Lorg Wind Farm Grid Connection

Environmental Impact Assessment Report

Chapter 5: Planning Policy Context

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5 PLANNING POLICY CONTEXT

5.1.1 This Chapter considers both the national and local planning policies, as well as national energy and climate policies, that are relevant and material to the determination of the application for the Proposed Development. The Chapter considers relevant energy policy, both UK wide and Scotland-specific. Policy relevance is determined by its relation to onshore wind generation and associated infrastructure, including transmission infrastructure such as the Proposed Development.

5.1.2 The Chapter then considers national planning policy in the National Planning Framework 4[1](NPF4), particularly in supporting the transition to a low-carbon economy and enabling the delivery of renewable energy infrastructure. Thereafter, the Chapter considers local planning policy as set out within the Dumfries and Galloway Local Development Plan 2[2] (LDP2), since the Proposed Development is located in the Dumfries and Galloway Council area. This Chapter outlines relevant policies which may be a relevant consideration in the determination of the application.

5.1.3 Scottish Power Transmission (SPT), hereafter referred to as 'The Applicant', is seeking consent under Section 37 (S37) of the Electricity Act 1989[3], along with a request that the Scottish Ministers issue a direction that planning permission be deemed to be granted under Section 57(2) of the Town and Country Planning (Scotland) Act 1997[4], for consent to install and keep installed the Proposed Development. S37 of the Electricity Act 1989 is used to consent overhead lines (OHL) at a voltage of 132 kV or more in Scotland.

5.1.4 It should be noted that Section 25 of the Town and Country Planning (Scotland) Act 1997, which defines the statutory development plan, is not engaged as this is an application under the Electricity Act 1989. As such, the statutory development plan (NPF4 and LDP2) does not apply in the same way as for planning applications. However, NPF4 and LDP2 remain significantly relevant considerations for the determination of this S37 application.

5.2 National Energy Policy and Legislation

5.2.1 UK and Scottish Government renewable energy and climate change policies make it clear that there is an urgent need for new and upgraded electricity transmission infrastructure to enable an increase in renewable energy generation. This aim is also supported through national planning and energy policy documents, which are important relevant considerations to the determination of the current application. The following section outlines these policy documents, first examining UK-wide items before focusing on Scottish-specific policy.

UK Energy Policy and Legislation

The Climate Change Act 2008[5] and the Climate Change Committee's carbon budgets[6] (2008)

5.2.2 The Climate Change Act 2008 set a legally binding target for the UK to reduce greenhouse gas emissions by 80% from 1990 levels by 2050. This was later strengthened to a net zero target by 2050, with a system of carbon budgets introduced to track progress and ensure accountability along the way. The Climate Change Committee has released seven Carbon Budgets, which provide a road map to ensure that the UK meets its long-term climate targets. The seven Carbon Budgets create a road map between 2008-2042, with the first – third Carbon Budgets covering 2008-2022.

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[1] Scottish Government. (2023). *National Planning Framework 4*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/publications/national-planning-framework-4/

[2] Dumfries and Galloway Council (2019). Local Development Plan 2. Available at: http://dumgal.gov.uk/ldp2.

[3] Electricity Act 1989, c.29. Available at: https://www.legislation.gov.uk/ukpga/1989/29/contents

[4] Scottish Government (1997). Town and Country Planning (Scotland) Act 1997. Available online at: https://www.legislation.gov.uk/ukpga/1997/8/contents.

[5] *Climate Change Act 2008*, c.27. Available at: https://www.legislation.gov.uk/ukpga/2008/27/contents

[6] Committee on Climate Change. (2008). *Building a low-carbon economy – the UK's contribution to tackling climate change*. London: The Stationery Office. Available at: https://www.theccc.org.uk/publication/building-a-low-carbon-economy-the-uks-contribution-to-tackling-climate-change-2/

5.2.3 The Climate Change Committee's Fourth Carbon Budget[7] was released in November 2013 and covers 2023 to 2027 and was later reviewed in December 2013[8]. The Fourth Carbon Budget places strong emphasis on renewable energy and energy transmission as key enablers of the transition to net zero. The Fourth Carbon Budget also highlights the importance of investing in grid infrastructure and storage capacity to integrate the higher share of renewables on the system.

5.2.4 In November 2015, the Climate Change Committee's Fifth Carbon Budget[9] was published and covers UK emissions reductions in the period 2028 to 2032. The Fifth Carbon Budget outlines *"the power sector has a vital role in meeting carbon budgets. In 2030, almost a third of the reduction in emissions in other sectors in our scenarios is dependent on availability of low-carbon power"* (which includes providing energy from renewable sources). The Fifth Carbon Budget also recognises that the transition to a low-carbon electricity system brings new challenges in grid management due to higher levels of intermittent and variable renewable generation. This includes the need for back-up firm capacity for wind and solar generation, the risk of excess generation at times of low demand, and the need for additional infrastructure to transmit power generated in more remote locations.

5.2.5 Climate Change Committee's Sixth Carbon Budget[10] was published in December 2020 and covers the period 2033 – 2037 and highlights the need to strengthen the UK's power grid and the importance of upgrading electricity grids to manage the widespread electrification.

5.2.6 In February 2025, the Climate Change Committee's Seventh Carbon Budget[11] and latest Carbon budget was released, which covers 2038 to 2042. The Seventh Carbon Budget provides advice for the UK government and sets out recommendations to reach net zero by 2050. The Seventh Carbon Budget also outlines that *"electrification and low-carbon electricity supply make up the largest share of emissions reductions in our pathway, 60% by 2040".* In addition, the Seventh Carbon Budget also highlights that *"UK-based renewable energy provides the bulk of generation in a larger, future electricity system. Electricity then replaces oil and gas across most of the economy, including [Electrical Vehicles] EVs, buildings, and much of industry. This requires twice as much electricity as today by 2040".*

The UK Energy White Paper (2020)[12]

5.2.7 The UK Government Energy White Paper 'Powering our Net Zero Future', published in December 2020, sets out that: *"electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050".* It states a key objective is to *"accelerate the deployment of clean electricity generation through the 2020s".* 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".*

5.2.8 The White Paper and its policies set out that the scale of change required to tackle climate change is at a crucial point. The Paper therefore anticipates that there is a need for a fundamental, global response to tackling climate change issues. Chapter 1 of the White Paper outlines the likely change in the nature and volume of electricity generation. The Proposed Development's role as transmission infrastructure, which enables renewable energy generation, aligns with the White Paper.

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[7] Committee on Climate change. (2013). *The Fourth Carbon Budget – assessment of climate risk and the international response.* Available at: https://www.theccc.org.uk/publication/fourth-carbon-budget-review-part-1/

[8] Committee on Climate change. (2013). *The Fourth Carbon Budget – The Cost-effective path to the 2050 target. Available at:* https://www.theccc.org.uk/wp-content/uploads/2013/12/1785a-CCC_AdviceRep_Singles_1.pdf

[9] Committee on Climate change. (2015). The Fifth Carbon Budget – The next step towards a low-carbon economy. Available at: https://www.theccc.org.uk/publication/the-fifth-carbon-budget-the-next-step-towards-a-low-carbon-economy/

[10] [10] Committee on Climate change. (2020). *Sixth Carbon Budget – The UK's parht to Net Zero* Available at: https://www.theccc.org.uk/publication/sixth-carbon-budget/

[11] Committee on Climate change. (2025). *The Seventh Carbon Budget – Advice for the UK government.* Available at: https://www.theccc.org.uk/publication/the-seventh-carbon-budget/

[12] Department for Business, Energy and Industrial Strategy (2020) *Energy white paper: Powering our net zero future*. CP 337. London: HMSO. Available at: https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future

British Energy Security Strategy (2022)[13]

5.2.9 The British Energy Security Strategy was published as part of the UK Government's response to global energy volatility, particularly as a result of the COVID-19 pandemic and Russia's invasion of Ukraine. It outlines a long-term plan to reduce the UK's dependence on imported fossil fuels and to accelerate the transition to a secure, affordable, and low-carbon energy system.

5.2.10 The further deployment of renewable generation sources, including onshore wind and associated infrastructure, is a central pillar of the strategy. The Strategy also notes that *"accelerating our domestic supply of clean and affordable electricity also requires accelerating the connecting network infrastructure to support it."*

5.2.11 The Proposed Development supports the delivery of the British Energy Security Strategy by enabling further renewable electricity generation from onshore wind through the provision of the connecting network infrastructure.

Clean Power 2030 Action Plan[14] *& National Energy System Operator (NESO)'s Pathway to 2030 report*[15] *(2024)*

5.2.12 The UK Government's Clean Power 2030 Action Plan sets out a national plan for the accelerated delivery of infrastructure necessary for nationwide clean energy generation by 2030. The Action Plan, produced by the Department for Energy Security & Net Zero (DESNZ), aims to coordinate together issues of energy security, economic growth, and climate protection.

5.2.13 The Action Plan, published in December 2024, sets out a series of targets to be achieved by 2030:

- Metric 1a: Clean sources produce at least as much power as Great Britain consumes in total;
- Metric 1b: Clean sources produce at least 95% of Great Britain's generation; and
- Metric 2: Reduce the carbon intensity of electricity generation to below 50gCO2e/kWh.

5.2.14 The Action Plan recognises the strong role that the planning system will play in realising this long-term vision. Ambitious targets for clean electricity generation, with regions and quotas established, encourage the proliferation of onshore wind and associated infrastructure such as that presented by the Proposed Development.

5.2.15 The Action Plan outlines key benefits of continued onshore wind development, including economic growth and job creation, energy security and price stability, community benefits, and the underlying climate and environmental impact. The action plan then calls for planning reform to support the accelerated delivery of onshore wind, including the suggestion that onshore wind (and other clean energy generation projects) should be supported, accelerated, and prioritised in planning processes. It also states that "urgent action is required to ensure that the grid we need is in place for the connection of low-carbon generation and electrification of sectors such as transport, heating, and industry."

5.2.16 NESO was commissioned by DESNZ to provide an independent advice report on the feasibility requirements for the success of the Clean Power 2030 Action Plan. The Report, titled "Clean Power 2030 – Advice on achieving clean power for Great Britain by 2030", outlined the requirements in terms of location and type of investment and infrastructure.

5.2.17 The NESO report calls in particular for the scaling up of annual delivery of onshore wind projects to enable the doubling of onshore wind capacity from 14 Gigawatts (GW) in 2023 to 27 GW by 2030. The Proposed Development contributes to the achievement of this target by enabling a new onshore wind development.

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[13] HM Government. (2022). *British energy security strategy*. London: Department for Business, Energy & Industrial Strategy. Available at: https://www.gov.uk/government/publications/british-energy-security-strategy

[14] UK Government. (2024). *Clean Power 2030 Action Plan*. London: Department for Energy Security and Net Zero. Available at: https://www.gov.uk/government/publications/clean-power-2030-action-plan.

[15] National Energy System Operator (2024) *Clean Power 2030: Advice on achieving clean power by 2030*. [online] Available at: https://www.neso.energy/document/362956/download

Climate Change Committee Report to UK Parliament[16] (2025)

5.2.18 Under the Climate Change Act 2008, the Climate Change Committee (CCC) is required to publish annual progress reports on the goals set out in the 2008 Act and subsequent amendments. These reports, made to the UK Parliament, assess UK Government performance in reducing greenhouse gas emissions and meeting the legally binding carbon budgets (see paragraphs 5.2.4-5.2.9).

5.2.19 The 2025 CCC Report to UK Parliament is the latest annual report on the 2008 Act.

5.2.20 The 2025 CCC Report found that in 2024, progress made in emission reductions to date has been primarily driven by decarbonisation of the electricity system. Total roll-out of offshore and onshore wind and solar capacity increased in 2024 by more than the increase seen in any of the previous six years. However, to achieve the Government's ambition in the Clean Power 2023 Action Plan, the total operational capacity of renewables will need to more than double by 2030, which will require a tripling in annual installations of both offshore and onshore wind.

Scottish Energy Policy and Legislation

The Global Climate Emergency - Scotland's Response[17] (2019)

5.2.21 Climate Change Secretary Roseanna Cunningham made a statement to the Scottish Parliament on the 14th of May 2019 entitled 'The Global Climate Emergency - Scotland's Response'. In the statement, the Scottish Government declares a climate change emergency and sets out that *"the next National Planning Framework and review of the Scottish Planning Policy will include considerable focus on how the planning system can support our climate change goals".*

5.2.22 The declaration of a Climate Emergency serves as a key underlying principle of Scottish climate and energy policy, which highlights the urgency and breadth of action required and implemented since by the Scottish Government.

5.2.23 Renewable energy generation, including onshore wind, is highlighted as a key element of Scotland's ongoing emission reduction efforts: *"[Scotland has] already almost halved emissions since 1990 while growing the economy, increasing employment and productivity. We will continue to do so. And we're doing this with domestic effort alone*

Scottish Energy Strategy (2017)[18] and Draft Energy Strategy and Just Transition Plan (2023)[19]

5.2.24 The 2017 Scottish Energy Strategy prioritises a shift towards a low-carbon energy system, with a strong focus on renewable electricity and the development of local energy systems. It aims for 50% of Scotland's total energy consumption (including electricity, heat, and transport) to be supplied by renewable sources by 2030, and net-zero greenhouse gas emissions by 2045. The strategy also emphasises the need for a well-balanced system capable of providing secure and affordable energy.

5.2.25 The Scottish Government published the Draft Energy Strategy and Just Transition Plan on 10 January 2023. Chapter 3 'Energy Supply' states that the Scottish Government*, "will place climate and nature at the centre of our planning system in line with the Revised National Planning Framework 4, making clear our support for all forms of renewable, low-carbon and zero emission technologies, including transmission and distribution infrastructure".*

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16 Climate Change Committee (2025) *Progress in adapting to Climate Change: 2025 Report to Parliament*. London: CCC. Available at: https://www.theccc.org.uk/publication/progress-in-reducing-emissions-2025-report-to-parliament/

17 Scottish Government (2019) *The global climate emergency – Scotland's response: statement by the Cabinet Secretary for Environment, Climate Change and Land Reform*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/publications/global-climate-emergency-scotlands-response-climate-change-secretary-roseanna-cunninghams-statement

18 Scottish Government. (2017). *Scottish energy strategy: The future of energy in Scotland*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2017/12/scottish-energy-strategy-future-energy-scotland-9781788515276/documents/00529523-pdf/00529523-pdf/govscot%3Adocument/00529523.pdf

19 Scottish Government (2023) *Draft Energy Strategy and Just Transition Plan*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/publications/draft-energy-strategy-transition-plan/

5.2.26 Section 3.2 'Reducing our reliance on other energy sources', states that in alignment with NPF4, the Scottish Government *"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…".*

5.2.27 Section 5.2 of the Draft Strategy also states: *"Significant infrastructure investment in Scotland's transmission system is needed to ameliorate constraints and enable more renewable power to flow to centres of demand. National Grid ESO has identified the requirement for over £21 billion of investment in GB electricity transmission infrastructure to meet 2030 targets. Over half of this investment will involve Scottish Transmission owners SPEN and SSEN".*

The Update to the Climate Change Plan (2018-2032)[20]

5.2.28 The Scottish Government's Climate Change Plan (CCP) 'Securing a Green Recovery on a Path to Net Zero (2018 – 2032) - update' was published on 16 December 2020. The CCP was updated to address the revised net zero targets, which are ultimately set to end Scotland's contribution to climate change by 2045. The timeframe covered by the CCP was set in parallel to the deadline for the Government's commitment to reduce greenhouse gas emissions by 75% by 2030 (compared with 1990 levels), which was later revised by the 2019 & 2024 Acts as detailed in this section.

5.2.29 A key part of the CCP is the green recovery, which states: *"It is essential that our recovery from the pandemic responds to the climate emergency and puts us on a pathway to deliver our statutory climate change targets and a just transition to net zero, by ensuring our actions in the immediate term are in line with our long-term goals. The Scottish Government has been clear in its commitment to securing a just and green recovery, which prioritises economic, social and environmental well-being, and responds to the twin challenges of the climate emergency and biodiversity loss".*

5.2.30 The CCP update sets the context in terms of electricity systems, stating that *"… further policies to continue the rapid growth in renewable generation over the past 20 years, moving from a low to a zero- carbon electricity system…".*

5.2.31 Electricity is further addressed in Chapter 1, Paragraph 3.1.4, which recognises that, as Scotland's places and economy transition to net zero, the growing and increasingly decarbonised electricity sector *"is critical to enabling other parts of our economy to decarbonise – notably transport, buildings and industry".*

5.2.32 Furthermore, Section 2.5 recognises the coordinated approach that is needed and refers to the planning system and the at that time forthcoming NPF4. Planning is described as a *"key delivery mechanism for many of the policies within this climate change plan update, across all sectors".*

Scottish Onshore Wind Policy Statement (OWPS) 2022[21]

5.2.33 The Scottish OWPS 2022 sets a target of 20 GW installed onshore wind capacity by 2030. The OWPS emphasises that onshore wind will be a critical generation method in the delivery of the 2030 / 2045 targets set out in the legislation detailed above. It states that delivering this ambition will create demands on the existing electricity infrastructure, as new developments will need to connect quickly to Scotland's distribution and transmission networks. National Grid has identified the need for over £21 billion of investment to meet the 2030 targets, over half of which will involve Scottish Transmission Owners.

[20] Scottish Government (2020). Securing a green recovery on a path to net zero: climate change plan 2018–2032 - update. Available at: https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/pages/2/#:~:text=The%20green%20recovery%20and%20transition,forefront%20of%20growing%20global%20markets

[21] Scottish Government (2022) *Onshore wind: policy statement 2022*. Edinburgh: Scottish Government. ISBN 9781805253754. Available at: https://www.gov.scot/publications/onshore-wind-policy-statement-2022/

The Climate Change (Scotland) Act 2009[22] (as amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019[23] and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2024)[24]

5.2.34 The Climate Change (Scotland) Act 2009[25](the 2009 Act) set ambitious and, at the time, world-leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. This target was subsequently amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (the 2019 Act) to set an even more ambitious target of net-zero emissions by 2045. The 2019 Act also set interim targets for 2020, 2030 and 2040. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 further amended the 2009 Act, removing the interim targets and replacing them with a system of targets based on carbon budgets, which are to be set every five years, while still retaining the 2045 net zero emissions target.

5.2.35 Immediately preceding the release of the 2024 Act, the Climate Change Commission delivered a report to the Scottish Parliament titled "Progress in reducing emissions in Scotland" (March 2024)[26]. The report set out that the Scottish Government was not going to meet its 2030 targets as set out in the 2009 Act, and demanded stronger action and reinforced the need for much more generating capacity.

Scotland Carbon Budgets (2025)[27]

5.2.36 Following The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024, the Climate Change Committee provided advice on setting carbon budgets, which was published in May 2025. This advice identified that renewables play an essential role in meeting Scotland's carbon budgets as well as the wider UK emissions targets. Furthermore, to reach net zero, the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) is required to be more than tripled from 15 GW in 2023 to 49 GW by 2035, increasing to 66 GW by 2045. Scotland's Carbon Budget highlights the important role of transmission and distribution networks in reaching net zero. Scotland's Carbon Budget outlines that "*the capacity of transmission and distribution networks will need to be increased at pace to ensure supply is able to be transported to sources of demand as electricity generation is increasingly decarbonised and demand grows".* Furthermore, the Scotland Carbon Budget states that to deliver clean electricity, the transmission grid requires rapid expansion, together with speeding up the grid connection process.

5.2.37 The Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 is currently in draft. If approved, it will amend the Climate Change (Scotland) Act 2009 to include the Scottish carbon budgets for the five year periods 2026 to 2030, 2031 to 2035, 2036 to 2040 and 2041 to 2045.

The Scottish Government's Green Industrial Strategy (2024)[28]

5.2.38 The Green Industrial Strategy (2024) frames renewable energy development as an economic opportunity for Scotland, and outlines the actions needed by the Scottish Government and partners to create a positive environment for investment and growth within the renewables sector.

5.2.39 The Strategy reaffirms the onshore wind sector as a key segment of the Scottish green industries and recognises the economic benefit of continued onshore wind development.

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[22] *Climate Change (Scotland) Act 2009,* asp 12. Available at https://www.legislation.gov.uk/asp/2009/12/contents

[23] *Climate Change (Emissions Reduction Targets) (Scotland) Act 2019*, asp 15. https://www.legislation.gov.uk/asp/2019/15/contents

[24] *Climate Change (Emissions Reduction Targets) (Scotland) Act 2024*, asp 15. Available at: https://www.legislation.gov.uk/asp/2024/15

[25] Scottish Government (2009). Climate Change (Scotland) Act 2009. Available at: https://www.legislation.gov.uk/asp/2009/12/contents

[26] Climate Change Committee (2024). Progress in reducing emissions in Scotland – 2023 Report to Parliament Available at: https://www.theccc.org.uk/publication/progress-in-reducing-emissions-in-scotland-2023-report-to-parliament/

[27] Committee on Climate change. (2025). *Scotland's Carbon Budgets.* Available at: https://www.theccc.org.uk/publication/scotlands-carbon-budgets/

[28] Scottish Government. (2024). *Green industrial strategy*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/publications/green-industrial-strategy/

Energy Policy Conclusions

5.2.41 Overall, energy policy and climate change legislation are considered to be a significant consideration which must be acknowledged with regard to the need case for new electricity infrastructure and maintaining the existing transmission network, which links to the policy position as set out in NPF4. In order to meet the carbon reduction targets set out in the Climate Change Plan and support low carbon and zero emission technologies per the Draft Scottish Government Energy Strategy and Just Transition Plan, it is imperative that transmission infrastructure is well-maintained and reliable.

5.2.42 It is considered that the Proposed Development, as a key infrastructure project which strengthens the existing electricity transmission network, aligns with national energy policy and legislation.

5.3 Planning Policy Context

5.3.1 The Proposed Development would support the strategic objectives in national policies with regard to moving towards a low-carbon economy, set out within NPF4 and other national energy policy documents. The following sections provide a more detailed summary of the relevant national polices and how the Proposed Development would support the aims of these policies.

5.3.2 Local Planning Policies within Dumfries and Galloway LDP2, adopted in October 2019, are relevant considerations in the decision-making process. National Planning Framework 4 (NPF4)

5.3.3 NPF4[29] was adopted by the Scottish Government in February 2023 and is a long-term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights national and regional spatial priorities. The need for a high voltage electricity transmission network is expressed in NPF4, under the National Developments Statements of Need titled *"Strategic Renewable Electricity Generation and Transmission Infrastructure".*

5.3.4 The Proposed Development is situated within the 'South' region, with key spatial priorities identified within Part 3 of the document. In NPF4, the third priority for the South region is to "*Support local economic development whilst making sustainable use of the area's worldclass environmental assets to innovate and lead greener growth*". NPF4 notes that the Strategic Renewable Electricity Generation and Transmission Infrastructure National Development Type (National Development 3) will support the delivery of the spatial strategy for the South region. The Proposed Development would be considered a National Development on the basis of the criteria in the NPF4.

5.3.5 NPF4 sets out national planning policy in Part 2 of the document. Following review, the key policies for the Proposed Development are set out below:

5.3.6 **Policy 1 - Tackling the Climate and Nature Crisis**; sets out that significant weight will be given to the global climate and nature crises when considering all development proposals, with the policy intent being to "*encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*" and the policy outcome being *"zero carbon, nature positive places".* The Proposed Development relates to the construction of an OHL for the purpose of electricity transmission from renewable energy sources, providing a new link for the transmission of additional renewable electricity in the south-west of Scotland. As a new transmission link to a new renewable generation source, the Proposed Development will support Scotland's net zero ambitions.

5.3.7 **Policy 2 - Climate Change Mitigation and Adaptation**; outlines that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as much as possible and to adapt to the current and future risks of climate change. The policy intends to encourage, promote and facilitate development that minimises emissions from developments and creates places that are more resilient to climate change. With regard to the Proposed Development, it would mitigate climate change and minimise carbon emissions by facilitating the transmission of electricity generated from renewable sources. In addition, the OHL would support efficient transmission of energy, reducing potential network disruption or energy losses.

[29] The Scottish Government (2023). National Planning Framework 4. Available at: https://www.gov.scot/publications/national-planning-framework-4/

5.3.8 **Policy 3 – Biodiversity**; outlines that developments which require an Environmental Impact Assessment (EIA) 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, and confirms that this will include future management. Proposals within these categories will demonstrate how they have met all of the following criteria, which are addressed in **Chapter 8: Ecology and Ornithology** of this Environmental Impact Assessment Report (EIAR):

- The proposal is based on an understanding of the existing characteristics of the Site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
- Wherever feasible, nature-based solutions have been integrated and made best use of;
- An assessment of potential adverse effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- 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; and
- Local community benefits of the biodiversity and/or nature networks have been considered.

5.3.9 **Chapter 8: Ecology and Ornithology** identifies embedded and additional mitigation to reduce adverse impacts to biodiversity as a result of the Proposed Development. An assessment of the Biodiversity Baseline for the Proposed Development has also been undertaken in **Appendix 8.2: Protected Species Baseline Report**.

5.3.10 **Policy 4 - Natural Places**; Policy 4(a) sets out that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Policy 4(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, and that 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. Impacts and mitigation measures are summarised in the remaining sections of this EIAR: Landscape and Visual Impacts are considered in **Chapter 7: Landscape and Visual**, and Biodiversity impacts are considered in **Chapter 8: Ecology and Ornithology** of this EIAR.

5.3.11 **Policy 5 – Soils**; this policy sets out that development proposals will only be supported if designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land, and in a manner that protects soil from damage, including from compaction and erosion, and that minimises soil sealing. Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use (as identified by the LDP2), peatland, carbon-rich soils, and priority peatland habitat, will only be supported where it is for essential infrastructure and there is a specific locational need and no other suitable site. Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site-specific assessment will be required. Impacts to soils are considered in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.12 **Policy 6 - Forestry, Woodland and Trees**; outlines that development proposals that enhance, expand and improve woodland and tree cover will be supported. Development proposals will not be supported if they result in:

- Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
- Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
- Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy; and
- Conflict with Restocking Direction, Remedial Notice, or Registered Notice to Comply issued by Scottish Forestry.

5.3.13 Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will likely be expected, which would be secured via a suitable condition attached to any consent. Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the Site (in accordance with the Forestry and Woodland Strategy) are integrated into the design. Forestry impacts are considered in **Chapter 6: Forestry** of this EIAR.

5.3.14 **Policy 7 - Historic Assets and Places**; outlines that development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The policy also states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced, and that development proposals affecting a scheduled monument will only be supported where direct impacts on the scheduled monument and significant adverse impacts on the integrity of the setting are avoided, or exceptional circumstances have been demonstrated to justify the impact and impacts on the monument or its setting have been minimised.

5.3.15 In addition, Policy 7 also sets out that development proposals affecting nationally important Gardens and Designed Landscapes (GDL) will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the Site, or its setting.

5.3.16 Policy 7 provides that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance, which is not understood and may require assessment. Impacts to Cultural Heritage and Archaeology are considered in **Chapter 9: Cultural Heritage and Archaeology** of this EIAR.

5.3.17 **Policy 11 – Energy;** sets out that the policy intent is to *"encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes … new and replacement transmission and distribution infrastructure"*. It outlines that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including enabling works, such as grid transmission and distribution infrastructure. Furthermore, when considering the variety of 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. **Chapter 2: Route Selection and Alternatives** outlines the alternative options to OHL, which were considered, including underground cables, and why these were not considered viable for the Proposed Development.

5.3.18 Chapter 12 'Summary of Significant Effects' reflects the steps taken to avoid and minimise effects through the route development, assessment process and the nature and scale of the development. Furthermore, these effects are anticipated and arise from the delivery of transmission infrastructure, which aligns with the intent of NPF4 Policy 11.

5.3.19 **Policy 12 - Zero Waste**; states that development proposals will seek to reduce, reuse and recycle materials in line with the waste hierarchy. The policy also states that development proposals will be supported where they: reuse existing buildings and infrastructure; minimise demolition and salvage materials for reuse; minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life; use materials that are suitable for reuse with minimal reprocessing. With regards to the Proposed Development, no significant waste is anticipated to arise during the construction, and any waste or litter would be managed in accordance with the relevant waste regulations. Furthermore, the Proposed Development aims to follow the waste hierarchy, which is as follows;

i. Eliminate - Design out waste;

ii. Reduce - Minimise waste generation;

iii. Reuse - Reuse materials on-site if possible;
iv. Recycle - Reprocess materials for off-site use;
v. Recover - Recovery of energy from waste sent off-site; and
vi. Dispose - Least desirable option – last resort

5.3.20 **Policy 22 - Flood Risk and Water Management**; outlines that Developments will not increase the risk of surface water flooding, will manage rain and surface water through Sustainable Drainage Systems (SuDS), and seek to minimise the area of impermeable surface. The policy also sets out that development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported. Flood risk is considered in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.21 **Policy 29 – Rural Development**; outlines that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. Development proposals in remote rural areas, where new development can often help to sustain fragile communities, will be supported where the proposal can lead to local employment, and is suitable in terms of location, access, siting, design and environmental impact. How the Proposed Development fits in with the surrounding landscape is considered in **Chapter 7: Landscape and Visual** of this EIAR.

Dumfries and Galloway Council Local Development Plan 2 (LDP2)

5.3.22 The Dumfries and Galloway LDP2 was published in October 2019. The introduction to the LDP2 sets out the overarching approach to the plan, which includes Paragraph 1.10: *"the need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge to sustainable economic growth."* Furthermore, the vision statement in the LDP2 states that Dumfries and Galloway will in 20 years' time *"..be a thriving region with a sustainable economy built on sustainable principles, which recognises the importance of its landscape, natural and historic environments and the need to maintain and enhance its distinctive landscape character while facilitating positive change, promoting growth, maximising the use of existing infrastructure and enhancing connectivity."*

5.3.23 The LDP2 also sets out an energy strategy for the council, which recognises a need identified by national policy for *"an enhanced high voltage energy transmission network to facilitate renewable electricity development and its export, including improvements to the network that lies in Dumfries and Galloway. Significant investment in the network is anticipated during the plan period, which the Council supports in principle in appropriate locations."* In addition, it is recognised in paragraph 4.2 of the LDP2 that *"A new and increasingly significant part of the area's economy is the generation of renewable energy. The policies set out in the Plan provide opportunities to grow, develop, diversify and regenerate the economy in a sustainable manner…"*

5.3.24 The LDP2 outlines a number of policies which are relevant to the Proposed Development, and the key polices can be summarised as follows (*para 5.3.23-5.3.44*):

5.3.25 **Policy OP1: Development Considerations**; outlines an overarching policy for development proposals within the council boundary. The Policy requires development proposals to consider a number of criteria, including general amenity, historic environment, landscape, biodiversity and geodiversity, transport and travel, sustainability and water environment.

5.3.26 **Policy ED10: Galloway and Southern Ayrshire Biosphere** (GSAB); states that: *"Development must be appropriate to the role of the different zones within the Biosphere"*. The GSAB Strategic Plan 2023 – 2033 states that "*There are 11 windfarms in operation within the Biosphere with another 19 approved for construction and more currently being scoped and/or planning applications submitted. The size of wind turbines has shown a marked increase from an average of 75m in height during the 1990s to applications for 250m+ today; with local hills only averaging 600m in height, this is felt by many to be out of scale with the local landscape."* It is made clear in the GSAB Strategic Plan that a sensitive approach to Landscape and Visual Impact is required for Proposed Development. Identified impacts and proposed mitigation measures are discussed in depth in **Chapter 7: Landscape and Visual** of this EIAR.

5.3.27 **Policy ED11: Dark Skies**: The Proposed Development is within the 'Transition Zone', the outermost zone of the Dumfries and Galloway Dark Sky Park (DSP). Policy ED11 states that "*The Council […] will assess proposals for development on their merits, securing levels of lighting that are appropriate to the nature of the development, contribute to sustainable development, and do not adversely affect the objectives of the Dark Sky Park designation.*" The Dark Skies Friendly Lighting Supplementary Guidance states that, within the Transition Zone, "*it is desirable that all external business and domestic lighting being installed within this zone is dark sky friendly. With the correct lighting, even relatively large developments should not have a detrimental effect on the night sky*" [30].

5.3.28 **Policy HE3: Archaeology**; states that development proposals that protect significant archaeological and historic assets and the wider historic environment from adverse effects will be supported. Archaeological considerations are assessed in **Chapter 9: Cultural Heritage and Archaeology** of this EIAR.

5.3.29 **Policy HE4: Archaeologically Sensitive Areas**; states that development proposals that safeguard the character, archaeological interest and setting of Archaeologically Sensitive Areas will be supported. Archaeologically sensitive areas are assessed in **Chapter 9: Cultural Heritage and Archaeology** of this EIAR.

5.3.30 **Policy HE6: Gardens and Designated Landscapes;** states that *"The Council will support development that protects or enhances the significant elements, specific qualities, character, integrity and setting, including key views to and from, gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes or the Non-Inventory List".* Cultural Heritage and Archaeology are considered in **Chapter 9: Cultural Heritage and Archaeology** of this EIAR.

5.3.31 **Policy NE2: Regional Scenic Areas**; states that *"The siting and design of development within a Regional Scenic Area (RSAs) should respect the special nature of the area. Development within, or which affects Regional Scenic Areas, may be supported where the Council is satisfied the factors taken into account in designating the area would not be significantly adversely affected; or there is a specific need for the development at that location."* Landscape character and scenic interest are considered in **Chapter 7: Landscape and Visual** of this EIAR.

5.3.32 **Policy NE4: Sites of International Importance for Biodiversity**; states that "*Development proposals likely to have a significant effect on an existing or proposed Special Protection Area (SPA), existing or candidate Special Area of Conservation (SAC) or Ramsar Site, including developments outwith the site, will require an appropriate assessment and will only be permitted where: the development does not adversely affect the integrity of the site; or there are no alternative solutions; there are imperative reasons of overriding public interest, including those of a social or economic nature; and compensatory measures have been identified and agreed to ensure that the overall coherence of the Natura network is protected".* **Chapter 8: Ecology and Ornithology** of this EIAR considers Sites of International Importance for Biodiversity.

5.3.33 ***Policy NE5: Species of International Importance****; states that "Development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that: there is no satisfactory alternative; and the development is required for […] reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range."* A discussion of any impacts on species of International Importance can be found in **Chapter 8: Ecology and Ornithology** of this EIAR.

5.3.34 **Policy NE6: Sites of National Importance for Biodiversity and Geodiversity**; states that development proposals which *"affects Sites of Special Scientific Interest, not designated as International Sites, and other national nature conservation designations will only be permitted where: it will not adversely affect the integrity of the area or the qualities for which it has been designated, or any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance".* The Proposed Development has considered international, national and local designations as well as biodiversity and geodiversity in **Chapter 8: Ecology and Ornithology** of this EIAR.

[30] Dumfries and Galloway Council (2020). Dark Skies Friendly Lighting. Available at: https://www.dumgal.gov.uk/media/22619/Dark-Skies-Friendly-Lighting/pdf/Dark_Skies_Friendly_Lighting_SG_LDP2_Adopted.pdf

5.3.35 **Policy NE7: Forestry and Woodland**; states that "*Proposals should seek to ensure that ancient and semi-natural woodlands and other woodlands with high nature conservation value are protected and enhanced*". **Chapter 6: Forestry** and **Chapter 8: Ecology and Ornithology** of this EIAR discuss any potential impacts on sensitive woodland areas.

5.3.36 **Policy NE8: Trees and Development**; states that *"the Council will support proposals that promote additional tree planting; protect and enhance ancient woodland sites; maintain trees, woodlands (in particular ancient and semi-natural woodlands), and hedgerows (hereafter referred to as the 'woodland resource') and require developers to incorporate, wherever feasible, the existing woodland resource into their schemes; encourage planting of a type, scale, design, composition and species mix that is appropriate to its locality and appropriately incorporates the woodland resource into the overall design of the scheme; and show how existing trees will be appropriately protected during the construction period"* Forestry and biodiversity are assessed in **Chapter 6: Forestry** and **Chapter 8: Ecology and Ornithology** of this EIAR.

5.3.37 **Policy NE 11: Supporting the Water Environment**; states that development proposals which would result in deterioration in the status of a waterbody, or which would likely impede the improvements in waterbody status as set out in the Solway Tweed River Basin Management Plan (2015) or any update of it, will not be supported unless there are exceptional justifying circumstances. Impacts on the water environment are considered in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.38 **Policy NE12: Protection of Water Margins**; requires that *"Where new development is proposed adjacent to or in the vicinity of waterbodies, the water margins will, subject to Policy NE11 and Section 18 of the Flood Risk Management (Scotland) Act 2009, be protected unless there are compelling reasons to justify why this should not be done".* This is further assessed in **Chapter 8: Ecology and Ornithology** and **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.39 **Policy NE13 Agricultural Soil**; States that developments should avoid, where possible, siting on good quality agricultural soil. Developments should adopt: "*means of minimising impact on soil resources*"; "*soil management measures*"; and "*opportunities to re-use soils necessarily excavated from the site".* The impacts of construction on such soils are discussed in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.40 **Policy NE14 Carbon Rich Soil**; recognises the important role of carbon rich soil as a carbon sink. The policy requires that developments on such soils are justified by the Scottish Government's 'carbon calculator'[31] "*or other equivalent independent evidence*", and that developments employ "*means of minimising impact on carbon rich soil*"; and *"management measures relative to carbon rich soil"*. These management/mitigation measures are detailed in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.41 **Policy NE15 Protection and Restoration of Peat Deposits as Carbon Sinks**; aims to protect peat deposits as carbon sinks, stating that *"The role of natural carbon sinks in retaining carbon dioxide will be maintained by safeguarding and protecting peat deposits"*, even if not designated for conservation. The Council supports *"peatland restoration, including rewetting."* Development may be allowed in *"areas of degraded peatland"* if the deposits are *"significantly damaged by human activity"*, have *"low conservation value"*, and cannot be restored. In such cases, *"appropriate site restoration measures"* are required. Renewable energy projects may be permitted if they show a net climate benefit using *"the Scottish Government's 'carbon calculator' or other equivalent independent evidence."* Peatland impacts, as well as the proposed mitigation measures, are outlined in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.42 **Policy CF4: Access Routes**; requires that *"The Council as Access Authority will assert, protect and keep open and free from obstruction any route, waterway or other means by which access rights may reasonably be exercised. Development proposals should not impact adversely on any of the aforementioned access routes and Core Paths".* Access requirements and standard mitigation measures to be taken are outlined in **Chapter 3: Proposed Development** of this EIAR.

5.3.43 **Policy IN1 Renewable Energy**; outlines that the Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The

[31] Scottish Government. (2022). *Carbon calculator for wind farms on Scottish peatlands: factsheet*. Edinburgh: Scottish Government. Available at: https://www.gov.scot/publications/carbon-calculator-for-wind-farms-on-scottish-peatlands-factsheet/

acceptability of the Proposed Development will be assessed against the following considerations: landscape and visual impact; cumulative impact; impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker; the impact on natural and historic environment (including cultural heritage and biodiversity); the impact on forestry and woodlands; the impact on tourism, recreational interests and public access. It is noted that acceptability will be determined through an assessment of the details of the proposal, including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed. The Proposed Development would, in this regard, support the transmission of electricity from renewable sources and would aim to meet the Scottish Government's renewable energy generation targets.

5.3.44 **Policy IN6 Waste Management Requirements for New Development**; requires new developments to address waste management where relevant. It states that *"Any planning application which in the view of the Council requires to address the issue of waste should be supported by a Site Waste Management Plan"*, which must be *"tailored to the scale of the proposed development"* and use the Council's template. A Site Waste Management Plan would be produced for the construction phase of the Proposed Development, in line with Policy IN6.

5.3.45 **Policy IN7 Flooding and Development**; sets out that development proposals must demonstrate that the proposal would not result in an unacceptable on-site or off-site flood risk and that the design of development must avoid flood risk from exceedance flows. This is considered within **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

5.3.46 **Policy IN8 Surface Water Drainage and Sustainable Drainage Systems (SuDS)**; outlines that all development proposals must consider drainage issues. In addition, each development proposal would be required to demonstrate that the proposal is designed to avoid flood risk from exceedance flows and show how SuDS can be accommodated within the Proposed Site. Flood risk and drainage are considered in **Chapter 10: Hydrology, Hydrogeology, Geology and Soils** of this EIAR.

Planning Policy Conclusion

5.3.47 In summary, the Proposed Development would strengthen the electricity transmission network.

5.3.48 By supporting the transmission of renewable energy, the proposal aligns closely with national policy objectives for a low-carbon future, as outlined in the NPF4 and related national energy strategies. The project's meets Scotland's carbon reduction targets and facilitates the delivery of renewable electricity.

5.3.49 While local planning policies, such as those in Dumfries and Galloway LDP2, remain relevant considerations, the principal policy support resides within the NPF4, where the Proposed Development is recognised as a national development. The Proposed Development meets the requirements set out in National Development 3 and supports the South region's priorities for sustainable economic growth and environmental innovation, working towards a robust and future-ready energy infrastructure for Scotland.

5.4 Conclusion

5.4.1 In conclusion, the Proposed Development aligns with both national and local energy and planning objectives to promote renewable energy generation. The Proposed Development supports the policies outlined in NPF4 and also adheres to local planning policy. The Proposed Development also works towards the national carbon reduction goals, sustainable economic development, and environmental resilience.

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