Planning and Policy Statement

Burgar Hill Wind Farm Repower

Client: Burgar Hill Energy Ltd.
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1 Introduction

This Planning and Policy Statement has been prepared by Green Cat Renewables (Ltd) on behalf of Burgar Hill Energy Ltd., hereafter referred to as the 'Applicant'.

The purpose of the Planning Statement is to provide an assessment of the Proposed Development against the relevant planning, energy, and climate change policy, and other material considerations, with due regard given to the statutory Development Plan, which in this instance comprises National Planning Framework 4 (NPF4)[1] and the Orkney Local Development Plan (2017-2022) (OLDP)[2].

The Planning and Policy Statement supports the planning submission and the request for consent to repower Burgar Hill Wind Farm (the 'Proposed Development'), under the terms of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act')[3], this Planning Statement sets out a summary of the Proposed Development in its planning context, a summary of the Development Plan, carries out an appraisal of whether the Proposed Development is in accordance with the Development Plan, and relevant national planning policies.

The Planning and Policy Statement concludes with a summary of the material considerations effecting the planning balance in order to assist Orkney Islands Council (OIC) in their assessment of the application.

This Planning Statement has been reviewed by David Bell Planning Ltd.

1.1 The Applicant

Burgar Hill Energy Limited (Ltd) is a joint venture between the local Spence family who own Burgar Hill Renewables Ltd and Thrive Renewables plc, created to repower Burgar Hill Wind Farm (the Existing Scheme) once the current infrastructure comes to the end of its operational life. Both parties each currently operate an existing turbine on the Site and as of December 2025, Burgar Hill Energy has taken ownership of two Nordex N80 turbines which operate part of the Existing Scheme.

1.1.1 Burgar Hill Renewables Ltd (BHR)

Burgar Hill Renewables Ltd owns most of the land on Burgar Hill and is the operator of a 2.3MW Enercon E70 on Burgar Hill, commissioned in 2009. Burgar Hill Renewables Ltd is owned by Orcadians Mervyn and Maureen Spence and their children.

1.1.2 Thrive Renewables plc

Thrive Renewables plc exists to tackle the climate emergency, working with investors, developers, businesses and communities to fund, build and operate clean energy projects since 1994. The company has operated a 1.3MW Nordex N60 turbine at Burgar Hill for over twenty years. Originally established to widen ownership of clean energy projects, the Bristol-based company unites a community of over 6,500 shareholders, mostly individual small investors.

1.2 The Proposed Development

The Proposed Development will see the replacement of five turbines of the Existing Scheme with five larger turbines of up to 149.9m to tip height. The new turbines will be positioned as close to the current turbine locations as possible and where possible to maintain familiarity within the landscape, will use existing tracks insofar as

[1] National Planning Framework 4 (Accessed: 13/04/2026)
[2] Orkney Local Development Plan (Accessed 17/02/2026)
[3] Town and Country Planning (Scotland) Act 1997 (Accessed: 14/02/2026)

possible to facilitate easy access and minimise disruption to the surrounding environment. The Proposed Development will more than double the current site generating capacity. The installed capacity will be less than 50MW.

The Proposed Development will comprise:

- Five, three-bladed horizontal axis wind turbines measuring up to 149.9m tip height;
- Crane hardstandings and laydown areas at each turbine location;
- Turbine foundations;
- New and upgraded access tracks, including two turning heads
- Temporary/permanent construction compound, including parking, and welfare facilities;
- On-site cabling and a new substation building; and
- Associated ancillary works.

The Site design has been optimised to account for all known constraints, including embedded mitigation to mitigate environmental effects wherever possible. Design iterations are laid out in the **Environmental Impact Assessment** (EIA) **Report** (EIAR) **Chapter 3 – Assessment of Alternatives** and within the **Design and Access Statement**.

Embedded mitigation measures have been implemented in the design of the Proposed Development. These have been implemented to mitigate environmental effects, following consideration from technical experts and consultees. These include:

- Turbine locations moved to reduce cut and fill following peat probing, reducing peatland excavations and improving buildability;
- Turbine locations moved to avoid sensitive habitats identified following National Vegetation Classification surveys;
- Reduction in proposed turbine tip heights from 200m to 149.9m, following initial noise, heritage, and Landscape and Visual Impact (LVIA) assessments, alongside continued consultation with Historic Environment Scotland (HES), Highlands and Islands Airports Limited (HIAL) and the local community.
- Fifth turbine added to offset the loss in site capacity as a result of the reduced turbine tip heights, to ensure the carbon reduction benefits of the Proposed Development remain substantial. The addition of the fifth turbine also closely reflects the Existing Scheme, thereby maintaining a level of familiarity and minimising changes to the baseline landscape.

Full details of embedded mitigation measures included within the design of the Proposed Development are laid out in the **Environmental Impact Assessment Report Chapter 3 – Assessment of Alternatives** and within the **Design and Access Statement**.

A full description of the Proposed Development can be found in **EIAR Chapter 4 – The Proposed Development**.

1.2.1 Grid Connection and Substation

1.2.1.1 On-site Cabling and Substation

The substation building plan and elevations are shown on **Figure 4.8**. It will house the Scottish and Southern Energy Networks (SSEN) switch room, wind farm HV room, auxiliary transformer room and the wind farm SCADA room. There will also be a telecommunications mast of ~10m in height to facilitate SSEN communications. On-site electrical cables will be laid in trenches, typically alongside the access tracks to minimise earthworks, and run to the onsite substation which would be located at E334518 N1026159 adjacent to the substation for the Existing Scheme which would remain in situ for Burgar Hill T6.

1.2.1.2 Grid Connection

Throughout 2024 and 2025, the National Energy System Operator (NESO) has been undertaking an extensive programme of grid connection reform. This process has meant that the Applicant has not yet been able to secure a definitive offer from the national or local grid operator as to how the additional capacity required for the Proposed Development will be connected into the electricity grid.

Unlike most wind farm developments, much of the capacity required for the Proposed Development is already available on the Site. Conversations are ongoing with the grid network operators to determine the most efficient way to use this capacity and minimise the need for additional infrastructure; this is one of the core drivers of the ongoing national grid reform process. To the extent that the existing connection capacity and existing grid infrastructure can be used, no incremental environmental impacts are anticipated to occur.

If additional capacity is reliant on any new cabling, it is likely that the Proposed Development would connect into the new Grid Supply Point (GSP) currently being constructed at Finstown. If this was required, the Applicant intends that the grid connection cables would be buried insofar as possible in order to minimise landscape and visual impacts, impacts to residential amenity and setting impacts to cultural heritage assets. The final route will seek to avoid sensitive receptors including (but not limited to) landscape, heritage and ecological designations and look to utilise the most direct route feasible to minimise the earthworks required.

While the Applicant endeavours to underground the cables insofar as possible, there may be areas where this is not possible due to ground conditions and OHLs may be required. The design of any OHL route will employ the use of the Holford Rules[4] to minimise the potential impacts and ensure that the route is sited appropriately. Based on the Applicant's current knowledge of the Site and local area, the most suitable grid route is believed to either be along the A966 or the top of Burgar Hill following a similar route to the existing overhead lines. The Applicant intends to utilise the most efficient grid route available, which requires further certainty on the grid application offer and further liaison with the DNO so that an informed choice can be made.

Following submission of the Planning Application, the Applicant will continue to understand the options available for securing a grid connection, and the associated route will be finalised as this process advances. Depending on final route and design, the connection route will be subject to a separate application under either the Town and Country Planning Act 1997 or Section 37 of the Electricity Act 1989, where it will be subject to its own EIA, if required.

With these factors in mind, there is insufficient information to define this development in order to aggregate it into a single project for the purpose of an EIA. As such, the Proposed Development and grid connection should be treated as two separate projects for the purposes of an EIA. The distinction between the Proposed Development and the grid connection is discussed further in the section below.

1.2.1.3 Raeshaw Decision

On 17 February 2026, the Court quashed planning permission for Wull Muir Wind Farm in *Raeshaw Farms Limited v Scottish Ministers [2026]* (hereinafter referred to as 'Raeshaw'). This decision was made on the basis that the reporter had failed to consider whether the wind farm and grid connection constituted a single project for EIA purposes; and that it was unreasonable to account for the benefits of the wind farm being connected to the grid without also assessing the possible environmental impacts of that grid connection.

The Court did not conclude whether the wind farm and grid connection should be treated as a single project in this case. However, it referred to legal factors from previous case law including *R (Wingfield) v Canterbury City Council [2020]*, which indicates whether wind farms and their grid connections should be assessed together under EIA rules. An assessment of the Proposed Development against these legal factors is undertaken in EIAR Chapter

[4] The Holford Rules (Accessed: 20/04/2026)

4 – The Proposed Development. This assessment identifies that while the Proposed Development and grid connection are functionally interdependent, they are not aligned in terms of control / ownership, physical proximity and timing. It is also clear that the Proposed Development has not been 'artificially split' from the grid connection to avoid EIA, rather, the grid connection cannot physically be assessed as there is no confirmed route due to the sequencing of events under the grid connection reform. This also highlights that assessing the Proposed Development and grid connection as a single project would not reflect planning or commercial reality but would instead be based on speculation. As demonstrated in *R (Wingfield) v Canterbury City Council [2020]*, no single factor is definitive, and all factors must be weighed together. As such the Proposed Development and grid connection are considered separate projects for the purpose of the EIA.

It is recognised that the EIA Directive requires the assessment of likely significant effects to be considered at the earliest possible stage in the process; however, given the current level of uncertainty, it is not currently possible to undertake a meaningful assessment of the grid connection. Without prejudice to that position, it is suggested that in the event the Planning Authority concludes that the Proposed Development and grid connection are a single project, it would be possible to grant planning permission for the Proposed Development subject to a multi-stage condition in terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017[5] (the EIA Regulations), so as to ensure the cumulative effects of the Proposed Development and the grid connection route have been fully assessed and approved prior to implementation. This position is acknowledged in Raeshaw under paragraph 7 which reinforces the established approach set out in regulation 4 of the EIA Regulations.

1.3 The Site

The Application Site ('the Site') is located in the OIC area, approximately 1.4km north-west of the village Evie and 1.0km west of the A966. The Site currently hosts six operational turbines of varying typologies, with a total generating capacity of approximately 12.5MW. By replacing five of the six existing wind turbines with larger and more modern machines, the Proposed Development would more than double the Site's generation capacity, thereby enhancing the Site's contribution to national net zero targets and simultaneously maximising efficient use of land.

Peat classes 3 and 4 are present on-site in small pockets, primarily in the western region of the Site. These are not considered priority peatland. Marginal areas of Class 1 peat are also present on-site along the western boundary. Such areas have been accounted for in design to minimise impacts as far as possible. The Site is generally not susceptible to flooding, with the exception of some localised flooding around small watercourses present on-site.

The Site's southern and western boundaries are located immediately adjacent to the Special Protection Area (SPA) 'Orkney Mainland Moors', designated for supporting breeding bird populations (i.e., hen harrier, short-eared owl and red-throated diver). This SPA overlaps with the West Mainland Moorlands Site of Special Scientific Interest (SSSI).

The principle of wind energy development has been well established on Site. Burgar Hill Wind Farm is an established wind energy generation site, which has produced energy since the 1980s when it was first developed as a test site for wind energy technology. By the late 1990's the Site moved towards commercial wind energy generation due to the growing demand for renewable energy and the Site having proven itself as an ideal location for wind energy generation. The existing scheme at Burgar Hill represents the first repower of the Site where a number of wind developments constructed at various times replaced the previous generation of wind development. These turbines have a height ranging between 76m and 116m to the blade tip and have been generating energy for between 17 and 26 years.

[5] The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (Accessed: 20/04/2026)

Two of the five turbines on the existing Burgar Hill Wind Farm are consented in perpetuity, although, as set out in NPF4 Policy 11 (f), while development consents may be time-limited "*Areas identified for wind farms are, however, expected to be suitable for use in perpetuity*".

A full description of the Site can be found in **EIAR Chapter 4 – The Proposed Development.**

1.4 Section 25 of the Town and Country Planning Act 1997

This Planning Statement provides an assessment of the Proposed Development against the statutory Development Plan and relevant material considerations.

Section 25 of 1997 Act[6] requires that planning decisions are taken in accordance with the statutory Development Plan unless material considerations indicate otherwise. As such the key questions for the Proposed Development which are addressed in this Planning Statement are:

- Is the Proposed Development in accordance with policy as set within the Development Plan?
- Are there material considerations that determine a decision should be made contrary to the Development Plan?
- Or do material matters further support the position that the Proposed Development should be approved?

The Planning Statement draws on the findings of, and should be read in conjunction with, the associated EIAR and the various drawings and plans which are included as part of the planning application package. The EIAR and other relevant accompanying documents are referenced throughout where they provide more detailed information that is not essential to repeat for the purposes of this Planning Statement.

[6] Section 25, Town and Country Planning (Scotland) Act 1997 (Accessed: 13/04/2026)

2 Proposed Development Benefits

The Proposed Development will deliver a range of benefits at national, regional, and local levels. These benefits are material considerations that weigh strongly in favour of the Application being granted consent under Section 25 of the Town and Country Planning (Scotland) Act 1997.

2.1 Contribution to Renewable Energy and Net Zero Targets

The Proposed Development will make a direct and measurable contribution to the Scottish Government's legally binding commitment to reach net zero greenhouse gas emissions by 2045. In April 2024, the Scottish Government confirmed that the previous interim target of a 75% reduction in greenhouse gas emissions by 2030 is no longer achievable and has been replaced by a carbon budget framework, which sets legally binding limits on total emissions over successive five-year periods.

This carbon budget approach represents a shift from single-year percentage reduction targets to a cumulative emissions pathway, recognising that climate change is driven by total greenhouse gas emissions over time. The introduction of carbon budgets provides a more credible, flexible and deliverable framework for achieving net zero, requiring sustained emissions reductions across all sectors, including the rapid deployment of renewable electricity generation.

Within this context, the Proposed Development aligns with and supports delivery of Scotland's carbon budgets by contributing to a sustained reduction in emissions from the electricity sector over the period to 2045. The decarbonisation of electricity generation is a critical enabler of wider emissions reductions across heat, transport and industry, and is therefore central to achieving compliance with future carbon budgets. The Proposed Development also aligns with and supports the delivery of wider national policy objectives set out in:

- The Onshore Wind Policy Statement Refresh (2022)[7], which confirms that onshore wind will play a central role in delivering net zero, with the ambition to deploy an additional 12GW of onshore wind capacity by 2030;
- The Draft Energy Strategy and Just Transition Plan (2023)[8], which identifies the expansion of renewable energy generation as essential to delivering a secure, affordable and low-carbon energy system;
- NPF4[9], which places significant weight on the contribution of development proposals to reducing greenhouse gas emissions and supporting the global climate emergency; and
- The Climate Change Plan (2026)[10] sets out the Scottish Government's updated policies and proposals for meeting statutory carbon budgets and delivering a credible pathway to net zero by 2045, including a continued emphasis on the rapid deployment of renewable electricity generation as a key enabler of economy-wide decarbonisation.

The Proposed Development will more than double the current site generating capacity, supplying clean, renewable electricity equivalent to the annual consumption of approximately 33,200 homes per year; based upon an electricity use of 3,140 kWh per household in Scotland[11], and achieving carbon payback in 11 months against a fossil fuel mix and 23 months for a grid mix. It is estimated that the Proposed Development will result in a total carbon savings of over 860,000tCO_2, over the lifetime of the Proposed Development as detailed in **EIAR Chapter**

[7] Onshore Wind Policy Statement 2022 (Accessed: 13/04/2026)
[8] Draft Energy Strategy and Just Transition Plan 2023 (Accessed: 13/04/2026)

[10] Scotland's Climate Change Plan: 2026 – 2040 (Accessed: 13/04/2026)
[11] Department for Energy Security & Net Zero (DESNZ) (2023). Domestic Energy Map (Accessed: 10/03/2026)

14 – Other Issues. This is a valuable and timely contribution to the Scottish Government's legally binding commitment to reach net zero greenhouse gas emissions by 2045.

2.2 Contribution to National Energy Security

The Proposed Development will make a significant contribution to the security, stability, and resilience of the national electricity supply. This aligns with the Scottish Government's commitment to ensuring *"Our energy supplies need to be secure, reliable and affordable for people and businesses across Scotland…Our energy infrastructure must also be resilient to the impacts of climate change in Scotland."*, which is identified as a strategic objective in the Scottish Energy Strategy and Just Transition Plan.[12]

By increasing the proportion of domestically generated renewable electricity, Scotland and the UK can reduce their reliance on imported fossil fuels and increase resilience to external energy shocks and price volatility.

2.3 Benefits of Repowering

Repowering of existing wind energy sites is strongly supported across UK and Scottish energy policy as an efficient and effective means of accelerating renewable energy deployment. The Onshore Wind Taskforce Strategy identifies repowering as a key opportunity to maximise generation from established sites, noting that many operational wind farms are reaching the end of their original design life and can be replaced with fewer, larger and more efficient turbines. This approach enables a substantial increase in electricity output from the same or similar site footprints, whilst making use of existing infrastructure, grid connections and established access arrangements.

The Onshore Wind Policy Statement 2022[13] (OWPS) recognises that meeting Scotland's ambitious onshore wind deployment targets will require both new sites and the optimisation of existing ones. It highlights that modern turbine technology can significantly increase generation efficiency, and that repowering represents a critical component of delivering the additional capacity required to meet national targets. The Statement also acknowledges that repowering can reduce environmental and consenting risks relative to new development, as the principle of wind energy development is already established and site-specific constraints are well understood.

The benefits of repowering are further reflected in NPF4, which provides explicit policy support for the repowering, extension and expansion of existing wind farms under Policy 11. This reflects the wider recognition that repowering represents an efficient use of land and infrastructure, and a key mechanism for delivering rapid emissions reductions in line with Scotland's carbon budget framework and net zero target.

In this context, the Proposed Development exemplifies the benefits of repowering. By replacing older turbines with modern, higher-capacity machines, the Proposed Development will more than double the generating capacity of the Site without increasing the number of turbines, thereby significantly enhancing renewable energy output from an established location. The use of existing infrastructure reduces the need for new land take and minimises environmental disturbance compared to a new greenfield development.

Repowering also enables the continued productive use of a site with a long-established history of wind energy generation, maintaining its contribution to national energy supply while improving efficiency and performance. The Proposed Development, therefore, represents a highly effective and sustainable means of delivering additional renewable energy capacity, consistent with national policy objectives to maximise the output of existing sites and accelerate progress towards net zero.

[12] Draft Energy Strategy and Just Transition Plan (Accessed: 17/02/2026)
[13] Onshore Wind Policy Statement 2022 (Accessed: 13/04/2026)

Accordingly, the Proposed Development attracts substantial policy support as a repowering proposal, delivering enhanced generation, efficient use of existing infrastructure, and a reduced environmental footprint relative to new development.

2.4 Socio-Economic Benefits

The socio-economic benefits of the Proposed Development are detailed in the accompanying **Socio-Economic Statement**, which supports this Application. The primary benefits of the Proposed Development, as per the Socio-Economic Statement, are summarised below.

2.4.1 Direct Benefits

2.4.1.1 Construction Phase

During the construction phase of the Proposed Development, it is estimated to have net direct economic benefits of:

- Net employment impact in the Orkney Islands of 76 Full-Time Equivalent ('FTE') job years (46 direct, 21 indirect and 9 induced), and;
- Net employment impact in Scotland (including Orkney) of 143 FTE job years (86 direct, 40 indirect and 17 induced);
- Net Gross Value Added ('GVA') to the Orkney Islands economy of £6.99* million (£4.12m* direct, £1.91m* indirect and £959,000* induced);
- Net GVA to the Scottish economy (including Orkney) of £13.1* million (£7.74m* direct, £3.58m* indirect and £1,800,100* induced).

2.4.1.2 Operational Phase

During the operational phase of the Proposed Development, it is estimated to have net direct economic benefits of:

- Net employment impact in the Orkney Islands of 4 FTE jobs (2 direct, 1 indirect and 1 induced);
- Net employment impact in Scotland of 12 FTE jobs (8 direct, 2 indirect and 2 induced);
- Net GVA to the Orkney Islands economy of £455,000* (£285,000* direct, £81,000* indirect and £89,100* induced); and
- Net GVA to the Scottish economy of £1.501* million (£940,000* direct, £267,000* indirect and £294,000* induced).

**Rounded to three significant figures*

2.4.2 Community Benefits

2.4.2.1 Community Benefit Fund

The Applicant has aligned the Proposed Development with the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments[14]

Communities local to the Proposed Development will benefit through the Applicant's proposed Community Benefit Fund. The Applicant proposes to provide a £5,000 per MW per annum (index-linked) Community Benefit for the lifetime of the Proposed Development. The Community Benefit Fund would provide long-term revenue

[14] Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments (Accessed 10/03/2026)

which could be used to support community projects. Local communities would have the flexibility to choose how the money is spent and prioritise it on the things which matter most to them. The Applicant has attended multiple Evie & Rendall Community Council meetings throughout 2025 and 2026 to discuss, among other things, the best way to distribute the community benefit fund and understand how the ERCC would like to see these mobilised.

The Community Benefit Fund would provide long-term revenue which could be used to support community projects. Local communities would have the flexibility to choose how the money is spent and prioritise it on the things which matter most to them. The Applicant is considering several ways to distribute the Community Benefit Fund and is seeking to collaborate with the local community to understand their needs. Final decisions regarding the Community Benefit arrangement will be made by communities themselves, should the Proposed Development be consented. This aligns with community wealth-building principles whereby the Applicant is securing financial power and enabling the local people to take control of financial benefits.

2.4.2.2 Local and Shared Ownership

The Proposed Development is majority owned by a local family, contributing towards Scottish Government's target of 2GW of community and locally owned energy by 2030. The Applicant is a joint venture between this family and Thrive Renewables plc, a company with a long history of facilitating community ownership of clean energy projects over the last 20 years.

The Applicant is committed to offering the local community a shared ownership stake of up to 10% investment in the Proposed Development. Thrive Renewables are able to offer loan finance to the local community where required to maximise equitable participation within the local area.

2.5 Biodiversity Enhancement

Several biodiversity enhancement proposals are included alongside the Proposed Development, detailed in **Appendix 8.3 – Outline Biodiversity Enhancement Management Plan (OBEMP)** including;

2.5.1 Peatland Restoration

A minimum of 0.21ha of peatland restoration is required from habitat loss, in addition to the 2.1ha peatland restoration attributed to compensation. The Applicant has worked closely with the RSPB to identify search areas, within which both the mitigatory and enhancement peatland restoration will take place. These search areas are 11.36ha and 19.75ha, respectively. The Applicant is firmly committed to providing a minimum of 2.31ha of peatland restoration, although it may go beyond the minimum peatland restoration requirement in line with RSPB advice, with whom the Applicant will continue to work closely.

2.5.2 Creation of grassland habitat for waders

Areas of wet grassland will be enhanced through the creation of shallow scrapes and management of water levels to provide suitable feeding, nesting and breeding conditions for wading birds such as lapwing and curlew. These features will support invertebrate-rich habitats, improve breeding success, and contribute to the conservation of declining wader populations.

2.5.3 Creation of hedgerows

Approximately 1.12km of native hedgerow will be established along field boundaries using locally appropriate species. These will provide habitat for birds, mammals and pollinators, including nesting, shelter and foraging opportunities. The hedgerows will also enhance habitat connectivity, linking existing ecological features and supporting species movement across the Site. A diverse species mix and appropriate management will ensure resilience and long-term ecological value, contributing to biodiversity enhancement and nature network strengthening.

2.5.4 Provision of secure nesting areas

Suitable nesting habitat will be created for species such as ringed plover and oystercatcher through the provision of gravel substrates on existing hardstanding areas. These areas will be designed to minimise disturbance and predation risk, while maintaining open conditions preferred by these species, thereby supporting breeding success and contributing to local ornithological biodiversity.

2.5.5 Creation of Native species of rich grassland

Species-rich grassland strips (c.5m wide) will be established using a native wildflower and grass seed mix, including machair-type species suited to local conditions. These areas will provide important foraging and shelter habitat for species such as the Orkney vole and the great yellow bumblebee, supporting pollinators and small mammals. The grasslands will be designed to enhance habitat diversity and connectivity, linking with existing field margins and ecological features. Ongoing management, including appropriate grazing or cutting regimes, will ensure the establishment and long-term maintenance of a diverse sward, maximising biodiversity value.

3 Legislation and Renewable Energy Policy Context

3.1 The Climate Emergency

The Proposed Development must be considered against the climate policy and legislation from both the UK and Scottish Governments. The policy framework and the legislative context are considered to provide strong support for onshore wind in principle.

The Climate Change Secretary, on behalf of the Scottish Government declared a global climate emergency in May 2019[15] and followed with an amendment to the Climate Change Bill. The declaration describes the update to be "*…the most stringent legislative targets anywhere in the world…*".

Subsequent legislative, regulatory and policy updates from the Scottish Government have accelerated the push for tackling climate change. Two of the key elements to this are the targets within the Onshore Wind Policy Statement 2022[13] and policies within the NPF4[16].

The Proposed Development relates to the generation of electricity from renewable energy sources and comes as a direct response to national planning and energy policy objectives.

In 2024, the Scottish Government confirmed that the previous statutory interim target of a 75% reduction in greenhouse gas emissions by 2030 is no longer achievable and has been replaced by a carbon budget framework, which sets legally binding limits on total emissions over successive five-year periods, as detailed in Section 3.4.1; while retaining the statutory target of net zero emissions by 2045 remains in place. To help Scotland achieve this statutory target, the Scottish Government has published Scotland's Climate Change Plan: 2026 – 2040, which sets out policies and proposals taken forward to enable the carbon budgets to be met between 2026 and 2040, the Climate Change Plan 2026 – 2040, detailed in Section 3.4.5, identifies wind development as one of the five key opportunity areas for ensuring the Scotland can secure the maximum possible economic benefits from the transition[17]. This legislative change further contributes to the urgency for actions to be taken to ensure the 2045 target remains achievable, increasing onshore wind capacity is essential to drive Scotland in the right direction towards the 2045 target.

3.2 International Climate Change and Energy Policy

3.2.1 United Nations Framework Convention on Climate Change

The UK is a signatory to the Kyoto Protocol that is linked to the United Nations Framework Convention on Climate Change (UNFCCC) and provides commitments for the State parties to reduce GHG emissions. The Kyoto Protocol was adopted in Kyoto, Japan, on 11 December 1997 and entered into force on 16 February 2005. The Protocol was amended in Doha, Qatar, on 8 December 2012 and entered into force on 31 December 2020. Its commitments are reflected in the Climate Change Act 2008 which includes interim targets.

COP21 took place in December 2015 in Paris, France, at which 195 countries, the UK included, adopted the Global Climate Deal (The Paris Agreement). The Paris Agreement sets out the global action plan of limiting global temperature increase to below 2°C, while pursuing efforts to limit the increase to 1.5°C above pre-industrial average temperature. The Paris Agreement does not itself represent Government policy in the UK or Scotland.

[15] The Global Climate Emergency - Scotland's Response: Climate Change Secretary Roseanna Cunningham's statement. (Accessed: 17/02/2026)
[16] National Planning Framework 4 – gov.scot (Accessed: 17/02/2026)
[17] p14, Scotland's Climate Change Plan: 2026-2040 (Accessed: 13/04/2026

However, the purpose of domestic renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

COP26 took place in November 2021 in Glasgow, Scotland, where parties concluded that with current climate policies, the world was not on track to meet the long-term temperature goal set out in the Paris Agreement, with a 2.7 °C increase predicted following COP26.

COP28 took place in November and December 2023 in Dubai, United Arab Emirates, where the global stocktake encouraged parties to triple global renewable energy capacity by 2030, if the goal of keeping the increase in temperature below 1.5°C is to be achieved[18].

COP29 took place in November 2024 in Baku, Azerbaijan, where countries agreed to return each year to strengthen commitments on cutting GHG emissions and to pursue efforts to keep the increase in temperature below 1.5 °C.

Most recently, COP30 took place in November 2025 in Belém, Brazil, where an assessment of nations' nationally determined contributions identified that the world is still not on track to meet the target of the Paris Agreement, to keep global warming to 2°C, leading to a call on nations to make stronger efforts to meet climate goals. COP30 also adopted the Global Mutirão decision, which launched a "Global implementation accelerator" and a "Belém Mission to 1.5" to raise ambition and support implementation of climate action.

3.3 UK Climate Change and Energy Policy

3.3.1 The Climate Change Act 2008

The Climate Change Act 2008[19] (as amended by The Climate Change Act 2008 (2050 Target Amendment) Order 2019) (CCA 2008) sets out the framework for the UK to transition to a low-carbon economy. It places a duty on the UK government to ensure their net carbon account and GHG emissions are reduced by 100% – by 2050 relative to 1990 levels (Net Zero) as legally underpinned by international agreements and commitments.

The CCA 2008 includes a requirement for the Committee on Climate Change to report to the UK Parliament and each of the devolved administrations on:

- The progress that has been made towards meeting the carbon budgets that have been set under Part 1 and the target in Section 1 (the target for 2050).
- The further progress that is needed to meet those budgets and that target.
- Confirmation as to whether those budgets and that target are likely to be met[20].

3.3.2 Net Zero Strategy: Build Back Greener

The Net Zero Strategy (UK Government, 2021a)[21] from the UK Government is a strategy that sets out policies and proposals for decarbonising all sectors of the UK economy to meet the UK's Net Zero target by 2050.

The Net Zero Strategy promotes a green industrial revolution and a green economic recovery from the impact of COVID-19 with a focus on the position of the UK in the global green economy. It aims to keep the UK on track for the UK carbon budgets, the 2030 Nationally Determined Contribution, and Net Zero by 2050. It includes:

- decarbonisation pathways to Net Zero by 2050, including illustrative scenarios;

[18] United Nations Climate Change (Accessed: 17/02/2026)
[19] Climate Change Act 2008. (Accessed: 17/02/2026)
[20] Climate Change Act 2008, s.36(1). (Accessed: 17/02/2026)
[21] net-zero-strategy-beis.pdf. (Accessed: 17/02/2026)

- policies and proposals to reduce emissions for each sector; and
- cross-cutting action to support the transition.

One of the key policies within the Strategy is the move towards onshore wind by 2030 to support the UK to be powered entirely by clean electricity by 2035.

3.3.3 British Energy Security Strategy

The British Energy Security Strategy (UK Government, 2022)[22] was published in April 2022, and sets out how Britain will accelerate homegrown power for greater energy independence, in response to energy pressures and the cost of living crisis caused by the COVID-19 pandemic and Russia's invasion of Ukraine in 2022.

The British Energy Security Strategy seeks to accelerate the deployment of Wind, new Nuclear, Solar and Hydrogen Power, whilst supporting the production of domestic oil and gas (O&G) in the nearer term – which could see 95% of electricity by 2030 being low-carbon.

3.3.4 Powering-Up Britain: Energy Security Plan

The Powering Up Britain: Energy Security Plan (March 2023) (UK Government, 2023)[23] from the UK Government complements the earlier Powering Up Britain and sits alongside Powering Up Britain: Net Zero Growth Plan. The Energy Security Plan outlines the steps that the UK Government's Department for Energy Security and Net Zero is taking to ensure the UK is more energy independent, secure and resilient.

3.3.5 Clean Power 2030 Action Plan

Clean Power 2030 Action Plan: A new era of clean electricity[24] sets out a plan to develop a clean, secure, and affordable electricity system by 2030. It was published by the UK Government in December 2024. The plan identifies the expansion of renewable energy projects as central to the UK's net zero goals, affirming strong government support for wind energy developments. It also introduces planning reforms aimed at reducing decision times for wind energy developments. Within the Action Plan, it sets out that by 2030 there should be 27-29 GW of onshore wind operational within the UK. At the time of the publication of the Action Plan, there was 14.2 GW of installed onshore wind capacity in the UK.

3.3.6 Onshore Wind Taskforce Strategy

The Onshore Wind Taskforce Strategy[25], published by the Department of Energy Security and Net Zero (DESNZ) provides strong policy support for the continued expansion of onshore wind across the UK as a central component of delivering net zero and enhancing energy security. The Strategy identifies onshore wind as one of the most cost-effective, mature and rapidly deployable renewable energy technologies, with a critical role to play in meeting clean power ambitions for 2030 and beyond.

A key focus of the Strategy is the need to maximise the contribution of existing wind farm sites through repowering and life extension. It recognises that many operational sites are approaching the end of their original design life and present a significant opportunity to increase generation capacity by replacing older turbines with fewer, larger and more efficient machines. Repowering is identified as a particularly efficient means of delivering additional renewable capacity, as it can make use of established infrastructure, existing grid connections, and sites where the principle of wind energy development is already accepted, thereby reducing environmental, consenting and delivery risks compared to new greenfield development.

[22] British energy security strategy - GOV.UK. (Accessed: 17/02/2026)
[23] Powering Up Britain: Energy Security Plan. (Accessed: 17/02/2026)
[24] Clean Power 2030 Action Plan: a new era of clean electricity (Accessed: 17/02/2026)
[25] Onshore Wind Taskforce Strategy (Accessed: 13/04/2026)

The Strategy also highlights that repowering can deliver substantial increases in electricity output from the same or similar site footprints, supporting more efficient use of land and accelerating progress towards decarbonisation targets. In parallel, it emphasises the importance of streamlining planning and consenting processes for such developments, recognising that timely decision-making will be critical to unlocking this pipeline of projects.

The Onshore Wind Taskforce Strategy establishes a clear and positive policy framework which strongly supports the expansion and modernisation of onshore wind generation, recognising its essential role in achieving a secure, affordable and low-carbon energy system.

3.4 Scottish Climate Change and Energy Policy

3.4.1 Climate Change (Emissions Reduction Targets) (Scotland) Act 2024

The Climate Change (Emission Reduction Targets) (Scotland) Act 2024[26] received Royal Assent on 22 November 2024 (the 2024 Act). The 2024 Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the Climate Change Committee (CCC), to replace the concept of statutory annual and interim targets. The 2024 Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.

The 2024 Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved (explained above). The Act does not change the existing statutory target of net zero emissions by 2045.

The emissions reduction targets set out are significant, as the 2009 Act states the Scottish Ministers have a duty to ensure the targets are met. The Scottish Ministers have duties to keep the Scottish Parliament informed about whether the targets are being met and to publish plans for meeting those targets. All Scottish public authorities also have a duty to exercise their functions in a way best calculated to contribute to the delivery of the targets.

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

3.4.2 The Climate Change (Scotland) Act 2009

The Climate Change (Scotland) Act 2009 (CC(S)A 2009) is legislation specifically implemented to reduce the GHG emissions in Scotland. The CC(S)A 2009 required an interim reduction of GHG emissions by 42% and an 80% reduction target for 2050. This also required that the Scottish Ministers set annual targets, in secondary legislation, from 2010–2050.

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

The Scottish Government is committed to ensuring secure, reliable and affordable energy supplies within the context of long-term decarbonisation of energy generation. Continued growth of the renewable energy sector in Scotland is an essential feature of the future clean energy system and a key driver of future economic growth. The Scottish Government has set a range of targets and ambitions to cut GHG emissions and to generate more energy from renewable sources. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 commits the Scottish Government to reach Net Zero emissions of all GHGs by 2045[27]. It also sets out interim targets of to cut

[26] Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 (Accessed: 13/04/2026)

[27] Climate Change (Scotland) Act 2009, s.A1(2) as inserted by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, s.1. (Accessed: 17/02/2026)

emissions by 75% by 2030, and 90% by 2040, against the 1990 baseline[28]. Additionally, The Scottish Government has set a target to generate 50% of Scotland's overall energy consumption from renewable sources by 2030.

3.4.4 Onshore Wind Policy Statement 2022

The OWPS[13] sets out a clear and ambitious framework for the continued expansion of onshore wind as a central component of Scotland's transition to net zero. The OWPS confirms that onshore wind is a key pillar of the future energy system and establishes a national ambition for at least 20GW of installed onshore wind capacity by 2030, requiring a substantial increase in deployment over the current baseline of 10.5GW constructed, 1.6GW under construction, and 6.2GW in planning. It is important to highlight that the 6.2GW of Scottish onshore wind capacity currently in planning will not all be granted consent, with only 72% of Section 36 onshore wind energy applications being granted consent, post NPF4[29].

The OWPS recognises that achieving this ambition will require both the development of new sites and the repowering and optimisation of existing wind farms. It highlights that advances in turbine technology will enable significantly greater energy yields, and that taller and more efficient turbines will be necessary to maximise generation potential. In doing so, the statement acknowledges that such developments may result in localised environmental effects, including landscape and visual change, but makes clear that these are an expected and acceptable consequence of delivering the scale of renewable energy infrastructure required to address the climate emergency, where impacts are appropriately managed.

Importantly, the OWPS places strong emphasis on the role of repowering as a key delivery mechanism. It recognises that repowering existing sites can deliver substantial increases in renewable energy output while making efficient use of established infrastructure and sites where the principle of wind energy development is already accepted. This reduces delivery risk and enables faster deployment compared to new greenfield development, thereby supporting the urgent need to increase renewable energy capacity.

The OWPS also aligns closely with NPF4, reinforcing the position that significant weight should be afforded to the contribution of renewable energy developments in tackling the climate emergency. It highlights that onshore wind proposals which contribute meaningfully to renewable energy targets, while appropriately addressing environmental considerations, should be supported in principle.

In this context, the Proposed Development directly accords with the objectives of the OWPS. As a repowering proposal, it will replace existing turbines with modern, higher-capacity machines, significantly increasing the renewable energy output of an established site. It makes efficient use of existing infrastructure and reflects the type of development identified within the OWPS as being critical to meeting national deployment targets.

Accordingly, the Onshore Wind Policy Statement provides clear and substantial material support for the Proposed Development, both in principle and in terms of its specific characteristics as a repowering scheme which maximises generation from an existing wind farm site and contributes to Scotland's net zero ambitions.

3.4.5 Scotland's Climate Change Plan: 2026 – 2040

Scotland's Climate Change Plan: 2026 – 2040[30] (CCP) was published on the 25 March 2026. The CCP covers the period 2026 to 2040 and aligns with three five-year "carbon budget" periods: 2026-30, 2031-35 and 2036-40. The CCP sets out the policies and proposals the Scottish Government will take forward to enable the carbon budgets set out in legislation to be met. The carbon budgets have been set in line with the levels proposed by the CCC and provide a clear pathway towards Scotland achieving net zero by 2045.

[28] Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, s.3. (Accessed: 17/02/2026)
[29] What do the latest statistics on Section 36 Wind Farm Decisions tell us? Brodies LLP (Accessed: 13/04/2026)
[30] Scotland's Climate Change Plan:2026 – 2040 (Accessed: 13/04/2026)

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

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

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

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

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

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

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

Annex 2 of the CCP contains the Sectoral Annexes, which support the CCP. Energy supply is one of the key areas of focus. At page 84, the document sets out the vision for Scotland, stating that:

"By 2035, we will have expanded our renewable capacity significantly to meet the increasing demand as other sectors decarbonise. We already have an ambition to have delivered 20GW of onshore wind by 2030 and in January 2026, we published the 'Offshore Wind Policy Statement 2020 update: Scotland's Offshore Wind Ambition'. This set out an increased offshore wind ambition for Scotland of up to 40GW of new offshore wind capacity by 2040."

It continues that as we transition to net zero and reduce reliance on fossil fuel generation that *"energy storage will play a larger role in ensuring a secure and resilient electricity system by providing a reliable and flexible electricity supply."* (page 84, Annex 2).

One of the actions identified to achieve the vision of emissions reduction for the energy generation sector means *"moving to an electricity system in which the residual amount of unabated gas is displaced by low carbon and renewable sources. To deliver this target, whilst ensuring a safe and secure supply, we must grow our renewables capacity, including from offshore and onshore wind, and solar."* (Page 89, Annex 2).

The publication of the CCP demonstrates the continued commitment and needs case for delivering additional renewable energy capacity. One can take from that that the associated need for reinforced / new transmission infrastructure to achieve net zero is, in turn, strengthened.

3.4.6 Green Industrial Strategy 2024

The Scottish Government's Green Industrial Strategy (2024)[31] (the Strategy) sets out a clear framework for capturing the economic opportunities associated with the transition to a net zero economy. The Strategy has a central aim of ensuring that Scotland maximises the economic benefits of this transition, including the creation of

[31] Green Industrial Strategy (Accessed: 13/04/2026)

high-quality jobs, the growth of domestic supply chains, and the attraction of investment across key low-carbon sectors.

A core focus of the Strategy is the expansion of Scotland's renewable energy sector, with particular emphasis on maximising the country's wind resource and strengthening Scotland's position as a global leader in clean energy. It identifies wind energy as a key pillar of future economic growth and highlights the importance of securing investment in renewable generation, infrastructure and associated supply chains to support the transition to net zero.

The Strategy also recognises that Scotland has significant existing strengths in onshore wind, including an established industry, skilled workforce and strong supply chains, which provide a foundation for further growth. It emphasises the importance of building on these strengths by supporting continued deployment, modernisation and optimisation of renewable energy assets, alongside the development of new opportunities in areas such as manufacturing, maintenance, repowering and decommissioning.

Importantly, the Strategy highlights that the transition to net zero represents not only an environmental imperative but also a major economic opportunity, particularly for rural and island communities where renewable energy developments can drive regional investment, job creation and long-term economic resilience. It therefore promotes a supportive policy environment to accelerate renewable energy deployment and ensure that the benefits of the energy transition are realised across Scotland.

In this context, the Proposed Development aligns closely with the objectives of the Green Industrial Strategy. As a repowering proposal, it supports the continued growth and modernisation of Scotland's onshore wind sector, contributes to increasing renewable energy generation, and reinforces the role of established sites in delivering economic and environmental benefits. The Proposed Development also has the potential to support local and national supply chains, employment and investment, consistent with the Strategy's emphasis on securing economic value from the transition to net zero.

Accordingly, the Green Industrial Strategy provides clear and substantial material support for the Proposed Development, recognising the expansion and optimisation of renewable energy generation, including onshore wind, as central to delivering both net zero and sustainable economic growth in Scotland.

3.4.7 Scotland's Energy Strategy

In 2017, the Scottish Government published Scotland's Energy Strategy: The Future of Energy in Scotland (Scottish Government, 2017b)[32] that set a vision for how the energy system in Scotland would look in 2050. That vision was to see: "*A flourishing, competitive, local and national energy sector, delivering secure, affordable, clean energy for Scotland's households, communities and businesses*."

Since the publication of the 2017 Strategy, the Scottish Government has committed to achieving ambitious targets of Net Zero GHG emissions by 2045, and a 75% reduction by 2030 (Scottish Government, 2020)[33]. The 2017 Strategy involves supplying 50% of Scotland's energy requirements from renewable sources and increasing energy productivity by 30% across the Scottish economy by 2030. The latest report by the Climate Change Committee (CCC, 2022)[34] identifies that emissions in 2021 rose to some extent after the COVID-19 Pandemic but remain 10% below 2019 levels.

[32] The future of energy in Scotland: Scottish energy strategy - gov.scot (Accessed: 17/02/2026)
[33] Securing a green recovery on a path to net zero: climate change plan 2018–2032 – update – gov.scot (Accessed: 17/02/2026)
[34] 2022 Progress Report to Parliament - Climate Change Committee. (Accessed: 17/02/2026)

3.4.8 Draft Energy Strategy and Just Transition Plan – Delivering a fair and secure zero carbon energy system for Scotland 2023

The Draft Energy Strategy and Just Transition Plan (Scottish Government, 2023a)[35] was introduced in a ministerial statement in Parliament in January 2023. It brings together plans for a Just Transition and the existing Energy Strategy from 2017. It is anticipated that this plan will supersede the Scottish Energy Strategy once adopted.

The draft Plan sets out actions to ensure that:

- People have access to affordable clean energy.
- Communities and places can participate and benefit from the Net Zero energy transition.
- We have a supportive policy environment, maximising the impact of government expenditure and attracting private investment.
- Scotland is home to a multi-skilled energy workforce, boosting our domestic supply chain and manufacturing capabilities.
- Scotland's Net Zero energy system is continuously innovative and competitive in domestic and international markets.

The Proposed Development aims to support each of those goals and the wider movement towards a Just Transition, In terms of onshore wind development, the draft plan sets an ambition for 12GW of additional onshore wind in Scottish water by 2030 and seeks views on targets out to 2045.

3.5 Conclusion

The legislative and policy framework set out above establishes a clear, consistent and strengthening position at international, UK and Scottish levels in support of renewable energy development, and onshore wind in particular, as a critical component of addressing the global climate emergency and achieving net zero greenhouse gas emissions.

At the Scottish level, this support is reinforced through the introduction of a carbon budget approach under the 2024 Act, alongside the Climate Change Plan 2026, which together set out a credible and deliverable pathway to net zero by 2045. These are complemented by NPF4 and the OWPS, both of which emphasise the urgent need to significantly increase renewable energy deployment. Importantly, this policy framework provides explicit and substantial support for the repowering of existing wind farms, recognising it as an efficient and effective means of maximising renewable energy output, making optimal use of established infrastructure, and accelerating progress towards emissions reduction targets.

At the UK level, the Climate Change Act 2008, Net Zero Strategy, Energy Security Plan and Clean Power 2030 Action Plan all demonstrate a consistent commitment to decarbonising the electricity system, with a clear emphasis on the rapid expansion of renewable energy generation. The Onshore Wind Taskforce Strategy further strengthens this position by identifying repowering and the optimisation of existing sites as a key delivery mechanism, highlighting the ability of such projects to increase generation capacity, reduce delivery risk, and support timely progress towards national targets.

Taken together, this framework demonstrates not only strong in-principle support for renewable energy development, but a clear policy imperative to accelerate deployment through the modernisation and optimisation of existing wind energy sites. Repowering is consistently identified as a priority approach, offering substantial benefits in terms of efficiency, deliverability and reduced environmental impact relative to new development.

[35] Draft Energy Strategy and Just Transition Plan - gov.scot (Accessed: 17/02/2026)

In this context, the Proposed Development directly responds to the objectives of the policy framework. As a repowering proposal, it will replace older turbines with modern, higher-capacity machines, significantly increasing renewable energy output from an established site while making efficient use of existing infrastructure and minimising additional environmental effects. It therefore represents the type of development explicitly supported and encouraged across national policy.

Accordingly, the legislative and policy context provides clear, substantial and consistent material support for the Proposed Development, both in principle and in its specific form as a repowering scheme. This support should be afforded significant weight in the planning balance.

4 The Development Plan

4.1 Introduction

Section 25 of Town and Country Planning (Scotland) Act 1997[36] requires that when *"…making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise, to be made in accordance with that plan."*

The Site lies wholly within the OIC area and therefore the Development Plan in this instance consists of the NPF4[1], adopted February 2023, and the OLDP, adopted in April 2017. As NPF4 and the OLDP now form the Development Plan, all policies are to be read and applied as a whole. Although with this in mind, the publication of NPF4 coincided with the coming into force of certain parts of the Planning (Scotland) Act 2019 (2019 Act). *"A key provision is Section 13 of the 2019 Act which amends Section 24 of the 1997 Act to provide that: In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail."*

OIC is currently preparing its new Local Development Plan and will accord with the policy framework set out in NPF4, based on the Orkney Development Plan Scheme[37] it is anticipated that the Proposed Plan will be published in early 2026, and that the new Local Development Plan will be adopted in early 2028. At the time of the submission of the Application, no draft of the new OLDP has been produced, and the submitted evidence report has been deemed insufficient by the Scottish Government Planning and Environmental Appeals Division[38], which will result in a delay to the delivery schedule. Due to this, it has not been determined to be a material consideration and will not be considered throughout this Planning and Policy Statement.

4.2 National Planning Framework 4

4.2.1 Introduction

On 13 February 2023, the NPF4, was adopted by Scottish Government. It is the Scottish Government's fourth National Planning Framework and spatial expression of the Government's Economic Strategy.

NPF4 sets out the spatial principles, regional priorities, national developments, and national planning policy. It sets out the Scottish Government's development priorities over the next 30 years and sets out to respond to the challenges of climate changes and addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality. It replaces NPF3 and Scottish Planning Policy (SPP) and brings together the long-term spatial strategy with a comprehensive set of national planning policies to form part of the statutory development plan.

The National Strategy within NPF4 acknowledges the unprecedented challenges that the world faces, and that the global climate emergency means that greenhouse gas emissions need to be reduced and we need to adapt to future impacts of climate change. Significant steps have already been taken towards decarbonising energy and land use, but the document acknowledges that choices need to be made about how use is made of the country's natural assets in a way that benefits local communities.

NPF4 recognises the importance of expanding the deployment of renewable energy and grid infrastructure upgrades to support national targets for emissions and GHG reductions. This is emphasised by *National Development Statement of Need 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure,*

[36] Town and Country Planning (Scotland) Act 1997 (Accessed: 17/02/2026)
[37] Orkney Development Plan Scheme 2025/26 (Accessed: 17/02/2026)
[38] Orkney Local Development Plan – Evidence Report – Gate Check, The Scottish Government Planning and Environmental Appeals Division (Accessed: 20/04/2026)

which states that "*This national development supports renewable electricity generation, repowering, and expansion of the electricity grid*". While the Proposed Development is not a national development, it is a major development, and as such, it would make a valuable contribution to targets.

Policy 1 (Tackling the Climate and Nature Crises) acknowledges the importance of these considerations in the assessment of development applications, and states that:

"*When considering all development proposals significant weight will be given to the global climate and nature crises*."

The intent of the policy is such, to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Similarly, Policy 2 (Climate Mitigation and Adaptation) is intended to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. It states:

"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."

The lead policy in relation to renewable energy is NPF4 Policy 11. Which states that the policy aim is:

"...to encourage, promote and facilitate all forms of renewable energy development onshore and offshore."

Importantly, Policy 11 continues and states:

"*Development proposals for all forms of renewable, low-carbon and zero emission technologies will be supported. These include wind farms including repowering, extending, expanding and extending the life of existing wind farms*."

Paragraph e (ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy. This is a very different starting point compared to the position that was contained in former SPP.

In the consideration of the Proposed Development, it is also important to recognise the relative weight to be afforded to the respective components of the Development Plan. Whilst both NPF4 and the OLDP form part of the statutory Development Plan, the OLDP predates a number of fundamental changes in climate legislation and policy, including the declaration of the climate emergency, the strengthening of Scotland's net zero targets, and the introduction of the statutory carbon budget framework. As such, it does not fully reflect the current urgency or scale of renewable energy deployment now required. By contrast, NPF4 represents the most recent and up-to-date statement of national planning policy and has been prepared in the context of these strengthened climate commitments. In particular, Policy 11 – Energy establishes a clear presumption in favour of renewable energy development, including the repowering of existing wind farms, and requires significant weight to be given to the contribution proposals make towards renewable energy generation and greenhouse gas emissions reduction targets.

In accordance with Section 24 of the 1997 Act, where there is any incompatibility between provisions of NPF4 and the OLDP, the more recent policy is to prevail. Given the age of the OLDP and the extent to which national policy has evolved, Policy 11 of NPF4 is therefore the primary policy consideration in the determination of the Proposed Development and should be afforded substantial weight in the planning balance.

4.2.2 Appraisal of Accordance with NPF4

The appraisal of accordance with NPF4 policies is presented in order of their relevance to the Proposed Development, rather than in strict numerical order. This approach reflects the requirement under Section 25 of the Town and Country Planning (Scotland) Act 1997 to determine applications in accordance with the

Development Plan unless material considerations indicate otherwise, and ensures that the policies carrying the greatest material weight are addressed first.

4.2.2.1 Policy 1 – Tackling the climate and nature crises

This policy intends to encourage, promote, and facilitate development that addresses the global climate emergency and nature crises. The Proposed Development is being brought forward as a direct response to the climate and nature crises. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1, would make a positive contribution by helping to attain the outcome of net zero. The Proposed Development will at least double the current installed capacity of the Site and directly contribute towards the GHG reduction targets set by the UK and Scottish Governments. It is considered that the Proposed Development gains significant material support from this policy.

4.2.2.2 Policy 11 – Energy

Policy 11 of NPF4 is of central relevance to the assessment of the Proposed Development. The policy is specifically intended to encourage, promote and facilitate all forms of renewable, low carbon and zero emissions energy development, recognising the critical role such development plays in addressing the global climate emergency and delivering Scotland's legally binding net zero targets. In doing so, Policy 11 establishes a clear presumption in favour of renewable energy development, subject to the satisfactory consideration of environmental and technical constraints.

Policy 11 (a) shows clear support for the repowering of existing wind farms.

Policy 11 (b) is not relevant in the case of the Proposed Development.

Policy 11 (c) states that development will only be supported if net economic impact is maximised. The socio-economic benefits of the Proposed Development are detailed in the Socio-economic Statement and are summarised in Section 2.4 – Socio-Economic Benefits.

Policy 11 (d) states that development impacts on national and international designations should be assessed in relation to Policy 4. The Proposed Development has been considered in relation to Policy 4 in Section 4.2.2.5 – Policy 4 – Natural Places.

Policy 11 (e) covers a wide range of potential impacts as a result of energy schemes that should be addressed by developments. The following list sets out what chapter addresses the relevant potential impact as set out in section "e)":

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

EIAR Chapter 12 – Shadow Flicker concludes that all properties assessed are predicted to experience shadow flicker for less than the 30 hours threshold of significance. EIAR Chapter 7 – Noise finds that the Proposed Development can be operated within ETSU-R-97 noise limits, and therefore noise-related impacts would be acceptable. EIAR Chapter 5 – Landscape and Visual Impact Assessment concludes that nine residential receptors, two settlements, and four viewpoints may experience some significant effects. While significant views are experienced from nine residential properties, these are all located within the A966 corridor immediately adjacent to the Site, with visual impact beyond this limited. These effects were not considered to breach any residential amenity thresholds, primarily due to the reduction in turbine height between the development proposed at scoping and the Proposed Development, and the distinct orientation of the dwellings away from the Proposed Development over the Eynhallow Sound. Hence, the visual impact of the Proposed Development is considered to be acceptable.

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;*"

Visual

The findings of the EIAR Chapter 5 - Landscape and Visual Impact Assessment demonstrate that the Proposed Development would not give rise to unacceptable visual impacts, consistent with the requirements of Policy 11(e)(ii). The LVIA confirms that while the Proposed Development would be visible from a range of receptors, the majority of visual effects are assessed as not significant, with effects typically reducing with distance and often limited by topography, screening, and the extent of view available. In many cases, the turbines are perceived as part of the skyline, rising from behind landform, which reduces their apparent scale and visual influence.

Importantly, the Site is already characterised by the presence of operational wind turbines, and therefore the Proposed Development represents an evolution of an established wind farm landscape rather than the introduction of a new or unfamiliar feature. This existing baseline is a key factor in the consideration of the magnitude of visual change and ensuring that the Proposed Development is perceived as a coherent extension of the current landscape pattern, rather than a disruptive or incongruous addition.

The iterative design process has also played a critical role in minimising visual effects. The reduction in turbine height from 200m to 149.9m, between the development proposed at Scoping and the Proposed Development, ensures a more balanced relationship with the underlying landform, allowing the ridgeline to remain the defining feature in views. This refinement avoids the risk of turbines appearing disproportionate or dominant and instead results in a composition where turbines are read as vertical elements integrated within the landscape.

While some localised significant visual effects are identified in close proximity to the Proposed Development, these are limited in extent and are not indicative of wider unacceptable impacts. EIAR Chapter 5 – Landscape and Visual Impact Assessment demonstrates that significant visual effects arising from the Proposed Development are clearly limited in spatial extent and are therefore localised. Significant effects are identified at only 4 of the 19 assessed viewpoints, all of which are situated within the Eynhallow Sound area in close proximity to the Site. The furthest of these is Viewpoint 5 at Midhowe, Rousay, located approximately 5.5km from the nearest turbine, which is also identified as experiencing a significant cumulative impact when considered with planned developments. Beyond this distance, visual effects reduce rapidly with increasing distance and are typically not significant, with visibility becoming more intermittent and influenced by topography. This confirms that significant visual effects are confined to a relatively small area surrounding the Site and do not extend across the wider landscape across the study area, visual effects are generally moderate or low and frequently not significant, with the Proposed Development not appearing overbearing, dominant, or out of scale in the majority of views, including from settlements, transport routes, and key viewpoints.

Overall, the LVIA demonstrates that the Proposed Development has been carefully designed to respond to the effects of the Proposed Development on visual receptors, resulting in a scheme that can be satisfactorily accommodated within the receiving environment. The nature and extent of visual effects are therefore considered acceptable in planning terms, and the Proposed Development is in accordance with Policy 11(e)(ii).

Landscape

EIAR Chapter 5 – Landscape and Visual Impact Assessment also demonstrates that the Proposed Development would not give rise to unacceptable landscape impacts, in accordance with Policy 11(e)(ii). The assessment confirms that landscape effects are largely localised and that the defining characteristics, scale and integrity of the receiving landscape would be retained.

At the Site level, the Proposed Development is located within the Moorland Hills Landscape Character Type (LCT), an area which already accommodates operational wind turbines and associated infrastructure. As such, wind energy development forms part of the existing landscape baseline, and the Proposed Development represents an incremental change rather than a fundamental alteration of landscape character. The LVIA identifies the sensitivity

of the local landscape as medium and concludes that the magnitude of change would also be medium, resulting in a moderate level of effect which is not significant.

EIAR Chapter 5 – Landscape and Visual Impact Assessment confirms that the Proposed Development would not materially affect the key attributes of the Moorland Hills LCT. The underlying landform, including its undulating ridgelines, openness, and role in enclosing surrounding landscapes such as Eynhallow Sound, would remain clearly legible. The turbines would be perceived as part of an established pattern of development on the skyline and would not diminish the scale, form or defining qualities of the landscape.

Effects on neighbouring landscape character areas are generally limited, with the LVIA concluding that effects are overwhelmingly not significant. The only significant effects found were on one of the small sections of Inclined Coastal Pasture on Eynhallow, which is located approximately 2.8km north-west of the Proposed Development in the nearest instance, and 3.8km in the furthest instance. These effects are geographically limited and do not extend to the wider landscape resource. The likelihood of significant effects reduces markedly with distance, and landscapes beyond 25km are scoped out due to negligible influence.

The Proposed Development would also not give rise to significant effects on landscape planning designations, the closest of which is Hoy and West Mainland National Scenic Area (NSA), which is located 9.2km southwest of the Proposed Development. Effects on the special qualities effects on their special qualities are limited due to distance, screening, and the limited extent of visibility.

In relation to the Hoy and West Mainland National Scenic Area (NSA), EIAR Chapter 5 – Landscape and Visual Impact Assessment demonstrates that the Proposed Development would not adversely affect the special qualities for which the designation is identified. Visibility from the NSA is limited and typically distant, with the Proposed Development often appearing as a minor feature on the skyline, frequently screened or partially screened by intervening landform. Where visible, the turbines are seen in the context of an expansive, large-scale landscape and do not interrupt key features such as the dramatic coastal scenery, the high hills of Hoy, or the important relationship between land and sea.

Similarly, for the other two designated landscapes within the study area, Skaill House Garden and Designed Landscape (GDL), and Balfour Castle GDL, the EIAR Chapter 5 – Landscape and Visual Impact Assessment confirms that the Proposed Development does not give rise to effects which would undermine their setting, integrity or key characteristics. In many instances, visibility is limited to blade tips or distant views, and the Proposed Development occupies only a small proportion of the wider landscape context, ensuring that the primary scenic and cultural attributes of these areas remain intact.

EIAR Chapter 5 – Landscape and Visual Impact Assessment demonstrates that the Proposed Development has been carefully designed to respond to the landscape context, limiting both direct and indirect effects. The resulting landscape impacts are not significant in the majority of cases and do not undermine the key characteristics or value of the landscape resource. The Proposed Development is therefore considered to accord with Policy 11(e)(ii) in respect of landscape impacts.

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

The Site does not contain any Core Paths, long-distance walking or cycling routes, or nationally promoted scenic routes, and therefore no direct effects on such resources would arise. Informal access across the Site will be maintained throughout the operational life of the Proposed Development, consistent with existing access arrangements and the principles of responsible access under the Land Reform (Scotland) Act 2003[39]. There is also an RSPB hide located within the existing Burgar Hill Wind Farm; the Proposed Development will not affect long term access to this, and access arrangements would be agreed with the RSPB during the construction period.

[39] Land Reform (Scotland) Act 2003 (Accessed: 14/04/2026)

In terms of visual amenity, while some localised significant effects are identified EIAR Chapter 5 – Landscape and Visual Impact Assessment at viewpoints and receptors in close proximity to the Site, these are limited in geographic extent and do not coincide with key tourism destinations or highly sensitive recreational receptors. The wider landscape context of Orkney, characterised by expansive views and an existing association with wind energy development at Burgar Hill, ensures that the Proposed Development would not materially detract from the overall visitor experience.

Furthermore, EIAR Chapter 5 – Landscape and Visual Impact Assessment demonstrates that the special qualities of the Hoy and West Mainland NSA, which are recognised as important tourism assets, would remain intact, with limited effects, and the key characteristics of the NSA would not be undermined. As such, the attractiveness of the wider area to visitors would remain unchanged.

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

EIAR Chapter 14 – Other Issues concludes that the Proposed Development will have no operational or technical impacts on NATS or Highland and Islands Airports Limited (HIAL) assets. Although HIAL highlighted that Loganair may request aviation lighting due to the proximity to some of their operating routes. Advice will be taken from CAA if this is the case, as aviation lighting is not a requirement for obstacles under 150m.

The Proposed Development is located within daytime military Low Flying Area 14, where the minimum height authorised for fixed wing aircraft is 250 feet above ground (76.2m). EIAR Chapter 14 – Other Issues details that the Ministry of Defence stated in their response to consultation that potential impacts on this can be mitigated through the implementation of infra-red aviation lighting and the submission of sufficient data to ensure that structures can be accurately charted to allow deconfliction. Sufficient data is included within the EIAR and will be reconfirmed within the MOD post-consent.

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

EIAR Chapter 14 – Other Issues details the extensive consultation undertaken with Joint Radio Company (JRC), Atkins Global, BT, EE, O2, Vodafone and Arqiva to ensure the Proposed Development does not conflict with their telecommunications networks, the conclusion of which is that BT, Vodafone, Arqiva and Atkins Global have not identified any potential impacts from the Proposed Development. Consultation with JRC is still actively taking place to identify a suitable mitigation option for one fixed link and this will continue throughout the planning process. O2 and EE have not provided a response to date.

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

EIAR Chapter 11 - Traffic and Transport demonstrates that suitable route options have been identified and states that an Abnormal Load Routing Plan and Construction Traffic Management Plan will be issued post-consent to manage the flow of deliveries to the Site. It also states that residual impacts on the A965, A966, and A986 are considered to be negligible and not significant, and residual impacts on Georth Road and Hundland Road are considered to be minor adverse and not significant.

vii. "*impacts on historic environment;*"

EIAR Chapter 6 – Cultural Heritage and Archaeology has assessed the effect of the Proposed Development on the historic environment, including on designated heritage assets. A detailed consideration of this in accordance with the key heritage policy, NPF4 Policy 7, is set out in 4.2.2.3 – Policy 7 – Historic Assets and Places.

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

In relation to flood risk, EIAR Chapter 10 – Hydrology and Hydrogeology identifies areas of higher flood risk associated with local watercourses, including the Burn of Upperhass, Burn of Ennisgeo and areas near the Loch of Swannay; however, flood extents are generally limited to watercourse channels and adjacent low-lying land. This context has informed the design of the Proposed Development, which avoids areas of medium and high flood risk and largely avoids areas of lower risk. A comprehensive suite of embedded mitigation measures, including SuDS,

infiltration trenches, settlement features and construction best practice, ensures that surface water is managed sustainably and that impacts on hydrological receptors are minimised. The assessment confirms that residual effects on runoff, flow paths and flood risk are negligible and not significant, with no increase in flood risk on-site or elsewhere. The effects of the Proposed Development on flood risk are set out in greater detail in 4.2.2.7 – Policy 22 – Flood Risk and Water Management.

Concerning the wider water environment, EIAR Chapter 10 – Hydrology and Hydrogeology identifies a range of sensitive hydrological and hydrogeological receptors within the study area, including watercourses and fisheries, the Orkney Coastal Groundwater Unit, areas of Class 1 peat, private water supplies, and designated ecological sites such as the Orkney Mainland Moors SPA and West Mainland Moorlands SSSI. The assessment confirms that, through careful siting and embedded mitigation, the Proposed Development would avoid significant impacts on these receptors. Potential effects on watercourses and fisheries, including changes to runoff and water quality, are effectively controlled through drainage design and pollution prevention measures, while groundwater resources are protected through appropriate construction practices. Limited areas of peat are safeguarded through avoidance and mitigation, ensuring no significant disturbance. Private water supplies are protected through stand-off distances and monitoring, and hydrological pathways supporting designated ecological sites are maintained. As a result, residual effects across all receptor groups are assessed as negligible and not significant, demonstrating that the integrity and function of the water environment and associated ecological receptors would be preserved.

ix. "*biodiversity including impacts on birds;*"

Several biodiversity enhancement proposals are included alongside the Proposed Development, detailed in Appendix 8.3 – OBEMP, including;

A minimum of 0.21ha of peatland restoration is required from habitat loss, in addition to the 2.1ha peatland restoration attributed to compensation. The Applicant has worked closely with the RSPB to identify search areas, within which both the mitigatory and enhancement peatland restoration will take place. These search areas are 11.36ha and 19.75ha, respectively. The Applicant is firmly committed to providing a minimum of 2.31ha of peatland restoration, although it may go beyond the minimum peatland restoration requirement in line with RSPB advice, with whom the Applicant will continue to work closely.

Creation of grassland habitat for waders - Areas of wet grassland will be enhanced through the creation of shallow scrapes and management of water levels to provide suitable feeding, nesting and breeding conditions for wading birds such as lapwing and curlew. These features will support invertebrate-rich habitats, improve breeding success, and contribute to the conservation of declining wader populations.

Creation of hedgerows - Approximately 1.12km of native hedgerow will be established along field boundaries using locally appropriate species. These will provide habitat for birds, mammals and pollinators, including nesting, shelter and foraging opportunities. The hedgerows will also enhance habitat connectivity, linking existing ecological features and supporting species movement across the Site. A diverse species mix and appropriate management will ensure resilience and long-term ecological value, contributing to biodiversity enhancement and nature network strengthening.

Provision of secure nesting areas - Suitable nesting habitat will be created for species such as ringed plover and oystercatcher through the provision of gravel substrates on existing hardstanding areas. These areas will be designed to minimise disturbance and predation risk, while maintaining open conditions preferred by these species, thereby supporting breeding success and contributing to local ornithological biodiversity.

Creation of Native species of rich grassland - Species-rich grassland strips (c.5m wide) will be established using a native wildflower and grass seed mix, including machair-type species suited to local conditions. These areas will provide important foraging and shelter habitat for species such as the Orkney vole and the great yellow bumblebee, supporting pollinators and small mammals. The grasslands will be designed to enhance habitat diversity and connectivity, linking with existing field margins and ecological features. Ongoing management, including

appropriate grazing or cutting regimes, will ensure the establishment and long-term maintenance of a diverse sward, maximising biodiversity value. The proposed biodiversity enhancement measures to be included alongside the Proposed Development are fully detailed, including arrangements for their long-term retention and monitoring, in Appendix 8.3 – OBEMP, which is a live document and will be amended/agreed upon in consultation with the OIC and relevant stakeholders, post-consent.

Additionally, no significant ornithological effects are anticipated during the construction, operation, or decommissioning of the Proposed Development. As detailed in EIAR Chapter 9 – Ornithology.

x. "*impacts on trees, woods and forests;*"

EIAR Chapter 8 – Ecology identifies that the Proposed Development will not result in the loss of any trees, woods, or forests.

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

EIAR Chapter 4 – The Proposed Development states that the proposed operational lifetime of the Proposed Development is 40 years. The decommissioning will be undertaken in accordance with good practice guidance available at the time. All works during the decommissioning phase will be undertaken in accordance with a decommissioning plan that will be prepared by the Applicant. It is proposed that the decommissioning plan will be agreed with OIC and relevant consultees prior to the end of the operational life of the Proposed Development in line with planning conditions.

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

See **xi** above.

The availability of finances will be agreed to the satisfaction of OIC.

xiii. "*cumulative impacts*"

Cumulative impacts have been assessed throughout the EIAR in chapters where there is a possibility of effect with other developments. The Proposed Development is anticipated to lead to one significant cumulative visual impact on Viewpoint 5 – Midhowe Rousay, when considered with planned developments, and three potential significant cumulative heritage impacts on the Heart of Neolithic Orkney (HONO) World Heritage Site (WHS), the Scheduled Ring of Brodgar, and on the Scheduled Stenness stone circle. While potential significant effects in EIA terms are expected upon the setting of these assets, it is concluded that there would not be significant adverse impacts upon the integrity of the settings of the Scheduled Monuments, as the ability of the assets' settings to contribute to the understanding, appreciation and experience of the assets and their significance would be adequately retained.

Policy 11 (f) provides support for the repowering and optimisation of existing renewable energy developments, recognising that; while development consents may be time-limited, areas which have been identified for wind farms are expected to be suitable for use in perpetuity. The Proposed Development constitutes the repowering of the existing Burgar Hill Wind Farm, replacing older turbines with modern, more efficient technology to significantly increase renewable energy output without expanding into new, undeveloped areas. The Site benefits from an established wind energy baseline, existing infrastructure and a perpetual principle of development, making it particularly well suited to repowering.

Policy 11 Accordance Conclusion

Overall, the assessment set out above demonstrates that the Proposed Development complies with the requirements of Policy 11(e) of NPF4. While some localised significant effects are identified, particularly in relation to landscape and visual receptors and heritage setting, these are limited in extent, appropriately mitigated through design, and do not give rise to unacceptable impacts when considered in the round. The Proposed Development has been carefully designed to respond to site-specific constraints, consolidates development within an established wind farm location, and avoids material adverse effects on key environmental, technical and community receptors. When balanced against the significant contribution the Proposed Development makes to

renewable energy generation, carbon emissions reduction and the delivery of national policy objectives, it is clear that the proposal accords with Policy 11 and attracts substantial policy support.

4.2.2.3 Policy 7 – Historic Assets and Places

Policy 7 seeks to protect and enhance historic environment assets and places, while supporting positive change where appropriate. The parts of Policy 7 which are relevant to the Proposed Development are:

- Policy 7(a), which requires proposals with potential impacts on historic assets to be supported by a robust assessment of cultural significance, including visual and cumulative effects;
- Policy 7 (h), which seeks to avoid direct impacts on Scheduled Monuments and significant adverse impacts on the integrity of their setting;
- Policy 7 (l), which requires that the Outstanding Universal Value (OUV) of WHS and their settings is protected and preserved; and
- Policy 7 (o), which promotes the preservation of non-designated heritage assets in situ, with impacts minimised and appropriate mitigation secured where necessary.

The Proposed Development is located approximately 8.5km north-east of the HONO WHS Buffer Zone. The HONO WHS comprises a group of internationally important Neolithic monuments, including the Stones of Stenness, the Ring of Brodgar, Maeshowe and Skara Brae. The group of monuments that make up the HONO consists of a remarkably well-preserved settlement, a large chambered tomb, and two stone circles with surrounding henges, together with a number of associated burial and ceremonial sites. The group constitutes a major relict cultural landscape graphically depicting life five thousand years ago in this remote archipelago.

These monuments are set within a distinctive and largely undeveloped landscape, the character of which forms a key component of their significance. The WHS is recognised for its OUV, reflecting the exceptional preservation, architectural sophistication and interrelationship of ceremonial, funerary and domestic sites dating from around 3000–2000 BC. The setting of the WHS plays a fundamental role in conveying this value, with the monuments deliberately located within a broad topographic bowl that allows for visual connections between sites and across the wider archaeological landscape. As such, both the immediate setting (defined by the WHS Buffer Zone) and the wider landscape context (defined by the WHS Sensitive Area) are important considerations, with the WHS identified as having very high sensitivity to changes in its setting.

Extensive consultation with HES and the OIC archaeologist has been undertaken, which is set out in detail within EIAR Chapter 6 - Cultural Heritage and Archaeology. Following feedback from HES, OIC, consultation related to other environmental disciplines, and survey results, the turbine tip heights of the Proposed Development were reduced from 200m to 149.9m to minimise potential impacts. This sensitive approach to site design and scaling has been taken to protect the integrity of the cultural and archaeological heritage of the Orkney Isles.

The accordance of the Proposed Development with the relevant parts of NPF4 Policy 7 is laid out below.

Policy 7 (a) – Assessment of Potentially Significant Effects

Due to the potential for the Proposed Development to have a significant effect on the HONO WHS and the Scheduled Monuments within and related to it, EIAR Chapter 6 – Cultural Heritage and Archaeology has given extensive consideration and undertaken a thorough assessment of the impact of the Proposed Development on the setting of the HONO WHS and the Scheduled Monuments within and related to it, and how any setting effect impacts the integrity of the setting of these Scheduled Monuments, and on the protection and preservation of the HONO WHS. Impacts on all other cultural heritage assets and archaeological features outside the HONO WHS have also been assessed in line with the methodology set out in EIAR Chapter 6 – Cultural Heritage and Archaeology. The methodology applied in EIAR Chapter 6 – Cultural Heritage and Archaeology has been developed through consultation with HES.

The consultation process with HES, as summarised in **Table 6.1** of **EIAR Chapter 6 – Cultural Heritage and Archaeology**, identifies a divergence in approach regarding the application of assessment methodology rather than the scope or extent of assessment undertaken. HES have expressed a preference for closer alignment with the standardised methodologies and matrices set out in the EIA Handbook[40], particularly in relation to the treatment of setting, the definition of effect significance, and the separation of EIA effects from policy-based considerations such as integrity. In contrast, the methodology applied within **EIAR Chapter 6 – Cultural Heritage and Archaeology** adopts a proportionate and professional judgement-led approach, consistent with the Guidelines on Streamlining Environmental Impact Assessment for Onshore Wind Farms[41], which explicitly allow for adaptation of EIA Handbook methodologies. The assessment framework has therefore been tailored to the specific characteristics of the Proposed Development and receiving environment, whilst remaining grounded in established guidance including the EIA Handbook and Managing Change in the Historic Environment. This approach enables a clear, transparent and proportionate assessment of effects on cultural significance, with conclusions that robustly inform both EIA significance and policy compliance.

EIAR Chapter 6 – Cultural Heritage and Archaeology, **Appendix 6.1 - Setting Assessment**, and **Appendix 6.2 – Potential Cumulative Assessment** have been undertaken by AOC Archaeology Group who are a Registered Organisation of the Chartered Institute for Archaeologists (CIfA). This assessment has been carried out in accordance with the standards of professional conduct outlined in the CIfA Code of Conduct (2022), as well as the CIfA Standard and Guidance for Commissioning Work or Providing Consultancy Advice on Archaeology and the Historic Environment (2020), the CIfA Standards and Guidance for Historic Environment Desk Based Assessment (2020), Standard for Archaeological Field Evaluation (2023) and other relevant guidance.

Policy 7 (h) – Scheduled Monuments

EIAR Chapter 6 – Cultural Heritage and Archaeology confirms that there would be no direct impacts on any Scheduled Monuments, with all such assets located outwith the development footprint. Effects are therefore limited to setting impacts, which have been subject to detailed assessment.

Two Scheduled Monuments have been identified as having the potential to experience operational significant effects as a result of the Proposed Development, the Ring of Brodgar[42], and the Stones of Stenness[43], and three potential significant cumulative effects have been identified on the Ring of Brodgar, the Stones of Stenness, and the HONO WHS. The potential significant effects on the Ring of Brodgar, and the Stones of Stenness are not considered to cause significant adverse impacts upon the integrity of their setting, as detailed in **EIAR Chapter 6 – Cultural Heritage and Archaeology** and set out below.

- **Ring of Brodgar (SM90042)** – The Proposed Development would give rise to a significant effect in EIA terms on the setting of the Ring of Brodgar Scheduled Monument, arising from the introduction of larger turbines on the skyline at a distance of approximately 12.9km. This effect reflects a moderate magnitude of change on a receptor of very high sensitivity. This change relates specifically to the increased scale and visibility of turbines within the wider panoramic views from the monument, resulting in a noticeable, but not overwhelming, alteration to the composition of the distant skyline. In these views, the Proposed Development would be perceived in the context of existing and consented wind energy development at Burgar Hill and beyond, forming part of an established pattern within the wider landscape.

  Notwithstanding this, the assessment demonstrates that the key characteristics which contribute to the monument's significance would remain intact. The Ring of Brodgar's importance is fundamentally derived from its relationship with the surrounding ceremonial landscape, including its spatial and visual connections with nearby monuments such as the Stones of Stenness and Maeshowe, and its position within the distinctive

[40] Environmental Impact Assessment Handbook (2018), Historic Environment Scotland (Accessed: 20/04/2026)
[41] Guidelines on Streamlining Environmental Impact Assessment for Onshore Wind Farms (2025), Scottish Renewables (Accessed: 20/04/2026)
[42] Ring of Brodgar, stone circle, henge and nearby remains (SM90042), Historic Environment Scotland (Accessed: 15/04/2026)
[43] Stenness, stone circle and henge (SM90285), Historic Environment Scotland (Accessed: 15/04/2026)

topographic bowl of West Mainland. These relationships are primarily focused within the immediate and mid-range landscape surrounding the monument and would not be disrupted by the Proposed Development, which is located at a considerable distance and would not intervene in key sightlines between monuments.

Furthermore, the Proposed Development would be seen as a distant feature on the skyline, often partially screened or reduced in prominence by intervening landform, and would occupy a relatively small proportion of the overall field of view. In addition, the Proposed Development would replace and consolidate development within an existing area of influence, rather than introducing a new or unfamiliar element into previously unaffected views. The broad, open and expansive character of the surrounding landscape, which allows for appreciation of the monument's scale and setting, would be preserved, and the Proposed Development would not alter the underlying landform or the legibility of the topographic bowl which frames the WHS and setting of the Ring of Brodgar.

It is also identified that the Ring of Brodgar would experience a significant cumulative effect in EIA terms, arising from the addition of the Proposed Development to existing, consented and proposed wind energy developments within the wider landscape. This cumulative effect reflects the combined influence of multiple schemes within long-range views, resulting in an increased presence of turbines along the skyline. However, the assessment confirms that the Proposed Development would not introduce wind energy development into new areas of the skyline, but would instead consolidate and intensify development within an established cluster centred on Burgar Hill. The contribution of the Proposed Development to cumulative effects is therefore incremental, and the key characteristics of the monument's setting—including its relationship with surrounding monuments, its position within the topographic bowl, and the ability to appreciate its archaeological context, would remain intact.

Accordingly, while a degree of change to the wider setting is acknowledged, the Proposed Development would not affect the physical fabric of the monument, nor would it undermine the ability to understand, appreciate or experience its archaeological, cultural or landscape context. Notwithstanding there would be a significant effect on the setting of the asset it is considered that the understanding, appreciation and experience of the Scheduled Monument would be adequately retained such that the integrity of setting would not be significantly adversely affected, with regard to NPF4 Policy 7 (h).

- Stones of Stenness (SM90285) – The Proposed Development would give rise to a significant effect in EIA terms on the setting of the Stones of Stenness Scheduled Monument, arising from the introduction of larger turbines on the skyline at a distance of approximately 13.4km. This effect reflects a moderate magnitude of change on a receptor of very high sensitivity, resulting in a perceptible alteration to the composition of the distant skyline within views that contribute to the monument's wider setting. The effect is principally associated with the increased height and movement of turbine blades, which introduces a more prominent modern feature within long-range views.

  Notwithstanding this, the assessment demonstrates that the key characteristics which contribute to the monument's significance would remain intact. The Ring of Brodgar's importance is fundamentally derived from its relationship with the surrounding ceremonial landscape, including its spatial and visual connections with nearby monuments such as the Stones of Stenness and Maeshowe, and its position within the distinctive topographic bowl of West Mainland. These relationships are primarily focused within the immediate and mid-range landscape surrounding the monument and would not be disrupted by the Proposed Development, which is located at a considerable distance and would not intervene in key sightlines between monuments.

  Furthermore, the Proposed Development would be seen as a distant feature on the skyline, often partially screened or reduced in prominence by intervening landform and would occupy a relatively small proportion of the overall field of view. In addition, the presence of existing wind energy development at Burgar Hill forms part of the established baseline, meaning that the Proposed Development would replace and consolidate development within an existing area of influence, rather than introducing a new or unfamiliar element into previously unaffected views.

It is also identified that the Stones of Stenness would experience a significant cumulative effect in EIA terms, reflecting the combined presence of operational, consented and proposed wind energy developments within the wider landscape, including the Proposed Development. The cumulative effect arises from the increased extent and prominence of turbines within distant skyline views, particularly where multiple schemes are visible within the same visual envelope. However, EIAR Chapter 6 – Cultural Heritage and Archaeology demonstrates that the Proposed Development would form part of an existing pattern of wind energy development, replacing the Existing Scheme and remaining contained within the same general area of influence, without extending development into new or previously unaffected views. Consequently, the cumulative effect represents an intensification rather than a fundamental change to the character of the setting.

Accordingly, while a degree of change to the wider setting is acknowledged, the Proposed Development would not affect the physical fabric of the monument, nor would it undermine the ability to understand, appreciate or experience its archaeological, cultural or landscape context. Notwithstanding there would be a significant effect on the setting of the asset it is considered that the understanding, appreciation and experience of the Scheduled Monument would be adequately retained such that the integrity of setting would not be significantly adversely affected with regard to NPF4 Policy 7 (h).

Policy 7 (l) – World Heritage Sites

EIAR Chapter 6 – Cultural Heritage and Archaeology identifies that the Proposed Development is predicted to give rise to a significant cumulative effect in EIA terms to the overall setting of the HONO WHS. This effect largely relates to Attribute 3 of the five attributes, which are described as "*elements, processes or features that convey the Outstanding Universal Value"*[44] of the HONO WHS. This effect primarily arises from the combined influence of the Proposed Development and the in-planning Nisthill Wind Farm, which would extend the horizontal spread of turbines along the skyline in certain views

However, when the Proposed Development is assessed in its own right, the key attributes that convey Outstanding Universal Value (OUV), including the spatial relationships between the monuments, the topographic bowl, the character of the surrounding ridgeline, and the experiential qualities of the WHS, remain functionally and perceptually intact. The proposal does not introduce turbine visibility into any part of the skyline that contributes materially to the WHS attributes, not does it alter the essential intervisibility or the experiential sequence through which the monuments are understood. The change, therefore, does not materially diminish the qualities that underpin OUV.

Although the replacement turbines would occupy a portion of the ridgeline already affected by vertical infrastructure, the assessment does not rely on the presence of the Existing Scheme as mitigation. Rather, the conclusion that OUV is preserved is grounded in the continued ability to understand, appreciate and experience the HONO WHS's defining attributes and the absence of material change to the key characteristics of the setting relevant to those attributes.

Accordingly, while the cumulative effect is significant in EIA terms as a result of impacts upon the setting of the WHS as it relates to Attribute 3, the Proposed Development would not result in such an impact that the OUV, integrity, authenticity of the WHS would not be preserved in terms of NPF4 Policy 7l and there would be no significant negative impact in terms of OIC Policy 8Bi.Policy 7 (o) – Non Designated Historic Assets

EIAR Chapter 6 - Cultural Heritage and Archaeology identifies a limited number of non-designated archaeological assets within the Site, primarily of post-medieval or uncertain date, and of lower relative significance. The design of the Proposed Development has sought to avoid direct impacts on these assets where practicable, and where this cannot be achieved, a programme of appropriate archaeological mitigation will be implemented, including

[44] Draft Heart of Neolithic Orkney Management Plan 2025 – 2035 (Accessed: 15/04/2026)

investigation, recording and reporting in accordance with best practice and agreed with the relevant archaeological advisor. This approach reflects the mitigation hierarchy set out in Policy 7(o).

Policy 7 Accordance Conclusion

EIAR Chapter 6 Cultural Heritage and Archaeology demonstrates that the Proposed Development has been carefully designed and sited to avoid direct impacts on historic assets and to minimise effects on their setting. While some significant effects in EIA terms have been identified on the Ring of Brodgar Scheduled Monument, Stones of Stenness Scheduled Monument, and cumulatively on the HONO WHS, it is considered that the understanding, appreciation and experience of the Scheduled Monument would be adequately retained such that the integrity of setting would not be significantly adversely affected. The OUV of the HONO WHS is considered to be preserved, a conclusion which is grounded in the continued ability to understand, appreciate and experience the HONO WHS's defining attributes and the absence of material change to the key characteristics of the setting relevant to those attributes.

4.2.2.4 Policy 3 – Biodiversity

Policy 3 establishes a strong policy framework for the protection and enhancement of biodiversity within the planning system. It requires development proposals to conserve, restore and enhance biodiversity, including the strengthening of nature networks, such that biodiversity is left in a demonstrably better state than without intervention. The policy emphasises the application of the mitigation hierarchy, ensuring that adverse effects are avoided, minimised and mitigated, with compensation as a last resort. It also requires that all major developments deliver meaningful biodiversity enhancement in addition to mitigation, reflecting the Scottish Government's increased focus on addressing the nature crisis alongside climate change.

Policy 3 (b) requires major development proposals, which require an EIA, to conserve, restore and enhance biodiversity, including nature networks, such that they are left in a demonstrably better state than without intervention. It also requires that biodiversity enhancement be delivered in addition to mitigation.

Policy 3 (b), i.

The Proposed Development has been subject to a comprehensive ecological impact assessment, set out in EIAR Chapter 8 – Ecology, an ornithological impact assessment, set out in EIAR Chapter 9 – Ornithology, and supported by an OBEMP, set out in Appendix 8.3 – OBEMP. These documents identify baseline ecological and ornithological conditions, informed by extensive survey work, assess potential effects, and set out a clear mitigation hierarchy alongside embedded and additional enhancement measures. These surveys have identified that there is irreplaceable peatland habitat present on Site. Appendix 8.3 – OBEMP identifies that there will be a direct loss of 0.03ha of peatland habitat, and a further 0.18ha of estimated indirect loss, requiring a minimum of 2.1ha of peatland to be restored, in line with NatureScot guidance[45].

Policy 3 (b), ii.

Nature-based solutions have been prioritised across the Site and embedded through the design of the Proposed Development. The Proposed Development has gone through various detailed design stages and iterations to ensure the Proposed Development prioritises embedded mitigation wherever possible, as detailed in EIAR Chapter 3 – Assessment of Alternatives. A constraints exercise was initially undertaken to inform early site design, survey work and consultation, then informed further design iterations, to ensure environmental constraints and features across all environmental disciplines were duly addressed and impacts of the Proposed Development were eliminated, or mitigated through design. This approach ensures that nature-based solutions and principles are embedded into the design principles of the Proposed Development. In relation to biodiversity and ecology, these principles include, but are not limited to, the use of existing infrastructure wherever possible, avoidance of

[45] Advising on peatland habitats and carbon-rich soils in development management, NatureScot – Accessed 05/05/2026

sensitive habitats identified through National Vegetation Classification (NVC) surveys, a suitable separation distance given to watercourses, and minimisation of cut and fill to ensure groundworks are minimised.

Policy 3 (b) iii.

EIAR Chapter 8 – Ecology, and EIAR Chapter 9 - Ornithology, contain a full assessment of the potential adverse (negative) effects of the Proposed Development and set out mitigation and compensation measures to be implemented before biodiversity enhancement is relied upon. Appendix 8.3 – OBEMP sets out the compensatory measures proposed, in line with the mitigation hierarchy, which include:

- Creation of wader grassland habitat to provide shelter and foraging areas for wading birds;
- Establishment of wildflower grassland strips along field boundaries to create suitable habitats for the Orkney vole and the great yellow bumblebee; and
- A minimum of 2.1ha of peatland restoration, in line with NatureScot guidance which advises a compensatory off set of 1:10.

Policy 3 (b) iv.

The combined findings of EIAR Chapter 8 – Ecology, EIAR Chapter 9 Ornithology, and Appendix 8.3 – OBEMP demonstrate that significant biodiversity enhancement measures will be provided alongside the Proposed Development. The biodiversity enhancement measures are proposed with the principle of strengthening and enhancing nature networks wherever possible. All biodiversity enhancement measures are detailed in Appendix 8.3 – OBEMP, they include:

- A minimum of 0.21ha of peatland restoration is required from habitat loss, in addition to the 2.1ha peatland restoration attributed to compensation. The Applicant has worked closely with the RSPB to identify search areas, within which both the mitigatory and enhancement peatland restoration will take place. These search areas are 11.36ha and 19.75ha, respectively. The Applicant is firmly committed to providing a minimum of 2.31ha of peatland restoration, although it may go beyond the minimum peatland restoration requirement in line with RSPB advice, with whom the Applicant will continue to work closely.

  Degraded blanket bog habitats will be restored through a combination of drain blocking, reprofiling of peat haggs and re-wetting to reinstate natural hydrological conditions. This will improve peat-forming processes, enhance habitat condition and extent, and support characteristic upland species, while also delivering wider benefits in terms of carbon sequestration, water quality and ecosystem resilience.
- The creation of one, 1.12km in length, native species-rich hedgerow which is to be situated along multiple field boundaries. Species which are anticipated to be most suitable to comprise the hedgerow are willow, hazel, rowan, downy birch, and aspen, although the final decision on the composition of the hedgerow will be informed by soil and moisture assessments, and recommendations from species selection by NatureScot and the Orkney Woodland Project. This hedgerow will provide nesting, shelter and foraging opportunities for birds, small mammals and pollinators, while also strengthening ecological connectivity across the Site and linking existing habitats, thereby supporting nature networks.
- Gravel nesting areas will be created on existing hardstanding surfaces to provide suitable, low-disturbance breeding habitat for species such as ringed plover and oystercatcher. These areas will be designed to minimise vegetation encroachment and predation risk, replicating the open, sparsely vegetated conditions favoured by these species and enhancing local breeding opportunities.
- Species-rich wildflower and grassland strips will be established using native seed mixes suited to local conditions. These strips will be c.5m wide alongside the field boundary, see Figure 8.3.04 of Appendix 8.3 – OBEMP. These habitats will support pollinators, including the great yellow bumblebee, and small mammals such as the Orkney vole, increasing habitat diversity and providing valuable foraging and shelter resources. Ongoing management (e.g. grazing or cutting regimes) will ensure the long-term maintenance of a diverse sward.

Appendix 8.3 – OBEMP is a live document which will continue to be updated up to the consent of the Proposed Development, in line with consultee feedback and best practice. Once consented, a full Biodiversity and Enhancement Plan will be produced, informed by Appendix 8.3 – OBEMP.

Policy 3 (b) v.

As the Site will remain accessible to the public once operational, including access to all biodiversity enhancement measures, where public access does not conflict with the objectives of the biodiversity enhancement measure. This includes access to the RSPB hide located on the Site. Access arrangements would be agreed with the RSPB during the construction period.

Policy 3 Accordance Conclusion

The Proposed Development has been designed and assessed in accordance with the requirements of NPF4 Policy 3 – Biodiversity. EIAR Chapter 8 – Ecology and EIAR Chapter 9 – Ornithology demonstrate that ecological and ornithological effects have been appropriately identified and addressed through the application of the mitigation hierarchy, including embedded mitigation and compensatory measures where required. The assessments conclude that there would be no significant adverse effects on designated sites, protected species, or wider ecological interests following mitigation.

In addition, the OBEMP secures a substantial package of biodiversity enhancement measures, including peatland restoration, wet grassland creation for waders, native species-rich hedgerow planting, species-rich grassland creation and provision of secure nesting habitat. Collectively, these measures will strengthen habitat connectivity, improve habitat condition and diversity, and support a range of locally important and protected species.

The Proposed Development therefore conserves, restores and enhances biodiversity, incorporates nature-based solutions, and provides a robust evidence-based demonstration that biodiversity will be left in a demonstrably better state than without the development. Accordingly, the Proposed Development is considered to accord with Policy 3 of NPF4, with no policy conflict arising.

4.2.2.5 Policy 4 – Natural Places

This policy intends to protect, restore, and enhance natural assets, making best use of nature-based solutions.

Policy 4 (a)

The principle of wind energy development has been well established on Site. Burgar Hill Wind Farm is an established wind energy generation site, which has produced energy since the 1980s when it was first developed as a test site for wind energy technology. By the late 1990's the Site moved towards commercial wind energy generation due to the growing demand for renewable energy and the Site having proven itself as an ideal location for wind energy generation. The Existing Scheme represents the first repower of the Site where a number of wind developments constructed at various times replaced the previous generation of wind development. These turbines have a height ranging between 76m and 116m to the blade tip and have been generating energy for between 17 and 26 years. The Site continues to be considered suitable to host wind energy development, as it is set out throughout each chapter of the EIAR, which has identified no unacceptable environmental effects.

As the principle of wind energy development has been well established on Site, and the assessment of the effects of the Proposed Development in the EIAR has not identified any unacceptable environmental effects, the Proposed Development is in accordance with Policy 4 (a).

Policy 4 (b)

The Site is located immediately adjacent to the West Mainland Moorlands SSSI and the Orkney Mainland Moors SPA, both of which are designated in part for their important bird interests and moorland habitats. EIAR Chapter 9 – Ornithology concludes that, following consideration of embedded mitigation and the characteristics of the Site, the Proposed Development would not result in adverse effects on the integrity or conservation objectives of the SPA, either alone or cumulatively. Potential effects on qualifying species, including displacement, disturbance and

collision risk, were assessed and found to be limited and not significant, in relation to both of these designations, as well as other nearby SSSIs, SPAs, and SACs such as the North Orkney SPA, which is located over the Eynhallow Sound.

Similarly, EIAR Chapter 8 – Ecology concludes that the Proposed Development would not give rise to significant adverse effects on the ecological interests of the West Mainland Moorlands SSSI. Habitat loss is limited and localised, and mitigation measures, together with the biodiversity enhancement proposals secured through the OBEMP, ensure that the integrity and functionality of nearby designated habitats would be maintained. Accordingly, no unacceptable effects on the qualifying interests or conservation objectives of the SPA or SSSI are predicted. Policy 4 (c)

In relation to the effect of the Proposed Development on the NSAs, EIAR – Chapter 5 Landscape and Visual Impact Assessment confirms that the Proposed Development would not give rise to any significant effects on NSAs. While the Hoy and West Mainland NSA is located within the wider study area, the Proposed Development is situated at a considerable distance and would be experienced as a distant feature within expansive views, often seen in the context of existing and consented wind energy development. The assessment demonstrates that the special qualities of the NSA, including its dramatic landform, coastal character, and sense of remoteness, would be preserved, with no material change to its overall landscape character or integrity. Any effects are limited to minor changes in distant views and are not significant in EIA terms. Accordingly, the Proposed Development would not compromise the key characteristics or scenic qualities of the NSA.

Policy 4 (d)

EIAR Chapter 8 – Ecology and EIAR Chapter 9 – Ornithology assesses the potential effects of the Proposed Development on nearby Local Nature Conservation Sites (LNCS), including Peerie Water LNCS, North Mainland, Evie to Finstown LNCS, and Loch of Swannay LNCS. The assessments conclude that the Proposed Development would not result in significant adverse effects on the integrity or qualifying interests of these locally designated sites.

Peerie Water LNCS lies closest to the Proposed Development, with parts of the access track located within 20m of the LNCS boundary and the nearest turbine approximately 150m away. The Site design and embedded mitigation measures have sought to minimise potential effects on locally important breeding bird interests associated with the LNCS. Similarly, North Mainland, Evie to Finstown LNCS and Loch of Swannay LNCS are located approximately 550m and 2km from the Proposed Development respectively, with no significant adverse effects predicted on their ornithological interests.

EIAR Chapter 5 - Landscape and Visual Impact Assessment details that the OLDP has identified no Local Landscape Areas.

Policy 4 (f)

EIAR Chapter 8 – Ecology identifies that the Site provides suitable habitat for protected and notable species including otter, Orkney vole and brown hare. Detailed surveys were undertaken to establish the presence and distribution of these species and to inform the design and mitigation strategy for the Proposed Development.

In relation to otter, evidence of activity was identified primarily around Peerie Water, including two holts located approximately 700m from the nearest proposed infrastructure, with no holts or resting sites identified within the development footprint itself. The assessment concludes that, with the implementation of mitigation measures, including pre-construction surveys and an Otter Species Protection Plan, no significant adverse effects on otter are anticipated.

Although Orkney vole and brown hare are not European Protected Species, both are recognised as species of conservation importance. Surveys confirmed their presence within habitats surrounding the Site, and appropriate mitigation is proposed, including pre-construction surveys and species protection plans.

The Proposed Development has therefore been informed by appropriate ecological survey work and incorporates embedded mitigation and species-specific protection measures to avoid or minimise impacts on protected and notable species. Accordingly, the Proposed Development accords with Policy 4(f) of NPF4, with no policy conflict arising.

Policy 4 (g)

The Proposed Development is not located within any Wild Land Areas.

Policy 4 Accordance Conclusion

The Proposed Development has been designed and assessed in accordance with the requirements of NPF4 Policy 4 – Natural Places. EIAR Chapter 8 – Ecology, EIAR Chapter 9 – Ornithology and EIAR Chapter 10 – Hydrology and Hydrogeology demonstrate that the Proposed Development would not give rise to significant adverse effects on the integrity or conservation objectives of any international, national or local nature conservation designation, including the Orkney Mainland Moors SPA and the West Mainland Moorlands SSSI. Potential effects on qualifying species, habitats and hydrological receptors have been comprehensively assessed and addressed through embedded mitigation and good practice measures.

The ecological assessments also confirm that there would be no significant adverse effects on protected species or local biodiversity interests, with species-specific mitigation and management measures proposed where appropriate. The Proposed Development has been informed by detailed ecological and ornithological survey work and incorporates mitigation through design, including the reuse of existing infrastructure and the avoidance of sensitive habitats where practicable.

Accordingly, the Proposed Development safeguards the natural environment and the integrity of designated sites and protected species interests, consistent with the objectives of Policy 4 of NPF4. It is therefore considered that the Proposed Development accords with Policy 4, with no policy conflict arising.

4.2.2.6 Policy 5 – Soils

Policy 5 aims to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. The agricultural quality of the land on the Site is classified as Class 5.3, and Class 4.2 on the Land Capability for Agriculture[46] which is not considered to be prime agricultural land, which is defined by NPF4 as being Class 1, 2, or 3.1. Class 5.3 is land capable of use as improved grassland, although pastures deteriorate quickly. Class 4.3 is land capable of producing a narrow range of crops, primarily on grassland with short arable breaks of forage crops.

Policy (c), (d)

EIAR Chapter 10 – Hydrology and Hydrogeology states that the NatureScot Carbon and Peatland 2016 Map identifies the Proposed Development is partially within Class 3 peat. NPF4 states that only a limited number of development types will be deemed acceptable, which includes the generation of energy from renewable sources that optimise the contribution of the area to greenhouse gas emissions reduction targets. Where, possible the Proposed Development has been designed to avoid locating infrastructure on deep peat. Paragraph d) of Policy 5 states that any proposed development within peatland is required to be accompanied by;

i. *"a baseline depth, habitat condition, quality and stability of carbon-rich soils."*
EIAR Chapter 10 – Hydrology and Hydrogeology identifies that Class 3 peatland is present in a small portion of the Site, around T2. It also details the peat surveys work undertaken which were conducted under two phases. These surveys identified that only occasional probes recorded peat depths of less than 0.5 m, and these are considered to primarily reflect the winter survey conditions and the poached nature of grazed fields rather than true deep peat deposits.

[46] Land Capability for Agriculture (Accessed: 15/04/2026)

The habitat condition, quality and stability of the carbon rich soils on site were surveyed, the findings of which are detailed in **Appendix 8.1 – Habitat and NVC Survey** and **Appendix 8.4 – Peatland Condition Assessment.**

ii. "*the likely effects of the development on peatland, including on soil disturbance*"
EIAR Chapter 10 – Hydrology and Hydrogeology detail the effects of the Proposed Development on the limited peat on site. The residual effects of the Proposed Development on the Class 3 peat on site and nearby Class 1 peat were found to be negligible. Mitigation is detailed in **EIAR Chapter 10 – Hydrology and Hydrogeology**.

iii. "*the likely net effects of the development on climate emissions and loss of carbon.*"
Section 14.3 of EIAR Chapter 14 – Other Issues assesses the effect of the Proposed Development in terms of carbon emissions and identifies when the Proposed Development will likely be offset from the carbon emissions which are associated with the manufacturing of the turbine components, transportation of turbine components, the construction of the Proposed Development, and other factors associated with the Proposed Development, including emissions emitted from impact to peatland during construction. **Section 14.3 of Chapter 14 –Other Issues** concludes that the Proposed Development will be offset in approximately 11-23 months of its initial operation, and a total carbon savings of over 860,000 tCO2 over the lifetime of the Proposed Development.

Policy 5 Accordance Conclusion

As shown, the Proposed Development accords with the requirements of Policy 5 of NPF4. The Site is not located on prime agricultural land, and the limited areas of carbon-rich soils identified are confined to small pockets of Class 3 peat, with no evidence of deep peat within the development footprint. A comprehensive baseline of peat depth, condition and quality has been established through detailed survey work, and this has informed the iterative design process to avoid sensitive areas wherever practicable. **EIAR Chapter 10 – Hydrology and Hydrogeology** confirms that, following the implementation of embedded mitigation, residual effects on peatland, soils and the wider water environment are negligible and not significant, ensuring that soil disturbance is minimised and peatland function is safeguarded. Hence, the Proposed Development is considered to be in accordance with Policy 5.

4.2.2.7 Policy 22 – Flood Risk and Water Management

Policy 22 aims to ensure that flood risk and water is managed appropriately and sustainably by development proposals, so that flood risk is not increased.

EIAR Chapter 10 – Hydrology and Hydrogeology details the flood risk within the hydrological assessment study area (250m from turbine locations). This identifies that a high risk of surface water and small watercourse flooding is identified along the Burn of Upperhass and the Burn of Ennisgeo and their tributaries. The most extensive area of flooding is shown around the confluence of the Burn of Deithhellia and the Burn of Ennisgeo, where they enter low-lying boggy ground near the Loch of Swannay. Elsewhere, flood extents are generally confined to the immediate banks and channels of these watercourses. Peerie Water is also recorded as having a high risk of river flooding and surface water and small watercourse flooding, although these flood extents are confined to the banks of the lochan. The minor surface water features surrounding Peerie Water are also identified to be at low to medium risk of surface water flooding.

This flood risk context has informed the design of the Proposed Development, which entirely avoids any areas of medium or high risk of flooding.

EIAR Chapter 10 – Hydrology and Hydrogeology considers the sensitivity of surface water receptors to be high. To avoid causing adverse effects on surface water receptors, the Proposed Development has been designed to almost entirely avoid areas at a low, medium, or high likelihood of flooding, with only a small area at a low risk of surface water flooding covered by infrastructure. Further mitigation is proposed as part of the Proposed Development, such as:

- Clean water cut-off ditches are proposed for the access track and hardstandings at all turbines. This system will allow clean discharge from ground uphill of the track to pass into the ground downstream, to maintain existing conditions and prevent drying out.
- All tracks will be constructed with a camber sufficient to minimise ponding and prevent the track becoming a conduit for runoff. The track will be constructed using a relatively large aggregate size, enabling runoff to percolate through the track. A large aggregate size also minimises the amount of fine sediment in the construction material.
- Runoff will be collected in infiltration trenches running adjacent to the infrastructure. In this way, sediments and pollutants will be filtered from the water as it percolates into the surrounding topsoil.
- Where infrastructure lies in close proximity to sensitive hydrological features such as watercourses, runoff will be diverted into a settlement pond to remove any potential contaminants prior to discharge into the environment.
- Where an infiltration trench is not suitable to divert such run-off, V-Ditches with check dams will be installed alongside the hardstanding and access tracks to collect the runoff. The check dams will be constructed from clean, granular materials or straw bales. This will help sediments and pollutants to be filtered from the water and will also slow water flow along the ditches.
- Various methods of mitigation during construction.

Further details on mitigation methods can be found in **EIAR Chapter 10 – Hydrology and Hydrogeology**. The anticipated significance of effect the Proposed Development will have on disruption to flow paths and flood risk, when considering the mitigation proposed, is negligible.

Policy 22 Accordance Conclusion

The Proposed Development has been carefully designed to respond to the identified flood risk context, avoiding areas of medium and high flood risk, with only a small area at a low risk of surface water flooding covered by infrastructure, and incorporating a range of embedded mitigation measures to manage surface water in a sustainable manner. **EIAR Chapter 10 – Hydrology and Hydrogeology** confirms that potential effects on runoff, flow paths and flood risk are effectively controlled through design and mitigation, with residual effects assessed as negligible and not significant. There would be no increase in flood risk on-site or elsewhere, and the integrity and function of the water environment would be maintained. Accordingly, the Proposed Development is in accordance with Policy 22 of NPF4, with no policy conflict arising.

4.2.2.8 Policy 23 - Health and Safety

Policy 23 aims to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage, promote, and facilitate development that improves health and wellbeing.

Wind energy has an exemplary safety record, and the polices, guidance, and procedures that have maintained this record will be implemented on-site as part of the construction and operational/maintenance activities on the Site. Further information regarding accordance with this policy is detailed in **EIAR Chapter 14 - Other Issues**.

While the Proposed Development has the potential to raise baseline noise levels, **EIAR Chapter 7 – Noise** demonstrates that the Proposed Development can be operated within ETSU-R-97 noise limits, and therefore, noise-related effects are considered acceptable, and is in accordance with Policy 23.

4.2.2.9 Policy 29 – Rural Development

Policy 29 encourages rural economic activity, innovation, and diversity whilst ensuring that the distinctive character of the rural area is safeguarded and enhanced. The **Socio-Economic Statement** details the socio-economic benefits of the Proposed Development, which include job creation, contribution to local and national economies, a community benefit fund, and the potential to establish shared ownership. The Applicant is

committed to offering the local community a shared ownership stake of up to 10% investment in the Proposed Development. Thrive Renewables are able to offer loan finance to the local community where required to maximise equitable participation within the local area.

The Proposed Development has been designed to be of a suitable scale for the local context, including the existing wind energy development. As detailed throughout the EIAR.

4.3 Orkney Local Development Plan

OIC is the administrative local planning authority. OIC's Development Plan comprises of the following relevant documentation:

- The OLDP; and
- Supplementary Guidance: Energy (SGE)[47].

The OLDP 2017 sets out the overarching spatial planning strategy for the whole of the OIC area and includes policies covering a broad range of topic areas such as renewable energy, natural and cultural heritage, landscape, historic environment, housing, infrastructure and economic development. The OLDP's vision seeks to support sustainable economic growth, safeguard and enhance Orkney's outstanding natural, built and cultural environment, and facilitate the responsible development of renewable energy resources, whilst ensuring that development is located and designed to minimise environmental impacts and contribute positively to local communities.

In the consideration of the Proposed Development, it is also important to recognise the relative weight to be afforded to the respective components of the Development Plan. Whilst both NPF4 and the OLDP form part of the statutory Development Plan, the OLDP predates a number of fundamental changes in climate legislation and policy, including the declaration of the climate emergency, the strengthening of Scotland's net zero targets, and the introduction of the statutory carbon budget framework. As such, it does not fully reflect the current urgency or scale of renewable energy deployment now required. By contrast, NPF4 represents the most recent and up-to-date statement of national planning policy and has been prepared in the context of these strengthened climate commitments. In particular, Policy 11 – Energy establishes a clear presumption in favour of renewable energy development, including the repowering of existing wind farms, and requires significant weight to be given to the contribution proposals make towards renewable energy generation and greenhouse gas emissions reduction targets.

In accordance with Section 24 of the 1997 Act, where there is any incompatibility between provisions of NPF4 and the OLDP, the more recent policy is to prevail. Given the age of the OLDP and the extent to which national policy has evolved, Policy 11 of NPF4 is therefore the primary policy consideration in the determination of the Proposed Development and should be afforded substantial weight in the planning balance.

Within the Orkney Local Development Plan, Policy 7 (Energy) – and in particular criteria (C) and (D) – represents the principal policy framework against which the Proposed Development falls to be assessed. These provisions specifically address the assessment of renewable energy proposals, including wind energy development, and set out the key considerations relating to environmental impacts, siting and design, and the protection of amenity and sensitive receptors.

Although there are a number of aspects of Policy 7 which are incompatible with NPF4, namely where it requires to be demonstrated that there are no significant adverse effects resulting from the proposals, the requirement to take account of the spatial strategy framework for wind farm development, and reference to a maximum time period for a wind farm consent. These requirements are at odds with NPF4, should be disregarded and no weight can be afforded to these aspects of Policy 7. The key policy for assessing the Proposed Development remains NPF4

[47] Supplementary Guidance: Energy (Accessed: 19/02/2026)

Policy 11. The topic criteria listed in Policy 7 are all matters that are contained within NPF4 Policy 11 (Energy). These matters have all been addressed in the previous section against NPF4 Policy 11

4.3.1 Appraisal of Accordance with the OLDP

In order to determine whether the Proposed Development is in accordance with the Development Plan, the key policies, as identified in

Table 4.1 - Appraisal of Accordance with the , have been responded to individually on a site-specific basis.

Table 4.1 - Appraisal of Accordance with the OLDP

Policy	Appraisal
Orkney Local Development Plan 2017 - 2022	
Policy 1: Criteria for All Development	Policy 1 outlines that development will be supported where it is appropriately sited and designed, respects landscape and townscape character, safeguards amenity, infrastructure, public health and safety, and does not prejudice surrounding uses. Proposals should be resource efficient, support sustainable construction and waste management, and protect or enhance natural and cultural heritage. (i) As detailed in **EIAR Chapter 3 - Assessment of Alternatives** and the **Design and Access Statement,** the compatibility of the Proposed Development and the existing landscape and visual environment was a primary consideration during the design of the Proposed Development, and as detailed in **EIAR Chapter 5 – Landscape and Visual Impact Assessment** which considers the effect of the Proposed Development on visual receptors, surrounding landscape character, and landscape planning designations, the conclusion of which have been considered in **Section 4.2.2.2 – Policy 11 – Energy (ii)**. (ii) The number of turbines included in the Proposed Development was informed by environmental constraints mapping and wind analysis to ensure the density of turbines proposed is suitable, both in environmental terms and wind yield terms. (iii) The principle of wind development on the Site is well established. The repowering of the Site and the impact of the Proposed Development is not considered to prejudice the effective uses of surrounding land, and it is not considered to prejudice the effective uses of surrounding land. The land on the Site is currently used for livestock grazing, the Proposed Development does not prejudice this and the use of the land for livestock grazing will continue. As detailed in all chapters of the EIA. The history of wind energy development on Site is detailed in **Section 1.3 – The Site**. (iv) The effect of the Proposed Development on the amenity of surrounding communities and individual properties is set out in **Section 4.2.2.2 – Policy 11 – Energy (i)** , which identifies that no unacceptable effects are anticipated on the amenity of surrounding communities and residential properties. (v) As detailed in **EIAR Chapter 14 – Other Issues**, which considers the impact of the Proposed Development on the Aviation, Radar, Telecommunications, and Utilities Infrastructure, no non-mitigable impacts were identified. This aspect of Policy 1 is incompatible with NPF4 Policy 11 which states that "*Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator*". Hence, the requirement of Policy 1 (v) that development should "*not create an unacceptable burden on existing infrastructure*", should be disregarded and no weight can be afforded to this aspect of OLDP Policy 1. (vi) Wind energy has an exemplary safety record and the polices, guidance, and procedures that have maintained this record will be implemented on-site as part of the construction and operational/maintenance activities on site. Detailed in **EIAR Chapter 14 – Other Issues**. (vii) Local procurement and contracting, resource efficiency, and utilisation of sustainable construction practices will be prioritised during the construction of the Proposed Development. This will be set out in a Construction Environmental Management Plan (CEMP) following consent of the Proposed Development.

Policy	Appraisal
	(viii) N/A – The Proposed Development will not produce waste during its operation due to the nature of the Proposed Development. Management of waste during the construction of the Proposed Development will be detailed and controlled through a CEMP. (ix) The Proposed Development does not impact the currently available access to the natural heritage of Orkney. The effect of the Proposed Development on public access is set out in **Section 4.2.2.2 – Policy 11 – Energy (iii)**, which identifies that informal access across the Site will be maintained throughout the operational life of the Proposed Development, including to the RSPB hide located on site. Access arrangements would be agreed with the RSPB during the construction period. (x) There are a number of aspects of Policy 1 (x) which are incompatible with NPF4, namely where it requires development to "protect and where possible enhance" *Orkney's cultural heritage resources*". This is at odds with the wording of NPF4 Policy 7 which stipulates, in respect to the WHSs, that development will only be supported the "O*utstanding Universal Value* [of the WHS] *is protected and preserved*", and, in respect to Scheduled Monuments, that development will only be supported where "*significant adverse impacts on the integrity of the setting of a scheduled monument are avoided*", or that "*exceptional circumstances have been demonstrated*". OLDP Policy 1 (x) is at odds with NPF4 and should be disregarded, and no weight can be afforded to this aspect of OLDP Policy 1. The topic criteria listed in Policy 1 are all matters that are contained within NPF4 Policy 11 (Energy), and NPF4 Policy 7 (Historic assets and places). These matters have all been addressed in **Section 4.2.2 – Appraisal of Accordance with NPF4**
Policy 2: Design	Policy 2 outlines that development should reflect Orkney's distinctive character and positively contribute to local appearance and amenity. Proposals should promote good connectivity and wayfinding, be adaptable over time, incorporate sustainable and energy-efficient design, and minimise light pollution. The topic criteria listed, where relevant to the Proposed Development, in OLDP Policy 2, as it relates to the design of the Proposed Development, is a matter that is contained within NPF4 Policy 11 (Energy). This matter has been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 7: Energy	Policy 7 supports heat networks, renewable heat, energy storage, and low-carbon energy developments where they optimise energy efficiency and can connect to existing or future infrastructure. Renewable and low-carbon schemes are supported where significant environmental or cumulative impacts are avoided, conflicts with surrounding uses are minimised, and net economic and community benefits are balanced against any adverse effects. There are a number of aspects of Policy 7 which are incompatible with NPF4, namely where it requires to be demonstrated that there are no significant adverse effects resulting from the proposals, the requirement to take account of the spatial strategy framework for wind farm development, and reference to a maximum time period for a wind farm consent. These requirements are at odds with NPF4, should be disregarded and no weight can be afforded to these aspects of Policy 7. The key policy for assessing the Proposed Development remains NPF4 Policy 11. The topic criteria listed in Policy 7 are all matters that are contained within NPF4 Policy 11 (Energy) and NPF4 Policy 7 (Historic assets and places). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 8: Historic Environment & Cultural Heritage	Policy 8 details that development will be supported where it preserves or enhances the significance and setting of cultural heritage assets. Harm will only be permitted where impacts are mitigated and clearly outweighed by wider public benefits, with particularly strong protection for the WHS, listed buildings, scheduled monuments, conservation areas, and inventory gardens. Appropriate assessment, investigation, and recording are required where heritage assets may be affected. There are a number of aspects of OLDP Policy 8 which are incompatible with NPF4, namely in respect to OLDP Policy 8 (A), where it requires development to demonstrate that "*any lost significance*" of cultural heritage assets must be outweighed by the "*social, economic, environmental or safety benefits of the development*", and (B, iv) where it stipulates that development which has an "*adverse effect on the integrity of the setting of a scheduled monument*" will only be granted permission where there are exceptional circumstances, no

Policy	Appraisal
	practical alternative site, or there are imperative reasons of over-riding public need. These requirements are at odds with NPF4, should be disregarded, and no weight can be afforded to these aspects of Policy 7. The key policy for assessing the Proposed Development remains NPF4 Policy 11, and NPF4 Policy 7 in respect to effects on historic assets and places. The topic criteria listed in OLDP Policy 8 are all matters that are contained within NPF4 Policy 11 (Energy), and NPF Policy 7 (Historic assets and places). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 9: Natural Heritage & Landscape	Policy 9 details that development should protect internationally, nationally, and locally designated natural heritage sites, with strict tests applied where significant effects may arise and permitting harm only in exceptional circumstances with clear public benefit. Proposals must safeguard protected species, biodiversity, water environments, peat and carbon-rich soils, trees, and landscape character, avoiding or mitigating adverse and cumulative impacts, with particularly strong protection for National Scenic Areas and wild land. There are a number of aspects of OLDP Policy 9 which are incompatible with NPF4, namely in respect to OLDP Policy 9 (E), which is restrictive in relation to all development located on peatland, subject to balancing the economic and social benefits of a given proposal. NPF4 Policy 5, in contrast, specifically supports development on peatland, carbon-rich soils and priority peatland habitat, in relation to the generation of energy from renewable sources. This requirement is at odds with NPF4, should be disregarded, and no weight can be afforded to this aspect of Policy 9. The key policy for assessing the Proposed Development remains NPF4 Policy 11, and NPF4 Policy 5 in relation to soils. The topic criteria listed in OLDP Policy 9 are all matters that are contained within NPF4 Policy 11 (Energy). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 10: Green Infrastructure	Policy 10 details that development should safeguard core paths, access rights and public routes, maintaining or providing safe and convenient alternatives where affected. Open space within settlements is protected and should be enhanced through new development, with loss only permitted where there is no deficit in provision and appropriate compensatory provision or financial contribution is secured. The topic criteria listed in OLDP Policy 10, as it relates to access rights, core paths, other public footpaths or rights of way, are all matters that are contained within NPF4 Policy 11 (Energy). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 13: Flood Risk, SuDS & Waste Water Drainage	Policy 13 set out that development should avoid increasing flood risk and protect functional floodplains, with flood risk assessments and mitigation required where relevant. Proposals must incorporate Sustainable Drainage Systems (SuDS) and ensure appropriate wastewater connections, normally to the public sewer, with private systems only permitted where they pose no environmental risk. The topic criteria listed in OLDP Policy 13, as it relates to (A), Flood Risk, and (B), Sustainable Drainage Systems, are matters that are contained within NPF4 Policy 11 (Energy), and NPF4 Policy 22 (Flood risk and water management). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.
Policy 14: Transport, Travel & Road Network Infrastructure	Policy 14 sets out that development should safeguard key transport routes and support improvements to transport infrastructure where justified. Proposals should promote sustainable travel, minimise reliance on private cars, and provide safe, well-connected access that meets design standards without harming local character, with appropriate long-term maintenance arrangements in place. The topic criteria listed in OLDP Policy 14, as it relates to the effect of the Proposed Development on transport infrastructure, is a matter that is contained within NPF4 Policy 11 (Energy). These matters have all been addressed in **Section 4.2.2 - Appraisal of Accordance with NPF4**.

4.4 Other Material Considerations

4.4.1 Site History

The planning history of a site can be a material consideration in the determination of the application. A summary of the planning history of the site is detailed in Table 4.2 – Site Planning History

Table 4.2 – Site Planning History

Planning Reference	Description	Decision
97/067/PPF	Erection of a wind turbine (Nordex N60, 76m tip height)	Consent granted July 1997
98/420/PPF	Erection of two wind turbine generators and a mast	Consent granted November 1999
02/020/PPF	Change of wind turbine for application 98/420/PPF (NEG Micon turbines, 101m/116m tip height)	Consent granted 2002
02/189/PPF	Erection of 2 wind turbines (Nordex N80, 100m tip height)	Consent granted October 2002
05/607/PPF	Change of use from visitor centre to office	Consent granted December 2005
07/422/PPF	Erect a wind turbine generator (Enercon E70, 99.5m tip height)	Consent granted December 2008
09/045/PPF	Erect a wind turbine generator and switchgear building (Enercon E70, 93.5m tip height)	Consent granted January 2015[48]
11/634/PIP	Construct a new shelter with associated infrastructure works and create an earth screen	Consent granted February 2012
17/485/PN	Install an antenna on radio tower with ancillary equipment and apparatus	Deemed Permitted Development
21/512/VR	Vary condition 08 (duration of consent) of planning permission 02/189/PPF (Nordex N80, 100m tip height)	Consent granted March 2022
23/036/VR	Vary condition 05 (operational lifespan of development) of planning permission 07/422/PP, to November 2034 (Enercon E70, 99.5m tip height)	Awaiting decision
25/188/SCO	Scoping opinion request to erect four wind turbines (maximum height 200 metres) (total generating capacity 30MW)	Awaiting scoping opinion

The principle of wind energy development has been well established on Site. Burgar Hill Wind Farm is an established wind energy generation site, which has produced energy since the 1980s when it was first developed as a test site for wind energy technology. By the late 1990's the Site moved towards commercial wind energy generation due to the growing demand for renewable energy and the Site having proven itself as an ideal location for wind energy generation. The Existing Scheme represents the first repower of the Site where a number of wind developments constructed at various times replaced the previous generation of wind development. These turbines have a height ranging between 76m and 116m to the blade tip and have been generating energy for between 17 and 26 years.

[48] Did not progress to construction.

Three of the five turbines on the existing Burgar Hill Wind Farm (including two proposed for repowering) are consented in perpetuity so long as the turbines remain operational, although, as set out in NPF4 Policy 11 (f), while development consents may be time-limited "*Areas identified for wind farms are, however, expected to be suitable for use in perpetuity*".

The successive permissions granted since the late 1990s and continuous operation dating back to the 1980s demonstrate that the principle of wind energy development at Burgar Hill is firmly established and has been repeatedly accepted through the planning process. Importantly, the Site has already undergone earlier phases of technological evolution, with older turbines replaced by more modern machines, evidencing a clear precedent for repowering and the optimisation of the Site over time. The existing turbines are now reaching the end of their operational life, presenting a logical and policy-supported opportunity for repowering. In this context, the Proposed Development represents a continuation of the Site's established use, rather than the introduction of a new land use, and builds upon existing infrastructure and environmental understanding.

The established planning history is a significant material consideration, reducing both planning risk and environmental uncertainty, and demonstrates the Site's proven suitability for wind energy generation. As such, it adds substantial weight in favour of the Proposed Development, aligning with national policy support for repowering and the efficient use of existing renewable energy sites.

4.4.2 Orkney Local Development Plan - Supplementary Guidance: Energy

Orkney Local Development Plan - Supplementary Guidance: Energy (SGE)[49], adopted in March 2017, details OIC's strategic support for renewable energy development. SGE recognises the central role renewable energy plays in addressing climate change and supporting sustainable economic development. It emphasises that the renewable energy sector is a growth industry for both Scotland and Orkney, contributing to employment, investment and innovation in the local economy.

The document provides a clear and structured framework for the assessment of renewable energy proposals, including onshore wind development. Proposals are assessed against a range of environmental and technical considerations, including landscape and visual effects, natural and historic environment, residential amenity, hydrology, peat, and infrastructure constraints. This framework is intended to ensure that renewable energy developments are appropriately sited and designed, rather than to preclude development in principle.

The guidance is supported by strategic evidence, including landscape capacity studies, which assist in identifying areas with the potential to accommodate wind energy development, within which the Proposed Development is located. However, it is recognised that site-specific assessment is required in all cases, allowing suitably designed proposals to be brought forward where impacts can be satisfactorily managed.

While the SGE and other OLDP supplementary guidance have been key considerations during the pre-planning and design phase of the Proposed Development, the OLDP and its supplementary guidance predates a number of fundamental changes in climate legislation and policy, including the declaration of the climate emergency, the strengthening of Scotland's net zero targets, and the introduction of the statutory carbon budget framework. As such, it does not fully reflect the current urgency or scale of renewable energy deployment now required. As such, where conflicts arise between OLDP, including its supplementary guidance, and NPF4, NPF4 should take precedence.

[49] Orkney Local Development Plan - Supplementary Guidance: Energy (Accessed: 16/03/2026)

4.4.2.1 Development Management Guidance: Energy

The Development Management Guidance[50] (2019) accompanies Policy 7 of the OLDP and the SGE. The guidance was adopted following the declaration of a Climate Change Emergency by the Council in 2019 to provide further clarity on elements of the adopted guidance including:

- Balancing the Impacts of Development – sets a desire by the Council to balance both positive and negative factors associated with a proposal prior to making a determination. The onus is on a developer to set out the positive impacts, including net economic impact, scale of contribution to renewable generation targets and effect on greenhouse gas emissions and demonstrate that they outweigh any negative effects.
- All Renewables and Low Carbon Energy Developments – accepts principle of development and strongly supports and encourages developments subject to appropriate impacts and seeks demonstration of the balance of effects particularly where localised effects only arise. It states that "*A critical context for this is the fact that Orkney Islands Council is committed to delivering a vibrant, carbon neutral economy, whilst seeking to help tackle climate change*".
- Landscape – references 2013 Landscape Capacity Study and stresses need for a landscape and visual impact assessment to accompany an application for consent. The guidance makes it clear that "*It is fully acknowledged within the study itself, and within adopted guidance, that it is strategic in nature and is not a substitute for a development specific landscape and visual impact assessment at the development management level. The weight which should be attached to this guidance should therefore be considered in that context"*.
- Scale of Wind Farm Development – provides guidance on scale of development and necessary assessments to support proposals. This relates to the Energy Supplementary Guidance referred to above, and the requirement to refer to spatial frameworks which is no longer appropriate when assessing wind energy developments.
- National Planning Framework – refers to NPF3 and need for grid infrastructure strengthening via an interconnector for Orkney (this has since been consented).

  NPF4 provides a more up to date policy framework however the Proposed Development would be in accordance with the above guidance.

The Proposed Development would substantially advance the Council's aspirations for the Islands to become carbon neutral by 2040 and would help address the climate emergency.

Overall, the SGE establishes a positive and enabling policy framework which supports the delivery of renewable energy development, including onshore wind, subject to compliance with identified environmental and technical criteria. As such, it provides clear support in principle for well-designed wind energy proposals that accord with the Development Plan.

The guidance contained within SGE has informed and been considered within all environmental assessments within the EIAR and has helped guide the Proposed Development.

4.4.3 Orkney Sustainable Energy Strategy 2017-2025

The Orkney Sustainable Energy Strategy 2017–2025[51] (OSES) is a non-statutory document prepared by the OIC and key partners, including Highlands and Islands Enterprise and the Orkney Renewable Energy Forum, to guide the long-term development of the energy sector across the islands.

[50] Orkney Local Development Plan – Development Management Guidance: Energy (Accessed 17/04/2026)
[51] Orkney Sustainable Energy Strategy 2017/2025 (Accessed: 17/03/2026)

OSES sets out an overarching vision for Orkney to become "a secure, sustainable, low carbon island economy driven uniquely by innovation and collaboration", supporting ambitious carbon reduction targets, addressing fuel poverty and delivering energy system solutions of wider significance.

A key objective of the OSES is to maximise the value of Orkney's abundant renewable energy resources, recognising the significant economic, social and environmental benefits associated with their development. This includes supporting the continued deployment of renewable generation technologies and ensuring that local communities derive economic value from these resources.

OSES establishes a framework of strategic priorities, including the transition to low-carbon energy systems, investment in enabling infrastructure, and the development of innovation, skills and supply chains. It highlights the importance of securing a reliable and affordable energy supply while progressing towards decarbonisation, and identifies renewable energy development as central to achieving these objectives.

Overall, the OSES provides a clear and positive policy context which supports the continued expansion of renewable energy generation, including onshore wind, as a key component of Orkney's transition to a low-carbon economy and as a driver of sustainable economic growth and community benefit. It is considered that it provides material support to the Proposed Development.

4.4.4 The Orkney Vision for a Climate Resilient and Net Zero Future

The Orkney Vision for a Climate Resilient and Net Zero Future[52] (OV) has been prepared by the Orkney Community Planning Partnership and sets out a shared, long-term framework to guide the islands' transition to a low-carbon and climate-resilient future. Whilst non-statutory, the OV represents a key expression of local strategic ambition and is a material consideration in the context of climate change and energy policy.

The OV establishes an ambitious pathway for decarbonisation, recognising the need for rapid and sustained reductions in greenhouse gas emissions within the current decade, alongside longer-term delivery of a fully decarbonised island economy. It seeks to position Orkney as a leading contributor to Scotland's net zero targets, with a strong emphasis on innovation, collaboration and a "just transition" that supports communities, the economy and the natural environment.

A central component of the OV is the expansion of renewable energy generation and supporting infrastructure, reflecting Orkney's significant natural resources and established role in the renewable energy sector. The document promotes coordinated action across public, private and community stakeholders to maximise the value of these resources and deliver both decarbonisation and local economic benefit.

The OV also emphasises the need to build resilience to climate change, recognising both the risks posed by changing weather patterns and the opportunities associated with the transition to a low-carbon economy, including green jobs and investment.

The OV provides a clear and positive strategic context which supports the accelerated deployment of renewable energy development, including onshore wind, as a key mechanism for achieving net zero emissions, enhancing energy resilience and delivering sustainable economic growth within Orkney. It is considered to lend material support to the Proposed Development.

4.5 Summary

The above appraisal of accordance with the Development Plan concludes that the Proposed Development accords with the policies of both NPF4 and the OLDP. The Proposed Development is a renewable energy proposal which would directly contribute to net zero targets, as well as the overarching aims of NPF4 and the OLDP. NPF4 Policy

[52] Orkney vision for a climate resilient and Net Zero future (Accessed: 17/03/2026)

11 requires significant weight to be afforded to the contribution of a proposed development to targets and thus provides material support in favour of this Proposed Development.

Other material considerations are summarised in Section 4.4 – Other Material Considerations and will also be considered in determining the planning application. These policies are set out in more detail within the relevant chapters of the EIA but it is concluded that they all support onshore wind in principle. No unacceptable impacts have been identified which cannot be appropriately mitigated through design, best practice measures or planning conditions.

It is therefore considered that the effects arising from the Proposed Development would be acceptable and that the Proposed Development accords with the Development Plan when it is read as a whole.

5 Conclusion

This Planning and Policy Statement sets out a summary of the Proposed Development in the planning and policy context. It considers the benefits of the Proposed Development, sets out the Proposed Development in the wider legislative and policy context, and appraises whether the Proposed Development accords with the Development Plan.

5.1 The Development Plan

In determining the Proposed Development, greater weight should be afforded to NPF4 as the most recent expression of national planning policy, reflecting strengthened climate legislation, net zero commitments and the urgency of renewable energy deployment. While the OLDP forms part of the Development Plan, it predates these changes and carries reduced weight in this context.

5.1.1 National Planning Framework 4

NPF4 recognises the importance of expanding the deployment of renewable energy and grid infrastructure upgrades to support national targets for emissions and GHG reductions. This is emphasised by *National Development Statement of Need 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure* which states that "*This national development supports renewable electricity generation, repowering, and expansion of the electricity grid*". The key policy which supports the successful implementation of this is Policy 11: Energy. Policy 11 establishes a clear presumption in favour of renewable energy, including repowering, and requires significant weight to be given to proposals which contribute to emissions reduction and clean energy generation. It states that *"Development proposals for all forms of renewables, low carbon and zero emissions technologies will be supported"* and goes on to state that when considering the impact of such developments, *"significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets"*.

While the Proposed Development would give rise to some residual environmental effects, these are clearly defined, appropriately mitigated and limited in extent. As laid out in Section 4.2.2 – Appraisal of Accordance with NPF4, significant visual effects are localised, principally affecting receptors in close proximity to the Site, up to 5.5km, with effects reducing rapidly with distance and the majority of the study area experiencing effects that are not significant. The Proposed Development would be perceived within an established wind energy landscape, representing the evolution and optimisation of an existing site rather than the introduction of a new influence. Landscape effects are also localised, with a significant effect identified 3.8km from the Proposed Development in the furthest instance, similarly contained and do not undermine the integrity or special qualities of the receiving landscape, including the Hoy and West Mainland NSA.

In cultural heritage terms, whilst significant effects in EIA terms are identified in relation to the setting of certain designated assets, including the Ring of Brodgar, the Stones of Stenness and cumulatively the HONO WHS, these effects are limited to changes within the wider setting and do not significantly adversely affect the integrity of Scheduled Monuments, and the Proposed Development does not materially diminish the qualities that underpin the OUV of the HONO WHS, ensuring the continued ability to understand, appreciate and experience the of HONO WHS's defining attributes and OUV is preserved.

The Proposed Development accords with Policy 11, and should be afforded significant weight in terms of its contribution to national renewable energy and emission reduction targets.

Section 4.2.2 – Appraisal of Accordance with NPF4 and Table 4.1 - Appraisal of Accordance with the OLDP, supported by the EIAR, details that the Proposed Development accords with the Development Plan with no unacceptable effects identified.

Material considerations are summarised in **Section 4.4 – Other Material Considerations** and will also be considered in determining the planning application. The policy topic criteria set out by NPF4 Policy 11 (e) are set out in more detail within the relevant chapters of the EIA, but it is concluded that they all support onshore wind in principle. No unacceptable impacts have been identified which cannot be appropriately mitigated through design or planning conditions.

5.2 Renewable Energy Policy and Net Zero Targets

It is considered that the Proposed Development makes a valuable contribution to both Scottish and UK Government targets and policy objectives related to increasing the amount of onshore wind energy contributing towards the energy mix, and reducing greenhouse gas emissions and reaching net zero, as set out in **Section 3 – Legislation and Renewable Energy Policy Context**. It is considered that the Proposed Development's contribution to achieving these targets and policy objectives garners it significant material support.

The important benefits of the Proposed Development have been set out in the context of the current climate emergency and would help address the issue of tackling climate change, meeting very challenging 'net zero' targets, and would contribute to improving security of supply.

5.2.1 Onshore Wind Policy Statement 2022

The OWPS sets out the Scottish Government's ambition for at least 20GW of onshore wind to be operational by 2030. To meet this, an additional 12GW of onshore wind development will have to come operational by 2030. As of Q1 2025, Scotland has an installed capacity of 10.5GW of onshore wind, with an additional 1.6GW under construction[53], and 6.2GW in planning; albeit not all projects will proceed to construction. The scale of this ambition highlights the urgency attributed to facilitating the increase of acceptable onshore wind energy developments. OWPS recognises that to meet this ambition, taller and more efficient turbines will be required, which "*will change the landscape".* OWPS makes it clear that where significant landscape and visual impacts are to be expected as a result of a renewable energy development, but "*impacts are localised and/or appropriate design mitigation has been applied*", they will be generally considered acceptable. OWPS also identifies National Parks and National Scenic Areas as *"The only areas where wind energy is not supported".* OWPS also highlights the stronger weight afforded to the proposal's contribution to the climate emergency and community benefits, in line with NPF4. It is clear that the Proposed Development, which would result in some limited localised significant landscape and visual impacts, is in line with what is considered acceptable in OWPS and should be attributed significant support for its important contribution towards the Scottish Government's stated ambition of developing 20GW of onshore wind by 2030.

5.3 Socio-Economic and Community Benefits

As summarised in **Section 2 – Proposed Development Benefits,** and detailed within the **Socio-Economic Statement,** the Proposed Development will be a positive contribution to the local economy through job and GVA creation. The Proposed Development will also provide a Community Benefit Fund, which will make direct cash contributions to communities local to the Proposed Development, throughout the lifetime of the Proposed Development. The Applicant is committed to offering the local community a shared ownership stake of up to 10% investment in the Proposed Development. Thrive Renewables are able to offer loan finance to the local community where required to maximise equitable participation within the local area. The socio-economic and community benefits which the Proposed Development will deliver are considered to contribute material weight in support of the Proposed Development.

[53] Energy Statistics for Scotland – Q1 2025 (Accessed: 28/07/2025)

5.4 Summary

The appraisals in this statement conclude that the Proposed Development is in compliance with key Development Plan policies and with the Development Plan as a whole. Material considerations add material weight to the planning balance in favour of the Proposed Development. As the Proposed Development has been shown to be in accordance with the relevant policy test set out in the Development Plan and is deemed to gain material weight from material considerations, subject to the imposition of appropriate controlling planning conditions, planning permission should be granted.

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