart Road, south of the Proposed Development (Route 3). There are no railways or airfields within the study area.

3.8.20 The G&G assessment identified low potential impacts on fixed receptors and transport routes, surrounding the Proposed Development. Of the 51 assessed fixed ground receptors, 19 receptors are potentially affected by G&G from the Proposed Development. Only one (OP2) is predicted to experience potentially significant effects (yellow glare). However, these impacts are likely overestimated due to conservative modelling assumptions and the presence of an intervening topography between the receptor and the PV area that will block the glare. Other fixed receptors are expected to experience low-intensity (green) glare with no health or safety implications.

3.8.21 For transport routes, Route 3 (Leden Urquhart Road) is only expected to be potentially affected by yellow glare for a limited period only. Existing screening measures, intervening topography and conservative modelling assumptions, indicate that these impacts are overstated and unlikely to cause any significant impacts. Route 1 (M90) is expected to experience low-intensity (green) glare with no health or safety implications, and Route 2 is not expected to experience any glare.

3.8.22 Overall, the study provides a conservative assessment of potential glare impacts, incorporating worst-case assumptions such as daily sunny conditions, and real-world impacts are expected to be lower.

Landscape and Visual Considerations

3.8.23 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. There is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.

3.8.24 The siting and design of the Proposed Development has responded to the local landscape context and utilises existing screening and landscape topography to minimise landscape and visual effects through project design and mitigation. Blanket boundary mitigation planting of trees is not deemed an appropriate response in terms of mitigation given the elevated nature of the site and is existing context. Considered and embedded landscape interventions have been proposed however to soften direct and indirect adverse impacts on identified sensitive

receptors, while being of benefit to local and wider habits by introducing biodiversity and a reduction in more intensive grazing and land management.

3.8.25 In addition, the location of the BESS provides back-dropping and screening to this element of the proposal. Existing external roads and tracks allow for minimal disruption outside of the Site boundary, while new internal tracks will match existing agricultural construction / formation methods.

3.8.26 A 3 km radius Study Area from the Proposed Development has been adopted for the assessment of landscape and visual effects.

Designated Landscapes

3.8.27 The Site is situated within the outer, southern edge of the non-statutory landscape designation of the Ochil Hills Local Landscape Area ('LLA'). The Loch Leven and Lomond LLA is located to the south, with a minor area to the southwest of Strathmiglo within the Study Area.

3.8.28 The Ochil Hills LLA landscape designation is recognised for providing areas of remoteness and a backdrop to surrounding LCTs. The appraisal concludes that the impact and resultant effect on this large LLA is deemed to be localised and not notable due to the detracting influence of the nearby busy motorway corridor and adjacent Binn Eco Park recycling facility and wind farm within the eastern extent.

3.8.29 The Loch Leven and Lomon LLA is located approximately 2.75 km from the south of the Proposed Development at its closest point. The appraisal concludes that the magnitude of change on this LLA is considered to be negligible, with level of effect deemed minor, adverse, and not notable.

Landscape Character

3.8.30 A landscape and visual appraisal has been undertaken and determines that as a result of the Proposed Development notable effects on landscape character would be localised and confined to the Site itself, and its immediate surrounds.

3.8.31 The Site is in an elevated location in a transitional zone between the different landscape character types (LCT) of LCT 382 – Lowland Hill Ranges and LCT 390 – Lowland Basins.

3.8.32 In relation to construction stage effect on landscape charter, the magnitude of change during the construction stage would be slight, resulting in a moderate/minor level of effect which would be focused across the local landscape, predominantly to the north, east, and west of the Site within <1 km. Effects across wider parts of the LCTs to the east and south would be limited, and not notable.

3.8.33 The change from upland grazed field to solar & BESS development would result in notable moderate adverse effects on localised parts of the Lowland Hill Ranges LCT and Lowland Basins LCT, within 1 km of the Site. From adjacent lowland LCTs in the wider surrounding area, topography and intervening woodland cover tends to screen the Proposed Development from view. As a result, there would be very limited intervisibility, and no notable effects upon landscape character. Similarly, from wider upland LCTs, the Proposed Development would be subject to screening, viewed at distance, and experienced within the existing mosaic of agricultural field patterns and blanket woodland / coniferous plantation. Accordingly, it would not result in a notable level of effect.

3.8.34 During operation landscape mitigation including planting of hedgerow and trees and other landscape measures and management practises would limit the overall effects.

Visual Effects

3.8.35 The appraisal has given careful consideration to the visual effects of the Proposed Development including from recreational receptors within 2 km and roads (Leden Urquhart Road, A912 and A91) within 3 km of the Proposed Development.

3.8.36 As regard effects on visual receptors, activities during construction would be temporary, intermittent and focused across the local areas within 1 km of the Site. This is based on the containing effect of surrounding topography.

3.8.37 On balance, the visual magnitude of change experienced by local receptors during the construction phase would be Slight to Moderate (at worst). The resultant effect would be Moderate at worst, and notable at a local level (<1 km from the Site), predominantly limited to those residential receptors to the south of the Site with views of the open slope of Beins Law ridge and summit and residences to the north and northwest at a similar elevation to the Site with open aspects towards the ridge of Beins Law..

3.8.38 All construction effects are assessed as short-term and temporary.

3.8.39 Operational visual effects are restricted based on the Site location, which is spatially remote from sizeable residential settlements and busy travel routes. Notable effects would be experienced by residents at Gamekeepers Cottage; Easter Catochil; and Catochil Farm Cottage, located to the north or north-northeast of the Site; and Rosiebank alongside MacGregor House, located to the southeast and west. . These effects would reduce over time in accordance with the establishment of embedded planting measures, although screening of development in its entirety would not be possible.

3.8.40 Based on its proximity to Proposed Development and views to localised parts of the solar array in the southwestern part of the Site, effects on views from Balvaird Castle would be notable. The embedded landscape strategy, which sees an intervening buffer of woodland and scrub planting introduced as part of the Proposed Development, would lessen / soften the direct adverse effect of the southern extent of array on this asset; however, it would not be possible to fully mitigate adverse visual impact.

3.8.41 The amenity of recreational Core Path users in the local and wider landscape would not be notably impacted or adversely affected by Proposed Development.

Cumulative Effect

3.8.42 The cumulative assessment covers existing, under construction, and consented development. The cumulative influence of the Proposed Development on the landscape and visual resource would be restricted by the dipslope nature of the local landscape and the wider topographic variances afforded by the basins and lowland hills LCTs.

3.8.43 Cumulative effects in association with the existing 4-turbine Binn Wind Farm would result in a slight increase in perception of renewable infrastructure within the Lowland Basins LCT, extending southwards from the existing development. This would encompass a relatively localised area with a limited number / presence of sensitive receptors. The Proposed Development, in combination with other proposed, consented and existing energy infrastructure, would not result in a notable alteration to wider landscape character or the visual perception of this landscape.

Public Access

3.8.44 There are no Core Paths crossing the site, nor are there any crossing the A912 or Millden Road. The nearest Core Path would be Core Paths ABNY/26 and ABNY/22 which are around 1.6 km to the east. There are no specific cycling facilities in the vicinity and the A912 does not form part of the National Cycle Network.

3.8.45 The Site is in agricultural use, upon development public access to the Site will be restricted, however this will not impact upon continued informal access around the Site boundaries and in the wider rural area.

Aviation, Defence Interests and Telecommunications

3.8.46 The Proposed Development is not anticipated to have any adverse effects on telecommunications infrastructure or aviation. A glint and glare assessment has been undertaken and no significant adverse residual effects are identified on aviation or defence interests.

Impacts on Road Traffic and Trunk Roads

3.8.47 The Transport Statement (provided at Appendix G to the SEIR) considers the impact of the development on roads and transportation. A Construction Traffic Management Plan (CTMP) will be prepared prior to construction and can be secured by condition of consent.

3.8.48 The Transport Statement concludes that suitable access can be provided from the A912 and Millden Road and there are several existing passing opportunities on Millden Road to accommodate traffic movements.

3.8.49 Construction is expected to last for 8 to 12 months and generate, at most, around 67 vehicle movements per working day. The predicted additional vehicle movements are unlikely to cause any noticeable effects on users of the A912 and HGV departures from the Site would be managed to reduce the risk of two opposing-direction HGVs meeting on Millden Road.

3.8.50 On operation, only the occasional maintenance and inspection vehicle would be generated from the Site.

Historic Environment

3.8.51 A Historic Environment Desk-Based Assessment ('HEDBA') (Appendix F of the SEIR) has been undertaken to consider the impact of the Proposed Development on cultural heritage assets within the Site and beyond to include a study area of 1 km.

3.8.52 There are no Scheduled Monuments, Listed Buildings, Inventoried Gardens and Designed Landscapes, Inventoried Battlefields or Conservation Areas within the Site.

3.8.53 Within the 1 km study area, there is one Scheduled Monument, namely Balvaird Castle (SM90027), located c.0.34 km to the south of the Site boundary. There are 12 Listed Buildings, of which seven are B Listed and five are C Listed. There are no Conservation Areas, Inventoried Battlefields or Inventoried Gardens and Designed Landscapes within the study area.

3.8.54 The assessment has not identified any known heritage assets that would be susceptible to direct impact as a result of construction works from the Proposed Development. There is a moderate potential for unknown archaeological remains of prehistoric date within the Site, with the potential being highest in the eastern portion of the Site. Mitigation in the form of archaeological monitoring and recording is proposed to prevent impact upon any such remains. Furthermore, there is considered to be a low potential for medieval and post-medieval agricultural remains to be present throughout Site. Mitigation in the form of a toolbox talk is proposed.

3.8.55 The assessment has considered the potential for the Proposed Development to cause any negative impacts to the setting of Balvaird Castle, such that it would affect its cultural heritage significance. The Zone of Theoretically Visibility ('ZTV') indicates that the south-western and western-most extents of the Proposed Development are predicted to be visible from the castle.

3.8.56 The Proposed Development would be visible in views from the asset towards the north-east and would form a minor distraction to the ability to experience the relationship between the agricultural lands held by the inhabitants of the castle and the asset itself, as it would form a modern intrusion within the rural landscape. Views over the surrounding lands in all other directions would remain preserved. Views along the valley to the north-west and south-east, which form the primary aspect of the castle setting and from which it derives its significance, would remain unaffected by the Proposed Development and the ability to appreciate, understand and experience the relationship between the asset and the control it would have had over this routeway and the surrounding lands would remain intact.

3.8.57 The Proposed Development is also not predicted to be visible in views towards the asset when travelling along the valley in either direction, and views of the solar panels would not be present upon approach to Balvaird Castle from the west, as views upon approach are screened by the slope upon which the asset is situated.

3.8.58 As such the Proposed Development would comprise a minimal change to the setting of the asset at most and would form only a minor distraction to the ability to appreciate, understand and experience one facet of one aspect of the asset's setting which contributes to its significance.

3.8.59 The assessment concluded that the Proposed Development would have a negative effect on the setting of Balvaird Castle (SM90027) though the changes to the setting of the asset would be of such a low impact on its cultural significance that the integrity of setting of the monument in line with NPF4 Policy 7 h, ii would not be impacted. Mitigation in the form of native woodland screening has been incorporated in the design of the Proposed Development. The proposed planting area would reduce the visibility of modern development within the rural character of the surrounding landscape and therefore retain more of the rural, semi-wooded landscape that would have formed part of the asset's original setting. The proposed planting would create a barrier between one aspect of the asset's setting that contributes to its significance and the modern development, the impact on the asset's setting would be reduced

3.8.60 In summary, the assessment has not identified anything that would preclude development within the Site or result in any significant effects in relation to cultural heritage.

Hydrology, the Water Environment and Flood Risk

3.8.61 An appraisal has been undertaken of the potential impacts the Proposed Development could have on the water environment with details set out in a Water Environment Environmental Appraisal Report this is supported by a Flood Risk Assessment and Drainage Impact Assessment ('FRADIA') and a Private Water Supply Risk Assessment ('PWSRA').

3.8.62 There are no statutory geological or water dependent designated sites within the study area.

3.8.63 Due to the agricultural nature of the Site, no National Vegetation Classification (NVC) survey has been undertaken. Given the sites current agricultural use and underlying low permeability geology, no Ground Water Dependent Terrestrial Ecosystems ('GWDTE') are expected to be present at the Site and no evidence of GWDTEs were recorded as part of the hydrological walkover.

3.8.64 FRA confirms that the majority of the Proposed Development is not at risk of flooding for the NPF4 design event of 1 in 200-year plus an allowance for climate change except for some small, isolated areas of surface water flooding. Safe access/egress is to be afforded by the existing tracks and that no alterations to these routes are required. The panels are to be raised a minimum of 1 m above ground levels, which has been shown to be sufficient to allow 600 mm freeboard from maximum surface water flood depths.

3.8.65 SuDS will be incorporated as part of the Proposed Development and a concept drainage design has been prepared. This will ensure that increase in surface water runoff, associated with the increase in impermeable areas required to facilitate the Proposed Development, are

managed onsite up to and including the 1 in 200-year event plus an allowance for climate change. The drainage design will be developed further as part of the detailed design stage of the Proposed Development, and it is anticipated that full requirements will be secured by a planning condition.

3.8.66 Four private water supplies (PWS) have been identified, two of which (Gamekeepers Cottage and Pittuncarty/West Cottage) fall within SEPA's risk buffers (250m) and were subject to qualitative assessment. With embedded mitigation, such as maintaining a 100 m buffer, implementing a CEMP, and oversight by an Environmental Clerk of Works (EnvCoW), no significant risk to water quality or quantity was identified. No development or construction activities are proposed within 100 m of the PWS sources, apart from proposed security fencing.

3.8.67 Good practice measures to safeguard the water environment have been committed to as part of the embedded design and in future for construction. Subject to the adoption of these measures and the committed further works at the detailed design stage no effects on the water environment have been identified. There are no issues arising which give rise to effects of significance such that the Proposed Development cannot be consented. A detailed assessments against NPF4 Policy 22 Flood Risk is provided below.

Ecology / Ornithology

3.8.68 An EcIA has been undertaken to describe and evaluate the potential effects on the ecological, ornithological, and nature conservation interests arising from the Proposed Development. This is provided in Appendix D to the SEIR.

3.8.69 Statutory and non-statutory sites for nature conservation are present within 10 km of the Proposed Development, and 20 km in the context of Special Protection Areas (SPAs) with geese and / or swan populations. This includes potential connectivity of foraging resources associated with Firth of Tay and Eden Estuary SPA / Ramsar sites.

3.8.70 Ten distinct areas of ancient woodland classified on the Ancient Woodland Inventory (AWI) are within 2 km of the Site. No ancient woodland occurs within the Site.

3.8.71 Evidence of protected species was recorded across the Study Area, including evidence of badger, red squirrel, bats and breeding birds. In addition, there is suitable habitat for herptiles and wintering birds.

3.8.72 The Proposed Development has been designed to avoid, and minimise, impacts on important habitats and protected species where practicable. This has been achieved through an iterative design process and commitment to embedded mitigation. This process is combined with further commitments to the implementation of mitigation measures both prior to construction and throughout the construction period.

3.8.73 A detailed assessment of the potential impacts on the qualifying features (greylag and pink footed geese) of the Firth of Tay and Eden Estuary SPA / Ramsar site has been undertaken in a Shadow Habitats Regulations Appraisal (HRA) (Annex C to EcIA). It has been ascertained that conservation objectives will not be undermined and therefore there will be no adverse effects on integrity from the project alone or in-combination for the assessed European/ Ramsar sites.

3.8.74 Overall, the EcIA concluded that following mitigation, guided by the development of Species Protection Plans (SPPs) and CEMP there will be no residual effects arising from the Proposed Development in isolation, or in combination, with other proposals or projects. An Outline Biodiversity Enhancement Management Plan (OBEMP) (Annex D to EcIA) has also been prepared to deliver biodiversity enhancement. Enhancement measures proposed have been designed to support a diverse faunal community, from invertebrates through to the higher trophic species groups. Biodiversity enhancement measures are examined in more detail in relation to accordance with Policy 3 at Section 3.9.

Impacts on Trees and Woodlands

3.8.75 Ten distinct areas of ancient woodland classified on the Ancient Woodland Inventory (AWI) are within 2 km of the Site. No ancient woodland occurs within the Site. There are no trees or woodlands within the Site and no tree felling is proposed in order to facilitate the Proposed Development.

Balancing the Contribution of a Development and Conclusions on Policy 11

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

3.8.77 Significant landscape and visual effects are predicted however these have been minimised to a small group of receptors and are considered to be extremely localised in nature within approximately 1 km and appropriate design mitigation has been incorporated as part of the embedded iterative design approach and landscape strategy for the site. The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

3.8.78 The second last paragraph **of Paragraph e) of Policy 11** is expressly clear that in considering any identified impacts of developments, that significant weight must be placed on the contribution of the proposal to renewable energy generation targets and greenhouse gas emissions reduction targets. In particular, the Policy recognises that landscape and visual impacts are to be expected but provided they are localised and / or appropriate design mitigation has been applied, they are likely to be considered acceptable.

3.8.79 The "contributions" are inextricably related to the scale of a proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.

3.8.80 In terms of contribution to targets, the Proposed Development would contribute as follows:

> The annual power output of the Proposed Development is estimated at approximately 31,851 MWh/pa, which would provide enough electricity to power approximately 11,800 average Scottish households.

3.8.81 The scale of the energy output and emissions savings are of material importance and contribute to the national targets for net zero by 2045, and indeed the grid connection date for the Proposed Development would allow the Proposed Development to meet the near term targets for 2030.

3.9 NPF4 Policy 3: Biodiversity

3.9.1 Policy 3 has an intent to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Outcomes of the policy are that biodiversity is enhanced and better connected, including through strengthened nature networks and nature-based solutions.

3.9.2 In summary, there are no unacceptable effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 **Policies 3 and 4** respectively address.

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

3.9.4 Paragraph b) states that:

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

3.9.6 The policy goes on to reference the need for an understanding of the existing characteristics of a site and states that an assessment of potential negative effects should be undertaken which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.

3.9.7 Paragraph b) iv) of the policy sets out a requirement that *"significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate."*

3.9.8 Paragraph d) adds that *"any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration"*.

Current Guidance Position

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

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

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

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

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

3.9.12 The Scottish Government also published **'Draft Planning Guidance: Biodiversity'** in November 2023 with an update to this in December 2025 removing the 'draft' reference with most of the updates technical in nature. Paragraph 1.1 states that it: *"Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity."*

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

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

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

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

3.9.15 The principles set out are as follows:

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

3.9.16 These core principles have been applied as appropriate to the Proposed Development.

3.9.17 Page 17 of the guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points in the guidance include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised;
- Assessments can be qualitative or quantitative (for example through use of a metric); and
- It is stated that NatureScot NatureScot has commenced work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 policy 3b.

3.9.18 Section 4.12 of the draft guidance states:

"In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required.

Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out".

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

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

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

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

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

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

3.9.23 The consultation paper does not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlight here the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, as referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making.

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

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

3.9.25 NatureScot advised in October 2025[13] that a consultation on a working draft metric and associated guidance is planned for mid-2026 and expect a Scottish metric to be fully available to use in 2027.

[13] NatureScot (October 2025) Scottish Biodiversity Metric Update Available at: https://www.youtube.com/watch?v=DyuMmd1nNb4

The Application of Policy 3

3.9.26 As set out above under Policy 11, the EIA Report has considered ecological and ornithological interests. The Proposed Development has been developed based on an understanding of the characteristics of the site and its local and wider context and indeed the biodiversity enhancements proposed have been designed to reflect that environment.

3.9.27 In terms of environmental benefit, there will be a permanent enhancement to the site area through the Applicant's proposed improvements to the natural habitat which are addressed in the submitted OBEMP. The goals, objections and measures to achieve this include:

- **Goal 1: To create and enhance grassland within the Site.** Managed grassland is proposed around the solar PV modules to enhance sward height and species diversity. In crop areas, new grassland will be created using native seed mixes, preference is given to species-rich mixes such as hedgerow meadow or flowering lawn, while existing grasslands will be enhanced through low-pressure grazing and/or mowing. Management will focus on increasing botanical diversity, improving foraging habitat. This habitat will provide increased opportunities for insects, which in turn will provide increased foraging habitat for birds and bats.
- **Goal 2: To provide enhancements to aquatic habitats within the Site.** A SuDS pond will be seeded with a wet meadow mix. Native aquatic and marginal plant species will be introduced in and around the pond to enhance biodiversity and support amphibians, invertebrates, and species higher up the food chain such as birds and bats. Additional habitat features like log piles and varied substrates will be added to increase ecological value.
- **Goal 3: Creation and enhancement of mixed woodland, scrub and hedgerows**. Planting is proposed across the Site to enhance biodiversity, provide screening, and improve habitat connectivity. Native tree species such as hawthorn, sweet cherry, rowan, hazel and oak will be planted at moderate density, with woodland meadow mixes sown beneath. Scrub and hedgerow planting will use native species suited to Site conditions, with hedgerows planted in double staggered rows to maximise shelter for wildlife. Existing vegetation will be retained and enhanced where possible. Low-density livestock grazing is recommended to help maintain diverse ground vegetation without damaging young trees.
- **Goal 4: To provide and maintain wildlife boxes/refugia for birds, bats and reptiles/amphibians**. This will compensate for the loss of some refugia within the Site (drystone dyke) and provide nesting/roosting opportunities for bats and birds to help increase species assemblages within the Site while young, planted trees mature.

3.9.28 The proposals would result in the site, from a biodiversity perspective, being in a "*demonstrably better state*" than without intervention, consistent with the provisions of Policy 3 due to the measures being proposed as part of the OBEMP.

3.9.29 It is important to keep in mind that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is its contribution of renewable energy, to facilitate the earliest possible decarbonisation of the energy system and the achievement of "net zero" no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009. The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

3.10 NPF4 Policy 4: Natural Places

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

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

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

3.10.4 **Paragraph c)** deals with national landscape designations and natural heritage designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or National Scenic Area (NSA) should be addressed. Paragraph c) states that:

"*Development proposals that will affect a National Park, National Scenic Area, Site of*

Special Scientific Interest or a National Nature Reserve will only be supported where:

i) the objectives of designation and the overall integrity of the areas will not be compromised; or
ii) *any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance*."

3.10.5 There are no national landscape designations affected by the Proposed Development.

3.10.6 The SSSIs which were considered to have potential for significant effects have been assessed alongside those international designations whose boundaries overlap with the SSSI. No significant adverse effects are predicted on SSSI or any qualifying features.

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

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

i) Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
ii) *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance*".

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

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

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

> the second limb is independent of the first ("or") and is to be applied where a decision-maker concludes that a proposed development will have significant adverse effects on the integrity of a local designation;

> NPF4, Policy 4, Paragraph d) now expressly includes a balancing mechanism ("*clearly outweighed by social, environmental or economic benefits*") and sets out the threshold to be used ("*of at least local importance*").

3.10.10 **Paragraph e)** addresses the precautionary principle.

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

Application of Policy 4

3.10.12 The Site area is not located within or adjacent to a designated landscape, and there are no National Scenic Areas (NSAs) or National Parks within 5 km of the Site.

3.10.13 As explained above in the context of NPF4 Policy 11, the Site is within the non-statutory landscape designation of the Ochil Hills LLA, with the Lomond Hills LLA 2.7 km to the south-east.

3.10.14 The landscape and visual appraisal sets out an assessment of the effects of the Proposed Development and concludes only localised effects on landscape and visual receptors would be expected. No local landscape designations are affected such that the integrity of their setting would be affected by the Proposed Development.

3.10.15 Protected species have been considered and no significant adverse effects are predicted. A sHRA has been carried out for the Firth of Tay and Eden Estuary SPA / Ramsar and Loch Leven SPA/ Ramsar sites and Appropriate Assessment was carried out for greylag and pink-footed geese of the Firth of Tay and Eden Estuary SPA/ Ramsar (and partially overlapping Inner Tay Estuary SSSI) and pink-footed goose of Loch Leven SPA/ Ramsar (and underpinning Loch Leven SSSI). The Appropriate Assessment ascertained no adverse impacts on conservation objectives and integrity of these sites.

3.10.16 The Proposed Development is considered to be in accordance with Policy 4.

3.11 NPF4 Policy 5: Soils

3.11.1 In terms of soils, **Policy 5** states at part (a) that development proposals will only be supported if they are designed and constructed by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and in a manner the protects soil from damage.

3.11.2 Part (b) provides that development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use will only be supported where it is for certain types of development. Criteria (iv) provides support for *'the generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration'* where the layout and design minimises the amount of protected land that is required.

3.11.3 Part (c) of the policy states that where development on peatland or carbon rich soils or priority peatland habitat is proposed, a detailed site-specific assessment is required to identify baseline, likely effects and net effects.

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

Application of Policy 5

3.11.5 The nature of the Proposed Development means construction activities are largely limited to stockpiling and creation of temporary hardstanding areas/compounds therefore no deep foundations or excavations are required as part of the development proposals meaning minimal disruption of soils.

3.11.6 The Government in preparing this policy approach has clearly been aware of potential impacts on agricultural land and has expressly allowed for renewable energy development on such land. The policy support is expressly clear as set out in NPF4.

3.11.7 The Site is currently used for rough grazing and arable farming, and according to the Scotland's Soils website is Agricultural Land Capability (ALC) Class 4.1 (i.e. land capable of producing a narrow range of crops) to the east and Class 5.1 (e.g. land capable of high quality grassland) to the west. There the Proposed Development is not located on prime agricultural land. It is considered that the removal of the site from these uses will result in beneficial change to soil quality and productivity at the end of the 40 year lifespan.

3.11.8 The grassland use of the land during the operational period would offer potential benefits to soil health through the increase in soil organic matter, improvement in soil structure and improvement in the biological function of the soil. These benefits would offer improvement to the potential productivity of the land following the decommissioning of the solar array and would align with one of the stated outcomes of Policy 4 which is that *"Soils are healthy and provide essential ecosystem services for nature, people and our economy".*

3.11.9 A review of the Carbon and Peatland Mapping indicates that there are no carbon rich soils or peatland within the Site.

3.11.10 The Proposed Development will not lead to the permanent loss of soil resources but has the potential to create some short-term impacts from construction, these can be managed via the CEMP. Overall, the introduction of the Proposed Development is considered to lead to environmental enhancement of carbon sequestration, low intensive farming and wildlife biodiversity.

3.11.11 The proposals are therefore considered consistent with the requirements of Policy 5.

3.12 NPF4 Policy 6: Forestry, woodland and Trees

3.12.1 The policy intent of Policy 6 is to protect and expand forests, woodland and trees. Part a) states that *"Development proposals that enhance, expand and improve woodland and tree cover will be supported".* Part b) of the policy state4s that *"Development proposals will not be supported where they will result in any loss of ancient woodlands, ancient or veteran trees or adverse impact on their ecological condition"*.

Application of the Policy

3.12.2 No ancient woodland occurs within the Site. Ten distinct areas of ancient woodland classified on the AWI are within 2 km of the Site, the closest is 0.5 km from the Site. Appropriate buffers are in place as part of embedded designed mitigation, as such given these measures and the distance from the Site no direct or indirect impacts are predicted. There is one stand of coniferous woodland adjacent to the northern Site boundary, but no trees within the Site.

3.12.3 No trees would be impacted as a result of the proposed development. A habitat and tree protection plan will be incorporated into a CEMP to ensure best practice measures are followed throughout construction and operational maintenance.

3.12.4 Additional tree and hedgerow planting and management are proposed as part of the landscape and biodiversity proposals which will deliver a beneficial effect for the site and nature on and around Site.

3.12.5 The Proposed Development can draw support from Policy 6 in that it will enhance and improve woodland and tree cover as part of the biodiversity enhancement measures proposed on site. Woodland and hedgerow planting is proposed which will improve connectivity between woodlands for species such as bats and red squirrel. The Proposed Development is in accordance with Policy 6 of NPF4.

3.13 NPF4 Policy 7: Historic Assets and Places

3.13.1 Cultural heritage is addressed above in the context of NPF4 Policy 11 e) ii. The assessment has considered the presence of cultural heritage assets which may be affected by the Proposed Development. The potential effects on the identified assets, mitigation measures for known and unknown heritage assets during construction, and the residual effect of the Proposed Development has all been considered.

3.13.2 A detailed setting assessment has been undertaken in relation to potential impact on Balvaird Castle (SM90027). No significant adverse effects are predicted on the integrity of the setting of the asset, as views of the Proposed Development would not impact the assets primary aspect from which it derives its cultural significance.

3.13.3 The Proposed Development would not result in significant effects on the heritage assets considered within the cultural heritage impact assessment. The Proposed Development is considered to be in accordance with Policy 7.

3.14 NPF4 Policy 22: Flood Risk and Water Management

3.14.1 Policy 22 aims to strengthen resilience to flood risk by promoting avoidance as a first principle. However, the policy does make provision for situations where development may be acceptable in flood risk areas. The policy wording states as follows:

"a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

i. essential infrastructure where the location is required for operational reasons;

ii. water compatible uses;…

In such cases, it will be demonstrated by the applicant that:

- *all risks of flooding are understood and addressed;*
- *there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;*
- *the development remains safe and operational during floods;*
- *flood resistant and resilient materials and construction methods are used; and*
- *future adaptations can be made to accommodate the effects of climate change.*

c) Development proposals will:

i. not increase the risk of surface water flooding to others, or itself be at risk.

ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing bluegreen infrastructure. All proposals should presume no surface water connection to the combined sewer;

iii. seek to minimise the area of impermeable surface…"

Application of Policy 22

3.14.2 As noted above, the FRA confirms that the majority of the Proposed Development is not at risk of flooding for the NPF4 design event of 1 in 200-year plus an allowance for climate change except for some small, isolated areas of surface water flooding within the solar panel array area. The panels are to be raised a minimum of 1 m above ground level, which has been shown to be sufficient to allow 600 mm freeboard from maximum surface water flood depths, in line with SEPA guidance. Runoff from each solar panel would continue to infiltrate into the underlying soils locally, in much the same way as existing conditions. Dripline

planting will be used to manage surface water runoff from the solar arrays, preventing channelisation, and mimicking the natural rainfall-runoff regime.

3.14.3 The flood risk screening indicates that the proposed BESS is not at flood risk for the NPF4 design event of 0.5% AEP + CC. Any direct rainfall on the BESS will be managed through the SuDS design.

3.14.4 Some flood risk to the existing access/egress is noted. The Site is to be unmanned and will remain operational in times of flood. As an additional precaution, Site staff should sign up for SEPA's Floodline warnings and check Met Office weather warnings and SEPA 3-day flood forecasts to ensure that the Site is not accessed in periods of heavy rainfall.

3.14.5 Essential infrastructure is defined in NPF4 as all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution and transmission electricity grid networks and primary sub stations. The Proposed Development would therefore fall into the category of essential infrastructure as referred under part (a) i) of Policy 22.

3.14.6 Policy 22 makes provision for essential infrastructure to be located within a flood risk area. The location of the proposed development has been arrived at following an extensive site search and suitability exercise, considering matters such as development plan policy, landscape character, flood risk, distance from dwellings, feasibility of grid connection and associated capacity and cumulative impacts with other solar developments.

3.14.7 The Applicant has demonstrated an understanding of the flood risk at the site as required by policy 22 and these have been addressed through the application submission documentation. Matters of flood risk have been considered within the Water Environment Environmental Appraisal Report, supported by the FRADIA.

3.14.8 As noted, SuDS will be incorporated as part of the Proposed Development and a concept drainage design has been prepared. This will ensure that increase in surface water runoff, associated with the increase in impermeable areas required to facilitate the Proposed Development, are managed onsite up to and including the 1 in 200-year event plus an allowance for climate change. The drainage design will be developed further as part of the detailed design stage of the Proposed Development, and it is anticipated that full requirements will be secured by a planning condition.

3.14.9 Policy requires flood resistant and resilient material and construction methods to be used in potential flood areas. The BESS is indicated to be flood-free for the design event plus climate change and as such materials and specific flood related design are not required. The solar panels are inherently flood resilient given their raised position from ground levels and have 600 mm freeboard from any surface water flooding in line with guidance.

3.14.10 As regards future adaptations to accommodate the effects of climate change, the design takes into account climate change and allows additional freeboard from any flood levels on Site. Additionally the SUDS design has been sized with reference to the latest climate change allowances and could be adapted in the future as required.

3.14.11 The Proposed Development is considered to be in accordance with Policy 22.

3.15 Conclusions on NPF4 Appraisal

3.15.1 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria and with other relevant NPF4 policies.

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

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

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

3.15.5 Moderate adverse effects have been identified in relation to landscape and visual matters at a localised level only. These effects are predicted to be localised and would be experienced at year 1 on completion of the Proposed Development, reducing once the mitigation planting was established. These limited adverse effects must be balanced with the important contribution the Proposed Development can make in meeting Scottish Government and UK emission reduction targets and in tackling the climate crisis.

3.15.6 Overall, the Proposed Development is considered to be one that would make a valuable contribution to the NPF4 Spatial Strategy and would help deliver a ‘sustainable place’. Overall, it is considered that Proposed Development would accord with relevant policies of NPF4, and with NPF4 when read as a whole.

4. Appraisal against the Local Development Plan

4.1 Introduction

4.1.1 The other element of the statutory Development Plan covering the site comprises:

> The Perth and Kinross Local Development Plan (PKCLDP), adopted September 2018.

4.1.2 Relevant, statutory Supplementary Guidance (SG) to support the PKCLDP includes:

> SG 'Landscape', Adopted 2020;

> SG Flood Risk and Food Risk Assessments.

4.1.3 These SG have been considered appropriately within technical assessments and reported accordingly within the supporting information.

4.1.4 The PKCLDP was prepared and adopted prior to NPF4 coming into force and as such reflects the provisions of NPF3 and Scottish Planning Policy ('SPP'), both now superseded. Where conflicts or contradictions exists between the LDP and NPF4, or where LDP is silent, the provisions of NPF4 prevail.

4.1.5 Relevant policies from the LDP are referenced below in Table 4.1. This Chapter does not present a detailed assessment of the Proposed Development as that has been covered in Chapter 3 against the policy provisions of NPF4. An assessment of key policy and consideration of areas of conflict or contradictions with NPF4 is provided.

4.2 PKCLDP Policies

4.2.1 The PKCLDP2 sets out the vision for a low carbon place at Section 3.2. Tackling climate change is front and centre of this vision. The supporting text notes the importance of reducing greenhouse gases emission and adapting to the principles of sustainable development. In relation to renewable energy it states at page 50:

"Increasing the amount of energy from renewable and low carbon technologies will help to make sure that Scotland has a secure energy supply, reduce greenhouse gas emissions to slow down the effects of climate change, help improve air quality and stimulate investment in new jobs and businesses. The planning system has a crucial role in the delivery of new and re-powered renewable and low-carbon energy sources and infrastructure in locations where environmental impact is acceptable."

4.2.2 The SEIR and its supporting appendices have demonstrated that the Proposed Development is environmentally acceptable.

Notwithstanding the support for renewable energy within PKCLDP, it must be acknowledged that it has been prepared under NPF3 and SPP which are not aligned with NPF4.

The key policy for assessing the Proposed Development against is Policy 33 Renewable and Low Carbon Energy.

Policy 33 Renewable & Low Carbon Energy

4.2.3 Policy 33A deals with 'New Proposals for Renewable and Low-Carbon Energy' and states:

"Proposals for the utilisation, distribution and development of renewable and low-carbon sources of energy will be supported subject to the following factors being taken into account:

(a) The individual or cumulative effects of developments and associated transport/electricity infrastructure on:

- *biodiversity and natural heritage;*
- *woodland and forestry;*
- *landscape character, Local Landscape Areas, Wild Land Areas and National Scenic Areas;*
- *visual amenity;*
- *the historic environment and cultural heritage;*
- *hydrology, the water environment and flood risk;*
- *air quality, including any effects on greenhouse gas emissions and impacts from construction;*
- *aviation, defence and seismological recording;*
- *telecommunications and broadcasting infrastructure;*
- *residential amenity of the surrounding area (including noise and shadow flicker); and,*
- *hazardous installations (including pipelines).*

(b) The contribution of the proposed development towards meeting carbon reduction and renewable energy generation targets.

(c) The net economic impact of the proposal, including local and community socio-economic benefits such as employment and supply chain opportunities.

(d) The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally. (Applications with impacts on the Strategic Trunk Road Network will be subject to discussion and agreement with Transport Scotland)

(e) Construction and service tracks and borrow pits associated with any development.

(f) Effects on soils including:

- *carbon rich soils, deep peat and priority peatland habitats; or*
- *prime agricultural land;*

(g) The effects on public access, recreation and tourism interests including core paths, scenic corridors (the A9 trunk road as identified in NPF3) and other established routes for public walking, riding or cycling.

(h) Decommissioning including any conditions/bonds considered necessary for site restoration.

(i) Opportunities for energy storage.

(j) Cross-boundary impacts including any impacts on the qualities of the Cairngorms and Loch Lomond & The Trossachs National Parks."

4.2.4 Policy 33C deals with 'Decommissioning and Restoration of Existing Facilities' and requires that at the end of their operational life the development and associated equipment is removed and the site is restored to a standard agreed with the Council. Appropriate financial bonds or other financial mechanism(s) for site restoration may be required.

4.2.5 Parts B Repowering and Extending Existing Facilities, and D Spatial Framework for Wind Energy are not relevant to the Proposed Development.

4.2.6 The topics that are required to be considered under Policy 33A are largely aligned with NPF4 policy 11. Whilst Policy 33 of the LDP requires the contribution of a development to targets to be taken into account, NPF4 Policy 11 expressly requires significant weight to be given to such a contribution.

Other relevant PKCLDP Policies

4.2.7 The other policies of relevance in the PKCLDP are summarised below in **Table 4.1** together with comments as to whether there are considered to be any conflicts or contradictions with the equivalent topic policy provisions of NPF4:

Table 4.1 PKCLDP Policy Summaries and consideration against NPF4

LDP Policy	Policy Summary	Comment re NPF4
Policy 1 Place Making	The policy is split into various parts and part 1A is of some relevance. It states that development must contribute positively to the quality of the surrounding built and natural environment and that all development should be planned and designed with reference to climate change, mitigation and adaptation. The policy requires design and siting of development to respect character and amenity of place. Other aspects of the policy relate to more conventional built development and would not be relevant.	The provisions of this general policy insofar as relevant are contained within the scope of NPF4 Policy 11 (Energy). No conflicts or contradictions with NPF4.
Policy 15 Public Access	The policy states that proposals that would have an adverse impact upon the integrity of any core path or right of way will not be permitted. The policy also requires proposals that would affect public access rights, to ensure that such effects are adequately addressed and where necessary, suitable alternative provisions should be made.	NPF4 Policy 11 deals with impacts in relation to public access. No conflicts or contradictions with NPF4.
Policy 26 Scheduled Monuments & Archaeology	Policy 26A deals with Scheduled Monuments and states that there is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances. Policy 26B deals with Archaeology and states that the Council will seek to protect areas or sites of known archaeological interest and their settings. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ.	NPF4 Policy 7 (Historic assets and places) deals with impacts in relation to cultural heritage. No conflicts or contradictions with NPF4.
Policy 31 Other Historic Environment Assets	The policy states that there is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, historical woodlands and routes, which do not have statutory protection. It states that these resources are,	NPF4 Policy 7 deals with impacts in relation to cultural heritage. No conflicts or contradictions with NPF4.

LDP Policy	Policy Summary	Comment re NPF4
	however, an important part of Scotland's heritage and the Council will seek to protect and preserve significant resources as far as possible.	
Policy 38 Environment and Conservation	Policy 38A deals with international nature conservation sites, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Policy 38B deals with national designations including National Parks, National Scenic Areas, Sites of Special Scientific Interest and National Nature Reserves. The policy tests in relation to international and national designations in the policy are the same as those as set out in national planning policy, namely NPF4. Policy 38c deals with local designations. It states that development which would affect a local designation will not normally be permitted except where the Council is satisfied that the objectives of designation and the overall integrity of the designated area would not be compromised; or any locally significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social and economic benefits.	NPF4 Policies 3 (Biodiversity) and 4 (Natural places) deal with natural heritage matters. No conflicts or contradictions with NPF4.
Policy 39 Landscape	The policy states that development and land use change, including the creation of new hill tracks, should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes, which requires reference to the Tayside Landscape Character Assessment. The policy states that proposals will be supported where they do not conflict with the aim of maintaining and enhancing landscape qualities. Proposals need to demonstrate with reference to an appropriate landscape capacity study that either in the case of individual developments or when cumulatively considered alongside other existing or proposed developments, that they satisfy certain criteria. These include the following: > They do not erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience. > They safeguard views, viewpoints and landmarks from development that would detract	NPF4 Policies 11 and 4 deals with landscape matters. There is a conflict with NPF4 policy provisions. NPF4 Policy 4 sets out specific policy tests for dealing with impacts in relation to Local Landscape designations and these differ significantly from the provisions within Policy 39. Furthermore, NPF4 Policy 11 contains landscape as one of a number of considerations and it also contains a specific balancing mechanism in relation to consideration of impacts and the contribution of a development to targets.

LDP Policy	Policy Summary	Comment re NPF4
	from their visual integrity, identity or scenic quality. > They safeguard the tranquil qualities of the area's landscapes. > They safeguard the relative wildness of the area's landscapes, in particular, wild land areas. > They provide high quality standards and landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities. > They incorporate measures for protecting and enhancing the ecological, geological, historic, cultural and visual immunity elements of the landscape; and > They conserve the experience of the night sky in the less developed areas of Perth and Kinross through design solutions with low light impact. The policy also references local landscape areas (LLAs) and states that development should only be permitted where it will not have a significant adverse impact on their special character or qualities, or where these impacts are clearly outweighed by social and economic benefits that are of local significance to Perth and Kinross.	Policy 39 conflicts with NPF4.
Policy 40 Forestry, Woodland and Trees	The policy sets out that the Council will follow the principles of the Scottish Government policy on control of woodland removal and developers are expected to fully accord with its requirements. It adds that in accordance with that document, there will be a presumption in favour of protecting woodland resources, except where the works proposed involve the temporary removal of tree cover in a plantation, which is associated with clear felling and restocking. It adds that in exceptional cases where the loss of individual trees or woodland cover is unavoidable, the Council will require mitigation measures to be provided.	NPF4 Policy 6 deals with forestry, woodland and trees. No conflicts or contradictions with NPF4.
Policy 41 Biodiversity	The policy states that the Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area. It adds that proposals that have a detrimental impact on the ability to achieve the guidelines and actions in the Tayside Local Biodiversity Action Plan will not be supported unless	NPF4 Policies 3 and 4 deal with biodiversity. No conflicts or contradictions with NPF4.

LDP Policy	Policy Summary	Comment re NPF4
	clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.	
Policy 51 Soils	The policy states that the Council will seek to protect soils from damage, such as erosion or compaction. It adds developments located on areas of good quality agricultural soils will only be supported in certain circumstances. The policy adds that the Council is also committed to ensuring that development avoids disturbance to, and the loss of, carbon rich soils, including peatland, which are of value as carbon stores. The policy also allows for exceptions in relation to development that would disturb carbon rich soils, and in such circumstances, development is to be informed by appropriate peat surveys and management plans and any disturbance or excavation should be minimised. An assessment is also required of likely effects of development on carbon dioxide emissions and suitable mitigation measures are to be identified.	NPF4 Policy 5 deals with soils. No conflicts or contradictions with NPF4.
Policy 52 New Development and Flooding	The policy states that there is a general presumption against proposals for built development or land raising on a functional flood plain and the policy sets out requirements for developers to address flood risk associated with new development.	NPF4 Policy 22 deals with flood risk and water management. No conflicts or contradictions with NPF4.
Policy 53 Water, Environment and Drainage	The policy deals with the water environment, foul drainage, surface water drainage and natural watercourses.	NPF4 Policy 22 deals with flood risk and water management No conflicts or contradictions with NPF4.
Policy 56 Noise Pollution	The policy states that there will be a presumption against the siting of development proposals which will generate high levels of noise in the locality of existing or proposed noise sensitive land uses and similarly, against the locating of noise sensitive uses near to sources of noise generation. The policy adds that a Noise Impact Assessment will be required for proposals where it is anticipated that a noise problem is likely to occur.	NPF4 Policy 11 contains noise as one of a number of considerations. No conflicts or contradictions with NPF4.
Policy 60 Transport Standards and Accessibility Requirements	The policy deals with development proposals, in particular those that involve significant travel generation and it sets out requirements in relation to transport standards, including parking and the need, in some cases, for the preparation of a Transport Assessment.	NPF4 Policy 13 deals with sustainable transport. No conflicts or contradictions with NPF4

4.3 Planning Guidance

4.3.1 The following non statutory planning guidance is of relevance to the Proposed Development:

- Planning Guidance – Draft Renewable & Low Carbon Energy (2025);
- Planning Guidance - Loch Leven SPA; and
- Planning for Nature Development Management and Wildlife Guide (2022)

Draft Renewable & Low Carbon Energy (2025);

4.3.2 PKC notes that the draft Renewable and Low Carbon Energy planning guidance contains detailed advice on how applicants should address policy criteria. The draft guidance covers a range of renewable and low carbon electricity generation technologies and sets out a consistent approach to be applied across Perth and Kinross.

4.3.3 There are considered to be a number of incompatibilities between the draft guidance and NPF4 and while the guidance does not form part of the Development Plan it is not deemed to be in the spirit of the clear and overwhelming support for renewable energy development within national policy and as set out in detail in Chapter 2.

4.3.4 The incompatibilities include attempts to define terms beyond NPF4. This includes references to definitions for terms such as 'localised' and 'appropriate design mitigation' in the context of landscape and visual impacts. It also notes that the term 'some forms of renewable energy' in relation to Policy 11 e) ii. 'refers to wind installations only'. There is no policy basis for this interpretation and it cannot be replied on.

4.3.5 The draft guidance states that *"Large installations may affect the setting of or views to/from heritage assets and will not be acceptable where they have significant adverse effects, as assessed against NPF4 Policy 7."* NPF4 Policy 7 does not have a blanket approach that says proposals will not be acceptable where significant adverse effects arise. NPF4 Policy 7 contains detailed wording in relation to individual assets, each of which has slightly different policy tests in terms of demonstrating acceptability. An assessment of the Proposed Development against Policy 7 is provided in Chapter 3.

4.3.6 In short, guidance is provided within the document on "policy interpretation". The interpretation of planning policy is a matter of law, and is not a matter to be defined / interpreted within planning guidance.

4.3.7 The guidance does not have development plan status and has not yet been finalised. It therefore has limited weight in decision making as a material consideration.

4.3.8 Notwithstanding, the guidance has been considered where relevant in the layout, siting and design of the Proposed Development and in terms of the supporting information submitted with the application.

4.4 Emerging Perth and Kinross Local Development Plan 3

4.4.1 The Council are in the process of preparing the next LDP on a timetable that will see its adoption between October – December 2027. PKC submitted the LDP3 Evidence Report to the DPEA on 27 March 2025. In July 2025, the reporter appointed to examine the LDP3 concluded that the evidence report contained insufficient information to enable the planning authority to prepare its local development plan and was therefore returned to PKC. PKC has prepared the revised LDP3 Evidence Report Resubmission, which was approved at a meeting of Full Council on 10 December 2025. The updated Evidence Report will be submitted to the DPEA at the beginning of January, 2026.

4.4.2 No weight is therefore afforded to the LDP at this time.

4.5 Conclusions on the LDP

4.5.1 The relevant development management considerations have been addressed above (Chapter 3) in the context of NPF4 Policy 11 and are not repeated with reference to the policies of the PKCLDP.

4.5.2 It is considered that the effects arising from the Proposed Development would not be unacceptable in terms of Policy 33 or indeed other relevant policies within the LDP. Moreover, through considering the other relevant policies, it is considered that the Proposed Development accords with the LDP when it is read as whole.

4.5.3 The policy provisions of the PKCLDP are based on those of NPF3 and the 2014 SPP. This means, as per the amendments made to the 1997 Act, that given the various incompatibilities identified above, the provisions of NPF4 must prevail.

5. Conclusions

5.1 Conclusions

5.1.1 The answer to the **key questions** set out in in Chapter 1 are:

> The Proposed Development delivers important renewable energy capability to meet national renewable energy and emission reduction targets and would contribute to the attainment of Net Zero.

> The Proposed Development is consistent with the relevant policies of the Development Plan and with the plan when read as a whole.

> The relevant material considerations further support the position that the Proposed Development should be granted planning permission.

5.2 The Benefits of the Proposed Development

5.2.1 This section summarises the benefits that would arise from the Proposed Development.

System Resilience, Greater Capacity for renewables & Emissions Savings

> With an overall export capacity in the region of 30 MW for solar PV and 6 MW from the BESS, the Proposed Development would make a valuable contribution to the attainment of the UK and Scottish Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Scottish Government targets.

> The UK legally binding target of net zero GHG emissions by 2050 and the Scottish Government net zero by the earlier date of 2045 are major challenges.

> The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development's delivery of renewable capacity in the near term will have a disproportionately higher benefit than the same capacity delivered later – particularly given the solar and BESS capacity proposed at this Site would be delivered to contribute to the 2030 targets.

> In Scotland, there is strong support for renewable generation, which is inherently intermittent. The Proposed Development would therefore smooth over peaks and troughs in electricity supply, providing supply in periods when wind is less reliable (solar and wind are largely complimentary to one another in seasonal peaks and troughs balancing out low wind periods in summer, against low solar irradiance in winter).

Security of Supply

> The British Energy Security Strategy has been referenced. It provides an increase to the requirements for both the scale and the urgency of delivery of new low carbon generation capacity, by refocussing the requirement for low-carbon power for reasons of national security of supply and affordability, as well as for decarbonisation.

> With this context, the attractiveness of solar PV will deliver significant benefits to consumers through decarbonisation, security of supply and affordability.

> BESS play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future.

> BESS supports electricity operators to balance supply and demand helping with security of supply and system resilience.

- The development, if consented, would contribute to security of supply for Scotland and for the wider GB grid system. Consenting the development, would contribute to an adequate and dependable Scottish and GB generation mix, through enabling the generation of more low carbon power from indigenous and renewable resources, and would enable the development to make an important contribution to Scottish and wider UK energy security and decarbonisation needs.

Economic & Community Socio-Economic Benefits

- The Proposed Development would support jobs during construction and during operation across the Scottish economy. Overall, the socio-economic effects of the capital investment, employment to the economy would be beneficial.

Biodiversity

- Significant biodiversity enhancements are proposed, as set out in the OBEMP and as described in response to NPF4 Policy 3 above.

5.3 The Planning Balance

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

5.3.2 NPF4 is an up-to-date statement of Scottish Government policy, directly applicable to the determination of this planning application and should be afforded very considerable weight in decision-making.

5.3.3 NPF4 is unambiguous as regards the policy imperative to combat climate change: the crucial role of greater deployment of renewable energy is expressly recognised through the national Statement of Need. As described in this Planning Statement:

- The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "*at the heart of our vision for a future Scotland*" so that "*the decisions we make today will be in the long-term interest of our country*"[14]. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that which was set out in NPF3 and SPP;
- NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global Climate Emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and
- NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies.

5.3.4 It is important to fully recognise both the scale and urgency of the challenge set out in these documents and the required response from decision-makers. NPF4 is clear that significant progress must be made by 2030.

5.3.5 This is also embedded in the Scottish Government's consultative draft Energy Strategy and Just Transition Plan, together with the commitment to "***place the climate and nature at the centre of our planning system***"[15] (original emphasis) in line with the NPF4.

[14] NPF4, page 2.
[15] Energy Strategy and Just Transition Plan, page 55

5.3.6 By any measure, the identified need for delivery of this additional capacity is a massive challenge requiring an urgent and positive response.

5.3.7 The site selection process has resulted in finding a suitable site which is strategically located for grid connection and one which benefits from existing natural existing screening through topography and vegetation resulting in minimal localised landscape and visuals effects. This is enhanced by the proposed Landscape Enhancement and Mitigation Plan. Furthermore, the Applicant has gone to considerable lengths to ensure a satisfactory layout, design and composition for the proposed Solar PV and BESS. In short, appropriate design mitigation has been applied.

5.3.8 In landscape and visual terms, it is considered that there is scope for the development within the host landscape. The Proposed Development is located in an area which already accommodates large scale industrial infrastructure in the form of the Binn Eco Park facility and waste management complex that exerts a notable characterising influence across the local landscape to the north of the Site. The design has developed iteratively in response to surveys and consultation with measures such as landscape planting introduced to create a buffer and soften the edges of the Site in order to better protect amenity, sensitive heritage receptors and to protect landscape and visual amenity overall.

5.3.9 On this basis, it is concluded in the LVIA that although some notably levels of landscape and visual effect arise, the overall effects of the Proposed Development are deemed acceptable.

5.3.10 NPF4 requires that the decision-makers must also identify and weigh the adverse effects of a proposed development. The way that decision makers can recognise the strengthening policy imperative and the increased weight that should be given to the benefits of the Proposed Development is by giving stronger weight in the planning balance to the seriousness and importance of energy policy related considerations and the contribution of the proposed development in meeting green energy targets.

5.3.11 It is considered that this approach is very clearly reflected and articulated in NPF4 (subject to Scottish Government policy now expressly stating that significant weight will be given to the global climate and nature crises and a proposed development's contribution towards meeting targets).

5.3.12 In this case, the Proposed Development will help to deliver the national Spatial Strategy set out in NPF4. The Proposed Development would make a valuable and near-term (in advance of 2030) contribution to help Scotland and the UK attain Net Zero, security of supply and related socio-economic objectives. Specifically, the Proposed Development would contribute to the reduction of emissions to meet 2030 and 2045 targets and beyond. In Scotland there is an ambition for up to 6GW deployment of solar by 2030 of which around 3.5GW would be expected to be ground mounted solar PV systems. It is submitted that very substantial weight should be given to the contribution the Proposed Development will make to these targets, when weighing the need for the development and its limited identified effects within the planning balance.

5.3.13 The effects of the Proposed Development, including how relevant effects listed in NPF4 Policy 11 (Energy) Paragraph e) have been addressed, is detailed in the supporting information to the application. In terms of Policy 11, in considering the identified impacts of the Proposed Development significant weight must be placed on its contribution to renewable energy generation and greenhouse gas emissions reduction targets.

5.3.14 Through NPF4 the Scottish Government has put the climate crisis at the forefront of national planning policy going forward. It is clear that much more renewable energy developments will be required to replace the use of fossil fuels and meet the national targets for emissions reduction. Increased amounts of solar PV connected to the grid will be key to enabling consistent renewable energy generation, which will help Scotland and the UK meet respective climate change and emission reduction targets. The proposed BESS element of the Proposed Development can also serve to balance the energy demands, peaks and

troughs in the market, ensuring a security of supply and resilience in the electricity market. The targets set are binding rather than just being ambitions, and therefore this is a factor that must be reflected in development management decisions.

5.3.15 The Proposed Development is a key component in the wider renewables diversity mix and in meeting the Net Zero commitments as it is designed to support the flexible operation of the National Grid.

5.4 Overall Conclusion

5.4.1 The policy set out in NPF4 requires a rebalancing of the consenting of renewable generation proposals in response to the challenges of tackling the climate and nature crises. Having regard to the weight to be ascribed to the important benefits of the Proposed Development, it is considered that the benefits that would result clearly outweigh its adverse effects.

5.4.2 The policy set out in NPF4, and the policy in the draft Energy Strategy and draft Climate Change Plan provide strong and increased support for the grant of planning permission.

5.4.3 The conclusion is that the Proposed Development would be consistent with all relevant policies of the Development Plan, and with the Development Plan when read as a whole. Furthermore there are no material considerations which would indicate otherwise. Indeed the material considerations considered provide support to the position that the Proposed Development should be granted planning permission.

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