STEPHENSON HALLIDAY

Planning, Landscape & Environment
an RSK company

MILLMOOR RIG WIND FARM

Planning Statement
ESB Asset Development UK Limited
September 2025

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Contents

Document History

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1 INTRODUCTION

1.1.1 This Planning Statement has been prepared by Stephenson Halliday to accompany the application by ESB Asset Development UK Limited (hereafter referred to as the 'applicant') for consent under Section 36 of the Electricity Act 1989[1]. for the Millmoor Rig Wind Farm (hereafter referred to as 'Proposed Development'), located at Wauchope Forest, south of Bonchester Bridge in the Scottish Borders (hereafter referred to as 'the Site') which currently comprises of a commercial forest.

1.1.2 The application was submitted to the Scottish Ministers in November 2022 (Reference: ECU00003426). The application is for consent to construct and operate a wind farm comprising of 13 turbines with a height of between 180 m and 230 m and a battery energy storage facility. Section 36 Consent and deemed planning permission is sought for the 35 year operational lifespan of the Proposed Development.

1.1.3 The Planning Statement is a standalone document which provides an overview of the planning, climate change and energy policy background and takes account of the findings of the Environmental Impact Assessment Report (EIA Report), Further Environmental Information (FEI) Report and Statement of Community Consultation (SOCC) which accompany the Section 36 application. It also takes into account consultation responses received to date on the Section 36 application.

1.1.4 This Planning Statement is set out as follows:

- **Chapter 2** provides the background to the Proposed Development, outlining the Site and surrounding area and the relevant Planning History of the Site.
- **Chapter 3** describes the Proposed Development.
- **Chapter 4** outlines the key benefits.
- **Chapter 5** provides the energy legislative and policy context which are relevant considerations to the determination of the Proposed Development.
- **Chapter 6** provides the planning policy context, including the Development Plan and relevant guidance.
- **Chapter 7** provides an assessment of the Proposed Development against applicable Development Plan policies.
- **Chapter 8** summarises the planning balance and conclusions of the assessment.

1.1.5 This Planning Statement is supported by **Appendix 1** which sets out the climate change and renewable energy context within which this application is brought forward, and **Appendix 2** which sets out the wording of all applicable Development Plan policies.

[1] https://www.legislation.gov.uk/ukpga/1989/29/contents (Accessed May 2025).

1.2 Applicant

1.2.1 ESB Asset Development UK Limited, part of ESB, Ireland's premier energy company, established in 1927, is a leading independent power generator and developer in the UK market. The applicant has a track record of over 30 years as a successful investor in the UK since 1994, which resulted in the commissioning of one of the first independent power generation plants at Corby in Northamptonshire in 1994. The applicant owns and operates wind farms across the UK and Ireland with a current generating capacity of 700MW.

1.2.2 The applicant's strategy sets a Net Zero emissions target to achieve by 2040. The applicant will set a science-based target for 2030 to provide independent assurance that the pathway to Net Zero is aligned with the commitments set out in the Paris Agreement. This objective reflects the applicant's commitment to supporting the Scottish Government's goal of achieving Net Zero emissions through the generation of renewable electricity and by enabling the connection of renewable generation to their electricity networks.

1.2.3 ESB aims to decarbonise 63% of generation output by 2030, and 100% by 2040, and will deliver a five-fold increase in its renewable generation portfolio to 5,000MW by 2030[2].

1.3 Statutory Framework

1.3.1 The application is to be determined under Section 36 of the Electricity Act 1989. Section 57(2) of the Town and Country Planning (Scotland) Act 1997 allows Scottish Ministers, on granting consent under Section 36 of the Electricity Act, to direct that planning permission shall deemed to be granted.

1.3.2 The provisions of Schedule 9 sub-paragraph 3 (1) (a) and (b) of the Electricity Act are relevant to the assessment of the Proposed Development. As set out in sub-paragraph 3 (1) (a) Scottish Ministers shall have regard to:

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

1.3.3 Scottish Ministers are required under Schedule 9, sub-paragraph 3 (2) to have regard to:

(a) The desirability of the matters mentioned in paragraph (a) of sub-paragraph (1) above; and

(b) The extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of that sub-paragraph.

1.3.4 Furthermore, Scottish Ministers are also obliged under sub-paragraph 3 (3) to:

"avoid, so far as possible, causing injuries to fisheries or to the stock of fish in any waters."

[2] https://esb.ie/sustainability/our-esg-strategy#:~:text=As%20a%20leading%20energy%20company,deliver%20the%20urgent%20action%20required (Accessed May 2025).

1.3.5 The applicant is not an electricity generation licence holder and therefore the duties set out in Schedule 9 do not apply to the applicant, however the requirements set out under Schedule 9 of the Electricity Act apply to Scottish Ministers and have been considered and accounted for throughout the design and EIA assessment processes.

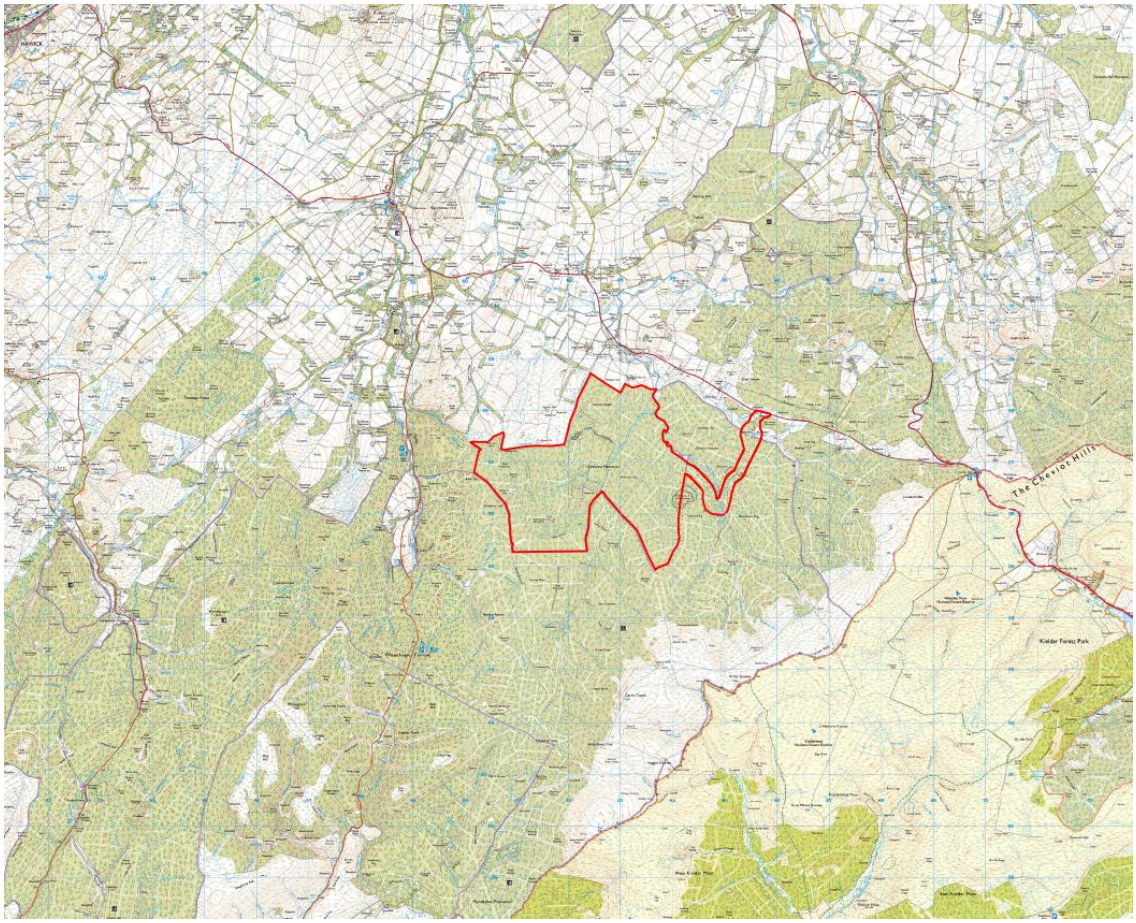
2 SITE CONTEXT

2.1.1 This Chapter sets out the key characteristics of the Site and the surrounding area. Further information can be found in the EIA Report **Chapter 2: Proposed Development**.

2.2 Site Description

2.2.1 The Site is located in the Scottish Borders, within a large area of commercial forestry in the Wauchope Forest. The location of the Site is shown in **Figure 2.1: Site Location Plan**.

Figure 2.1: Site Location Plan



2.2.2 The land use within the Site consists almost entirely of short rotation forestry (SRF) plantation. The plantation is currently active with some sections being felled, and other areas presenting recent crop plantation as well as mature stands. Only a few areas within the Site are not covered by forestry:

- small areas kept clear around the abandoned settlement of Westshiels;
- forestry rides;
- areas adjacent to the streams and burns; and

- a quarry located in the western part of the Site. The quarry area is recorded on OS mapping as disused but appears to be currently active.

2.2.3 The Site is located in the Hawick and Denholm ward of the Scottish Borders Council (SBC) region. The nearest settlements are Chesters, approximately 3.3 km to the north, and Bonchester Bridge, about 5.2 km to the north-north-west along the A6088 (all measurements taken from the nearest turbine of the Proposed Development). The nearest group of properties is located at Southdean, approximately 2.1 km to the north. The nearest individual properties are Dykeraw and Dykeraw Cottage, about 1.7 km to the north, and Lustruther, approximately 2.1 km to the north.

2.2.4 The Site is close to the Scotland–England border, which is about 2.9 km from the nearest Proposed Development turbine at its closest point.

2.3 Planning History

2.3.1 The Site has been subject to a previous planning application for Highlee Hill Wind Farm (Application Reference. 16/00810/FUL). The Proposed Development is situated in the same location, but with a different Site boundary. The Highlee Hill Wind Farm planning application was formally withdrawn by RES in May 2017. In a letter submitted to the council on the 11th of May 2017[3] RES states that the main deciding factor for withdrawing the application was based on having reviewed the consultation responses received against the application and the changing policy and legislation conditions within the onshore wind sector.

2.3.2 Millmoor Rig Wind Farm is a wholly new project with no connection to the Highlee Hill Wind Farm proposal or to RES.

2.3.3 The Site also includes two previous applications for temporary meteorological mast development made by RES. Application Reference: 14/00360/FUL which was granted on 14 May 2014 and was a renewal of Application Reference: 12/00452/FUL which was granted on 21 June 2012.

[3] https://eplanning.scotborders.gov.uk/online-applications/files/ADD7C7F10356B15FDCECA407B57EB3FB/pdf/16_00810_FUL-APPLICANT_-_WITHDRAWAL_LETTER-2857528.pdf (Accessed September 2025)

3 THE PROPOSED DEVELOPMENT

3.1 Introduction

3.1.1 The Proposed Development comprises up to 13 wind turbines of approximately 6 MW each, five with a maximum tip height of 180 m, two with a maximum tip height of 200 m, four with a maximum tip height of 210 m and two with a maximum tip height of 230 m, and associated infrastructure. Associated infrastructure includes hardstanding areas at the base of each turbine, site entrance and access track from the A6088 (including existing and new track and water crossings), operations control building with parking and staff welfare facilities, substation compound, battery energy storage with capacity of approximately 20 MW, telecommunications equipment, two temporary construction compounds, a temporary turbine lay over area, three borrow pit search areas, and underground cabling linking the turbines with the substation.

3.1.2 The full description of the Proposed Development is outlined in Chapter 2 of the EIA Report.

3.1.3 The applicant has undertaken a robust iterative design process pre-application that sought to minimise potential impacts (as detailed in Chapter 2 of the EIA Report).

3.1.4 The original proposed Site layout (EIA Layout) from 2022 has since been modified in response to consultee comments (FEI Layout).

3.1.5 Modifications to the Proposed Development following the original EIA Report submission are detailed in Chapter 1 of the FEI Report.

3.2 Operational Lifetime and Decommissioning

3.2.1 The Proposed Development is anticipated to have an operational life of 35 years, after which it would be decommissioned, and the turbines dismantled and removed. This is the proposed course of action which is being applied for and any alternative to this action would require separate consent.

3.2.2 During decommissioning the turbines would be dismantled and removed, along with any associated above ground electrical equipment. The decommissioning work would be the responsibility of the applicant, or any subsequent owners of the Proposed Development. Underground cables would be left in place, and foundations would be removed to a depth of 0.5 m below ground level to avoid environmental impacts from deeper removal. Prior to decommissioning of the Site, a Decommissioning Method Statement would be prepared and agreed with SBC.

4 BENEFITS OF THE PROPOSED DEVELOPMENT

4.1.1 The Proposed Development will have demonstrable and notable socio-economic benefits to both the local and national economy.

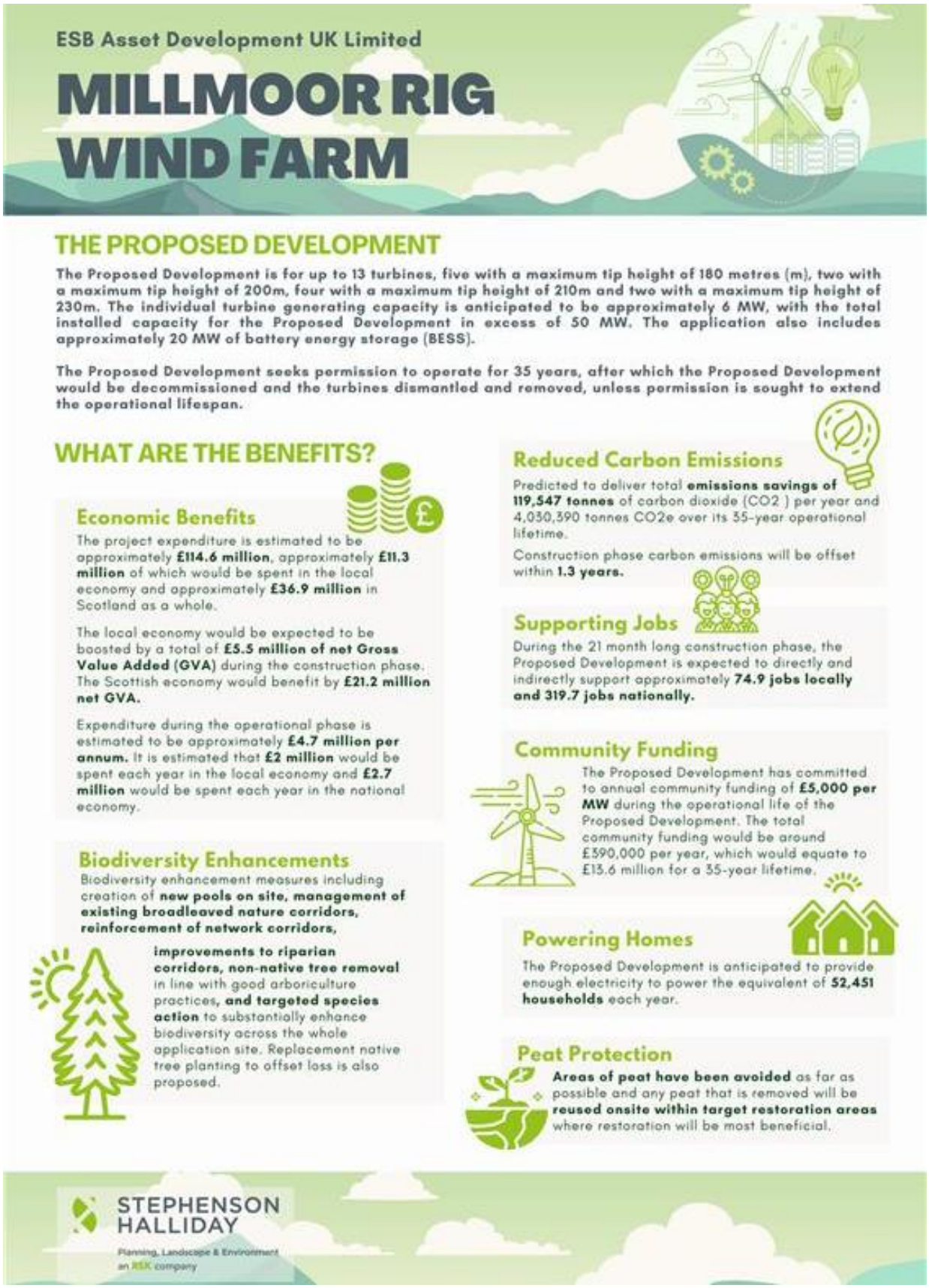
4.1.2 **Figure 4.1: Socio-Economic Benefits Infographic** below highlights the key socio-economic benefits anticipated from the Proposed Development, including its positive impact on carbon emissions, job creation, community funding, household energy supply, economic growth, biodiversity, and community amenities.

4.1.3 **Principally:**

- Expected annual emissions savings are 119,547 tonnes of CO_2, totalling 4,030,390 tonnes CO_2e over 35 years. Construction emissions will be offset in 1.3 years.
- The construction phase of the Proposed Development is expected to directly and indirectly support approximately 75 jobs locally and 320 jobs nationally.
- The Proposed Development will provide £5,000 per MW annually to the community during its operational period, totalling approximately £390,000 each year or £13.6 million over 35 years.
- The Proposed Development is anticipated to provide enough electricity to power the equivalent of 52,451 households in Scotland each year.
- The project is expected to cost about £114.6 million, with £11.3 million spent locally and £36.9 million across Scotland. Construction should add £5.5 million net GVA to the local economy and £21.2 million to Scotland. Annual operational spending is projected at £4.7 million, split between £2 million locally and £2.7 million nationally.
- Biodiversity will be enhanced by creating new pools, managing and strengthening nature and riparian corridors, removing non-native trees according to good practice, and targeting specific species across the site. Native trees will also be planted to replace any that are lost.
- Areas of peat have been avoided as far as possible and any peat that is removed will be reused onsite within target restoration areas where restoration will be most beneficial.

4.1.4 Also, the applicant will consult with the community and landowners on the potential for upgrading information boards and signposting nearby heritage paths and rights of way.

Figure 4.1 Proposed Development Benefits Infographic



5 CLIMATE CHANGE AND RENEWABLE ENERGY CONTEXT

5.1 Introduction

5.1.1 This Chapter provides a summary of the key international, UK and Scottish climate change and renewable energy policy and guidance relevant to the Proposed Development. This provides an overall framework for the need for the Proposed Development in respect of climate change and renewable energy generation.

5.1.2 Please refer to **Appendix 1** of this Planning Statement for an overview of all identified climate change policy and guidance.

5.2 Climate Change

UK Legislative Context

The Climate Change Act 2008

5.2.1 The Climate Change Act 2008 (as amended by The Climate Change Act 2008 (2050 Target Amendment) Order 2019)[4] provides the basis for the UK's approach to adapting to and tackling climate change. The Act sets out the requirement for carbon dioxide and other greenhouse gas (GHG) emissions to be reduced by 100% of 1990 levels by 2050 (also known as Net Zero) and the need for the UK Government to adapt to the impacts of climate change.

5.2.2 The Climate Change Act 2008 requires the UK Government to set out legally binding 'carbon budgets' towards achieving Net Zero. Once the carbon budget has been set, the UK Government is obliged to prepare policies to achieve the set target. The Climate Change Committee (CCC) was established as an independent adviser to advise the UK and devolved Governments on emissions targets and progress towards the reduction of GHG emissions and adapting to climate change.

Scottish Legislative Context

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

5.2.3 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019[5] was passed by the Scottish Parliament in 2019, and its measures were brought into force in March 2020. It amends the Climate Change (Scotland) Act 2009 and sets targets to reduce Scotland's emissions of all GHG to Net Zero by 2045 at the latest.

https://www.legislation.gov.uk/ukdsi/2019/9780111187654 (Accessed September 2025)

[5] https://www.legislation.gov.uk/asp/2019/15 (Accessed September 2025)

5.2.4 On 18 April 2024, the then Net Zero Secretary Mairi McAllan confirmed the Scottish Government's commitment to Net Zero by 2045[6]. In response to the Climate Change Committee's Progress in reducing emissions in Scotland – 2023 Report to Parliament the Net Zero Secretary confirmed:

"that the 2030 target for emissions reduction is not achievable, this will no longer be a statutory target."

5.2.5 This is as a result of deployment being too slow.

5.2.6 The Net Zero Secretary stated that:

"new legislation will be brought forward to introduce multi-year 'Carbon budgets' replacing the current, annual targets."

5.2.7 The Climate Change (Emissions Reduction Targets) Scotland Act 2024 was passed by the Scottish Parliament on 05 November 2024 and received Royal Assent on 22 November 2024. The Climate Change (Emissions Reduction Targets) Scotland Act 2024 replaces the annual and interim emissions targets, with five-year carbon budgets from 2026-2045. Additionally, the Climate Change (Emissions Reduction Targets) Scotland Act 2024 changes the current deadline for finalising the next Climate Change Plan for Scotland to align with the timescale for carbon budgets.

CCC Scotland's Carbon Budgets (May 2025)

5.2.8 The Climate Change Committee (CCC) published Scotland's Carbon Budgets Advice for the Scottish Government[7] in May 2025. This Report sets out the CCC's advice on the carbon budgets to 2045.

5.2.9 In response, the Scottish Government laid in Scottish Parliament The Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 in June 2025 which accepts the CCC's advice on carbon budget emissions.)

5.2.10 The Scottish Government Statement to Accompany The Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 outlines:

"The CCC expresses its carbon budgets as a percentage lower than Baseline, whereas the proposed Scottish carbon budgets are expressed as a percentage of the baseline multiplied by 5 (for the number of years comprising the carbon budgets). The expressions are inverse to each other, so the figures have been converted to the number of MtCO2e in order to demonstrate their equivalence."

5.2.11 **Table 5.1** below outlines the proposed Scottish Carbon Budgets as detailed in the Scottish Government Statement to Accompany The Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025.

[6] https://www.gov.scot/news/stepping-up-action-to-net-zero/ (Accessed September 2025)

[7] https://www.theccc.org.uk/wp-content/uploads/2025/05/Scotlands-Carbon-Budgets-2.pdf (Accessed September 2025)

Table 5.1 Scottish Carbon Budgets

Scottish Carbon Budget Period	CCC recommendation (average % lower than Baseline)	CCC recommendation (MtCO2e)	Proposed Scottish carbon budget (average % of Baseline x 5)	Proposed Scottish carbon budget (MtCO2e)
2026 to 2030	57	175	43	175
2031 to 2035	69	126	31	126
2036 to 2040	80	81	20	81
2041 to 2045	94	24	6	24

5.2.12 Within two months of the carbon budget regulations coming into force, the Scottish Government will bring forward a draft Climate Change Plan, detailing the policies and proposals to reduce emissions between 2026 and 2040. It is understood the regulations should come into force in 2025 and the Scottish Government aims to publish the draft Climate Change Plan in late 2025[8].

Climate Emergency.

5.2.13 In May 2019, the UK Government and Opposition parties unilaterally agreed to pass a motion to declare an environmental and climate emergency. In May 2019, the Scottish Government also declared a climate emergency.

5.2.14 On 25 September 2020, SBC declared a climate emergency[9]. In June 2021, SBC published a Climate Change Route Map, which aims to set the Scottish Borders on a path to Net Zero by 2045. Priority actions to deliver on the Route Map were identified and subsequently approved in March 2022.

[8] https://yourviews.parliament.scot/nzet/draft-climate-change-plan-2025-call-for-views/ (Accessed September 2025)

[9] https://www.scotborders.gov.uk/environment/net-zero-climate-change (Accessed September 2025)

Climate Change Policy and Advisory Reports

5.2.15 At an international level, the Paris Agreement[10] was adopted at the United Nations Climate Change Conference (COP 21). It is a legally binding international treaty on climate change and its overarching goal is to hold:

"the increase in the global average temperature to well below 2°C above pre-industrial levels" and pursue efforts "to limit the temperature increase to 1.5°C above pre-industrial levels."

5.3 Energy Policy

5.3.1 The following section provides a summary of the UK and Scottish Government's key energy context, policies and strategies which are supportive of renewable energy including onshore wind. Further information is included in **Appendix 1** which following on from the climate change legislation, policy and strategy provides the energy policy framework supporting renewable energy. The energy policy detailed in **Appendix 1** demonstrates the importance of renewable energy to meet the targets that the UK and Scottish Government have set to decarbonise energy, reduce energy costs and achieve energy security. The policy in **Appendix 1** outlines that onshore wind is one of the cheapest forms of renewable energy and renewable energy developments are vital for energy security and to meet the Net Zero targets.

UK

Onshore Wind Taskforce Strategy (July 2025)

5.3.2 The Onshore Wind Taskforce Strategy was published in July 2025 by the UK Government and sets out the direction of travel and UK Government aspirations for onshore wind development in the UK over the next several years.

5.3.3 The Ministerial Foreward on page 3 states:

"As one of the cheapest and fastest to build sources of power we have, onshore wind will play a critical role in boosting our energy independence with clean power by 2030. The reality is that every turbine we build helps protect families, businesses and the public finances from future fossil fuel shocks."

5.3.4 The Executive Summary context on page 6 states:

"Onshore wind will play an essential role in Clean Power by 2030, leading to a more secure and affordable energy system, and creating new economic opportunities and jobs across the UK.

Under this Government we removed the defacto ban on onshore wind in England, and are delivering radical action to unlock 27-29GW of onshore wind by 2030 across GB.

[10] The Paris Agreement is a legally binding international treaty on climate change which was adopted by 195 Parties at the UN Climate Change Conference (COP21) in Paris, France on 12th December 2015 and came into force on 4th November 2016. Source: https://unfccc.int/process-and-meetings/the-paris-agreement (Accessed September 2025)

That's around 10-12GW more than would have been deployed under historic growth rates, with England contributing around 2GW by 2030.

Onshore wind is among the cheapest sources of new electricity generation to build and operate at scale. Scaling up home-grown renewables, like we're doing for onshore wind, reduces the UK's exposure to volatile global fossil fuel prices, which protects consumer energy bills against future price shocks.

This document is the Government's strategy to deliver radical action to quickly unlock onshore wind and deliver on the benefits. It has a multi-territorial scope, focusing on the deployment of onshore wind in England but also recognising the importance of addressing the barriers to onshore wind development across the UK."

5.3.5 It notes that in order to achieve the goal of decarbonising the power sector by 2030[11], Great Britain needs 27-29GW of onshore wind capacity. The current installed capacity (Q4 2024) is 14.8GW in Great Britain and over 16GW[12] in the UK. It should be noted that the Scottish target of 20GW of installed wind capacity by 2030[13] (which is not a cap) still stands.

5.3.6 The Onshore Wind Taskforce Strategy also demonstrates the socio-economic benefits of onshore wind development, with the onshore wind sector directly supporting 6,600 full-time equivalent (FTE) jobs and indirectly supporting 13,100 FTE jobs in the UK, generating £191 million per year in exports. Meeting the Government's 2030 targets could deliver up to 45,000 direct and indirect jobs in Great Britain, which highlights the significant economic opportunities of the sector. Overall, the Onshore Wind Taskforce Strategy shows how onshore wind development plays a vital role in the overall strategy to combat climate change, promote sustainable energy, and drive economic growth. It sets a highly supportive context for future applications for onshore wind.

Clean Power 2030 Action Plan (December 2024)

5.3.7 On 13 December 2024, the UK Government published the Clean Power 2030 Action Plan[14], which sets out a pathway to a clean power system by 2030. Building on advice published by the National Energy System Operator (NESO) in November 2024, the goal is to reduce the carbon intensity of the UK's energy generation from 171gCO_2e/kWh in 2023 to well below 50gCO_2e/kWh in 2030.

5.3.8 DESNZ estimates that the Clean Power 2030 Action Plan could require around £40 billion of investment on average per year between 2025 to 2030. The Clean Power 2030 Action Plan sets out a range of actions that the UK Government will take to accelerate delivery, focusing on electricity networks and connections, planning and consenting, renewable and nuclear

[11] This goal has been set by the UK Government. The Rt Hon Ed Miliband MP was appointed as Secretary of State for Energy Security and Net Zero on 5th July 2024. In his message to staff, he outlined that one of his priorities is to deliver the UK Government mission to boost energy independence and cutting bills through clean power by 2030. Source: https://www.gov.uk/government/news/energy-secretary-ed-miliband-sets-out-his-priorities-for-the-department (Accessed September 2025)

[12] Reference in the Onshore Wind Taskforce Strategy to https://assets.publishing.service.gov.uk/media/685bd661c779b80d9a0e0fd8/Energy_Trends_June_2025.pdf (Accessed September 2025)

[13] Set by the Scottish Government Onshore Wind Policy Statement (December 2022) https://www.gov.scot/publications/onshore-wind-policy-statement-2022/ (Accessed September 2025)

[14] https://www.gov.uk/government/publications/clean-power-2030-action-plan (Accessed September 2025)

project delivery, short-duration energy storage and flexibility, long-duration flexibility, and supply chains and workforce. Page 10 of the Clean Power Action Plan states:

"Successful delivery will require rapid deployment of new clean energy capacity across the whole of the UK, reflecting the shared renewable ambitions of the UK, Scottish and Welsh Governments. In this plan, we are accepting government's central role in steering the creation of this new energy system, setting our expectations for the 2030 capacities of key technologies at national and regional level.

We have high ambition. That means 43-50 GW of offshore wind, 27-29 GW of onshore wind, and 45-47 GW of solar power, significantly reducing our fossil-fuel dependency. These will be complemented by flexible capacity, including 23-27 GW of battery capacity, 4-6 GW of long-duration energy storage, and development of flexibility technologies including gas carbon capture utilisation & storage, hydrogen, and substantial opportunity for consumer-led flexibility."

Scotland

Onshore Wind Policy Statement

5.3.9 On 21 December 2022, Scottish Ministers published the Onshore Wind Policy Statement (OWPS)[15]. The OWPS sets out the Scottish Government's ambition to deploy a minimum of 20GW of onshore wind by 2030.

5.3.10 The Ministerial Foreword states that the world is facing a climate emergency and, in addition:

"Russia's illegal invasion of Ukraine and the resulting extraordinary rise in the price of fossil fuels, in particular gas, demonstrates that continuing to rely on commodities that are subject to global price shocks is no longer an option.

That is why we must accelerate our transition towards a Net Zero society. Scotland already has some of the most ambitious targets in the world to meet Net Zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage."

5.3.11 The OWPS recognises that the deployment of wind energy projects must be delivered quickly. Paragraph 1.1.2 of the OWPS states:

"We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support Net Zero delivery across all sectors, including heat, transport and industrial processes."

5.3.12 Paragraph 1.3.3 outlines that the minimum installed capacity of 20GW of onshore wind by 2030 will:

"help support the rapid decarbonisation the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to Net Zero whilst other technologies reach maturity."

[15] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2022/12/onshore-wind-policy-statement-2022/documents/onshore-wind-policy-statement-2022/onshore-wind-policy-statement-2022/govscot%3Adocument/onshore-wind-policy-statement-2022.pdf (Accessed September 2025)

5.3.13 Chapter 3 of the OWPS outlines the Scottish Government's approach to environmental considerations. The OWPS outlines that to achieve the ambitious minimum target of 20GW by 2030 there will be impacts to the landscape. Paragraph 3.6.1 states (emphasis is from the OWPS):

"Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."

5.3.14 Chapter 5: Onshore Wind and Benefits to Scotland of the OWPS outlines that onshore wind developments already provide significant socio-economic benefits through investment, innovation and the creation of jobs. The Scottish Government anticipate that all onshore wind development will support the national and local supply chains.

5.3.15 The conclusion of the OWPS states that:

"Deployment of onshore wind is mission-critical for meeting our climate targets. As an affordable and reliable source of electricity generation, we must continue to maximise our natural resource and deliver Net Zero in a way that is fully aligned with, and continues to protect, our natural heritage and native flora and fauna."

Draft Energy Strategy and Just Transition Plan

5.3.16 The Draft Energy Strategy and Just Transition Plan (DESJTP)[16] was published for consultation by the Scottish Government on 10 January 2023. The Ministerial Foreword states:

"The evidence has never been stronger on the need for transformation of our energy system. We are publishing this draft Energy Strategy and Just Transition Plan at a time of unprecedented uncertainty and change in global and national energy systems. The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a Net Zero nation by 2045, supplies safe and secure energy for all, generates economic opportunities, and builds a just transition."

5.3.17 Chapter 3: Energy supply of the DESJTP states that:

"Scotland will be a renewable powerhouse, exporting renewable hydrogen and electricity to support decarbonisation in Europe, as part of an integrated system with the rest of Europe. There will be an additional 20 GW of renewable electricity capacity and 5 GW hydrogen production, as well as substantial growth in marine and solar capacity."

5.3.18 Page 64 of the DESJTP provides further detail on onshore wind outlining the Scottish Government's ambitious aim for an:

"additional 12 GW of onshore wind, a total of 20 GW of installed onshore wind by 2030, more than doubling our existing capacity."

[16] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/01/draft-energy-strategy-transition-plan/documents/draft-energy-strategy-transition-plan/draft-energy-strategy-transition-plan/govscot%3Adocument/draft-energy-strategy-transition-plan.pdf (Accessed September 2025)

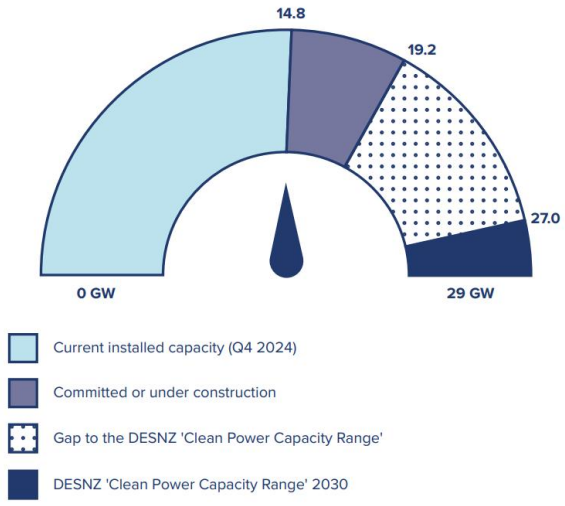
Onshore Wind Sector Deal for Scotland

5.3.19 The Onshore Wind Sector Deal was published in September 2023 and details the commitments that both the Scottish Government and the onshore wind industry have agreed on in order to achieve the ambition of a minimum of 20GW of installed onshore wind capacity in Scotland by 2030.

5.4 Progress Towards Energy and Emissions Targets

5.4.1 As detailed in **Section 5.3** the UK Government have set a goal to decarbonise the power sector by 2030 which requires 27-29GW of installed onshore wind capacity. The Onshore Wind Taskforce Strategy ('OWTS') confirms that as of Q4 2024 the onshore wind capacity in Great Britain is 14.8GW, with 16GW in the UK. Figure 3 of the Onshore Wind Taskforce Strategy detailed below (Planning Statement **Figure 5.1)** demonstrates there is 4.4GW of committed or under construction onshore wind, therefore at least between 7.8GW and 9.8GW of installed capacity of onshore wind is needed in the next 5 years.

Figure 5.1: Onshore wind capacity needed for 2030 Clean Power mission (OWTS)



5.4.2 It is considered that the key targets for Scotland are:

- to reach Net Zero GHG emissions by 2045;
- to generate the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030; and
- A minimum installed capacity of 20GW of onshore wind by 2030 and recognition that this target is not a cap.

5.4.3 **Table 5.2** presents the current position based on these key targets.

Table 5.2 – Energy Targets

Target	Timescale	Source	Current Position
50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources	2030	Scottish Energy Strategy: The future of energy in Scotland (2017)	The Q2 2024 Energy Statistics for Scotland outline that Scotland now generates the equivalent of nearly 29.5% of total final energy consumption from renewable sources.
Minimum installed capacity of 20 GW of onshore wind in Scotland by 2030	2030	Onshore Wind Policy Statement (2022)	The Q4 2024 Energy Statistics for Scotland outlines there was a capacity of 10.3GW of onshore wind in 2024.

5.4.4 Energy Statistics for Scotland – Q1 2025 outlines there is an operational capacity of onshore wind of 10.4GW, with 15.9GW in the pipeline which includes:

- 8.8GW Application Submitted.
- 5.4GW Awaiting Construction.
- 1.7GW Under Construction.

5.4.5 It can be legitimately argued that not all the projects in the pipeline will be consented and constructed. The BVG Associates report referenced below provides predictions in relation to the 2030 targets and the constraints facing developers.

5.4.6 BVG Associates have been commissioned by Scottish Renewables to prepare a database and analysis of the onshore wind pipeline in Scotland. The latest update was in November 2024 (published December 2024) and looks at three scenarios: Scenario 1 which considers projects in the public domain and a standard timeline; Scenario 2 which also includes developer information and a standard timeline; and Scenario 3 which includes developer information, a minimum of 50% of repowering at double original capacity and an accelerated timeline. Further information on this is detailed in the full report – Scotland onshore wind pipeline analysis 2024-2030 November 2024 update.

5.4.7 Section 7 Summary of the BVG Analysis outlines:

In this update we are seeing the effect of project delays – these have led to a reduction of 1.1 GW of operational capacity in 2030 in Scenario 2 when compared with the April 2024 update.

It continues to be the case that new projects which are not yet in the public domain (and therefore recorded in rUK's EPDB) will be crucial in reaching 20 GW by 2030. With no new projects included (Scenario 1) we predict 15.7 GW operational onshore wind by 2030.

Scenario 3 shows that if timelines can be accelerated in line with sector deal commitments then 24.9 GW is potentially achievable by 2030 (an increase of 0.3 GW compared to the April 2024 update).

Deeper analysis shows that the ability to deliver 20 GW by 2030 is likely to be limited by current resource constraints. Our analysis predicts that:

• The number of current consent decisions in the ECU will at least need to double for at least three of the next five years.

• The current maximum number of abnormal loads which can be achieved annually must increase from 2025 in Scenario 3 and from 2026 in Scenario 2 onwards. The number of loads will peak at:

o Almost three times the current maximum capacity of Police Scotland (in 2029) under Scenario 2, and

o Over four times the current maximum capacity of Police Scotland (in 2029) under Scenario 3.

• If future projects are to use the CfD framework as their route to market, allocation for onshore wind in the next three ARs (AR 7 to AR 9), compared to AR 6's actual allocation of 0.9 GW, will need to:

o More than double to at least 2.4 GW per year on average to achieve the Scenario 2, and

o Almost quadruple to at least 3.5 GW per year on average to achieve Scenario 3.

• We note that the capacity which will require grid connection increases significantly from 2027 in both Scenario 2 and 3. At a high level, the new capacity suggested by Scenario 2 appears to be largely aligned with Clean Power 2030 report by NESO, but the higher capacities in Scenario 3 look to exceed NESO's assumptions."

5.4.8 The scenarios outlined by BVG Associates demonstrate that it is going to be very challenging to meet the 2030 targets. It is clear consent rates need to increase. It should also be recognised that the 2030 target is a minimum target and not a cap. There will be a continued need for onshore wind development post 2030. The CCC's Balanced Pathway to 2045 detailed in Scotland's Carbon Budgets Advice for the Scottish Government provides some evidence on this and outlines on page 12:

*"**Low-carbon supply:** in our pathway, the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49GW 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."*

5.5 Summary and Conclusion

5.5.1 This Chapter has outlined the demonstrable need for renewable energy developments to meet the legislative GHG emissions reduction targets, the renewable energy deployment targets and for energy security.

5.5.2 Many of the reports are clear that rapid progress is required to reduce GHG emissions.

5.5.3 It has been shown that Scotland has not been meeting the GHG emissions reduction targets which will be carbon budgets from 2026 onwards and therefore more onshore wind development is needed to meet Net Zero by 2045.

5.5.4 The OWPS recognises that to meet the climate targets a *"rapid transformation"* is required and that taller and more efficient turbines will be required. The OWPS states *"This will change the landscape."* (OWPS's emphasis).

6 PLANNING POLICY CONTEXT

6.1 Introduction

6.1.1 This Chapter provides an overview of the Development Plan and other relevant planning considerations.

6.2 Development Plan

6.2.1 The Development Plan for the Site comprises:

- National Planning Framework 4 (NPF4)[17] adopted 2023; and
- The Scottish Borders Local Development Plan 2 (SBLDP2)[18] which was adopted in August 2024.

6.2.2 The Chief Planner letter published on 08 February 2023 outlined that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is later in date is to prevail Town and Country Planning (Scotland) Act 1997, section 24 (3)). Provisions that are contradictory or in conflict would be likely to be considered incompatible.

6.2.3 Therefore, in the event of an incompatibility between a provision of the NPF4 and the SBLDP2, the SBLDP2 is to prevail due to the later publication date. Notwithstanding, we would note that SBLDP2 was amended at Examination to align with the policies of NPF4 (as per the Reporter's Report of Examination[19] on LDP2) and as such it is considered there is no incompatibility between the two documents.

6.3 Development Plan

Scottish Borders Local Development Plan 2

6.3.1 Within the SBLDP2 Proposals Map, the Site does not fall within any policy specific designation.

6.3.2 The key SBLDP2 policy for the Proposed Development is Policy ED9 'Renewable Energy Development', which mirrors NPF4 Policy 11. Policy ED9 states that:

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

[17] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/02/national-planning-framework-4/documents/national-planning-framework-4-revised-draft/national-planning-framework-4-revised-draft/govscot%3Adocument/national-planning-framework-4.pdf (Accessed September 2025)

[18] https://www.scotborders.gov.uk/plans-guidance/local-development-plan (Accessed September 2025)

[19] https://www.dpea.scotland.gov.uk/Document.aspx?id=959657 (Accessed September 2025)

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.

Development proposals will be assessed in accordance with NPF4 Policy 11 paragraphs b) to f) and other relevant provisions of NPF4."

6.3.3 Other policies of the SBLDP2 which are considered relevant by the applicant are as follows. The full policy text for each of the below is included at **Appendix 2**.

- Policy PMD1: Sustainability;
- Policy PMD2: Quality Standards;
- Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils;
- Policy HD3: Protection of Residential Amenity;
- Policy EP1: International Nature Conservation Sites and Protected Species;
- Policy EP2: National Nature Conservation Sites and Protected Species;
- Policy EP3: Local Biodiversity and Geodiversity;
- Policy EP4: National Scenic Areas;
- Policy EP5: Special Landscape Areas;
- Policy EP7: Listed Buildings;
- Policy EP8: Historic Environment Assets and Scheduled Monuments;
- Policy EP10: Gardens and Designed Landscapes;
- Policy EP13: Trees, Woodlands and Hedgerows;
- Policy EP15: Development Affecting the Water Environment;
- Policy EP16 Air Quality;

- Policy IS5: Protection of Access Routes; and
- Policy IS8: Flooding.

6.3.4 An assessment of the Proposed Development against these policies is included at **Section 7.5** of this Planning Statement.

Non-Statutory Planning Guidance

Renewable Energy Supplementary Planning Guidance

6.3.5 Following the adoption of SBLDP2, the Renewable Energy Supplementary Planning Guidance (SPG) no longer has development plan status. SBC recognise that:

"since the national policy context within which the SG, now SPG, was originally prepared has now been superseded, some aspects of the guidance will no longer be applicable. These documents will be of less relevance on matters where there are inconsistencies with National Planning Framework 4 and the adopted Local Development Plan[20]."

6.3.6 As such, only very limited weight can be attached to the SPG in the determination of this Section 36 application.

NPF4

6.3.7 Annex A of NPF4 explains that the policies are to be read as a whole.

The National Spatial Strategy

Delivery of Sustainable Places

6.3.8 Part 1 – A National Spatial Strategy for Scotland 2045 states:

"The world is facing unprecedented challenges. The global climate emergency means that we will need to reduce greenhouse gas emissions and adapt to the future impacts of climate change. We will need to respond to a growing nature crisis, and to work together to enable development that addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality."

6.3.9 'Sustainable places' are described under the National Spatial Strategy as:

"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,

[20] https://www.scotborders.gov.uk/plans-guidance/renewable-energy-supplementary-guidance (Accessed September 2025)

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

6.3.10 Page 6 of NPF4 concerns the impact of climate change on Scotland and the delivery of sustainable places. It states:

"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."

6.3.11 Paragraph 3 of page 7 details that the Scottish Government will encourage the:

"expansion of renewable energy generation".

6.3.12 Cross-cutting Outcome and Policy Links are outlined on page 8 of NPF4 which concerns the reduction of GHG emissions:

"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."

National Developments

6.3.13 NPF4 has identified eighteen national developments, which are defined within Annex A 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. Their designation means that the principle of the development does not need to be agreed in later consenting processes, providing more certainty for communities, business and investors."

6.3.14 Therefore, whilst national developments will need to apply for consent, the principle of the development has been accepted and the national need for such developments has been explicitly recognised.

6.3.15 As a development over 50MW, the Proposed Development is designated as a national development in NPF4 under National Development 3 Strategic Renewable Electricity Generation and Transmission Infrastructure (ND3).

6.3.16 Page 103 describes ND3:

"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."

6.3.17 NPF4 outlines that the need for ND3 is:

"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."

6.3.18 It is clear that the Proposed Development, as a renewable electricity generating onshore wind farm which will make an important contribution to achieving a Net Zero economy, is classified as National Development. The principle of development is therefore already accepted.

Regional Spatial Priorities

6.3.19 NPF4 includes regional spatial priorities which:

"set out how each part of the country can use their assets and opportunities to help deliver the overall strategy." (page 97).

6.3.20 Being located within the Scottish Borders Council administrative area, the Proposed Development is situated within the South of Scotland region as defined within Annex C (Spatial Planning Priorities) of NPF4. Page 33 of NPF4 states that:

"This area is ambitious for positive change in the coming years, and the immediate work to recover from the pandemic will form the basis of a longer-term plan to respond to the challenges of climate change and support nature restoration and recovery."

6.3.21 One of the priorities for the area is to:

"Support local economic development whilst making sustainable use of the area's worldclass environmental assets to innovate and lead greener growth."

6.3.22 Strategic Renewable Electricity Generation and Transmission Infrastructure is identified as supporting the spatial strategy for this area.

National Planning Policy

6.3.23 It is considered Policy 11 Energy is the lead policy for the Proposed Development in NPF4. As noted earlier in the Planning Statement (see **Paragraph 6.3.2**), Policy ED9 of the SBLDP2 outlines that renewable energy developments will be assessed in accordance with NPF4 Policy 11 paragraphs b) to f) and other relevant provisions of NPF4.

6.3.24 Policy 11 Energy's stated intent is:

"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 emissions technologies including hydrogen and carbon capture utilisations and storage (CCUS)".

6.3.25 The policy outcome is for:

"Expansion of renewable, low-carbon and zero emissions technologies."

6.3.26 Policy 11 is supportive of all forms of renewable, low-carbon and zero-emission energy developments (as detailed in criteria a) and includes (i) wind farms where they are not located within a National Park or National Scenic Area (NSA) and (ii) Energy storage, such as battery storage and pumped storage hydro and (vii) proposals including co-location of these technologies. Part e) outlines impacts which are to be addressed in project design and mitigation.

6.3.27 Part c) of Policy 11 outlines that 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.

6.3.28 Part d) outlines that development proposals which impact on international or national designations will be assessed in relation to Policy 4.

6.3.29 Policy 11 outlines that in considering the impacts (detailed in part e) significant weight will be placed on the contribution of the proposal to renewable energy targets and GHG emissions reduction targets.

6.3.30 It is considered by the applicant that the below NPF4 policies are also relevant to the Proposed Development. The full policy wording of each of these policies is included at **Appendix 2**.

- Policy 1 Tackling the Climate and Nature Crisis;
- Policy 2 Climate mitigation and adaption;
- Policy 3 Biodiversity;
- Policy 4 Natural Places;
- Policy 5 Soils;
- Policy 6 Forestry, Woodland and Trees; and
- Policy 7 Historic Assets and Places.

6.3.31 An assessment of the Proposed Development against these policies is included at **Sections 7.4** and **7.6** of this Planning Statement.

6.4 Planning Guidance

6.4.1 The Scottish Government has published a series of Planning Advice Notes (PANs) and planning guidance which provide good practice advice and other relevant information to be considered. The Scottish Government have been consulting on the future of these PANs and there is an acknowledgement that some may now be out of date or superseded by more recent planning policy. As such some PANs may be withdrawn in the near future. The consultation ended on 29th August 2025.

6.4.2 Notwithstanding, relevant guidance documents applicable to the Proposed Development which remain in force at the time of writing are detailed below:

- PAN 50 Planning Advice Note 50: controlling the environmental effects of surface mineral workings (1996);
- PAN 60 Planning for Natural Heritage (2000);
- PAN 61 Sustainable Urban Drainage Systems (2001);
- PAN 51 Planning, Environmental Protection and Regulation (Revised 2006);
- PAN 79 Water and Drainage (2006);
- PAN 75: Planning for Transport (2005);
- PAN 3/2010: Community Engagement (2010);
- PAN 1/2011 Planning and Noise (2011);
- PAN 2/2011 Planning and Archaeology (2011);
- PAN 1/2013 Environmental Impact Assessment (as amended) (2013);
- Onshore Wind Turbines: Planning Advice (2014);
- Flood Risk: Planning Advice (2015); and
- Biodiversity: Draft Planning Guidance (2023).

6.4.3 The guidance outlined within these documents has been considered where relevant within the EIA Report and the FEI Report.

6.5 Summary

6.5.1 SBLDP2 prevails over NPF4 where there is an incompatibility in policies. However, Policy ED9 of SBLDP2 which is considered to be the key policy for the Proposed Development has the same wording as NPF4 Policy 11 and notes that *"Development proposals will be assessed in accordance with NPF4 Policy 11 paragraphs b) to f) and other relevant provisions of NPF4."*

6.5.2 In summary, the applicant considers the Development Plan position sets out a highly supportive policy context for the Proposed Development. This can be summarised as follows:

- The key policies against which the Proposed Development should be assessed are SBLDP2 Policy ED9 and NPF4 Policy 11. Both policies are aligned in their support for all forms of renewable, low carbon, and zero emissions development proposals.
- Support for renewable energy generating development is a major theme of NPF4 and is referenced throughout as a key component of the National Spatial Strategy. In assessing development proposals, significant weight is to be given to the global climate and nature crises and to the Proposed Development's contribution to renewable energy generation targets.

- Renewable energy developments over 50MW are classed as national developments, meaning the principle of the development has been established and the national benefits renewable energy developments bring has been clearly recognised.

- NPF4 recognises the South of Scotland region as a key area for growth and responding to climate change, nature restoration, and nature recovery.

7 PLANNING ASSESSMENT

7.1 Introduction

7.1.1 This Chapter demonstrates compliance with Schedule 9 of the Electricity Act 1989, summarises the principle of the Proposed Development and assesses the Proposed Development against the planning policy framework.

7.2 Schedule 9 of the Electricity Act 1989

7.2.1 Whilst not a licence holder, the applicant has taken account of the requirements of Schedule 9 of the Electricity Act 1989.

7.2.2 Chapter 2: Proposed Development of the EIA Report describes the design evolution process which has been undertaken. When originally submitted in 2022, the Proposed Development had gone through four principal iterations, which have been developed through the project design process. Changes to the layout included increasing the distance of the proposed turbines to residential properties in Chesters, decreasing the number of turbines, and introducing varying turbine heights to blade tip.

7.2.3 Following feedback on the Section 36 application from key consultees, the Proposed Development has been amended to address comments. All amendments have been assessed in the submitted FEI Report, which provides updates to the EIA Report, including on type and significance of effect, where required.

7.2.4 The EIA Report and FEI Report have thoroughly assessed the matters which are raised in Schedule 9 and where appropriate has proposed mitigation which is detailed within the EIA Report in Technical Appendix 2.1: Schedule of Environmental Commitments and the FEI Report detailed in Table 9.1.

7.2.5 Schedule 9 also sets out a requirement for the protection of fisheries by decision-makers. Paragraph 3 (3) states that:

"in exercising any relevant functions each of the following, namely, a licence holder, a person authorised by an exemption to generate or supply electricity and the Secretary of State shall avoid, so far as possible, causing injuries to fisheries or to the stock of fish in any waters."

7.2.6 The assessment of impacts on fish has been considered and is addressed in EIA Report Chapter 8: Ecology and FEI Chapter 6.

7.2.7 The only residual significant adverse effects relate to limited landscape and visual effects which, as set out in NPF4 Policy 11eii), are to be expected and, where localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable.

7.2.8 The applicant is not an electricity generation licence holder and therefore the duties set out in Schedule 9 do not apply to the applicant, however the requirements set out under Schedule 9 of the Electricity Act apply to Scottish Ministers and have been fully considered and accounted for throughout the design and EIA assessment processes.

7.3 Principle of the Proposed Development

7.3.1 The Proposed Development is categorised as a National Development and therefore the principle of development is accepted and does not need to be demonstrated.

7.3.2 The Proposed Development would make a significant beneficial contribution to the GHG emissions reduction targets as set out in **Chapter 4** of the Planning Statement. The Proposed Development is predicted to deliver total emissions savings of 4,030,390 tonnes of CO_2 over a modelled 35-year operational lifetime, against a fossil fuel mix electricity generation.

7.3.3 The Proposed Development would help meet the objectives of NPF4's National Development designation ND3 (Strategic Renewable Electricity Generation and Transmission Infrastructure), which *"supports renewable electricity generation, repowering, and expansion of the electricity grid."*

7.3.4 The Proposed Development would have a total export capacity of c. 78MW of onshore wind energy generation capacity and an additional 20MW of BESS storage which is a considerable contribution towards the need statement of ND3 and, as discussed below, in terms of helping to tackle the climate crisis, renewable energy generation, GHG reduction, the Net Zero target and energy security.

7.4 Development Plan

7.4.1 This section of the Planning Statement assesses the Proposed Development against the policies of the Development Plan identified in **Chapter 6**.

NPF4 Policy 11 and SBLDP2 Policy ED9

7.4.2 Policy ED9 of SBLDP2 has the same wording as NPF4 Policy 11. A Report by the Director of Infrastructure and Environment at SBC dated 28th September 2023 set out SBC's position on the Scottish Government Reporter's Report of Examination on the proposed SBLD2 which recommended minor amendments to ensure alignment with the policies of NPF4. Specifically with regards to Policy ED9, SBC's Report states:

7.4.3 *"Policy ED9 has been modified to indicate that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be assessed in accordance with Policy NPF4 11".*

7.4.4 Therefore, these policies should be assessed together.

11a) Development Proposals

7.4.5 All forms of renewable energy development will be supported, including (i) wind farms including repowering, extending, expanding and extending the life of existing wind farms. The Proposed Development, as an onshore wind farm, draws support from Policy 11a).

11b) National Parks and National Scenic Areas

7.4.6 The Proposed Development is not located within a National Park or NSA. The Proposed Development draws support from 11b) given that the policy confirms general support for development outwith these areas.

11c) Maximise Net Economic Impact

7.4.7 The applicant is committed to maximising the net economic impact of the Proposed Development. Based on the installed capacity of the Proposed Development, the socioeconomic benefits assessment undertaken as part of the EIA Report found that:

- the development expenditure during the construction phase is estimated to be approximately £114.6 million, approximately £11.3 million of which would be spent in the local (Scottish Borders) economy and approximately £36.9 million in Scotland as a whole;
- during the construction phase, the Proposed Development is expected to directly and indirectly support approximately 74.9 jobs locally and 319.7 jobs nationally;
- the local economy would be expected to be boosted by a total of £5.5 million of net Gross Value Added (GVA) during the construction phase. The Scottish economy would benefit by £21.2 million net GVA;
- the development expenditure during the operational phase is estimated to be approximately £4.7 million per annum. It is estimated that £2 million would be spent each year in the local economy and £2.7 million would be spent each year in the national economy;
- during the operational phase, the Proposed Development is expected to directly and indirectly support 9.7 jobs locally and 20.9 nationally; and
- during the operational phase (assessed over a 35-year life) the Proposed Development would contribute lifetime GVA of around £42 million for the local area and £56 million for Scotland as a whole.

7.4.8 In addition, the applicant commits to establishing a community benefit fund of £5,000/MW of installed capacity annually, which equates to £390,000 per year for community investment purposes.

11d) International or National Designations

7.4.9 Tributaries of Jed water (which includes Black Burn) which are connected to the River Tweed Special Area of Conservation (SAC) are located within the Site. EIA Report Chapter 8 concludes, that taking account of general site wide mitigation which includes the implementation of a 100m buffer from Jed Water and 50m buffer from all other watercourses where practicable with exception of water crossings and specific mitigation comprising of the production of a comprehensive Construction Environmental Management Plan (CEMP) detailing how pollution and run-off sediment control will be prevented, it is considered there would not be a significant effect on the River Tweed SAC.

7.4.10 NatureScot in their consultation response dated 2nd March 2023, outlined that in their view, the proposal is likely to have a significant effect on the qualifying interests of the River Tweed SAC. Consequently, the Scottish Government, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. They advise that if the proposal is undertaken strictly in accordance with the application, then the proposal will not adversely affect the integrity of the site. NatureScot also noted that there is the potential to deliver much more for biodiversity at this and they suggest the Outline HMP is re-worked. The applicant has undertaken this as part of the FEI submission and the Outline Biodiversity Enhancement and Habitat Management Plan (OBEHMP). The OBEHMP has been prepared to comply with NPF4 policies 1, 3 and 6. Biodiversity will be enhanced by creating new pools, managing and strengthening nature and riparian corridors, removing non-native trees according to good practice, and targeting specific species across the site. Native trees will also be planted to replace any that are lost. The OBEHMP includes monitoring requirements to ensure the success of the restoration and enhancement measures implemented.

7.4.11 An assessment is provided against NPF4 Policy 4 in **Section 7.6**

11e) Project Design and Mitigation

7.4.12 Policy 11 Energy, part e) outlines that project design and mitigation will demonstrate how the impacts identified in **Table 7.1** below will be addressed. **Table 7.1** outlines how each impact in part e) has been addressed in the project design and mitigation of the Proposed Development.

7.4.13 The design iteration process is detailed in Volume 1 Section 2.6 of the EIA Report and paragraph 1.6 of the FEI Report.

Table 7.1 - Policy 11 e) Impacts

Impact	Consideration
i) Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker	**Visual Impact** The Proposed Development has been designed to maximise separation distances from residential properties and sought to screen turbines from highly sensitive viewpoints. A Residential Visual Amenity Assessment (RVAA) was undertaken as part of the EIA Report within a study area of 3 km. The RVAA assessed that residents at 8 of the 15 properties (or groups of properties) assessed would experience a significant visual effect on the view from a part of their house, garden, or principal access route, during daylight hours and 5 of the 15 properties would experience a significant visual effect during the hours of darkness. However, in all cases, the properties would all continue to have other views available that are not affected by the proposed turbines. It is not the case that any of the effects would be of such a scale so as to become dominant or overbearing This is due to a range of factors including: • The separation distances between the residential properties and the proposed turbines, in all cases over 1.8 km separation distance; • Visibility of the Proposed Development in only one part of the view available from the property or its domestic curtilage and the availability of other views from each property; • The angle of views occupied by the Proposed Development; and • The nature of the intervening landform that partially screens part of the proposed turbines, reducing their vertical scale and the horizontal extent of the view occupied by the Proposed Development. SBC's Landscape Architect's response to the Proposed Development dated 17th July 2023 notes: *"The assessment does not, by the criteria set down in the Residential Visual Amenity Assessment (LI Residential Visual Amenity Assessment - Technical Guidance Note 2/19), establish that there would be overbearing visual effects on residential amenity to a degree that any property might be considered an unattractive place in which to live while acknowledging that visual effects over the operational period could be significant and adverse.*

Impact	Consideration
	Southdean benefits to a greater degree from being located in the valley, with intervening topography mitigating the visual effects." The updated assessment in the FEI Report as a result of the FEI Layout concludes there would be no change to the effects during daylight hours arising from the Proposed Development to any of the residential properties assessed. During the hours of darkness 3 of the 15 residential properties would experience a significant visual effect. It is therefore considered the Proposed Development will not unacceptably impact on visual amenity for properties or communities. **Noise** Chapter 11 of the EIA Report confirms the predicted wind turbine noise emission level from the Proposed Development does not exceed the ETSU-R-97 noise limit at any receptor for any given wind speed. This is based on the Nordex N163 5.7 MW candidate turbine model which is considered representative of the turbines which would be installed for the Proposed Development. The SBC's Environmental Health Officer (EHO) in their consultation response to the Proposed Development dated 25th January 2024 confirms they have no objection and have recommended conditions relating to noise limits and action to be taken in the event of a noise complaint if consent is granted. **Shadow Flicker** Chapter 15 of the EIA Report provides a shadow flicker assessment. Considering a worst case scenario, the identified receptors would not receive shadow flicker effects for more than the reference limit of 30 minutes per day and/or 30 hours per year. It should be noted that this approach does not factor in wind direction, wind speed, cloud cover and the presence of intervening structures or vegetation which have the potential to reduce the likelihood and duration of the shadow flicker effects. Therefore, the actual duration of shadow flicker experienced at the identified receptors, could be significantly lower than the worst case scenario predictions.

Impact	Consideration
	SBC's EHO in their consultation response agrees the assessment appears to have been carried out using an appropriate methodology and available guidance and recommends a condition to action to be taken in the event of a shadow flicker complaint. **Other Considerations** Eight private water supplies (PWS) have been identified that have potential to be at risk from the Proposed Development, and as such have been assessed within EIA Report Chapter 10 and FEI Report Chapter 4. This assessment concludes that none of the identified PWS has been identified as having any form of linkage to the Proposed Development, and are, therefore, not at risk from the Proposed Development. **Conclusion** It has been demonstrated there would be no visual amenity effects of such a scale to become dominant or overbearing on residential properties, the noise levels are within the ETSU-R-97 limits and there would be no significant shadow flicker impacts. Therefore, it is considered the Proposed Development would not have a detrimental impact on communities and individual dwellings.
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	It is recognised by NPF4 that significant landscape and visual impacts are to be expected for some forms of renewable energy and where they are localised and / or appropriate design mitigation has been applied, they will generally be considered acceptable. The OWPS also confirm that to meet the climate targets, taller and more efficient turbines will be required and the recognition that "this will change the landscape" ('OWPS' emphasis). **Design** EIA Report Chapter 6 (Landscape and Visual Impact Assessment) demonstrates that based on general good practice principles (as set out in SNH/NatureScot guidelines) and an analysis of site-specific opportunities and constraints, the wind farm layout has evolved to take into consideration a number of landscape and visual constraints whilst maintaining an optimal development. The design rationale adopted sought to avoid inconsistent turbine spacing, large gaps, outliers or excessive overlapping of turbines, to reduce visual effects and ensure a balanced / compact array from key views.

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	FEI Report Chapter 3 outlines that the design of the Proposed Development as submitted in the EIA Report in November 2022 sought to maximise separation distances from nearby residential properties and sought to screen turbines from highly sensitive viewpoints. An example is Viewpoint 9 Carter Bar which is noted in the SBC Landscape Consultation Response (dated 17 July 2023) as being largely screened by intervening topography, with significant effects therefore being screened out FEI Report Chapter 3(Landscape and Visual) provides an updated assessment to reflect the FEI Layout – principally the revised location of turbines T9, T11 and T13. Mitigation of visible turbine lighting has been designed into the scheme by adopting a cardinal lighting scheme where only the outermost turbines are lit. Further mitigation has been incorporated to reduce the intensity of lighting in certain atmospheric conditions by reducing the intensity and attenuating the amount of vertical downwards lighting in order to reduce the visual impact experienced by receptors below the lights. The FEI Layout has resulted in the number of visible aviation lights required reducing from six to five (T1, T3, T8, T9 and T12), due to the relocation of turbine T11. The CAA has confirmed their acceptance of this (see letter from CAA dated 20th May 2024 included in Technical Appendix 7.1 of the FEI Report). **Construction Landscape Effects** The EIA Report and FEI Report both conclude that the landscape and visual effects on existing landscape features and landscape character would be not significant during the construction phase. **Construction Visual Effects** Chapter 6 of the EIA Report outlines that due to the extensive forestry plantations that surround the Site and its immediate surroundings, together with the relative visual containment of the surrounding landform to the south means that ground-level activity associated with the turbine construction would be screened from the view of the majority of the LVIA study area, with the exception of views from the closest viewpoints and recreational routes that cross the Site, for example viewpoints 3 and 14. Due to the proximity of these locations to the Proposed Development and their elevation relative to the Site, some ground-level activity such as movement of construction vehicles may be visible resulting in a low magnitude of additional change and no greater than a Minor, temporary effect which would be not significant.

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	There is no change to this assessment in the FEI Report. **Operational Landscape Effects** The EIA Report finds the Proposed Development would result in direct and significant effects on the part of the landscape character type within which the Proposed Development is located, within the northern part of the Southern Uplands Forest Covered – Wauchope/Newcastleton (LCT 5i(ii)). The assessment has found that indirect significant effects would extend to approximately 5 km to the west, south and east. This assessment remains unchanged in the FEI Report. The EIA Report found indirect significant effects would extend to approximately 5 km across the northern part of LCT 4(iii) Southern Uplands with Scattered Forest – Cauldcleuch Head Group and to approximately 5 km to the north and east of the Proposed Development across the southern edge of LCT 7 – Cheviot Hills – Falla Group. The EIA Report concluded that if both Pines Burn and Windy Edge were already present in the baseline landscape, the extent of the significant effect resulting from the Proposed Development on LCT 4 (iii) would reduce from approximately 5 km to the west of the Proposed Development to approximately 3 km due to the greater influence of Pines Burn Wind Farm on this part of the LCT. The FEI Report notes that now Pines Burn Wind Farm is operational and forms part of the baseline landscape the extent of significant effects on LCT 4 (iii) has reduced to approximately 3 km to the west of the Proposed Development during daylight hours. Hours of Darkness The FEI Report outlines that following the submission of the EIA Report in 2022, several changes have occurred that have the potential to reduce the landscape character effects during the hours of darkness. This includes the reduction in turbines requiring visible aviation lighting, the publication of NatureScot Guidance on Aviation Lighting Impact Assessment in November 2024 and the additional technical report commissioned by the applicant in 2024 on the propagation of light from the aviation warning lights that enables an assessment of how bright the visible aviation warning lights would appear to be to observers and provides a comparison with other light sources, such as the moon, stars and other man-made light sources (Technical Appendix 6.11 of the FEI Report). The updated landscape character assessment during the hours of darkness in the FEI Report concludes there would be significant effects in LCT 5i(ii) up to 5 km to the west, south and east which is the same

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	conclusion as the EIA Report. However, there would no longer be significant effects on LCT 4 (iii), LCT 7, LCT 11(i). **Operational Visual Effects** In relation to visual effects, the EIA assessed that there would be significant visual effects experienced at 11 of the 21 representative viewpoints during daylight hours, extending out to approximately 5 km in distance (Viewpoint 5). The updated FEI Layout does not alter the conclusions of this assessment. In terms of recreational routes, the EIA concluded there would be no significant visual effects from the Borders Abbey Way Great Trail or any of the identified Core Paths (Core Path No. 116 - near Bonchester Bridge and Core Path No. 203 - near Kirkton and White Hill). There would be significant effects from limited parts of the Bonchester Bridge and Hill Promoted Path and from parts of the various routes and rights of way that pass within 5 km, crossing through the forest of where the Proposed Development is sited. The updated FEI Layout does not alter the conclusion of this assessment. In terms of roads, receptors travelling along with A68 would not experience significant visual effects, but receptors would experience significant visual effects for an approximate 2.3 km section of the B6357 as the road climbs through Wauchope Forest. Road users would also experience intermittent sequential significant effects from sections of the A6088, with westbound travellers experiencing these effects for a slightly greater proportion of the route during daylight hours compared to eastbound travellers while eastbound travellers would experience significant sequential effects over a slightly greater proportion of the route during the hours of darkness. The updated FEI Layout does not alter the conclusion of this assessment. Hours of Darkness During hours of darkness, the EIA assessed that 10 of the representative viewpoints would experience significant effects. This reduces to 6 representative viewpoints as a result of the FEI Layout (which reduces the number of lit turbines from six to five). The assessment in the FEI concludes in terms of residential properties that Property 7 – Dykeraw Farm Cottage and Property 9 Dykeraw Farm House would no longer experience a significant visual effect during the hours of darkness. The settlement of Chesters would no longer have a significant effect during the hours of darkness. In terms of effects on routes and paths, there would no longer be a significant effect during the hours of darkness on Bonchester Bridge and Hill Promoted Path in the area northeast at Bonchester Hill or the Borders Loop – Doorpool to east of Chesters – approximately 5.1 km.

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	The assessment in the FEI Report has also concluded that there is no longer a significant effect during the hours of darkness on the A6088 – 1.9 km section from Charlie's Hill to Merryoaks Southdean, the A6088 – Eastbound from northwest of Bonchester Bridge or the B6357 – 2.3 km section near Wauchope. **Designated Landscapes** There are no national landscape designations covering the Site. The Northumberland National Park (NNP) is situated approximately 6.3 km to the east of the nearest Proposed Development turbine. Chapter 6 of the EIA Report outlines that given the very limited theoretical visibility from the NNP, effects on the designation were not considered further in the LVIA. However, effects are considered from two viewpoints within the NNP (Viewpoint 9 – Carter Bar Vantage Point and Viewpoint 15 – Pennine Way, Black Halls) and as part of the receptor group assessment. The Eildon and Leaderfoot NSA is situated over 23 km from the Proposed Development. With reference to the blade tip ZTV at Figure 6.3 of the EIA Report, although theoretical visibility is predicted across parts of the designation, given the distance from the Proposed Development, any effects would be very limited and would not be considered significant. As such, effects on this designation were not considered further in the LVIA. The FEI Layout does not change the assessment. NatureScot agreed in their consultation response to the EIA Layout that there will be no significant effect on the Eildon and Leaderfoot NSA. There are no local landscape designations within the Site. There are four Special Landscape Areas (SLAs) within 35 km. The Tweed, Ettrick and Yarrow Confluences and Tweed Lowlands SLAs are situated over 20 km from the Proposed Development and theoretical visibility is intermittent and likely to be further screened by intervening buildings and vegetation. Any effects would be very limited and not considered significant. The Teviot Valleys SLA is situated approximately 3.5 km to the north of the Proposed Development at its closest point. Chapter 6 of the EIA Report concluded there would be some significant effects on landscape character (up to approximately 1.5 km north from its southern boundary during both daylight and hours of darkness) and visual amenity (up to an approximate distance of 1.5 km) within the very limited southerly parts of the SLA.

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	The Cheviot Foothills SLA is situated approximately 3.6 km to the north-east of the Proposed Development at its closest point. Chapter 6 of the EIA Report concluded there would be some significant effects on landscape character and visual amenity (approximately within 1 km) within very limited westerly parts of the SLA. In both, the effects would not be of such a scale so as to prevent an understanding or appreciation of the key characteristics or the underlying landscape qualities of the SLAs. The FEI Layout does not change this assessment. NatureScot have not objected to the Proposed Development and, in their consultation response dated 2nd March 2023, conclude: *"We have largely agreed with the assessment of effects as set out within Chapter 6 of the EIA Report. We have found some minor points of disagreement though this seems to relate to where significance is set at rather than a disagreement with the description of the effects. The large size of the turbines and therefore the visibility of the proposal from sensitive receptors at relatively close proximity account for the spread of significant effects."* It has been demonstrated that the Proposed Development was subject to an iterative design process with landscape and visual design principles adopted. It is recognised there would be localised significant landscape effects extending to approximately 5 km from the Proposed Development which are considered to be localised and generally acceptable in the context of NPF4 Policy 11 e) ii). It is also noted that, as a result of the FEI Layout, significant effects in terms of landscape and visual impacts have been further minimised and reduced. There have been a number of onshore wind application decisions which have discussed whether effects are considered to be localised. In the case of Glendye Wind Farm (ECU Reference: ECU00000676), paragraph 3.160 of the Reporters' Report outlined they agreed:

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	"with the Landscape and Visual Impact Assessment that the proposed development would have a significant effect on part of the landscape character unit of the Moorland Plateau Landscape Character Type and that this would extend up to 5km from the proposed turbines, as indicated within Figure 6.6 of the Environmental Impact Assessment." Paragraph 3.284 of the Reporters' Report concluded that: *"The majority of the significant effects identified would be confined to viewpoints within 5km of the closest wind turbine (viewpoints 1 – 6). We consider these effects to be localised. The remaining viewpoints from which significant effects are predicted are limited to four regional locations (situated 9.6km, 14.5km, 17.7km, and 18.5km from the nearest visible turbine). Given the scale of the proposed development we find that the wind farm would be well positioned to minimise medium to long distance effects."* The Scottish Ministers agreed with the Reporters' conclusions and adopted them for their own decision. The decision notice for Chleansaid Wind Farm ECU Reference: ECU00002031 outlines that: *"The Scottish Ministers agree with the EIA report conclusions that the proposed Development will have some significant landscape and visual impacts but overall these would remain relatively localised with the majority of significant effects occurring not more than 12km from the proposed Development. It is therefore considered by the Scottish Ministers that the landscape and visual impacts are acceptable".* It is therefore considered the landscape and visual impacts of the Proposed Development are acceptable.
iii) Public access, including impact on long-distance walking and cycling routes and scenic routes;	EIA Report Chapter 14 Socio-economics, Land Use and Tourism outlines the impacts on land-use activities and on public access to the Site for recreational purposes. The Site is currently used for commercial forestry, deerstalking and the use of paths for recreational purposes. The assessment found that these activities would be temporarily affected during the construction phase of the Proposed Development. The applicant would work with the landowner during the construction phase to ensure that they are able, wherever possible, to continue activities safely during construction of the Proposed Development. Furthermore, in line with ScotWays pre-application consultation response and best practice principles, temporary path diversions would be agreed with the Scottish Borders Council Access Officer and implemented during the construction phase.

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	During operation, no direct impacts are predicted on recreational receptors as the layout of the Proposed Development (both EIA Layout and FEI Layout) has avoided all core paths and heritage paths within the Site. It is therefore considered there would be no unacceptable impact on public access.
iv) Impacts on aviation and defence interests, including seismological recording;	EIA Report Chapter 13: Aviation and Radar provides an assessment of the potential effects of the Proposed Development on existing and planned military and civil aviation activities. This assessment has subsequently been updated in FEI Report Chapter 7. The revised FEI Layout has resulted in a reduction in the number of lit turbines from six to five which will reduce night time lighting impacts. The revised lighting scheme for the FEI Layout was approved by the CAA on 20th May 2024. The MOD provided a response to the Section 36 application on 13th April 2023. The MoD has raised concerns in relation to potential impacts to RAF Spadeadam Deadwater Fell ATC Radar and Secondary Surveillance Radars (points 1 and 2), Eskdalemuir Seismological Recording Station (point 3), Threat Radar (point 4), and impact on Tactical Training Aea 20T (point 5). Ongoing dialogue between the applicant and the MOD is taking place, and the MOD has confirmed their acceptance of proposed mitigation to address concerns with points 4 and 5. Discussions continue in order to satisfactorily address points 1-3, and the applicant believes an alternative mitigation proposal could be acceptable to the MOD while an enduring technical solution is developed in respect of points 1 and 2. In terms of point 3, the applicant notes that the Scottish Government, DESNZ, MOD and the Eskdalemuir Working Group continue to work towards an enduring solution to address the current block on all onshore wind energy projects within the 50 km radius Safeguarding Zone around the Eskdalemuir Seismological Recording Station. It is anticipated that once the new approach to the safeguarding of the Eskdalemuir seismic array and the management of the seismic ground noise budget is implemented, the FEI Layout, due to its distance from the array beyond the anticipated Standard Impact Limit (SIL), would not require any technical mitigation, and that a suspensive condition embedded within the Section 36 consent would allow the MOD to remove their objection on the impact of the Eskdalemuir Seismologic Recording Station. Further information on this is provided in FEI Chapter 7.

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	In relation to NATS, a technical mitigation solution has been identified and approved in relation to NATS En-route radar at Great Dun Fell and NATS will withdraw its objection, conditional upon the implementation of the agreed radar mitigation scheme once the applicant enters a mitigation contract. It is therefore considered that impacts on aviation and defence interests can be satisfactory addressed via the use of suspensive conditions as technical feasibility work on enduring mitigation solutions progresses, and updated guidance on Eskdalemuir is developed.
v) Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;	EIA Report Chapter 15: Other Issues includes an assessment on Telecommunications and Electromagnetic Interference (EMI). One telecommunications link was identified that crosses the Site. The design of the Proposed Development has ensured that all turbines have been located outwith the identified link and its 100 m exclusion zone. Therefore, no impacts are predicted on any telecommunication assets as a result of the Proposed Development. JRC's consultation response to the application confirmed based on the grid references the proposed development is cleared with respect to radio link infrastructure operated by the local energy network. BT's consultation response concluded that the proposed development should not cause interference to BT's current and presently planned radio network. The FEI Layout has maintained the identified link and its 100 m exclusion zone. As the assessment identified no impacts on any identified telecommunications and no mitigation is required, it is considered that the Proposed Development meets this criterion.
vi) Impacts on road traffic and on adjacent trunk roads, including during construction;	EIA Report Chapter 12: Traffic and Transport outlines the potential impacts of the Proposed Development on the surrounding transport network. The assessment outlines that the Proposed Development would temporarily increase traffic volumes on the A86, A696 and A6088 during construction. It is proposed that a Construction Traffic Management Plan (CTMP) would be in place to actively mitigate the predicted effects outlined in EIA Report Chapter 12. The CTMP would be agreed with the SBC prior to

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	the commencement of the construction phase. With this mitigation, the assessed environmental effects on traffic and transportation are predicted to be negligible. In relation to abnormal loads the Abnormal Indivisible Load Route Assessment (New Technical Appendix 12.2) is included with the FEI Report. It concludes that the access review was based on the worst-case Nordex N163 turbine sections and road modifications and interventions would be required to successfully access the Site. If these are undertaken, access to the Site is considered feasible. As noted in the EIA Report, during the operational phase traffic volumes are predicted to be the same as the current baseline position at the Site. However, occasional access for maintenance may be required. As a result, no operational traffic effects were considered in the assessment. To prevent any adverse impact on the public road network during the Proposed Development's operational life, the Site entrance will be well-maintained and monitored. Regular maintenance will be carried out on the track drainage systems to ensure they are fully operational. Transport Scotland in their consultation response to the application (dated 1st February 2023) confirmed they had no objection to the Proposed Development in terms of environmental impacts on the trunk road network. The SBC Roads Planning Service in their response to the application (dated 24th January 2023) did not object, subject to recommendation conditions. It is therefore considered the Proposed Development meets this criterion.
vii) Impacts on historic environment	EIA Report Chapter 7: Cultural Heritage and Archaeology assessed the effects of the Proposed Development on the Historic Environment. The majority of the turbine area and access area is considered to be of generally low archaeological potential; however, this may be up to medium potential in the vicinity of known heritage assets: Tamshiel Rig, fort, settlement and field system (SM10605), Westshiels farmstead (HA4), and the LIDAR remains HA1, HA2 and HA3 in the turbine area and 74615 Martinlee Sike Archaeological Landscape and Scheduled Monument SM6602 Martinlee Sike, farmstead, field system and assart bank in the access area.

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	A programme of mitigation would be agreed with SBC to offset any potential direct effects on previously unknown heritage assets which may exist within the Inner Study Area (land with the Site and comprises the turbine area), resulting in a negligible adverse significance of effect which is not significant in EIA terms. In terms of operational effects, EIA Report Chapter 7 concluded that there would be residual effects of minor adverse significance predicted upon seven Scheduled Monuments and one non-designated asset which are: • SM106005 – Tamshiel Rig, fort, settlement and field system; • SM2211 – Southdean Law, fort and settlement; • SM2173 – Bonchester Hill, fort; • SM29129 Rubers Law, fort and Roman signal station; • SM2152 – Shaws Craigs, fort; • SM3423 – Wheel Causeway, section 640m long on S slope of Wardmoor Hill; • SM3425 - Westshiels, spur earthwork 1550m west of; and • 56831 - Highlee Hill settlement, including HA1. Residual operational effects of negligible adverse significance are predicted on the upon one non-designated heritage asset, HA Westshiels Farmstead. These effects are not significant in EIA terms. Following submission of the Section 36 application, consultation responses were received from HES and SBC Archaeology on 31st January 2023 and 16th February 2023 respectively. FEI Chapter 2 (Cultural Heritage) summarises the responses and sets out how the FEI Layout has addressed them. Chapter 2 of the FEI Report considers the potential construction phase impacts of the amended access route in relation to Scheduled Monuments (SM6599, SM6600, SM6601 and SM6602) and re-assesses the potential for construction phase impacts on below ground archaeological remains in the vicinity of these assets. Following the re-location of the proposed turbine T11, an assessment of potential accidental impacts of the Proposed Development as a result of turbine collapse on one scheduled section and two

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	non-designated sections of a Wheel Causeway (SM3423, 344244, and 179517) at the west of the Site has been undertaken. All other construction phase and operational phase effects predicted in Chapter 7 of the EIA Report accompanying the Section 36 application submitted in November 2022 remain unchanged and are not re-assessed in Chapter 2 of the FEI Report. FEI Report Chapter 2 concludes that revised access route avoids the identified Scheduled Monuments (SM6599, SM6600, SM6601 and SM6602) and no direct effect is predicted. There is the potential for below ground remains associated with these assets to exist in the vicinity of the revised access route and mitigation (Outline Construction Method Statement has been prepared and detailed in Chapter 2 of the FEI Report) is proposed should such remains be found during the construction phase. No significant residual effects are predicted on below ground remains following the incorporation of mitigation. In addition, the relocation of turbine T11 in the FEI Layout ensures a 245 m buffer between SM3423 and the turbine, which mitigates both setting and physical risks. All comments from SBC Archaeology have also been addressed by the FEI Layout realignment of the access road (in respect of SM6599, SM6601, SM6602 and Carter Burn Bridge). Overall, it is considered that no significant cultural heritage effects are predicted and that the design evolution process and proposed mitigation demonstrate this criterion has been addressed.
viii) Effects on hydrology, the water environment and flood risk;	EIA Report Chapter 10: Geology, Hydrogeology, Hydrology And Peat, and FEI Report Chapter 4 assessed the effects of the Proposed Development on the geological, hydrogeological, hydrological and soils conditions within the Site. The Proposed Development has been designed to minimise any potential effects on hydrology, the water environment and flood risk. Watercourse crossings have been kept to a practical minimum, making as much use of existing crossings as possible. Two watercourse crossings have been moved to accommodate the realignment of the access tracks in the FEI Layout. One of these, the crossing at Carter Burn, would require construction of a new bridge of large bottomless culvert rather than the upgrade to an existing bridge proposed in the EIA Layout. The new crossing location was chosen to avoid direct effects on the SM6602 Martinlee Sike Scheduled Monument.

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	The applicant has demonstrated a strong commitment to minimising any adverse impact on hydrology, the water environment and flood risk. This includes following best practice measures in the excavation, storage, and re-establishment of soil and peat, implementing sediment control mechanisms, adhering to guidance on pollution prevention, and monitoring the quality of surface water and groundwater. The Proposed Development infrastructure is not at risk of flooding from any source. The drainage installed around long-term development infrastructure would be designed to minimise concentration of flows. In line with best practice guidance, site runoff would not be greater than natural pre-development run off. The effect of increase in flood risk resulting from the construction works is assessed as negligible and not significant. During operation, infrastructure drainage would remain in place. A regular monitoring and maintenance programme for all the drainage infrastructure would be implemented to ensure that it remains fully operational and in good condition. Post-development runoff would be designed such that there is no change from natural pre-development runoff. The effect of the increase in flood risk resulting from the operational works is assessed as negligible and not significant. The FEI Layout does not change this assessment. It has been identified that there are potential groundwater-dependent terrestrial ecosystems (GWDTE) within the Site. These ecosystems have been evaluated on a case-by-case basis to determine their level of dependency on groundwater and the possible impacts that could arise from the development. Location-specific mitigation measures have been proposed to manage potential impacts resulting from the Proposed Development. With appropriate mitigation in place, as set out in Chapter 10 and Technical Appendix 10.3 of the EIA Report, and Chapter 4 of the FEI Report, the impacts to GWDTE from the FEI Layout are considered to be not significant.

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	Following submission of the Section 36 application, comments in relation to hydrology have been made by SEPA. These comments principally relate to a request for updated visuals showing no micrositing/development areas around peat and watercourse buffers, information on site specific pollution controls, information on proposed bunding measures, and further information on settlement ponds and silt busters. All have been addressed in the FEI Report. Therefore, it is considered the Proposed Development meets this criterion.
ix) Biodiversity, including impacts on birds;	EIA Report Chapter 8: Ecology and Chapter 9: Ornithology, and FEI Report Chapters 5: Ornithology and 6 Ecology all assess the potential impact of the Proposed Development in relation to biodiversity, including impacts on birds. **Biodiversity** There are four statutory designated sites within 2 km of the Site, including the River Tweed SAC, Borders Wood SAC, Cragbank and Wolfehopelee Site of Special Scientific Interest (SSSI) and Kielderhead Moors SSSI. Tributaries of Jed water (which includes Black Burn) which are connected to the River Tweed SAC are located within the Site. There are no non-statutory designated sites within 1 km of the Proposed Development Site. Embedded mitigation measures have been included in the design of the Proposed Development. Stand-off buffers of 100 m from Jed Water and 50 m from all other watercourses where practicable has been included in the final design in order to prevent disturbance to bats, otter and aquatic species during construction. Land take has been kept to a minimum. Also, the number of new watercourse crossings proposed has been kept to a minimum, with only two new crossings required. Furthermore, to ensure the protection of protected species good practice measures, including pre-construction surveys and appointment of a suitably qualified Environmental Clerk of Works (ECoW), will be implemented.

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	The ecological assessment predicted no significant residual effects upon any important ecological features when mitigation measures were considered. Mitigation includes the production of a Construction Environment Management Plan (CEMP) and in relation to bats, an initial Bat Mitigation and Monitoring Plan (BMMP) will be undertaken for a minimum of three years limited to the turbine locations identified with moderate or high activity (ie. Turbines T5 and T13). The Proposed Development provides an opportunity to deliver notable habitat improvements within the Site, including planting native broadleaves and riparian woodland. Such habitat improvement measures are set out in the updated Outline Biodiversity Enhancement and Habitat Management Plan (OBEHMP), which is included as part of the FEI Report. The FEI Report also includes a Fish Survey Report which provides a comprehensive assessment of the local fish population which will be used to inform the baseline monitoring scheme if construction goes ahead. This survey notes that the proposed riparian tree planting will contribute to habitat improvement and evidence on the Site indicates that appropriate riparian tree cover could be established. **Ornithology** There are no statutory designations within ornithological features with the Site. The Langholm-Newcastleton Hills Special Protection Area (SPA) is located 16.6 km from the Site (underpinned by the Langholm-Newcastleton SSSI), and the Kielderhead Moors: Carter Fell to Peel Fell SSSI is located 1.4 km from the Site. The assessment found that due to the distance from the designations compared to the foraging distance of the qualifying ornithological species it is considered that there is no potential for significant effects, and they were therefore scoped out of the assessment. This was agreed by NatureScot in their response to Scoping. Goshawk were assessed to be the only species to be potentially impacted by the Proposed Development. The assessment found that there is the potential for one goshawk territory to be impacted by disturbance from access track construction if it occurs during the breeding season, in the worst case. It is unlikely that the Proposed Development would have a displacement impact on the goshawk due to the similarity of the Proposed Development and the current use of the land for forestry. Therefore, potential habitat loss and

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	construction displacement impacts are considered to be negligible and low respectively, and therefore not significant. Aviation lighting is considered to have negligible effect due to the predominantly woodland nature of the goshawk and the screening provided by the trees surrounding the nesting sites. In addition, collision risk impacts are also considered to be negligible owing to hunting flights typically occurring below the collision height and potential nest sites unlikely to occur within the turbine area, Goshawk are also considered to be adept at avoiding collisions. The worst case annual collision risk predicted for goshawks is one every 40 years, which is considered to be not significant. It is considered that the Proposed Development meets this criterion.
x) Impacts on trees, woods and forests;	EIA Chapter 17: Forestry and Technical Appendix 17.1 of the FEI Report provide an assessment of the impact of the Proposed Development on forestry on the Site. The Site is comprised of a commercial forestry plantation. Therefore, felling will be required for the construction and operation of the Proposed Development. Keyhole felling methods would be applied where permanent loss of trees is required to minimise the required loss of woodland resource. There is no ancient woodland on the Site. There is currently no long term forestry plan for Dykeraw Forestry but there is for Wauchope East Forestry. If consented the wind farm felling and restocking plans would be incorporated into long term forestry plans accordingly. The FEI Layout has altered the areas where felling is required for construction and operation of the Proposed Development. In addition, following further consultation with the landowners and changes in the baseline conditions since the EIA Report submission has resulted in changes to the areas of felling required to maintain a wind firm edge. The revised forestry plans are shown on Updated Figures 17.1-4 and New Figure 17.5 of the FEI Report. The changes have resulted in a revised felling area of 107.2 ha compared to 81.9 ha previously (69.2 permanently and 12.7 ha temporarily to be restocked in situ). Of this felling, 63.5 ha will be permanent, and 43.7 ha will be restocked in situ, leaving a compensatory planting requirement of 63.5 ha.

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	The updated OBEHMP includes a number of objectives which includes creating and strengthening nature networks (management of existing broadleaved corridors, network corridors suitable for broadleaved planting, reinforce corridors, riparian corridors along watercourses) and the removal of non-native trees (sitka) and subsequent regular invasive sitka control. It is considered that the Proposed Development meets this criterion.
xi) Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;	The Proposed Development seeks permission to operate for 35 years, after which the Proposed Development would be decommissioned unless a separate permission is sought to extend the operational lifespan. During decommissioning the turbines would be dismantled and removed, along with any associated above ground electrical equipment. This decommissioning work would be the responsibility of the applicant, or any subsequent owners of the Proposed Development. Prior to decommissioning of the development, a method statement would be prepared and agreed with SBC. This could be secured by condition. There is therefore a robust strategy in place for the decommissioning of the site, in compliance with this criterion.
xii) The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans	The proposed process for decommissioning is set out above at criterion xi). It is anticipated site restoration would be secured by condition.
xiii) Cumulative impacts	The cumulative impact of the Proposed Development has been considered in the EIA and FEI processes. In particular, it has been considered in the context of landscape and visual, cultural heritage, ecology, ornithology, hydrology, noise and vibration, transport, socio-economics, and climate change and is addressed in EIA Report Chapters 6, 7, 8, 9, 10, 11, 12, 14 and 16 and FEI Report Chapters 3, 2, 5 and 4

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	respectively. The windfarms considered in the cumulative assessments within the EIA Report and FEI Report are: • Landhope Rig (Operational) – 23.3 km north-west • Pines Burn (Operational) – 5.8 km west • Windy Edge (Consented) – 14.1 km south-west • Teviot (In Planning) – 12.1 km west south-west • Caple Rig (Scoping) - 26.5 km south-west • Cliffhope (Scoping) – 3.5 km south-west • Liddesdale (Scoping) – immediately south • Windy Edge (Scoping) – 13.3 km south-west Faw Side was considered in the EIA Report cumulative LVIA assessment, however it was refused in 2023 and as such it no longer forms part of the cumulative assessment in the FEI. **Landscape and Visual** In terms of cumulative landscape effects, when the Windy Edge Wind Farm, which has been consented, is considered part of the baseline, there would be no significant change in the landscape character due to its distance from the Proposed Development. When other consented and planned schemes are also considered to be operational, there would be no change to the extent of significant landscape character effects to the updated baseline considered in the FEI Report.

Impact	Consideration
	Overall, the combined effect on the Southern Uplands Forest Covered – Wauchope/Newcastleton LCT would be notable, making the presence of occasional wind farms a recognised characteristic feature. However, there would still be considerable spacing between the Proposed Development and other schemes (either in planning, consented or operational), preventing wind turbines from becoming the dominant feature of the LCT. In relation to LCT 4(iii) Southern Uplands with Scattered Forest – Cauldcleuch Head Group, the characterising effect on the northern part of the LCT, essentially creating a new landscape character sub-type 'with wind turbines' would occur in any case without the Proposed Development, which would only reinforce this existing effect. LCT 7 Cheviot Foothills – Falla Group is situated in the opposite direction to the other consented and in-planning schemes such that there would be no additional effects over and above those identified for the Proposed Development, and wind energy beyond the boundary of the LCT would not become the dominant characteristic feature so as to prevent an appreciation of its character. Regarding visual amenity, the addition of the Proposed Development would not result in the cumulative impact of turbines being dominant or oppressive in views experienced at various points within the area. For the post-scoping Liddesdale scheme[21], this alone would establish wind turbines as a key characteristic of the northern part of LCT 5i(ii) Southern Uplands Forest Covered – Wauchope/Newcastleton, reducing the effect introduced by the Proposed Development. There would be a significant cumulative effect on the northern part of the LCT, primarily due to the Liddesdale scheme rather than the Proposed Development. In terms of cumulative visual effects, the Liddesdale scheme would be seen simultaneously with the Proposed Development from most of the LVIA viewpoints. From viewpoints such as 6, 7 and 19, there would be a significant cumulative visual effect, mostly introduced by the Liddesdale scheme rather than the Proposed Development. **Cultural Heritage**

[21] As shown on their most recent public consultation materials, the site layout for Liddesdale has been revised since Scoping

Impact	Consideration
	The EIA Report and FEI Report chapters found that there would be no significant operational effects on cultural heritage with cumulative wind farms. **Ecology** Within the EIA Report, the ecological assessment predicted no significant residual effects upon any important ecological features (alone or cumulatively with any other wind farm development), when mitigation measures were taken into account. **Ornithology** The EIA Report and FEI Report chapters found that there would be no potentially significant cumulative effects on any species other than goshawk. In the case of goshawk, whilst there is the potential for the integrity of one possible territory to be affected as a result of displacement during construction, any additional effects caused by the Proposed Development would not be significant for the pair/territory and, therefore, the NHZ 20 population. Consequently, it is considered that a cumulative assessment is not required. **Hydrology** The EIA Report and FEI Report show that cumulative impacts in respect of hydrology are not considered to be significant. Potentially significant effects are most likely to occur during the construction phase of development. Of the closest wind farms to the Proposed Development, Pines Burn Wind Farm is now operational, and Liddesdale Wind Farm is still at Scoping stage. As such, it is considered there is very little likelihood of the construction phase of any of these developments overlapping with the Proposed Development. **Noise and Vibration** The EIA Report demonstrates that cumulative noise impacts are negligible and there are no further potential cumulative noise effects to consider. **Transport and Traffic** The EIA Report concludes that none of the identified windfarms within the cumulative assessment area meets the criteria where a transport and traffic cumulative assessment is required. **Socio-Economics**

Impact	Consideration
	No additional cumulative impacts are predicted from the construction and operation of the Proposed Development alongside wind farms within 10 km of the land within the application boundary. **Climate Change** The cumulative effects from existing and potential surrounding wind farm developments would be beneficial, contributing towards climate change mitigation. Although there would be some loss of peat - from the area, the nature of the identified developments (Pines Burn and Windy Edge) in the cumulative assessment sees a total emissions savings from offsetting of fossil fuel mix of grid electricity. Therefore, the GHG savings would outweigh losses from construction, including disturbance and removal of peat and forestry. **Conclusion** There would be no significant adverse cumulative impacts, with the exception of landscape and visual which is considered to be localised and acceptable.

Policy 11e) Balancing the impacts with the contribution to renewable energy and GHG emissions reduction targets

7.4.14 Part e) of policy 11 continues by stating:

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

7.4.15 The design iteration process is detailed in Volume 1 Section 2.6 of the EIA Report and paragraph 1.6 of the FEI Report. Through project design and mitigation, the only residual significant adverse effects are considered to be in relation to landscape and visual impacts. These are localised in nature and extend out to approximately 5 km from the Site for landscape receptors. Significant visual effects also occur within approximately 5 km from the Site. However, it is not the case that all areas within 5 km from the Proposed Development experience a significant visual effect. Localised screening provided by intervening landform, vegetation and built form means that there will be many areas within 5 km of the Proposed Development that will not experience a significant effect.

7.4.16 NPF4 recognises that landscape and visual impacts are to be expected for wind farm development and where the impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable. In addition, the OWPS recognises to be able to meet the Scottish Government's climate targets, developments will require taller turbines which will change the landscape.

7.4.17 Significant weight is to be afforded to the contribution of the Proposed Development to GHG emissions reduction targets and renewable energy targets. The Proposed Development is predicted to make carbon emission savings of 119,547 tonnes per year, equating to 4,030,390 tonnes over its 35 year operational lifetime. The emissions as a result of the construction phase will be offset within 1.3 years of operation. During the operational phase, the Proposed Development is not anticipated to generate GHG emissions and indeed will have a beneficial impact as a result of significant emissions savings by reducing the consumption of fossil fuel-generated mains electricity. The Proposed Development will generate approximately 173,143 MWh[22] of electricity annually, which is enough to power approximately 52,451 homes per year.

7.4.18 The Proposed Development complies with, and indeed draws support from, NPF4 Policy 11.

7.5 Assessment against other relevant SBLDP2 Policies

7.5.1 As noted above, SBLDP2 was adopted in 2024, following the adoption of NPF4. As such, where there is incompatibility between SBLDP2 and NPF4, SBLDP2 takes precedence. Notwithstanding, the Reporter for the Examination of SBLDP2 made recommendations to ensure alignment with NPF4.

[22] https://www.renewableuk.com/energypulse/ukwed/#:~:text=Homes%20Powered%20Equivalent&text=RenewableUK%20calculates%20homes%20powered%20as,electricity%20consumption%20expressed%20in%20MWh (Accessed September 2025)

7.5.2 We set out below in **Table 7.2** an assessment of the Proposed Development against the key SBLDP2 policies which this statement has previously identified. To avoid repetition, it is stated where the requirements of each policy have already been addressed elsewhere in this statement.

Table 7.2 Policy Assessment of SBLDP2

SBLDP2 Policy	Policy Summary	Assessment
Policy PMD1: Sustainability	This policy outlines a set of sustainability principles that the Council will consider when assessing planning applications and preparing development briefs. Developers are expected to integrate these principles into their proposals.	Refer to assessment on NPF4 policies 1, 4 and 11. The Proposed Development is grounded in sustainability principles and will make a significant contribution to addressing the climate and nature crises. All potential environmental impacts have been assessed through the EIA and FEI Reports, and it has been demonstrated there will be no unacceptable significant adverse impact as a result of the Proposed Development. The Proposed Development therefore complies with Policy PMD1.
Policy PMD2: Quality Standards	This policy sets out standards for new development, emphasising high-quality design aligned with sustainability principles and local character. It requires developers to demonstrate energy efficiency and incorporate low or zero carbon technologies. Developments must integrate with their landscape surroundings and support biodiversity.	Refer to assessment on NPF4 policies 1, 4 and 11. An assessment of the Proposed Development's impact on the surrounding landscape has been undertaken in the EIA Report and FEI Report which conclude it is acceptable within the context of NPF4 Policy 11. Biodiversity will be supported, and the Proposed Development will achieve significant biodiversity enhancements. The Proposed Development, as a renewable energy generating development, inherently incorporates zero carbon principles, in compliance with PMD2.
Policy ED9 Renewable Energy Development	Reflects policy wording on NPF4 Policy 11	Please see assessment against NPF4 Policy 11.
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils	This policy resists development, except renewable energy development, that would result in the permanent loss of prime agricultural land or significant carbon-rich soils, such as peat, unless specific exceptions apply. Renewable energy proposals,	Refer to assessment of NPF4 Policy 5.

SBLDP2 Policy	Policy Summary	Assessment
	including wind energy, will be permitted if they align with the objectives and requirements of policy ED9.	
Policy HD3: Protection of Residential Amenity	This policy states that development judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted and includes factors that developments will be assessed against.	Refer to assessment of NPF4 Policy 11. There will be no unacceptable impact on residential amenity as a result of the Proposed Development. The RVAA demonstrates that none of the effects which are predicted on residential visual amenity would be of such a scale so as to become dominant or overbearing, and all affected properties will continue to have other views available that are not affected by the proposed turbines. Likewise, noise and shadow flicker have all been assessed and are considered to be acceptable. SBC's EHO has no objection to the Proposed Development subject to conditions. The Proposed Development therefore complies with Policy HD3.
Policy EP1: International Nature Conservation Sites and Protected Species	This policy outlines the conditions under which development proposals may be considered near designated or proposed Natura sites, including Ramsar sites. Such proposals should either demonstrate no adverse impact on the site's integrity through an appropriate assessment, or be justified by the absence of alternatives or the presence of overriding public interest and compensatory measures are provided. The policy also outlines in terms of 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.	Refer to assessment of NPF4 Policy 3 and 11. Potential effects of the Proposed Development on the River Tweed SAC and Borders Wood SAC have been fully assessed as part of the EIA Report and FEI submission, which conclude there is likely to be no significant effects due to embedded design and mitigation measures. NatureScot in their consultation response to the application dated 2nd March 2023 that they consider the proposal is likely to have a significant effect on the qualifying interests of the River Tweed SAC but if the proposal is undertaken strictly in accordance with the application then the proposal will not adversely affect the integrity of the site. There will be no significant effect on protected species due to proposed mitigation measures including buffer zones, requirement for a

SBLDP2 Policy	Policy Summary	Assessment
		CEMP to control pollution, and pre-construction surveys for protected species. The OBEHMP also demonstrates how the Proposed Development will conserve, restore and enhance biodiversity, including nature networks. The Proposed Development therefore complies with Policy EP1.
Policy EP2: National Nature Conservation Sites and Protected Species	This policy sets out that development proposals that are likely to have a significant adverse effect on a SSSI, National Nature Reserve (NNR) will not be permitted unless the objectives of the designation and overall integrity will not be compromised or that 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..	Refer to assessment of NPF4 Policy 3 and 11. The EIA Report concludes no significant adverse effects are predicted on any identified SSSIs. The Proposed Development therefore complies with Policy EP2.
Policy EP3: Local Biodiversity and Geodiversity	This policy outlines how development proposals that may affect Borders Notable Species or Habitats of Conservation Concern will be considered.	Refer to assessment of NPF4 Policy 3 and 11. The EIA Report and FEI Report demonstrate that there will be no significant adverse effect on local biodiversity or geodiversity. The OBEHMP proposes significant biodiversity enhancement. The Proposed Development therefore complies with Policy EP3.

SBLDP2 Policy	Policy Summary	Assessment
Policy EP4: National Scenic Areas	This policy sets out considerations for development proposals that may affect NSAs. The policy states that development that may affect NSAs will only be permitted where the objectives of the designation and overall integrity of the NSA will not be compromised or any significant adverse effects on the qualities for which the NSA has been designated are clearly outweighed by social, environmental or economic benefits of national importance.	Refer to assessment of NPF4 Policy 4 and 11. The EIA Report identifies the Eildon and Leaderfoot NSA as the only NSA within the study area, located over 23 km from the Proposed Development. The assessment concludes that any effects would be very limited and not considered significant due to the considerable distance. The Proposed Development therefore complies with Policy EP4.
Policy EP5: Special Landscape Areas	This policy sets out how development proposals affecting Special Landscape Areas will be considered. The Council will seek to safeguard landscape quality for the SLAs. Proposals which have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social, environmental or economic benefits of national or local importance.	An assessment of landscape impact on the Cheviot Foothills and Teviot Valley SLAs has been undertaken in **Table 7.1** and against NPF4 Policy 4 in the Planning Assessment. This shows localised significant effects which would not be of such a scale so as to prevent an understanding or appreciation of the key characteristics or the underlying landscape qualities. Policy ED9 of SBLDP2 and Policy 11 of NPF4 recognise that significant landscape and visual impacts are to be expected for some forms of renewable energy and where impacts are localised and/or appropriate design mitigation has been applied they will generally be considered to be acceptable. The Proposed Development therefore complies with EP5.

SBLDP2 Policy	Policy Summary	Assessment
Policy EP7: Listed Buildings	This policy supports development proposals that conserve, protect, and enhance the character, integrity, and setting of Listed Buildings.	Refer to assessment of NPF4 Policy 7 and 11. The EIA Report confirms there are no listed buildings located within the Inner Study Area (ISA) (land with the Site and comprises the turbine area). Whilst there are listed buildings within the Outer Study Area (OSA) (i.e. the Zone of Theoretical Visibility of the proposed turbines), a Stage 1 Setting Assessment was undertaken where no listed buildings were considered for further detailed assessment as it was unlikely that their cultural significant could be harmed within its setting. The Proposed Development therefore complies with EP7.
Policy EP8: Historic Environment Assets and Scheduled Monuments	This policy outlines how development proposals affecting archaeological and historic environment assets will be considered.	Refer to assessment of NPF4 Policy 7 and 11.
Policy EP10: Gardens and Designed Landscapes	This policy supports development that safeguards or enhances the landscape features, character or setting of sites listed in the Inventory of Garden and Designed Landscapes (GDL) or sites included in historic gardens and designed landscapes records. Proposals that result in an unacceptable adverse impact will be refused.	There is only one GDL within the OSA as detailed in EIA Report Volume 3, Appendix 7.1 which is over 15 km north of the nearest proposed turbine. Appendix 7.1 outlines Turbines would be visible 19km to the south from this elevated landscape position, however this negligible visible change at such long distance, in views that do not evidently contribute to the cultural significance of the designed landscape is not considered a likely significant adverse effect on either the designed landscape, the heritage assets within it, nor their inter-relationships. It was therefore not taken forward for detailed assessment in the EIA Report. The Proposed Development therefore complies with Policy EP10.

SBLDP2 Policy	Policy Summary	Assessment
Policy EP13: Trees, Woodlands and Hedgerows	The Council will not support proposals that would result in serious damage or loss of woodland unless the public benefits clearly outweigh the landscape, ecological, recreational, historical, or shelter value of the site. Where impacts are possible, developments should aim to minimise adverse impacts on the biodiversity value, ensure appropriate replacement planting within the Scottish Borders where feasible, and adhere with any planning agreements intended to enhance the woodland resource.	Refer to assessment of NPF4 Policy 6 and 11. The Site is comprised of a commercial forestry plantation and tree felling is required to facilitate the Proposed Development. Mitigation measures, including keyhole felling, are proposed to minimise the loss of trees and compensatory replacement planting is proposed to offset the loss. The OBEHMP includes a number of objectives including creating and strengthening nature networks (management of existing broadleaved corridors, network corridors suitable for broadleaved planting, reinforce corridors, riparian corridors along watercourses) and the removal of non-native trees (sitka) and subsequent regular invasive sitka control, and the Proposed Development will provide an overall net gain in biodiversity value. The Proposed Development therefore complies with Policy EP13.

SBLDP2 Policy	Policy Summary	Assessment
Policy EP15: Development Affecting the Water Environment	This policy supports development proposals that aim to improve the quality of the water environment. Where a proposal would result in a significant adverse effect on the water environment through impact on its natural or physical characteristics, or its use for recreation or existing river engineering works it would be refused. It sets out that decision making will be guided by an assessment of considerations including pollution, flood risk, river engineering and compliance with current best practice.	Refer to assessment of NPF4 Policy 11. The EIA Report and FEI Report both demonstrate how the Proposed Development has been designed to minimise any potential effects on hydrology, the water environment and flood risk. In terms of water quality, measures are proposed (including following best practice measures in the excavation, storage, and re-establishment of soil and peat, implementing sediment control mechanisms, adhering to guidance and legislation on pollution prevention, and monitoring the quality of surface water and groundwater) to ensure no significant detrimental impact. The Proposed Development therefore complies with Policy EP15.
Policy IS5: Protection of Access Routes	Development that would have an adverse impact upon an access route available to the public will not be permitted unless a suitable diversion or appropriate alternative route, as agreed by the Council, can be provided.	Refer to assessment of NPF4 Policy 11. There will be no unacceptable impact on public access routes as a result of the Proposed Development. During the construction period, temporary path diversions would be agreed with the SBC Access Officer where necessary to allow continued public access through the area. During operation, no direct impacts are predicted on recreational receptors as the layout of the Proposed Development has avoided all core paths and heritage paths within the Site. The Proposed Development therefore complies with Policy IS5.

SBLDP2 Policy	Policy Summary	Assessment
Policy EP16 Air Quality	This policy seeks to protect air quality.	Chapter 4 of the EIA Report confirms the potential for impacts on air quality and population and human health were scoped out the EIA. The main source of impact on air quality would be increased traffic flows on local roads during construction and emissions from construction activities. It is considered that air emissions associated with these activities would be transient and localised, and highly unlikely to have a significant effect on local air quality. Best practice measures would be applied to construction, forming an integral part of the CEMP. There would be no emissions to air during operation. In terms of GHG emissions the Proposed Development is expected to save approximately 119,547 tonnes of CO_2 annually, totalling approximately 4,030,390 tonnes CO_2e over 35 years. Construction emissions will be offset in 1.3 years. It is therefore considered the Proposed Development complies with Policy EP16.
Policy IS8: Flooding	This policy outlines that development proposals will be considered using NPF4 Policy 22 and that developers will be required to provide a flood risk assessment and measure that are proposed to mitigate flood risk. It also outlines the information which will be used to assess the acceptability of development.	The EIA Report and FEI submission demonstrates that the site is not at risk of flooding, and the Proposed Development will not increase flood risk elsewhere. The Proposed Development therefore complies with Policy IS8.

7.6 Assessment against other relevant NPF4 Policies

Policy 1 Tackling the Climate and Nature Crises

7.6.1 Policy 1 confirms that for all development proposals, the decision maker needs to give significant weight to the global climate and nature crises. The Proposed Development is a renewable energy development which will meaningfully contribute to national GHG emissions

reduction and renewable energy targets through the delivery of c. 78MW of onshore wind energy generation capacity and an additional c. 20MW of BESS storage. The OWPS recognises the crucial role of onshore wind energy and the urgent need to urgently deploy it at scale to achieve rapid decarbonisation of the UK's energy system and address the climate crisis.

7.6.2 The EIA Report confirms that, once operating, the Proposed Development is predicted to save around 95,748 tonnes CO_2e per annum, which means that construction phase carbon emissions will be offset within 1.3 years. A total carbon saving of around 4,030,390 tonnes of CO_2e is predicted over the lifetime of the wind farm (35 years), which is considered to be a significant beneficial effect and directly supports the aims of Policy 1.

7.6.3 The Proposed Development provides an opportunity to deliver notable habitat improvements within the Proposed Development Site, including planting native broadleaves and riparian woodland. Further details of these enhancements are set out in the updated OBEHMP (Updated Technical Appendix 8.5, FEI Report).

7.6.4 Significant weight in favour of the Proposed Development is therefore established by Policy 1.

Policy 3 Biodiversity

7.6.5 The Proposed Development will deliver significant biodiversity enhancements as detailed in the updated OBEHMP (Updated Technical Appendix 8.5, FEI Report) submitted as part of the FEI Report.

7.6.6 The OBEHMP proposes biodiversity enhancements under four main themes as follows:

- ‘Pool Creation’ - Pools/ponds provide wildlife opportunities for a variety of aquatic species such as amphibians and macro-invertebrates and they also provide a source of food for other species. The creation of up to 22 pools as a result of the Proposed Development will substantially enhance biodiversity across the whole Site. These biodiversity enhancement opportunities directly comply with and deliver on NPF4 Policy 3, through restoring degraded habitats and enhancing biodiversity within the Site.

- ‘Creating and Strengthening Nature Networks’ – The OBEHMP proposes four measures based around native broadleaved woodland nature networks. (1) Existing broadleaved corridors will receive targeted management (e.g. removal of intrusive sitka spruce) to improve function. (2) Network corridors will be planted with broadleaved trees which would help to link them to riparian corridors. (3) Reinforce existing corridors with planting management to plug gaps to create functioning corridors which link with other nature networks. (4) Improve riparian corridors with broadleaved planting. Combined, these measures would create a joined-up broadleaved woodland nature network throughout the Site in accordance with Policy 3.

- ‘Non Native Tree Removal’ - A systematic programme of initial removal/eradication will be undertaken within all planned OBEHMP areas with regular management thereafter.

- ‘Targeted Species Action’ – Measures include erection of barn-tawny owl nest boxes in a variety of suitable locations, installation of bat boxes, creation of artificial hibernacula within areas of suitable open habitats for lizards, adders and slow works, and creation of artificial otter holts and pine marten dens.

7.6.7 The OBEHMP provides long-term monitoring proposals to ensure the habitat is monitored in relation to the objectives which are set out in the OBEHMP.

7.6.8 It is therefore considered that it has been demonstrated the Proposed Development will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention as required by Policy 3.

7.6.9 It has been shown in **Table 7.1** above there are no significant adverse effects in relation to biodiversity. It is therefore considered the Proposed Development meets the requirements of, and draws positive support from, Policy 3.

Policy 4 Natural Places

7.6.10 Through project design and mitigation, the Proposed Development will not have an unacceptable impact on the natural environment and therefore meets the requirements of part a).

7.6.11 In relation to NPF4 Policy 4 part b) as noted earlier in the Planning Statement in relation to NPF4 Policy 11d), tributaries of Jed water (which includes Black Burn) which are located within the Site are connected to the River Tweed SAC. A 100m buffer from Jed Water and 50m buffer for all other watercourses has been embedded in the design of the Proposed Development and a comprehensive CEMP is proposed as mitigation to prevent pollution and sediment run-off control. NatureScot in their consultation response to the application that in their view the Proposed Development is likely to have a significant effect on the qualifying interests of the River Tweed SAC and that the Scottish Government, as competent authority, will require to carry out an appropriate assessment, but if the Proposed Development is undertaken strictly in accordance with the application then it will not adversely affect the integrity of the Site. Appendix 2 of NatureScot's response concludes that the conservation objectives will not be undermined for the qualifying interests of the SAC (which includes Atlantic salmon, lamprey, otter). The applicant has also updated the OBEHMP as part of FEI which demonstrates the significant biodiversity which will be delivered as a result of the Proposed Development.

7.6.12 It is therefore considered the Proposed Development meets the requirements of NPF4 Policy b).

7.6.13 In relation to part c) of Policy 4, the assessments undertaken as part of the EIA and FEI Reports (and summarised in relation to NPF4 Policy 11e) demonstrate that there would be no significant impact on National Parks, NSAs, SSSIs or National Nature Reserves.

7.6.14 In terms of part d) of Policy 4,.it should be noted that NPF4 Policy 11d) sets out that development proposals that impact on international and national designations will be assessed in relation to Policy 4. In relation to local designations, they are to be assessed under Policy 11 and part e) ii. details that significant landscape and visual 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.

7.6.15 As identified in **Table 7.1** above, there would be limited significant effects on the Teviot Valleys SLA (up to an approximate distance of 1.5 km into the southern part of the SLA) and the Cheviot Foothills SLA (up to an approximate distance of 1 km into the south-western corner of the SLA), however the effects would not be of such a scale so as to prevent an

understanding or appreciation of the key characteristics or the underlying landscape qualities.

7.6.16 Notwithstanding this conclusion, limb ii sets out that development proposals can be supported where significant adverse effects are clearly outweighed by social, environment or economic benefits of at least local importance. The benefits for the Proposed Development are of national importance. The Proposed Development is predicted to make carbon emission savings of 119,547 tonnes per year, equating to 4,030,390 tonnes over its 35 year operational lifetime and will generate approximately 173,143 MWh of renewable energy annually, will create employment and investment locally and nationally and will significantly enhance biodiversity in the area. The Proposed Development is a national scale development which will provide benefits of national importance.

7.6.17 With the implementation of mitigation, the Proposed Development will not have an adverse effect on species protected by legislation and is therefore in accordance with part f).

7.6.18 The Site is not located within wild land and therefore part g) is not applicable to the Proposed Development.

7.6.19 It is therefore considered the Proposed Development meets the requirements of Policy 4.

Policy 5 Soils

7.6.20 Under Policy 5 the Proposed Development is required to be in accordance with the soil mitigation hierarchy (first avoiding and then minimising the disturbance on soils) and to be constructed in a manner which protects the soils from damage.

7.6.21 EIA Report Chapter 8: Hydrology, Geology, Hydrogeology and Peat describes the existing conditions on-site and outlines the measures taken to ensure the Proposed Development has minimal impact to the soil and peat on-site. Furthermore, a detailed programme of peat depth and condition surveying has been undertaken, and the results have informed the site design to avoid peat soils and deep peat as far as is practical.

7.6.22 Additionally, considerate site design has also ensured that all excavation works deposits have been kept to a practical minimum, with no turbines or significant infrastructure located where peat is deeper than 1m. Measures also include use of existing track networks and minimising construction works as far as possible. During construction, measures involve careful stripping and separate stockpiling of different soil and peat layers, with peat handled to retain its structure.

7.6.23 Criteria c) ii) recognises that development is supported for the generation of energy from renewable sources that optimises the contribution of the area to GHG emissions reduction targets even on peatland, carbon rich soils and priority peatland.

7.6.24 In response to criteria d), EIA Report Chapter 10 and FEI Report Chapter 4 carry out an assessment of soil and peat baseline depth, habitat condition, quality and stability. This assessment concludes that a number of small pockets of peat have been identified across the Site, mainly consisting of a single record deeper than 0.5 m but occasionally with two records deeper than 0.5 m within 50 m. These represent small, highly localised pockets of soil or peat. Their localised nature means that they are unlikely to pose a failure risk as a result of the very small area identified as peat and the absence of adjacent peat deposits.

7.6.25 In terms of net effects, it has been demonstrated in the EIA Report and FEI Report that the small amount of peat loss which is required will be offset, in carbon terms, by the positive contribution the Proposed Development will make to climate change mitigation targets. It has been demonstrated that the proposal's net GHG emissions from construction and decommissioning are projected to be offset within 1.3 years of becoming operational.

7.6.26 It is therefore considered the Proposed Development meets the requirements of Policy 5.

Policy 6 Forestry Woodland and Trees

7.6.27 As detailed in **Table 7.1** above the OBEHMP includes a number of objectives including creating and strengthening nature networks (management of existing broadleaved corridors, network corridors suitable for broadleaved planting, reinforce corridors, riparian corridors along watercourses) and the removal of non-native trees (sitka) and subsequent regular invasive sitka control. This demonstrates compliance with part a) of Policy 6.

7.6.28 There is no ancient woodland, or veteran trees present on the Site, therefore part b) is not applicable to the Proposed Development.

7.6.29 Compensatory planting is required under Policy 6(c) for any trees cleared during the construction of the Proposed Development. The assessment found that there would be 63.55 ha of trees either temporarily or permanently removed. The equivalent of this area would be replanted either on-site or at an alternative Site in agreement with Scottish Forestry. The Proposed Development therefore meets the requirements of part c).

7.6.30 It is considered that the Proposed Development complies with Policy 6.

Policy 7 Historic Assets and Places

7.6.31 A detailed assessment has been undertaken in Chapter 7 of the EIA Report and Chapter 2 of the FEI Report. Chapter 2 of the FEI Report responds to the consultation responses from HES and the SBC Archaeology Officer and the changes that have been made to the access route.

Scheduled Monuments – Direct Impacts

7.6.32 Chapter 2 of the FEI outlines the revised access route has been designed to avoid SM6600 (Martinlee Plantation, homestead NW of Martinlee Sike), SM6601 (Martinlee Plantation, homestead SE of Martinlee Sike), SM6599 (Martinlee Sike, enclosure bank, field system, cairns & old road) and SM6602 (Martinlee Sike, farmstead, field system and assart bank).

7.6.33 Any required micrositing or ancillary works associated with the construction of the revised access area route as described above will avoid encroaching into the boundaries of these heritage assets and avoid any impact on potentially associated upstanding remains outwith the scheduled areas of these monuments. To avoid any potential accidental impacts or impacts arising from micrositing, the extent of each of these asset's scheduled areas and any upstanding non-designated assets associated with these monuments will be clearly demarcated on construction phase plans, and toolbox talks and inductions addressing the legal status of Scheduled Monuments, outlining the need for their physical protection and legal consequences of accidental damage, will be provided to all staff involved in the construction phase works.

7.6.34 In addition, precautionary measures will be taken to mitigate against any potential accidental physical impacts on SM6601, SM6599 and SM6602. This will involve the extents of each asset and any upstanding non-designated remains associated with these assets being physically demarcated using a method which avoids any direct impacts to the monument. The methodology for demarcation will be agreed in advance with HES and the SBC Archaeology Officer. The demarcation works will be carried out by a suitably qualified archaeologist prior to the construction phase commencing to ensure the asset is avoided during construction phase works. The construction phase works will be subject to checks by a suitably qualified archaeologist to ensure that no works take place within the scheduled areas of SM6601, SM6599 and SM6602.

7.6.35 SM6600 is located approximately 25 m from the revised access area route (New Figure 7.23, FEI Report) and would not be physically impacted by the proposed works. The potential for accidental physical impacts caused by uncontrolled plant movement or other construction phase activities is considered to be negligible due to the intervening distance between the asset and the location where the revised access area route works would take place. It is therefore not proposed that the extents of this asset are physically demarcated; its extents will instead be marked on construction phase plans to ensure its presence is known to the construction team.

7.6.36 Since the submission of the Section 36 application, turbine T11 has been re-located approximately 160 m south-east from its original location (New Figure 2.3b, FEI Report). The revised location of turbine T11 is such that it now lies c.245 m east of SM3423 (Wheel Causeway, section 640m long on S slope of Wardmoor Hill). The proposed height to blade tip of turbine T11 is 210 m, allowing a buffer of 35 m from SM3423, equivalent to turbine height plus 19.4%.

7.6.37 No impact is therefore predicted, resulting in a significance of effect of none, which is not significant in EIA terms.

7.6.38 The revised access area route would not directly impact SM6600, SM6601, SM6599 or SM6602 and in addition turbine T11 would not directly impact SM3423 and therefore it is considered the Proposed Development is in accordance with NPF4 Policy 7h) i.

Scheduled Monuments - Setting

7.6.39 As detailed in **Table 7.1** above, Chapter 7 of the EIA Report concludes that there would be residual effects of minor adverse significance predicted upon seven Scheduled Monuments which are:

- SM106005 – Tamshiel Rig, fort, settlement and field system;
- SM2211 – Southdean Law, fort and settlement;
- SM2173 – Bonchester Hill, fort;
- SM29129 Rubers Law, fort and Roman signal station;
- SM2152 – Shaws Craigs, fort;
- SM3423 – Wheel Causeway, section 640m long on S slope of Wardmoor Hill; and

- SM3425 - Westshiels, spur earthwork 1550m west of.

7.6.40 These effects are not significant in EIA terms and Chapter 7 of the EIA concluded for all that the integrity of the setting would not be adversely affected.

7.6.41 Chapter 2 of the FEI provides a response to SBC Archaeology Officer in relation to SM10605 (Tamshiel Rig, fort, settlement and field system and confirms in terms of NPF4 Policy 7h ii. the factors of setting which contribute to the cultural significance of Tamshiel Rig, fort, settlement and field system (SM10605) allowing for an understanding, appreciation and experience of the asset would be adequately retained such that the integrity of its setting would not be significantly adversely affected.

7.6.42 it is considered the Proposed Development is in accordance with NPF4 Policy 7h) ii.

Non-designated heritage assets

7.6.43 Chapter 7 of the EIA Report concludes there would be a residual operational effect of minor adverse significance on the non-designated heritage asset: 56831 - Highlee Hill settlement, including HA1 and residual operational effects of Negligible adverse significance are predicted upon one non-designated heritage asset: HA4 Westshiels Farmstead. These effects are not significant in EIA terms.

7.6.44 A programme of mitigation would be agreed with SBC to offset any potential direct effects on previously unknown heritage assets which may exist within the Inner Study Area (land with the Site and comprises the turbine area).

7.6.45 It is therefore considered the Proposed Development is in accordance with NPF4 Policy 7o).

7.6.46 Therefore, it is considered that the Proposed Development meets the requirements of the applicable parts of Policy 7.

7.7 Planning Assessment Summary

7.7.1 The Proposed Development has achieved a design layout which minimises any potential impacts on the environment. The only residual significant adverse impact is landscape and visual which is considered localised and acceptable.

7.7.2 The Proposed Development is a National Development as defined by NPF4. It will provide clean energy and contribute to both national renewable energy targets and GHG emissions reduction targets and will provide an important contribution to Scotland's Net Zero commitments.

7.7.3 NPF4 Policy 11 Energy requires significant weight to be placed on the contribution of the proposed Development to renewable energy generation targets and on GHG reduction targets. In addition, Policy 1 Tacking the Climate and Nature Crises of NPF4 requires significant weight to be given to the global climate and nature crises when considering all development proposals. The Proposed Development benefits from this significant weight.

7.7.4 The Proposed Development will also have significant biodiversity benefits including pool creation, creating and strengthening nature networks, non-native tree removal, targeted

species action, ongoing monitoring and management, and delivery of nature-led community benefits. It therefore draws further significant support from NPF4 Policy 1 and Policy 3 Biodiversity.

7.7.5 The assessment demonstrates the Proposed Development meets the requirements of the relevant policies in the Development Plan.

9 CONCLUSION

9.1.1 The Proposed Development is a national scale development which will generate Proposed approximately 173,143 MWh of electricity annually which is enough to power 52,451 homes per year. It is predicted that construction phase carbon emissions will be offset within 1.3 years and that a total carbon saving of approximately 4,030,390 tonnes of CO_2e is predicted over the lifetime of the wind farm (35 years). These elements should be **afforded significant weight** in the planning balance.

9.1.2 The Proposed Development will also deliver the following benefits:

Supporting Employment and Maximising the Net Economic Benefit

- the development expenditure during the construction phase is estimated to be approximately £114.6 million, approximately £11.3 million of which would be spent in the local (Scottish Borders) economy and approximately £36.9 million in Scotland as a whole;
- during the 21 months construction phase, the Proposed Development is expected to directly and indirectly support approximately 74.9 jobs locally and 319.7 jobs nationally;
- the local economy would be expected to be boosted by a total of £5.5 million of net Gross Value Added (GVA) during the construction phase. The Scottish economy would benefit by £21.2 million net GVA;
- the development expenditure during the operational phase is estimated to be approximately £4.7 million per annum. It is estimated that £2 million would be spent each year in the local economy and £2.7 million would be spent each year in the national economy;
- during the operational phase, the Proposed Development is expected to directly and indirectly support 9.7 jobs locally and 20.9 nationally; and
- during the operational phase (assessed over a 35-year life) the Proposed Development would contribute lifetime GVA of around £42 million for the local area and £56 million for Scotland as a whole.

Biodiversity Enhancements

- Pool Creation – up to 16 new pools will be created.
- Creating and Strengthening Nature Neworks – produce new functioning nature networks consisting of predominantly broadleaved trackside and riparian tree/scrub plantings, helping strengthen regional nature networks in the Scottish Borders.
- Non-native tree removal – removal of invasive sitka spruce during construction and control over the operational period of the Proposed Development.
- Targeted species action – erection of owl boxes, bat boxes and creation of artificial hibernacula within areas of suitable, open habitats.

9.1.3 The applicant is also committed to offering a community benefit fund of £5,000 per MW installed capacity during the operational life of the Proposed Development. The total community funding would be up to around £390,000 per year, which would equate to approximately £13.6 million over the proposed 35 year operational life.

9.1.4 It has been demonstrated that the project design and mitigation has considered all of the impacts listed in NPF4 Policy 11e) and the only residual adverse significant effect is landscape and visual which is localised and therefore considered acceptable as detailed in NPF4 Policy 11.

9.1.5 The Proposed Development has achieved a design layout which minimises any potential impacts on the environment. The only residual significant adverse impact is landscape and visual which is considered localised and acceptable. The OWPS recognises to meet the climate targets, taller and more efficient turbines will be required. This will change the landscape.

9.1.6 The Proposed Development meets the requirements of the Development Plan and is consistent with relevant considerations.

9.1.7 It is concluded that Section 36 consent and deemed planning permission should be granted for the Proposed Development.

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APPENDIX 1: CLIMATE CHANGE AND RENEWABLE ENERGY CONTEXT

Climate Change Context

Table A1.1 International Context

Document	Summary
United Nations Framework Convention on Climate Change	The United Nations Framework Convention on Climate Change (UNFCCC) is a global treaty aimed at addressing climate change through international cooperation. The Conference of Parties (COP) is an annual gathering where representatives from each country involved in the UNFCCC meet. At COPs, representatives discuss how to address the challenges of climate change and encourage collaboration in order to address these challenges.
The Paris Agreement	The Paris Agreement was adopted at the UN Climate Change Conference (COP21) which was held in Paris in 2015. It is a legally binding international treaty on climate change and as set out on page 3 of the Agreement, its goal is to hold: *"the increase in the global average temperature to well below 2°C above pre-industrial levels"* and to pursue efforts *"to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change."*
The United Nations Emissions Gap Report 2024	The United Nations Environment Programme (UNEP) prepare a yearly report which reports on the progress in meeting the Paris Agreement. The October 2024 Key Messages report overview advises on page 1 that: *"…nations must use COP29 in Baku, Azerbaijan, as a launchpad to increase ambition and ensure the new NDCs collectively promise to almost halve greenhouse gas emissions by 2030. They must then follow up with rapid delivery of the commitments, building on actions taken now. If they do not do so, the Paris Agreement target of 1.5°C will be gone within a few years and the 2°C target will be in danger.* *It remains technically possible to get on a 1.5°C pathway, with solar, wind and forests holding real promise for sweeping and fast emissions cuts. To deliver on this potential, sufficiently strong NDCs would need to be backed urgently by a whole-of-government approach, measures that maximize socioeconomic and environmental co-benefits, enhanced international collaboration that includes reform of the global financial architecture, strong private sector action and a minimum six-fold increase in mitigation investment. G20 nations, particularly the largest-emitting members, would need to do the heavy lifting."*
The IPCC's AR6 Synthesis Report: Climate Change 2023	The International Panel on Climate Change (IPCC) prepares comprehensive Assessment Reports relating to the gathering of knowledge on climate change, including its impacts, further risks and possible mitigation measures. The IPCC's recent Sixth Assessment Report consists of three Working Group contributions and a Synthesis Report. Released in March 2023, the AR6 Synthesis Report: Climate Change 2023 integrates the main findings from the working groups and outlines the impacts of global warming and recognises that human activity, principally through the emission of greenhouse gases (GHG), has unequivocally caused global

Document	Summary
	warming. The report finds that limiting human-caused global warming required Net Zero CO2 emissions. The report emphasises that the severity of future climate change and its impacts are dependent on the level of future emissions. It also notes on page 43, that not only have carbon dioxide concentrations increased, but the rate of increase has also accelerated. Over the next 20 years, global temperatures are expected to exceed or reach 1.5°C of warming. It is evident that without large-scale, sustained reductions in GHG emissions like carbon dioxide and methane, limiting global warming to 1.5°C is an improbable goal, as outlined on page 57 of the report.
Copernicus Climate Change Service (C3S) Report: Global Climate Highlights	On 10 January 2025, C3S issued the 'Global Climate Highlights' prepared for the European Union and implemented by the European Centre for Medium-Range Weather Forecasts (ECMWF) confirmed the urgency of challenge. It notes that 2024 is the warmest year on record globally, and the first calendar year that the average global temperature exceeded 1.5°C above its pre-industrial level. Samantha Burgess, Strategic Lead for Climate at ECMWF commented on the report advising: *"Each year in the last decade is one of the ten warmest on record. We are now teetering on the edge of passing the 1.5°C level defined in the Paris Agreement and the average of the last two years is already above this level."* This emphasises the urgency of the requirement to address global warming and increasing evidence that we are approaching a position of exceeding the lower limit agreed in the Paris Agreement.

Table A1.2 United Kingdom Context

Document	Summary
The Sixth Carbon Budget: The UK's Path to Net Zero	On 09 December 2020, the CCC released the Sixth Carbon Budget, which updates intermediary targets for the UK's progress to Net Zero to a reduction of 78% by 2035 and outlines that action is required across all sectors or the UK will not deliver Net Zero by 2050. The forward states: *"Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this."* The foreword continues by stating: *"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge - the UK will not deliver Net Zero by 2050. The 2020s must be the decisive decade of progress and action."*
Seventh Carbon Budget	The CCC published the Seventh Carbon Budget in February 2025. Their recommendation for the Seventh Carbon Budget, which is a limit on the UK's GHG emissions over the five-year period 2038-2042, is 535 $MtCO_{2e}$. This includes emissions from international aviation and shipping. They recognise that this is an ambitious target "*but it is deliverable provided action is taken rapidly (page 10)"* Page 11 notes that the advice set out in the Seventh Carbon Budget is based on the CCC's Balanced Pathway which is an emissions reduction pathway from 2025 to Net Zero by 2050 which is detailed in Figure 1 of the Seventh Carbon Budget.

Document	Summary
	Page 12 outlines that this target will be delivered through: *"electricity, low-carbon fuels and carbon capture and storage (CCS), nature, engineered removals, and demand. Many of the solutions are available today and could be rapidly deployed, provided the right incentives are put in place.* *Other solutions, particularly within low-carbon fuels and engineered removals, are less certain and industry and government should continue to pursue multiple options for now."* In terms of low carbon supply, page 13 sets out: *"by 2040, our Balanced Pathway sees offshore wind grow six-fold from* *15 GW of capacity in 2023 to 88 GW by 2040. Onshore wind capacity doubles to 32 GW by 2040 and solar capacity increases to 82 GW."*
Net Zero Strategy: Build Back Greener	On 19 October 2021, the previous UK Government (Conservative Government succeeded by Labour in 2024) published the Net Zero Strategy: Build Back Greener, which sets out the UK Government's policies and proposals for decarbonising the UK economy to meet Net Zero targets by 2050. The strategy states on page 19 that: *"the Net Zero economy will be underpinned by cheap clean electricity, made in Britain. A clean, reliable power system is the foundation of a productive Net Zero economy as we electrify other sectors – so we will fully decarbonise our power system by 2035, subject to security of supply. Our power system will consist of abundant, cheap British renewables, cutting edge new nuclear power stations, and be underpinned by flexibility including storage, gas with CCS, hydrogen and ensure reliable power is always there at the flick of a switch."*
Climate Change Explained Guidance	The former UK Government recognised that human influence has unequivocally led to an altered climate. The Department for Energy Security and Net Zero highlighted in their Climate Change Explained Guidance (June 2023) that there is undeniable evidence of climate change, stating: *"The United Kingdom (UK) is experiencing rising temperatures. The most recent decade (2012 to 2021) has been on average 1.0°C warmer than the 1961 to 1990 average. All 10 of the warmest years in the UK have occurred since 2003. 2022 was the UK's hottest year on record, with an average year-round temperature above 10°C seen for the first time."*
COP29	The most recent COP was held in Baku, Azerbaijan in November 2024. The UK Government reinforced the need to tackle the climate crisis at COP29 when Prime Minister Sir Keir Starmer remarked that the: *"Government recognises that the world stands at a critical juncture in the climate crisis. and the United Kingdom not only has a critical role to play but also, an opportunity to grasp the chance to maximise opportunities for Britain and make us more secure in the here and now."* In addition, Sir Keir Starmer accelerated the UK's emissions reduction target for 2035, aiming for an 81% reduction compared with 1990 levels. This relates to nationally determined contributions (NDC's) which are due to be announced by early 2026. In announcing the UK's NDC early, the Prime Minister sought to show global climate leadership in reaching Net Zero by 2050. The UK's previous NDC was 68% emission cut by 2030 (made by the previous Conservative Government).
Progress in Reducing Emissions 2025 Report to Parliament Climate Change Committee	The CCC's latest progress report, published in June 2025 outlines in the first paragraph of the Executive summary that *"Climate change is here, now. Until the world reaches Net Zero CO_2 emissions, with deep reductions in other*

Document	Summary
	greenhouse gases, global temperatures will continue to rise. That will inevitably lead to increasingly extreme weather, including in the UK." Page 15 of the CCC Report outlines: *"To achieve the Government's ambition in the Clean Power 2030 Action Plan, total operational capacity of renewables will need to more than double by 2030.* *– This will require a tripling in annual installations of both offshore and onshore wind and a four-fold increase in solar compared to the average rate seen since the start of this decade."*

Table A1.3 Scottish Context

Document	Summary
Securing a Green Recovery on to Path to Net Zero: Climate Change Plan Update	The Climate Change Plan was adopted on 16 December 2020 and sets out the Scottish Government's pathway to achieving the targets set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. The plan focuses on the target to meet Net Zero by 2045 and delivering a green recovery and states on page 8 that: *"The green recovery and transition to Net Zero present considerable economic opportunities for Scotland. By capitalising on Scotland's strengths in energy, natural capital, innovation and our skilled workforce and universities, we can set Scotland at the forefront of growing global."*
Scotland's Carbon Budgets – Advice for the Scottish Government	The CCC published Scotland's Carbon Budgets – Advice for the Scottish Government in May 2025 which sets out the CCC advice on the carbon budgets to 2045. Their recommendations 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). • 94% lower than 1990 levels for the Fourth Carbon Budget (2041 to 2045). The Scottish Government has now laid in Scottish Parliament, the Climate Change (Scotland) Act 2009 (Scottish Carbon Budgets) Amendment Regulations 2025 which accepts the above CCC's recommendations. Page 12 of the CCC's report states: *"Electric technologies are now the clear low-carbon technology choice in many areas, including surface transport, buildings, and much of industry. They are available today and could be deployed rapidly in many cases, provided the right incentives are put in place. Scaling up these immediate options is key to meeting all of Scotland's carbon budgets. Throughout the Balanced Pathway, electrification delivers almost half of the total required emissions reduction."* Page 12 continues by stating that in terms of low carbon supply: *"in our pathway, the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49GW 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."

Energy Policy Context

Table A1.4 United Kingdom Context

Document	Summary
The Energy White Paper	On 13 December 2020, the previous UK Government published the Energy White Paper: Powering Our Net Zero Future. The Energy White Paper states to meet the electricity needs from retiring capacity and increased demand would require four times more clean electricity generation. The Energy White Paper sets out on page 4, 3 key strategy points for the generation of a wider energy system that: *"Transforms energy, building a cleaner, greener future for our country, our people and our planet.* *Supports a green recovery, growing our economy, supporting thousands of green jobs across the country in new green industries and leveraging new green export opportunities.* *Creates a fair deal for consumers, protecting the fuel poor, providing opportunities to save money on bills, giving us warmer, more comfortable homes and balancing investment against bill impacts."* Page 45 of the Energy White Paper recognises the importance of onshore wind and states: *"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."*
British Energy Security Strategy	The previous Conservative UK Government published the British Energy Security Strategy in April 2022. The UK Government acknowledged that onshore wind is one of the cheapest forms of renewable energy and notes on page 18 that they were: *"…serious about delivering cheaper, cleaner, more secure power, so we need to consider all options. That is why we included onshore wind in the latest Contracts for Difference auction round and will include it in future rounds."*
Powering up Britain: Energy Security Plan	The previous Conservative UK Government published the Updated Energy Security Plan on the 04 April 2023. The Plan outlines the UK's ambitions to ensure a smooth transition to abundant, low-carbon British energy. It states on page 5 that: *"Our strategy to increase supply of low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. This includes the infrastructure to produce, store and transport low-carbon energy around the country and to capture, transport and store carbon dioxide. We aim to remove barriers and address blockages, whilst developing new options."* The Plan is supported by the Net Zero Growth Plan published on 04 April 2023.

Document	Summary
Powering Up Britain: Net Zero Growth Plan	The previous Conservative UK Government published the Updated Net Zero Growth Plan on 04 April 2023. The Plan outlines the UK Government's strategy to replace imported fossil fuels with cheaper, cleaner, domestic energy sources. The plan states on page 5 that: *"In response to high household energy bills resulting from Putin's invasion of Ukraine, the Government stepped in, paying around half of the average household's energy bills over winter and around half of wholesale energy costs for some businesses. But the way to maintain lower cost energy for everyone is to move to cleaner and cheaper energy to protect us from volatile international energy markets, while underpinning our clean energy transition, so the UK becomes a Net Zero economy by 2050."* The purpose of the plan is to bolster the delivery of Net Zero by 2050. The UK Government recognises in the Plan that Net Zero and energy security are *"two sides of the same coin".* Therefore, to meet the Net Zero target, it is essential for the energy sector to transition and move away from the decades-long reliance on fossil fuels towards greener, renewable sources.
Clean Power 2030 Action Plan	The Clean Power 2030 Action Plan published in December 2024 sets out the UK Government's pathway to a clean power system by 2030, stating on page 10, that successful delivery of UK ambitions to secure Clean Power 2030 *"will require rapid deployment of clean energy capacity across the whole of the UK."* The Action Plan sets expectations for 2030 capacities of key technologies at national and regional levels, including 27 - 29 GW of onshore wind to assist in reducing fossil fuel dependency. Major steps required include grid reform, twice as much network infrastructure than that built in the last decade, and regulatory reform including the Scottish planning system to align with Clean Power 2030 aims. The Action Plan also recognises the benefits of battery storage to provide flexibility to the grid system. The key message from the Action Plan is that a review of the delivery of renewables will seek to remove constraints and bottlenecks, to help deliver the aims which is cited on page 25 as *"Clean Power means that by 2030, Great Britain will generate enough clean power to meet our total annual electricity demand, backed up by unabated gas supply to be used only when essential."*
The UK's Modern Industrial Strategy	The UK's Modern Industrial Strategy was published by the UK Government in June 2025. Page 11 outlines: *"Our modern Industrial Strategy will help us seize the most significant opportunities and create the most favourable conditions in key UK sectors for the companies of the future to emerge here – the ones that have a transformative role to play in the clean energy transition, the tech revolution, the fundamental impact of AI on every sector, and the new geopolitics."* Page 80 titled 'Removing planning barriers and accelerating infrastructure' states: *"Infrastructure provides the foundations high-growth sectors need to innovate, grow, and compete globally. Digital infrastructure is crucial for almost every aspect of doing business and will underpin the AI revolution. Energy networks and renewable energy developments are vital for energy security and net zero and can have a decisive impact on the competitiveness of businesses across the economy.* *Businesses rely on transport infrastructure to move their products and access talent."* In terms of Clean Energy Industries, the Strategy states on page 120 that:

Document	Summary
	"Delivery of our Clean Energy Superpower Mission will create significant investment and job creation opportunities across the country."
Onshore Wind Taskforce Strategy	The UK Government published the Onshore Wind Taskforce Strategy in July 2025. It states that in order to achieve the goal of decarbonising the power sector by 2030, Great Britian needs an additional 27-29GW of onshore wind capacity. The Strategy also demonstrates the socio-economic benefits of onshore wind development, with the sector directly supporting 6,600 full-time equivalent (FTE) jobs and indirectly supporting 13,100 FTE jobs, generating £191 million per year in exports. Meeting the Government's 2030 targets could deliver up to 45,000 direct and indirect jobs in Great Britain, which highlights the significant economic opportunities of the sector. Overall, the Strategy shows how onshore wind development plays a vital role in the overall strategy to combat climate change, promote sustainable energy, and drive economic growth. It sets a highly supportive context for future planning applications for onshore wind.

Table A1.5 Scottish Context

Document	Summary
Minister for Energy and the Environment, Gillian Martin, in a statement to the Scottish Parliament (28th September 2023)	On 28 September 2023, the Minister for Energy and the Environment, Gillian Martin, in a statement to the Scottish Parliament, restated the Scottish Government's vision for the future of Scotland's energy system. The Scottish Government remains committed to a Net Zero future, stating: *"We remain committed to a Net Zero future, and we will use every power at our disposal to support sustainable economic growth and maximise the opportunities of the green economy."* Furthermore, the statement goes on to emphasise: *"Our focus must be on meeting our energy security needs, reducing emissions, delivering affordable energy supplies, whilst ensuring a just transition"*
The Scottish Energy Strategy	Published in December 2017, the Scottish Energy Strategy (SES) provides a framework, for the period to 2050, for Scottish Government decision making and outlines the vision for the future energy schemes in Scotland. The SES sets the target of the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources by 2030. The Scottish 2050 energy vision aims to create a thriving, competitive energy sector that provides secure, affordable, and clean energy to households, communities, and businesses. The vision is centred around six priorities on page 7 of the strategy, including: *"explore the potential of Scotland's huge renewable energy resources; and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets."* With regards to onshore wind, the SES states on page 43 that: *"Our energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.* *That means continuing to support development in the right places, and – increasingly – the extension and replacement of existing sites with new and*

Document	Summary
	larger turbines, all based on an appropriate, case by case assessment of their effects and impacts."
Onshore Wind Policy Statement	On 21 December 2022, Scottish Ministers published The Onshore Wind Policy Statement (OWPS). The OWPS sets out the Scottish Government's ambition to deploy 20GW of onshore wind by 2030. The Ministerial Foreword states on page 3, that the world is facing a climate emergency and, in addition: *"Russia's illegal invasion of Ukraine and the resulting extraordinary rise in the price of fossil fuels, in particular gas, demonstrates that continuing to rely on commodities that are subject to global price shocks is no longer an option.* *That is why we must accelerate our transition towards a Net Zero society. Scotland already has some of the most ambitious targets in the world to meet Net Zero but we must go further and faster to protect future generations from the spectre of irreversible climate damage."* The OWPS recognises that the deployment of wind energy projects must be delivered quickly. In paragraph 1.1.2 the OWPS states: *"We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support Net Zero delivery across all sectors, including heat, transport and industrial processes."* This ambition has been set to allow: *"the rapid decarbonisation of our energy system, and the sectors which depend upon it, as well as aligning with a just transition to Net Zero whilst other technologies reach maturity."* The OWPS outlines the Scottish Government's approach to environmental considerations in Chapter 3. The OWPS outlines that to achieve the ambitious minimum target of 20GW by 2030 there will be impacts to the landscape. Paragraph 3.6.1 states: *"Meeting our climate targets will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place. Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. This will change the landscape."* Chapter 5: Onshore Wind and Benefits to Scotland of the OWPS outlines that onshore wind developments already provide significant socio-economic benefits through investment, innovation and the creation of jobs. The Scottish Government anticipate that all onshore wind development will support the national and local supply chains. The conclusion of the OWPS states that: *"Deployment of onshore wind is mission-critical for meeting our climate targets. As an affordable and reliable source of electricity generation, we must continue to maximise our natural resource and deliver Net Zero in a way that is fully aligned with, and continues to protect, our natural heritage and native flora and fauna."*
Draft Energy Strategy and Just Transition Plan	The Scottish Government published the Draft Energy Strategy and Just Transition Plan on 10 January 2023 for consultation. The Ministerial Foreword on page 2, clearly states that we are entering a decade that will be critical in determining the future of Scotland's energy system and that: *"we must deliver an energy system that meets the challenge of becoming a Net Zero nation by 2045, supplies safe and secure energy for all, generates economic opportunities, and builds a just transition."*

Document	Summary
	The draft Strategy sets out key ambitions for Scotland's energy transition on page 3, and those considered to be of particular relevance to the Proposed Development are: • *"More than 20 GW of additional renewable electricity on- and offshore by 2030.* • *Accelerated decarbonisation of domestic industry, transport and heat.* • *Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.* • *Energy security through development of our own resources and additional energy storage.* • *A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production."* Chapter 3: Energy Supply outlines that Scotland will be a renewable powerhouse and sets what the Scottish Government will do to achieve this transformation. In terms of onshore wind, it refers to the additional 12 GW of installed onshore wind by 2030. The draft Strategy refers to scaling up renewable energy and section 3.1 states: *"We will continue to build a diverse renewable energy mix, with significant offshore and onshore wind deployment supported by technologies such as hydro and solar."* It also recognises the value of battery storage to the supply and confirms the need case for onshore wind and battery storage beyond simply addressing climate change referring to the need to address energy security and cost of supply
Onshore Wind Sector Deal	The Onshore Wind Sector Deal was published by the Scottish Government on 23 September 2023 and looks at collaborative ways in which the onshore wind industry and Scottish Government can work together to deliver the 20GW ambition.
Green Industrial Strategy	The Green Industrial Strategy was published by the Scottish Government on 11 September 2024 and identifies areas of competitive global growth and opportunity for Scotland to realise the maximum possible economic benefit in the transition to Net Zero. The Joint Ministerial Foreword notes on page 3 that: *"We now stand in the midst of the next energy transition – to clean and renewable power. Scotland can, and should, play a leading role in this next revolution, just as it did in the growth of the fossil fuel economy in earlier decades."* Under Part Two: Opportunity Areas on page 20, the Strategy outlines the significant opportunities for attracting onshore and offshore wind. Page 21 continues by stating: *"Onshore wind is the biggest single technology in Scotland's current mix of renewable electricity generation, comprising 62% of installed capacity. A thriving onshore wind sector is therefore critical to the decarbonisation in Scotland and the UK."*
Programme for Government 2025-26 Building the Best Future for Scotland	The Programme for Government 2025-26 was published by the Scottish Government in May 2025. In relation to tackling the climate emergency and a green industrial revolution, page 24 states that:

Document	Summary
	"Renewable energy generated in Scotland can pave the way for lower bills, while green industries can create jobs and growth. To maximise the economic potential of the opportunities set out in our Green Industrial Strategy, we will remove blockers, create an enabling environment, and make sure that the communities hosting infrastructure directly benefit from it.." It then sets out the number of ways it will look to do this.

APPENDIX 2: DEVELOPMENT PLAN POLICIES APPLICABLE TO THE APPLICATION

NPF4 (February 2023)

Table A2.1 NPF4 Policies

Policy	Title	Policy Text
Policy 1	Tackling the climate and nature crises	*"When considering all development proposals significant weight will be given to the global climate and nature crises."*
Policy 2	Climate mitigation and adaptation	*"a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.* *b) Development proposals will be sited and designed to adapt to current and future risks from climate change.* *c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported."*
Policy 3	Biodiversity	*"a) Development proposals will contribute to then enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.* *b) 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:* *i. 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;* *ii. wherever feasible, nature-based solutions have been integrated and made best use of;* *iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;* *iv. 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*

Policy	Title	Policy Text
		arrangements for their long- term retention and monitoring should be included, wherever appropriate; and *v. local community benefits of the biodiversity and/or nature networks have been considered.* *c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.* *d) 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 that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration."*
Policy 4	Natural Places	*"Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.* *b) Development proposals that are likely to have a significant effect on an existing or proposed European Site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.* *c) 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.* *All Ramsar Sites are also European Sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.* *d) Development proposals that affect a Site designated as a local nature conservation Site or 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*

Policy	Title	Policy Text
		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. *e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.* *f) 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.* *g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:* *i. will support meeting renewable energy targets; or,* *ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.* *All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration"*
Policy 5	Soils	*"a) Development proposals will only be supported if they are designed and constructed:* *i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and* *ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.* *b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:* *i. Essential infrastructure and there is a specific locational need and no other suitable site;*

Policy	Title	Policy Text
		ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite; *iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;* *iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and* *In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.* *c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:* *i. Essential infrastructure and there is a specific locational need and no other suitable site;* *ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;* *iii. Small-scale development directly linked to a rural business, farm or croft;* *iv. Supporting a fragile community in a rural or island area; or* *v. Restoration of peatland habitats.* *d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:* *i. the baseline depth, habitat condition, quality and stability of carbon rich soils;* *ii. the likely effects of the development on peatland, including on soil disturbance; and* *iii. the likely net effects of the development on climate emissions and loss of carbon.* *This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.*

Policy	Title	Policy Text
		e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where: *i. the extracted peat is supporting the Scottish whisky industry;* *ii. there is no reasonable substitute;* *iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of peat of at least 1 metre across the whole site, including drainage features;* *iv. the time period for extraction is the minimum necessary; and* *v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration."*
Policy 6	Forestry, woodland and trees	*"a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.* *b) Development proposals will not be supported where they will result in:* *i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;* *ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;* *iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;* *iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.* *c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.* *d) 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.*

Policy	Title	Policy Text
Policy 7	Historic Assets and Places	*"a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place.* *The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.* *Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.* *b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:* *i. building is no longer of special interest;* *ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;* *iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or* *iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.* *c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.* *d) 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. Relevant considerations include the:* *i. architectural and historic character of the area;* *ii. existing density, built form and layout; and* *iii. context and siting, quality of design and suitable materials.* *e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.* *f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:* *i. reasonable efforts have been made to retain, repair and reuse the building;* *ii. the building is of little townscape value;* *iii. the structural condition of the building prevents its retention at a reasonable cost;* *or* *iv. the form or location of the building makes its reuse extremely difficult.* *g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.*

Policy	Title	Policy Text
		h) Development proposals affecting scheduled monuments will only be supported where: *i. direct impacts on the scheduled monument* *are avoided;* *ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or* *iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.* *i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.* *j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.* *k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.* *l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.* *m)Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.* *n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:* *i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and* *ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.* *The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.* *o) 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.* *Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.* *When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures."*

Policy	Title	Policy Text
Policy 11	Energy	*"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;*

Policy	Title	Policy Text
		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."*

SBLDP2 (August 2024)

Table A2.2: SBLDP2 Policies

Document	Summary
Policy PMD1: Sustainability;	*"In determining planning applications and preparing development briefs, the Council will apply the following sustainability principles which underpin all the Plan's policies and which developers will be expected to incorporate into their developments:* *a) the long term sustainable use and management of land* *b) the preservation of air and water quality* *c) the protection of natural resources, landscapes, habitats, and species* *d) the protection of built and cultural resources* *e) the efficient use of energy and resources, particularly non-renewable resources* *f) the minimisation of waste, including waste water and encouragement to its sustainable management* *g) the encouragement of walking, cycling, and public transport in preference to the private car* *h) the minimisation of light pollution* *i) the protection of public health and safety* *j) the support to community services and facilities* *k) the provision of new jobs and support to the local economy* *l) the involvement of the local community in the design, management and improvement of their environment."*
Policy PMD2: Quality Standards	*"All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are:* *SUSTAINABILITY* *a) in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including use of renewable energy and resources, such as heat networks (as detailed in NPF4 Policy 19) and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance. Proposals must demonstrate that the current carbon dioxide emissions reduction target has been met with at least half of this target met through the use of low or zero carbon technology* *b) it provides digital connectivity and associated infrastructure* *c) it provides for Sustainable Urban Drainage Systems in the context of overall provision of green infrastructure where appropriate and their after-care, accessibility, maintenance and adoption* *d) it encourages minimal water usage for new developments* *e) it provides for appropriate internal and external provision for waste storage and presentation with, in all instances, separate provision for waste and recycling and, depending on the location, separate provision for composting facilities,* *f) it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of*

Document	Summary
	development and that appropriate arrangements are put in place for long term landscape/open space maintenance *g) it considers, where appropriate, the long term adaptability of buildings and spaces* *PLACEMAKING & DESIGN* *h) it creates developments with a sense of place, based on a clear understanding of the context, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design* *i) it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building* *j) it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building* *k) it is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form* *l) it can be satisfactorily accommodated within the site* *m) it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings* *n) it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'* *ACCESSIBILITY* *o) street layouts must be designed to properly connect and integrate with existing street patterns and be able to be easily extended in the future where appropriate in order to minimise the need for turning heads and isolated footpaths* *p) it incorporates, where required, access for those with mobility difficulties* *q) it ensures there is no adverse impact on road safety, including but not limited to the site access r) it provides for linkages with adjoining built up areas including public transport connections and provision for buses, and new paths and cycleways, linking where possible to the existing path network; Travel Plans will be encouraged to support more sustainable travel patterns* *s) it incorporates adequate access and turning space for vehicles including those used for waste collection purposes* *t) development sites need to be able to promote travel by sustainable travel modes in locations which maximise the extent to which travel demands are met first through walking, then cycling, then public transport and finally through use of private cars* *GREEN SPACE, OPEN SPACE & BIODIVERSITY* *u) it provides meaningful open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards in advance of the proposed Supplementary Planning Guidance on Greenspace. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance* *v) it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements Developers are required to provide design and access statements, design briefs and landscape plans as appropriate."*
Policy ED9: Renewable Energy Development	*"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;*

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	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.* *Development proposals will be assessed in accordance with NPF4 Policy 11 paragraphs b) to f) and other relevant provisions of NPF4.* *Waste to energy schemes involving human, farm and domestic waste will be assessed against Policy IS10 Waste Management Facilities."*
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils	*"Development, except proposals for renewable energy development, which results in the permanent loss of prime agricultural land, land of lesser quality that is culturally or locally important for primary use, or significant carbon rich soil reserves, particularly peat, will not be permitted, unless:* *a) the site is otherwise allocated within this local plan* *b) the development meets an established need and no other site is available* *c) the development is small scale and related to a rural business.* *Proposals for mineral extraction on prime agricultural land or land of lesser quality that is culturally or locally important for primary use will be permitted where there is secure provision for restoration and the layout and design of the proposal minimises the amount of protected land that is required.* *Proposals for renewable energy development, including proposals for wind energy development, will be permitted if they accord with the objectives and requirements of Policy ED9 on renewable energy development."*
Policy HD3: Protection of Residential Amenity	*"Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:* *a) the principle of the development, including where relevant, any open space that would be lost; and b) the details of the development itself particularly in terms of:* *(i) the scale, form and type of development in terms of its fit within a residential area,* *(ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or 'backland' development,* *(iii) the generation of traffic or noise,* *(iv) the level of visual impact."*
Policy EP1: International Nature Conservation Sites and Protected Species	*"Development proposals which will have a likely significant effect on a designated or proposed European site, which includes all Ramsar sites, are only permissible where an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site.* *Where proposals could adversely affect the integrity of the site, they will only be permissible where:* *a) there are no alternative solutions, or* *b) there are imperative reasons of overriding public interest including those of a social or economic nature; and* *c) compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.* *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*

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	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."
Policy EP2: National Nature Conservation Sites and Protected Species	*"Development proposals which are likely to have a significant adverse effect, either directly or indirectly, on a Site of Special Scientific Interest (SSSI), a National Nature Reserve (NNR), or nationally protected habitats or species will not be permitted unless:* *a) the objectives of the designation and the overall integrity of the site will not be compromised, or* *b) 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.* *If there is evidence to suggest that a legally protected species is on site or may be affected by proposed development, steps must be taken to establish its presence. The level of protection afforded by legislation must be factored into the planning and design of the development. Any impacts will be fully considered in determination of the application.* *The developer will be required to detail mitigation, either on-site or off-site, of any damage that may be caused by development permissible under the exception criteria."*
Policy EP3: Local Biodiversity and Geodiversity	*"Details of these sites are set out within the Technical Notes: Local Biodiversity Sites and Local Geodiversity Sites.* *Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation.* *Any development that could impact on local biodiversity through impacts on habitats and species should:* *a) aim to avoid fragmentation or isolation of habitats; and* *b) be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and* *c) compensate to ensure no net loss of biodiversity through use of biodiversity offsets and ensure net gain as appropriate; and* *d) aim to enhance the biodiversity value of the site, through use of an ecosystems approach, with the aim of creation or restoration of habitats and wildlife corridors and provision for their long-term management and maintenance.* *Development that would adversely affect the interest of a local geodiversity site will only be permitted where:* *a) the objectives and integrity of the designation will not be compromised; or* *b) the damage is outweighed by the social, economic or environmental benefits gained from the development; and* *c) suitable mitigation will be secured. "*
Policy EP4: National Scenic Areas	*"Development that may affect National Scenic Areas (NSAs) will only be permitted where:* *a) the objectives of the designation and the overall integrity of the NSA will not be compromised; or* *b) any significant adverse effects on the qualities for which the NSA has been designated are clearly outweighed by social, environmental or economic benefits of national importance."*

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Policy EP5: Special Landscape Areas	*"In assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality, as identified in its Statement of Importance for the relevant Special Landscape Areas. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social, environmental or economic benefits of national or local importance."*
Policy EP7: Listed Buildings	*"The Council will support development proposals that conserve, protect, and enhance the character, integrity and setting of Listed Buildings.* *Enabling development may be acceptable where it is clearly shown to be the only means of retaining a Listed Building and securing its long term future. Any development should be the minimum necessary to achieve these aims. The applicant will be required to demonstrate that the economic, environmental and social benefits of the proposed development would justify the enabling development.* *Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:* *a) be of the highest quality, b) respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design;* *c) maintain, and should preferably enhance, the special architectural or historic quality of the building;* *d) demonstrate an understanding of the building's significance.* *Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects, and provide a sound basis for managing the impacts of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.* *Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.* *The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use."*
Policy EP8: Historic Environment Assets and Scheduled Monuments	*"(A) NATIONAL ARCHAEOLOGICAL SITES* *Development proposals affecting Scheduled Monuments will only be supported where:* *a) direct impacts on the Scheduled Monument are avoided;* *b) significant adverse impacts on the integrity of the setting of a Scheduled Monument are avoided; or c) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impacts on the monument or its setting have been minimised.* *(B) BATTLEFIELDS* *The Council may support development proposals within a battlefield or its setting on the Inventory of Historic Battlefields Register, or a regionally significant battlefield, that seek to protect, conserve, and/or enhance the landscape characteristics or important features of the battlefield and/or its setting. Proposals will be assessed according to their sensitivity to the battlefield. Direct or indirect impacts to a battlefield may require appropriate mitigation approved by the Council.* *(C) REGIONAL OR LOCAL HISTORIC ENVIRONMENT ASSETS* *Development proposals which will adversely affect an archaeological asset of regional or local significance or their setting will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset.*

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	In all of the above cases, where development proposals impact on a Scheduled Monument, other nationally important assets, or any other archaeological or historical asset, developers may be required to implement detailed investigations, publication and/or public engagement per approved scheme of works. *Any proposal that will adversely affect a historic environment asset or the integrity of its setting must include a reasoned account of what mitigation is or is not possible, together with a mitigation strategy where appropriate."*
Policy EP10: Gardens and Designed Landscapes	*"The Council will support development that safeguards or enhances the landscape features, character or setting of:* *a) sites listed in the Inventory of Gardens and Designed Landscapes, or* *b) sites included in historic gardens and designed landscapes records.* *All development should be carefully sited, be of the highest standards of design using appropriate finishing materials and planting, and be informed by and respectful of the historic landscape structure. Proposals that will result in an unacceptable adverse impact will be refused.* *All applications affecting a Garden or Designed Landscape will be required to be supported by a Design Statement."*
Policy EP13: Trees, Woodlands and Hedgerows	*"The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical or shelter value.* *Any development that may impact on the woodland resource should:* *a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and* *b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and* *c) adhere to any planning agreement sought to enhance the woodland resource."*
Policy EP15: Development Affecting the Water Environment	*"Development proposals that seek to bring improvement to the quality of the water environment will be supported. Where a proposal would result in a significant adverse effect on the water environment through impact on its natural or physical characteristics, or its use for recreation or existing river engineering works, it will be refused. Decision making will be guided by an assessment of:* *a) pollution of surface or underground water, including water supply catchment areas, as a result of the nature of any surface or waste water discharge or leachate, including from the disturbance of contaminated land;* *b) flood risk within the site or the wider river catchment;* *c) proposals for river engineering works that may be required for fisheries management, flood defence or erosion control;* *d) compliance with current best practice on Sustainable Urban Drainage (SUDS) including avoidance of flooding, pollution, extensive canalisation and culverting of watercourses."*
Policy EP16 Air Quality	*"Development proposals that individually or cumulatively could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing, or the integrity of the natural environment, or lead to unacceptable levels of greenhouse gas emissions, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree. Where it is considered appropriate the Council may request that an Air Quality Assessment is undertaken to assist determination of an application."*

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Policy IS5: Protection of Access Routes	*"Development that would have an adverse impact upon an access route available to the public will not be permitted unless a suitable diversion or appropriate alternative route, as agreed by the Council, can be provided by the developer."*
Policy IS8: Flooding	*"a) Development proposals will be considered using National Planning Framework 4 Policy 22: Flood Risk and Water Management.* *b) Developers will be required to provide, including if necessary at planning permission in principle stage:* *i. a competent flood risk assessment, including all sources of flooding, and taking account of climate change, using the most up to date guidance; and* *ii. a report of the measures that are proposed to mitigate the flood risk.* *c) The information used to assess the acceptability of development will include:* *i. information and advice from consultation with the Council's Flood Risk and Coastal Management Team and the Scottish Environment Protection Agency;* *ii. flood risk maps provided by the Scottish Environment Protection Agency and/or developed by Scottish Borders Council which indicate the extent of the flood plain;* *iii. historical records and flood studies/assessments held by the Council and other agencies;* *iv. Scottish Environment Protection Agency's current guidance."*