



Howpark Solar Farm

Planning, Design and Access Statement

Eurowind Energy Limited

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Basis of Report

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1.0 Introduction

Eurowind Energy Limited ('the Applicant') is applying to Scottish Borders Council for planning permission to construct and operate a solar photovoltaic ('PV') generating station on land immediately south of the constructed Howpark Wind Farm, approximately 2.3km north east of Grantshouse ('the Site'). The Site location is shown on **Figure 1a**.

1.1 Eurowind Energy Limited

The Eurowind Energy Group is made up of the parent company, Eurowind Energy A/S headquartered in Hobro, Denmark, and subsidiary companies operating in 16 countries across Europe and the USA. Eurowind Energy™ (EWE) has evolved into a leading developer and operator of wind and solar PV projects across Europe¹ and the USA. EWE is also the largest Asset Management provider of onshore wind turbine projects on behalf of Danish wind turbine owners in Denmark. EWE is an engaged wind turbine owner and owns approximately 860MW of operational wind and solar parks from a total management portfolio of c. 2.5GW.

1.2 SLR Consulting Limited

SLR is a Registered Environmental Assessor Member of the Institute of Environmental Management and Assessment (IEMA) and holder of the EIA Quality Mark (<http://www.iema.net/qmark>). SLR is also a Registered Organisation validated by the Institute for Archaeologists (IfA), a member of the Association of Geotechnical and Geo-environmental Specialists, and a Landscape Institute (LI) Registered Practice.

The company has significant experience in the preparation of planning applications and undertaking Environmental Impacts Assessment (EIA) and technical assessment for a wide variety of projects, including waste, minerals, renewable energy and infrastructure developments. Further information on SLR can be found on its corporate website at www.slrconsulting.com.

1.3 Summary of the Proposed Development

The application is for the construction and operation of a solar photo-voltaic (PV) generating station and ancillary infrastructure on land south of Howpark Wind Farm, maximising the available grid connection capacity by sharing the existing Howpark Wind Farm grid connection, substation infrastructure and existing access tracks; creating a 'hybrid energy park'.

The solar PV generating station is expected to have an installed capacity of up to 15MW of electricity (Direct Current [DC]).

The application site boundary covers an area of approximately 52ha; with 15.6ha of this area covered by the proposed PV panels. The land take would be significantly smaller hectareage when compared to the wider site since grazing would still be possible under the panels and land take would only result from panel posts, inverters and transformers.

The proposed development would generate approximately 15,000 megawatt-hours per year (MWh/yr) which would offset the annual electricity usage of approximately 4,300 homes in the Scottish Borders². The proposed development would share the same grid connection as

¹ Denmark, United Kingdom, Bulgaria, Estonia, Finland, France, Germany, Italy, Latvia, Poland, Portugal, Romania, Slovakia, Spain, and Sweden.

² MWh/year value-based developer capacity factor, anticipated export capacity, and BEIS 2022 data for annual home consumption 3,509kWh (as of December 2022, updated annually).



Howpark Wind Farm (construction completed in Q3 2022, anticipated operation in late 2023). The addition of solar would create a hybrid energy park, maximising the utility of the shared grid connection.

The proposed development would expect to have an operational life of up to 40 years.

The proposed infrastructure components are shown on **Figures 1 to 10** which accompany this application.

Due to the scale and generating capacity of the proposed development, the development constitutes as “Local” development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

1.4 Rationale for the Proposed Development

The Scottish Draft Energy Strategy and Just Transition Plan (2023)³ highlights a real need for more renewable energy generating capacity in Scotland and specifically, that there is a need for this increase in capacity to begin immediately. The Plan notes that *“solar has an important role to play in decarbonising our energy system, particularly when combined with other renewables. Our aim is to maximise the contribution solar can make to a just, inclusive, transition to net zero. We [The Scottish Government] will support the sector to minimise barriers to deployment wherever possible and continue to provide support through our renewable support schemes”*. It considers solar as a long established, commercially viable renewable technology at the forefront of decarbonisation efforts. It has already seen great success in Scotland and the Scottish Government wishes to provide clarity on the important role it will play in meeting net zero and in the finalised vision and plan of 2023.

According to the most recent data published in Q1 2023⁴, Scotland has 522MW of operational solar capacity, with a further 1,141MW of estimated pipeline capacity (449MW in planning, 614MW awaiting construction and 78MW under construction). This pipeline of projects, which increases the current capacity by over 200%, shows the significant appetite for greater solar deployment in Scotland.

Therefore, there is a clear rationale for the proposed development being required, as it constitutes a small but meaningful contribution to the renewable energy generating capacity in the Scotland in line with the Scottish Draft Energy Strategy and Just Transition Plan. The proposed development would aid in the struggle to reduce greenhouse gas emissions whilst maximising the use of the land and available capacity connection to the grid in combination with the already built Howpark Wind Farm.

1.5 EIA Screening Opinion

SLR submitted a formal request for an EIA Screening Opinion to Scottish Borders Council (SBC) on 22 February 2023 and an EIA Screening Opinion (ref 23/00315/SCR) was received on 14 March 2023. It was the opinion of the Planning Authority, that the proposed development would not have such significant effects on the environment as to require to be subject to EIA.

Additional email correspondence with SBC in October 2023 confirmed that the minor amendments made to the design of the proposed development since the Screening Opinion was issued would not change the opinion of SBC and the proposed development would still not require an EIA to be undertaken.

³ Scottish Government (2023). Scottish Draft Energy Strategy and Just Transition Plan (2023).

⁴ Scottish Renewables Statistics (2023). <https://www.scottishrenewables.com/our-industry/statistics>



The accompanying planning application and supporting technical assessments have been prepared on the premise of the scope provided in the EIA Screening Report⁵ as agreed with SBC (February 2023). The technical assessments and reports undertaken accompany this statement as Appendices 01 to 08 and the findings of which are referenced in **Section 5.0: Planning Policy Review**:

- **Appendix 01:** Land Capability Classification for Agriculture (LCCA)
- **Appendix 02:** Heritage Desk-based Assessment
- **Appendix 03:** Geophysical Survey Report
- **Appendix 04:** Ecological Impact Assessment
- **Appendix 05:** Landscape and Visual Appraisal
- **Appendix 06:** Landscape and Biodiversity Strategy
- **Appendix 07:** Construction Traffic Management Plan
- **Appendix 08:** Flood Risk Assessment

1.6 Public Engagement

Following the preparation of technical reports and final Site layout, the Applicant co-ordinated public consultation, in the form of an information leaflet and a dedicated information website page outlining Site history, rationale and development proposal details for members of local and surrounding communities.

The information leaflet confirms EWE's commitment to provide £500 per MW (export capacity) to a community benefit fund.

The information leaflet directs members of the public to the SBC planning portal if they wish to provide comment on the application; and provides a dedicated project contact email address for any other public queries.

1.7 Planning Submission Package

The planning application submission package comprises the following:

- Planning, Design and Access Statement (PDAS) (this document) with the following supporting documents:
 - **Appendix 01:** Land Capability Classification for Agriculture Assessment (LCCA)
 - **Appendix 02:** Heritage Desk-based Assessment
 - **Appendix 03:** Geophysical Survey Report
 - **Appendix 04:** Ecological Impact Assessment
 - **Appendix 05:** Landscape and Visual Appraisal
 - **Appendix 06:** Landscape and Biodiversity Strategy
 - **Appendix 07:** Construction Traffic Management Plan
 - **Appendix 08:** Flood Risk Assessment
- Planning application **Figures 1-10**
- Application form and certificate(s)

⁵ SLR Consulting Ltd (2023), Howpark Solar Farm, EIA Screening Report.



1.8 Report Structure

The remainder of this PDAS comprises the following Sections:

- Section 2.0 Site and Surroundings: describes the location, setting and physical characteristics of the Site, describes baseline features in and around the Site and outlines the Site history.
- Section 3.0 Application Rationale: explains the rationale for the proposed development, describes the Site selection process, and sets out the design parameters.
- Section 4.0 Proposed development: provides a process description, describes the solar PV farm and ancillary infrastructure.
- Section 5.0 Planning Policy Review: identifies the development plan and considers material considerations.
- Section 6.0 Summary and Conclusion.

2.0 Site and Surroundings

2.1 Application Site

The application Site is located approximately 2.3km north east of the village of Grantshouse, Berwickshire, centred on National Grid Reference (NGR) 383816, 666175 (**Figure 1a**). The Site is largely bound by agricultural fields, scattered hamlets, and rural expanse which is dissected by the A1 at Grantshouse (to the south west). The application Site boundary is shown on **Figure 1b**.

Howpark Wind Farm to the immediate north is now fully constructed (completed in Q3 2022) and is due to become operational in late 2023 subject to completion works by Scottish Power Energy Networks (SPEN). Howpark Wind Farm is owned and managed by EWE.

EWE is exploring two access options to the Site. First is an access route from the south west via the access track built for Howpark Wind Farm. The second access route is along Howpark Road and approaching the Site from the north via the tracks which have been constructed for the wind farm.

Ground levels on the Site vary between 190m above Ordnance Datum (aOD) in the north west and 232m aOD in the south west (**Figure 4**). Topography is undulating with elevation generally falling towards a field drain which runs through the centre of the Site (south east to north west) and Howpark Burn to the north west. Bell Hill is a circular hill crest formation present in the south western part of the Site which is elevated at around 232m aOD. Ground levels from the peak therefore fall in all directions, either towards the field drain and Howpark Burn, or to the west and south, away from the Site.

The developable Site area comprises agricultural land which covers four separate field boundaries to the south of the constructed Howpark Wind Farm. Three of the developable fields are utilised for pastoral grazing and one for crop cultivation. Livestock were found to be present on the southeasternmost fields during walkover surveys. An area of broadleaved woodland is located in the centre to the south of the Site, and a pond is located in the centre (NGR 383878, 666446). An unnamed field drain dissects the Site from southeast to northwest. The soil composition of the Site is defined as brown soils, moderately acidic with brown topsoils and brown and yellowish subsoils. The geology of the Site consists of a Gala



group bedrock, comprising wacke sandstone, siltstone, and mudstone, and superficial deposits of alluvium and till (British Geological Survey, 2022)⁶.

There are no environmental designations within the Site (**Figure 3**). The closest designation is the Drone Hill Site of Special Scientific Interest (SSSI) approximately 140m to the east of the Site, designated for raised peat bog and associated species.

2.2 Surrounding Area

The Site lies to the west of the Berwickshire coast, in proximity to the coastal settlements of Coldingham (5.7km) and Eyemouth (10.1km). Berwick-upon-Tweed is approximately 20km to the south east. The A1 is the primary road network connecting Edinburgh City Centre to Dunbar, providing access to the Berwickshire Coast, the Scottish Borders, and north east England. Land use across the inland rural expanse is predominantly small-medium scale arable farming as indicated by large expanse of fields interspersed by individual farmhouses and infrequent villages. Land use at the coastal fringe is predominantly recreational and scenic with some historic assets on the coast such as St Abbs Priory and Coldingham Priory.

Typical industry, business and services are limited to leisure parks, holiday accommodation, nurseries, kennels, and catteries. There are three wind farms located directly north of the Site: the constructed Howpark Wind Farm, the operational Drone Hill (Coldingham Moor) Wind Farm (184m to the north), and the operational Penmanshiel Wind Farm (492m to the north west).

The nearest residential receptors to the main development area are located at Highview Caravan Park (approximately 194m to the east), Hazelfield at Howpark Farm (approximately 810m to the west), Howpark Farmhouse (approximately 800m to the west), and properties at Renton Barns (approximately 1.1km to the west). It should however be noted that there would be very minimal visibility from Highview Caravan Park (see **Appendix 05** for more information).

2.3 Site Planning History

The Site has been utilised as farmland for all of its recent history and as far back as publicly available records allow. The only current planning permissions within the Site are for the land immediately north and south west of the Site boundary for the following works:

- Howpark Wind Farm and associated infrastructure (16/00980/FUL and PPA-140-20607).
- Upgrade of existing farm track to allow access to Howpark Wind Farm (20/01030/FUL).
- Formation of new wind farm access (20/01604/FUL) north of the Site.

3.0 Application Rationale

3.1 Site Selection

The Site benefits from the proximity to and availability of existing utility provided by the nearby Scottish Power Energy Networks (SPEN) grid connection, as well as being able to benefit from the existing wind farm infrastructure; primarily the substation, grid connection and Site access tracks, to form a hybrid energy park. The Site is free of environmental

⁶ (Onshore) GeoIndex, British Geological Survey, GeoIndex (onshore) - British Geological Survey (bgs.ac.uk)

⁷ The wind farm planning permission was granted in 2018 following appeal (DPEA Ref: PPA-140-2060).



designations with good access to the local transport network and minimal landscape and visual impacts.

The Site is gently sloping to allow for easy construction of ground-mounted panels and its location on the east coast of Scotland maximises exposure to sunlight, which will be enhanced via the in-built tracking functionality of the solar panel units.

The ground-level infrastructure (<4.5m panel height⁸) would be well-screened by existing established woodland stands and hedgerow, as well as proposed newly planted areas, to retain the characteristic rural amenity of the surrounding landscape. The key constraints which were taken into account during the design process included:

- landscape character and visual impact;
- location of residential properties – noise and visual amenity;
- presence of protected habitats and species;
- potential for traffic, transport and access effects;
- presence of archaeological and cultural heritage features;
- presence of watercourses and associated flood risk (including surface water);
- key recreational routes and other land users; and
- presence of existing utilities including power lines, pipelines and telecommunications links.

EWE's Site selection required the Site to avoid prime agricultural land. Land within the Site comprises of classes 4.1 (land capable of producing a narrow range of crops, crop-rotation) and 5.1 (land well-suited to reclamation and for use as improved grassland) (**Appendix 01**). Only a small pocket of class 3.1 land was identified in the north of the Site, which would not be used for the main infrastructure. It can also be considered that the management of land under solar PV panels could improve soil health and structure through being 'fallow' over the operational life of the proposed development. The Site was chosen due to established natural screening that existed already and the land also meets the criteria in terms of low flood risk.

3.2 Design Principles

3.2.1 Constraints Analysis

The layout and design of the proposed development was considered as part of an iterative design process aimed at reducing the potential environmental effects, whilst accommodating operational and economic requirements.

An initial constraints analysis (including habitats, trees, slope, residential receptors and watercourses) was undertaken to define the potential developable area, and the iterative design process further refined this area within the Site. Site visits and surveys were undertaken for flood risk, heritage, geophysics, landscape and agriculture to inform the technical appraisals provided in Appendices 01 to 08.

The output from the surveys and technical appraisals was fed into the engineering design and layout of the proposed development through an iterative process.

The proposed development design layout has aimed to integrate with the consented and constructed Howpark Wind Farm as far as possible through the shared use of access tracks

⁸ 4.5m agl at their most vertical, during minimal parts of the day



and existing substation. Cabling from the solar farm to the substation would follow the same route as the embedded built wind farm cables which are laid along the wind farm access tracks.

3.2.2 Embedded Mitigation

Considerable efforts were made to produce a Site layout which achieves the most satisfactory relationship with the landscape of the Site whilst respecting other environmental and technical considerations. During the EIA Screening process, the multi-disciplinary teams and EIA Core team discussed various issues identified as part of the initial constraints screening process. The team identified the optimal locations for each type of infrastructure component, i.e. electrical (inverters), cabling, ground-mounted panel arrays, access points etc.

Mitigation of the potential effects of the proposed development has been predominantly incorporated through the iterative design process. Changes made as a consequence of this iterative design process, i.e. to account for archaeology, potential tree root protection zones, Site access and potential impact on residential properties is embedded in the design to ensure no significant adverse effects result.

The findings of the technical and environmental studies undertaken for the planning application were used to inform the design of the proposed development, and hence achieved a 'best fit' within the environment of the proposed Site.

In summary, the proposed development Site has been identified as a suitable and agriculturally sustainable location for the development of solar PV farm; it is ideally located in the east of Scotland for maximum solar irradiation, has an existing formal grid connection, and existing energy infrastructure and access tracks. The Site also makes full use of the naturally available screening provided by established tree stands, mature hedgerow, and local topography which essentially restricts local views of the development from the majority of residential receptors.

4.0 Proposed Development

4.1 Overview

The main elements of the proposed development as shown on **Figure 2** are:

- up to 25,500 tracking solar PV panels/modules set out in rows (known as strings) and ground mounted up to 4.5m above ground level (agl) (at their most vertical) during minimal parts of the day;
- inverters placed at the end of the solar PV strings as required;
- string combiner boxes to combine multiple strings of PV panels;
- two transformer stations to the north of the solar array;
- underground and cable tray cabling to connect the panels, inverters and transformers to the consented and built Howpark Wind Farm substation in the north of the Site;
- reuse of existing substation compound infrastructure;
- compacted internal crushed stone tracks, rolled in layers to allow vehicular access between fields;
- fencing, security and monitoring CCTV cameras located along the perimeter of the Site;



- use of constructed wind farm Site access tracks either via the adopted A1 or via the adopted Howpark Road;
- use of former wind farm construction compound footprint north of the Site for temporary construction compound; and
- landscaping / planting (refer to **Appendix 05** and **Appendix 06**) in order to provide screening.

It is proposed that all infrastructure would be constructed in the positions shown on **Figure 2**. It is requested that a 5m micrositing allowance is applied to the proposed infrastructure to be implemented by planning condition. The position of the infrastructure would ensure all on site constraints are avoided.

4.2 Proposed Infrastructure

4.2.1 Solar Panels

There would be approximately 25,500 tracking solar panels/modules across the Site which would reach approximately 4.5m agl at their most vertical edge, at peak tracker rotation only, during minimal parts of the day. Normal operating height would be in the range of 3m-3.5m agl at their most vertical edge for the majority of the day. The tracking solar panel which is proposed to be installed on the Site, has an in-built single axis solar tracker along each panel length, has less requirement for piling, and a lower parts count which benefits construction environmental impacts and installation time.

There would be gaps of approximately 3-6m between each row depending on topography. Typical elevations of the solar panels are shown on **Figure 7**.

There would be a minimal disturbance to the ground to install the panels. The solar panels would be mounted on a frame made of galvanized steel or aluminium, which would be fixed into the ground by posts centred up to 6m apart. Each string of panels would be mounted on a rack comprising metal poles anchored to the ground using pile driven foundations. The piling depth for solar panel frame support legs would be approximately up to 3m, although the actual depth required would depend on the ground conditions and weather speed and direction - as wind dictates the anticipated force on the panels. The support leg is a u-shaped post of approximately 15cm x 5cm.

The use of footings to fix panel modules to the earth would ensure that there is no impact on subsurface features. Pending confirmation of final foundation design, no concrete would be needed to secure the system of solar panels in place and the posts can easily be removed with no permanent impact on the ground or associated groundwater. The proposed development would not impact the status of subsoils, geology or groundwater due to the temporary, reversible and unintrusive nature of the works.

4.2.2 Inverters and Transformers

The solar PV set up will incorporate an arrangement of Smart String inverters placed at the end of the solar PV strings as required, approximately 1m x 0.7m x 0.4m, with typical DC voltage of 1,500V and AC power output of 185,000VA.

Two Smart Transformer Stations will be located in the north of the solar array field housed within units resembling shipping containers positioned on a hardcore base, approximately 6m x 2.9m x 2.4m and would be linked to the inverters.

The inverters will convert the DC generated by photovoltaic panels into AC. Once the conversion to AC has happened, the transformers will then convert the low voltage output from the inverters into high voltage suitable for export to the grid/network via the substation.



The cables linking the solar PV arrays to the inverters and transformer stations would all be located underground, as would the cable linking to the existing wind farm substation.

The operation of the solar array would be managed via a Smart Array Controller and Smart Logger. The system has in-built commissioning functionality and would be operated remotely via the preferred network application.

Typical transformer and inverter designs are shown on **Figure 7**.

4.2.3 Substation and Cabling

The proposed development would be connected to the consented substation located at the constructed Howpark Wind Farm (see **Figure 2** for location).

Cabling is proposed to run from the inverters to the transformers and then substation utilising the route of existing wind farm cabling as illustrated on **Figure 2** (as-built detail). The consented substation at the constructed Howpark Wind Farm, would transfer electricity received from the solar transformers, via underground cables routing along the wind farm access track cabling network to the wider grid.

Circuits will comprise of both 33kV and fibre cabling. All cabling will be embedded in backfill material in accordance with the final design. Cabling detail is illustrated in **Figure 8** – Typical Access Tracks and Cable Detail.

4.2.4 Construction Compound

A temporary construction compound would be established within the footprint of the former construction compound of the constructed wind farm, to the north of the northern boundary of the solar field. The compound would include storage containers, Site office and welfare. Indicative details of the compound are shown on **Figure 10**. The compound would be in place for a temporary period of up to 26 weeks, after which it will be removed, reinstated, and returned to grassland.

4.2.5 Security Fencing

Security measures are proposed at the Site, including nine pole mounted CCTV cameras (3m height) and perimeter security fencing around the array and proposed transformers. Fencing will comprise plain wire interior and barbed wire at height, interlinked with wooden batons (75 x 38 x 1600mm) and end posts (150 x 150 x 2100mm). Double-leaf vehicle access gates (approximately 4.5m x 1.5m) and a pedestrian access gate would allow entry into the Site. A minimum of 300mm compacted stone would be constructed under the extent of the gated access.

No permanent lighting would be included within the proposed development, only for infrequent operational maintenance where required at certain times of the year. A lighting assessment is not applicable to a development of this nature.

4.2.6 Access

The proposed Site layout is shown on **Figure 2** which includes for two routes to access the Site:

- access from the A1 to the south of Grantshouse via the existing constructed wind farm access track (**Figure 5**); and
- access point from the north accessed via Howpark Road, via built wind farm access track to the Site (**Figure 6**).

Both routes are already constructed to accommodate wind farm functionality and therefore no further track works to access the Site would be required.



The existing access from the A1 already meets requirements for HGV vehicles, and has undergone hard surfacing, construction of bell mouth junction with the required visibility splays. The existing Site access junction from the A1 has been designed in accordance with CD123 DMRB. In the interests of highway safety and operation, the proposed Site access was designed to allow an HGV to gain access whilst an HGV awaits egress.

The proposed development would include compacted permeable internal crushed stone tracks, rolled in layers throughout the Site, of approximately 4m running width, to enable the movement of construction and maintenance vehicles.

The construction of the proposed development is predicted to generate a total of 44 additional two-way movements per day as a maximum worst case scenario. This would result in no more than a 1% increase to the total flows and less than 1% increase in the numbers of HGVs. In addition, as the construction phase would run for up to 26 weeks, this limited increase in traffic would be temporary and short term.

4.2.7 Parking

Parking areas located at the Site construction compound would have safe and secure barriers to segregate all personnel from Site plant and vehicle routes. All signage within designated car parking areas would be followed, with no vehicles parked in a way which restricts either vision or access.

No parking would be allowed on public roads; all cars that are directed to the Site car park would be required to reverse park to comply with EWE and the Principal Contractors requirements.

4.2.8 Planting/Landscaping

Native hedge and tree planting is existing/proposed along the western, northern and eastern boundaries of the solar panel arrays to minimise the views into the Site, which will be capable of providing year around screening once fully established. This planting will also improve connectivity of the already substantial mature tree stands and existing hedgerow/field boundaries. Increased vegetative screening of the proposed development along these boundaries would also provide foraging and nesting biodiversity opportunities as part of the proposed development. Additional rewetting areas are also proposed to enhance wetland habitats within the Site. The Landscape and Biodiversity Strategy is shown in **Appendix 06**.

4.3 Construction

4.3.1 Construction Programme

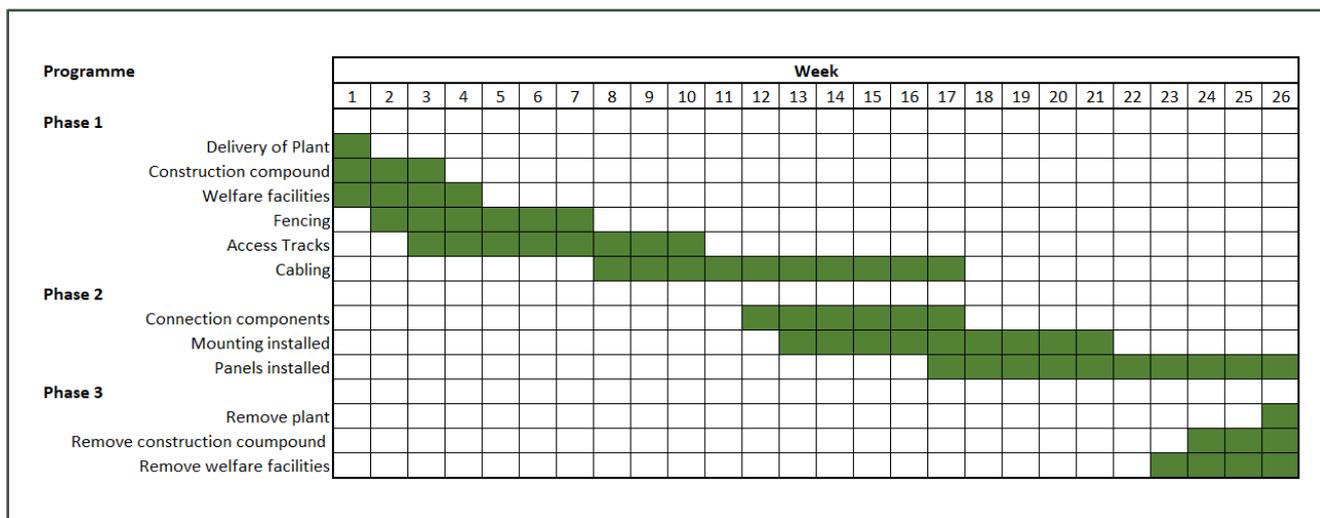
The construction and installation of the proposed development would take approximately 26 weeks and would comprise of the following principal activities:

- site preparation and access;
- delivery of plant and materials;
- construction of the solar panel mounting and arrays and connection components i.e. inverters, underground cabling etc;
- testing and commissioning; and
- Site restoration and landscaping.

Most of the operations would be undertaken concurrently in order to minimise the overall length of the construction programme. Site restoration would be programmed to allow restoration of disturbed areas as early as possible.



An indicative construction programme is set out below:



The construction process would be managed to ensure minimum disruption during the construction period. The process would be managed in accordance with construction good practice including the recommended management and mitigation measures set out in the relevant technical reports accompanying this planning application. All appropriate health and safety management systems would be put in place.

A Construction Traffic Management Plan (CTMP) (as detailed in **Appendix 07**) would set out measures for managing the following:

- setting out of site entrance and interface with traffic on the A1 at Grantshouse and at Howpark Farm;
- traffic management including routeing and timing of deliveries;
- signs and instructions;
- onsite safety and site traffic;
- provision of parking and turning areas within the site;
- vehicle cleaning; and
- driving and speed restrictions.

It is anticipated that construction of the proposed development would require up to approximately 40 onsite construction workers during the peak construction phase. No diversion of pedestrian routes or parking suspensions are anticipated to be required.

4.3.2 Working Hours

Standard daytime working hours are likely to be utilised, between 7am to 7pm Monday to Saturdays. No working would be permitted on Sundays or bank holidays without prior approval. Depending on the time of year, some work lighting may be required to facilitate construction during these hours.

4.3.3 Waste Management

Any topsoil not stockpiled for later reinstatement would be spread over adjacent land as agreed with landowners. Topsoil shall consist of friable surface soil reasonably free of grass, roots, weeds, sticks, rocks or other unusable materials.



Any non-hazardous waste produced is likely to be primarily packaging and cable off cuts. This waste would be stored in a covered skip and recycled or appropriately disposed of.

4.4 Operation

The proposed development would have an operational period of up to 40 years during which time it would be unmanned and monitored remotely. Maintenance would be overseen by suitably qualified contractors who would visit the Site as required, typically less than twice per month. Activities would be restricted principally to vegetation management, equipment/infrastructure maintenance and servicing, including replacement of any components that fail, and monitoring to ensure the continued effective operation of the proposed development.

4.5 Decommissioning

Upon the end of the operational life of proposed development, it would be decommissioned, and the land restored to its previous condition, or a subsequent planning application submitted to re-power and/or extend the life of the development.

If decommissioned, the proposed development components including array modules, mounting structures, cabling, inverters and transformers would be removed from the Site and recycled or disposed of in accordance with good practice and market conditions at that time.

Decommissioning would be expected to take approximately 3 months. The effects of decommissioning are similar to, or often of a lesser magnitude than construction effects and have been considered where possible in the relevant technical assessments.

Notice would be provided to Scottish Borders Council in advance of commencement of decommissioning works, with all necessary licenses or permits being acquired. EWE would develop a Decommissioning Plan, and the works would be undertaken in accordance with a statement of operations, covering safety and environmental issues typical of decommissioning (for solar sites).

5.0 Planning Policy Review

5.1 Introduction

This section assesses the proposed development against the relevant provisions of the Development Plan and other relevant material considerations, drawing on the findings and conclusions of the technical assessments undertaken.

Section 13(2)(1) of the Planning (Scotland) Act 2019 (amending Section 24 of the Town and Country Planning (Scotland) Act 1997) states that “*the Development Plan for an area is to be taken as consisting of the provisions of the National Planning Framework (NPF) alongside any local development plan for the time being applicable to the area*”. For the purposes of this application, the Development Plan for the proposed development therefore comprises NPF4, the adopted Scottish Borders Local Development Plan (LDP) and relevant supplementary guidance.

5.2 Development Plan Policy

5.2.1 National Planning Framework 4 (NPF4)

National Planning Framework 4 (NPF4) was adopted by the Scottish Government on 13 February 2023 and now forms part of the statutory Development Plan for planning applications made under the Town and Country Planning (Scotland) Act 1997.



Section 24 of the 1997 Planning Act as amended by Section 13 of the Planning (Scotland) Act 2019 provides that in the event of any incompatibility between the provision of the National Planning Framework and a provision of the Local Development Plan, whichever of them is the later in date is to prevail. That includes where a Local Development Plan is silent on an issue that is now provided for in NPF4.

Eighteen national developments are identified in total in NPF4. These are defined as “*significant developments of national importance that will help to deliver our spatial strategy*”. NPF4 identifies that “*national development status does not grant planning permission for the development*” but does clarify that “*their designation means that the principle of the development does not need to be agreed in later consenting processes.*”

Annex B of NPF4 provides further details and Statements of Need for each of the 18 national developments. National Development 3 is for Strategic Renewable Electricity Generation and Transmission Infrastructure, for which NPF4 states that:

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

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

National Development 3 is identified as being applicable to the whole of Scotland, including the Scottish Borders within which the proposed development is located. Although Annex B clarifies that only onshore renewable energy with a capacity exceeding 50MW would qualify as being classified as of national development status under National Development 3, it is considered that the inclusion of renewable energy projects as national development clearly establishes beyond any reasonable doubt the strengthened need case for their continued development.

5.2.1.1 NPF4 Spatial Strategy - Part 1

Part 1 of NPF4 is ‘A National Spatial Strategy for Scotland 2045’, which supports the delivery of:

- ‘Sustainable Places’: “*where we reduce emissions, restore and better connect biodiversity*”;
- ‘Liveable Places’: “*where we can all live better, healthier lives*”; and
- ‘Productive places’: “*where we have a greener, fairer and more inclusive wellbeing economy*”.
- *The delivery of ‘Sustainable Places’ is considered most relevant to the proposed development. The commentary on Page 6 of NPF4 notes that “every decision on our future development must contribute to make Scotland a more sustainable place” whilst also encouraging the “expansion of renewable energy” in order to meet greenhouse gas emissions targets.*

NPF4 also recognises that “*nature recovery must be at the heart of future places*” and that positive biodiversity effects must be secured for future development.

A key point to note is the foundation role that the climate emergency and nature recovery have in the National Planning Framework. Tackling both issues are crucial to the outcome of



many of the NPF4 policies. As echoed by Policy 1 of NPF4 (discussed in further details in **Table 5-1**), the climate emergency and nature recovery are to be given significant weight when determining proposals. This represents a fundamental shift in planning policy response to climate change compared to previous planning policy. It provides clarity to decision makers on the amount of weight that should be applied to these crucial topics when determining planning applications and this policy also recognises the inter-related nature of these twin issues.

5.2.1.2 NPF4 National Planning Policy – Part 2

Part 2 of NPF4 sets out national planning policies by topic related to the three themes of sustainable, liveable and productive places. In terms of development management and the application of national level policies, NPF4 states:

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

Page 36 of NPF4 introduces the ‘sustainable places’ policies which are the policies most applicable to the proposed development. The principal policies to consider for the proposed development are **Policy 1: Tackling the Climate and Nature Crises** and **Policy 11: Energy**.

Policies 1 and 11 are considered firstly in this section while the remaining relevant policies are considered in numerical order thereafter.

5.2.1.3 Policy 1: Tackling the Climate and Nature Crises

This policy represents a fundamental change in Scottish planning policy and prescribes the amount of weight that should be applied to the global climate and nature crises in assessing development proposals; these issues must now form priorities for the decision maker. As stated in Page 8 of NPF4, significant weight is to be given to “*the global climate emergency in order to ensure that it is now recognised as a priority in all plans and decisions.*”

Renewable energy is one of the best tools available to tackle the global climate crisis and given the nature of the proposed development and its potential contribution towards Scottish Government targets, significant weight should be attached to this consideration in the decision-making process for the proposed development.

The natural environment on which the proposed development is to be located has been a key consideration in the design of the proposed solar farm and the final design has sought to balance competing environmental and technical considerations. Its location, adjacent to the Howpark Wind Farm, and the sharing of grid connection infrastructure would create efficiencies and maximise available capacity.

The proposed development would generate approximately 15,000 MWh per year which would offset the annual electricity usage of the equivalent of approximately 4,300 homes in the Scottish Borders⁹.

⁹ MWh/year value based developer capacity factor, anticipated export capacity, and BEIS 2022 data for annual home consumption.



It is anticipated that the proposed development would be connected to the grid in 2025 and would therefore make a meaningful contribution to the Scottish Government net zero targets set for 2045.

With regard to the 'nature crises' the Ecological Impact Assessment (**Appendix 04**) has concluded that subject to mitigation measures and best practice techniques being implemented on Site, there would be no significant effects upon ecological or ornithological receptors during the construction, operation or decommissioning of the proposed development.

A habitat management and enhancement plan has been prepared in combination with the landscape strategy (**Appendix 06**) which would promote and improve the biodiversity of the Site providing overall positive net impacts in conjunction with the proposed development.

On this basis, it is considered that proposed development can draw strong policy support from NPF4 Policy 1.

5.2.1.4 Policy 11: Energy

The 'policy principle' for Policy 11 is *"to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)."*

Policy 11 (a) of the NPF4 states that proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include: *"i. wind farms including repowering, extending, expanding and extending the life of existing wind farms; ii. enabling works, such as grid transmission and distribution infrastructure; iii. energy storage, such as battery storage and pumped storage hydro; iv. small scale renewable energy generation technology; v. solar arrays; vi. proposals associated with negative emissions technologies and carbon capture; and vii. proposals including co-location of these technologies."*

In line with the aims of the NPF4, the proposed development would involve the installation of ground mounted PV panels with associated electrical infrastructure to generate up to 15MW of installed renewable energy capacity which would feed directly into the local electricity grid network. This would have a beneficial effect on climate change by contributing to the reduction of greenhouse gas emissions.

The proposed development is a renewable energy development for the generation of electricity and as such supports the principle of Policy 11.

The 'policy outcome' i.e. the desired outcome of Policy 11 is the *"expansion of renewable, low-carbon and zero emissions technologies."*

The proposed development being a renewable energy development contributes to the desired outcome of Policy 11.

For the reasons set out in **Table 5-1** the proposed development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.



Table 5-1: Analysis of NPF4 Policy 11 in relation to the proposed development

Relevant Policy Text (summarised where necessary)	Analysis
<p>Policy 11(a) <i>Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include: v. solar arrays;</i></p>	<p>The principle of the proposed development, a solar farm, which generates renewable energy from a low carbon and zero emission technology, is supported by this policy.</p>
<p>Policy 11(c) <i>Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.</i></p>	<p>The Applicant is committed to employing good practice measures with regard to maximising local procurement and local employment during the construction and operation of the proposed development and will provide £500 per MW (export capacity) per year to a community benefit fund which could amount to £300,000 over the lifetime of the development.</p>
<p>Policy 11(e)(i) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed: i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;</i></p>	<p>During the design process of the proposed development, the location of residential properties and the potential for visual impact and noise impacts to these properties formed a key design constraint.</p> <p>Visual impact is addressed in relation to Policy 11(e)(ii) below.</p> <p>In relation to operational noise, solar PV development emits only low levels of noise (from the tracking machinery, inverters and transformers) when operational which can often be equal to or below typical day and night time background sound levels even in relatively rural areas. As a result, the potential for effects on noise sensitive receptors from the proposed development, is considered to be limited.</p> <p>Construction related noise arising predominantly from HGV movements would be both temporary, approximately 26 weeks, and within restricted working hours. Construction activities, including deliveries, would be expected to occur between the hours of 7am and 7pm Monday to Saturday for the duration of the construction period. There would be no construction activities undertaken on Sundays or bank holidays without prior approval. The potential for effects on noise sensitive receptors pertaining to construction is also therefore considered to be limited.</p>



Relevant Policy Text (summarised where necessary)	Analysis
	<p>No significant effects on noise from the construction or operation of the proposed development are predicted, demonstrating compliance with this policy.</p> <p>With regard to residential amenity, glint and glare considerations are considered relevant. Assessment of satellite aerial mapping and ZTV findings concludes a limited potential for residential nuisance glare – in consideration of Site orientation, contours and intervening vegetation. No significant effects upon residential receptors are anticipated with regard to glint and glare.</p>
<p>Policy 11(e)(ii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i> <i>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;</i></p>	<p>Considerable efforts were made to produce a Site layout which achieves the most satisfactory relationship with the landscape of the Site whilst respecting other environmental and technical considerations. The team identified the optimal locations for each type of infrastructure component, i.e. electrical transformers, cabling, ground-mounted panel arrays, access points etc. whilst also making full use of natural screening provided by established tree stands, mature hedgerow, and local topography which essentially restricts local views of the proposed development from the majority of residential receptors, as well as proposing new planting to enhance screening.</p> <p>The nearest residential receptors to the Site are outlined in Section 2.0, the closest of which are the Highview Caravan Park, approximately 194m to the east and Hazelfield at Howpark Farm and Howpark Farmhouse approximately 800m to the west. The other receptors are greater than 1km from the Site.</p> <p>The Site is located in the coastal moorland landscape character type as described within Coastal Moorland: Coldingham Moor LCA (Report 21). The nearest Landscape Designation is the Scottish Borders Berwickshire Coast Special Landscape Area (SLA), approximately 6km east.</p> <p>A Landscape and Biodiversity Strategy accompanies the application (in Appendix 06) which sets out planting and landscaping measures (hard and soft), in conjunction with biodiversity enhancement measures.</p>
<p>Policy 11(e)(iii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i> <i>iii. public access, including impact on long distance walking and cycling routes and scenic routes;</i></p>	<p>The closest Core Path to the Site is approximately 2.5km to the west at South Penmanshiel Woods. Core Paths to the immediate west of Quixwood Moor are completely screened by existing woodland stands, terrain (and/or buildings) and views would be non-existent to minimal for the entirety of this core path until Blackburn, where views would become more open/expansive from this extreme north west location.</p>



Relevant Policy Text (summarised where necessary)	Analysis
	<p>Other distant recreational routes are the Berwickshire Coastal Path (including Core Path No. 2), the Southern Upland Way (including the Sir Walter Scott Way, Scottish Hill Track No. 31: Cockburnspath to Duns and Core Path No. 189), are not anticipated to be affected by views of the proposed development.</p> <p>No significant effects on core paths and recreational access routes are anticipated, demonstrating compliance with this policy.</p>
<p>Policy 11(e)(vi) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>vi. impacts on road traffic and on adjacent trunk roads, including during construction;</i></p>	<p>The estimated traffic to be generated by the proposed development will include construction deliveries and commuting trips by Site personnel. The construction-related HGV trips will be spread over the period defined in the construction programme. The maximum level of two-way trip generation would likely occur in the first few weeks with the delivery of the welfare facilities and plant, with the final few weeks of the construction programme accommodating the deliveries of the solar PV components including the PV cells, racking system, ancillary equipment deliveries and other elements scheduled for the construction phase.</p> <p>Vehicle movements during the operational period are expected to be very low. After commissioning, there is anticipated to be around one visit every two weeks for monitoring and maintenance, if required. These visits will be made by van or 4x4 type vehicles.</p> <p>The construction of the proposed development is predicted to generate a total of 44 additional two-way movements per day as a maximum worst-case scenario. This will result in no more than a 1% increase to the total flows and less than 1% increase in the numbers of HGVs. In addition, as the construction phase will run for 26 weeks, this limited increase in traffic will be temporary and short term.</p> <p>The CTMP (Appendix 07) that accompanies the application concludes that the proposed development construction traffic, which would be temporary and short term in nature, would lead to an insignificant increase in traffic levels and as such would have no adverse impact on the operation or safety of the surrounding highway network, demonstrating compliance with this policy.</p>
<p>Policy 11(e)(vii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p>	<p>A Historic Environment DBA (Appendix 02) and geophysics survey (Appendix 03) has been completed for the Site. There are no predicted significant effects on the historic environment arising from the construction and operation of the proposed development, demonstrating compliance with this policy.</p> <p>The historic environment is discussed in detail under Policy 7 below.</p>



Relevant Policy Text (summarised where necessary)	Analysis
<p><i>vii. impacts on historic environment;</i></p> <p>Policy 11(e)(viii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>viii. effects on hydrology, the water environment and flood risk;</i></p>	<p>A hydrology walkover and Flood Risk Assessment of the proposed Site was undertaken in July 2022 to inform the desk-based study (Appendix 08).</p> <p>The Site is considered to be at negligible risk from tidal flood risk due to the remote position from the coast with an elevation of at least 190m aOD.</p> <p>During survey, the Site was not shown to be at risk from fluvial flooding, with the nearest area of higher flood risk approximately 1.3km west along Howpark Burn - downstream of the confluence with the on-Site drain. Further inspection of the downstream culverts indicated a potential for flows to back up into the catchment when culverts become surcharged. Flooding from this culvert could therefore occur during extreme rainfall scenarios when the flow capacity is exceeded or in the incident of blockage. Further analysis of this risk indicated that water would eventually overtop at 209m aOD and flow along the original channel course away from the proposed development.</p> <p>The topography of the Site allows for a negligible risk of pluvial flooding, and any rainwater would be anticipated to drain into the field drain and Howpark Burn, or south and away from the Site due to the sloping of Bell Hill.</p> <p>The Site is not deemed to be at risk from surface water flooding, groundwater sources or sewers. There is not predicted to be any change to the flood risk and associated impact to other developments. The proposed development would not significantly increase the impermeable area, with access and egress utilising existing tracks. The design of the proposed development will ensure that modules are raised off of the ground and no further mitigation is anticipated to be required.</p> <p>The proposed development would not impact the status of groundwater due to the temporary, reversible and unintrusive nature of the works. There are no private water supplies (PWS) within the Site. Based on information gathered through the Howpark Wind Farm Environmental Statement which supported the planning application and subsequent consent, the nearest PWS would be over 300m from the proposed development; therefore, no impacts are predicted. However, appropriate pollution mitigation measures to protect groundwater will be implemented throughout construction and included within the CEMP which will be secured via planning condition.</p> <p>The proposed development is considered to be in compliance with this policy.</p>



Relevant Policy Text (summarised where necessary)	Analysis
<p>Policy 11(e)(ix) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>ix. biodiversity including impacts on birds;</i></p>	<p>An Ecological Impact Assessment (Appendix 04) has been completed for the Site. There are no predicted significant effects on biodiversity including birds arising from the construction and operation of the proposed development, demonstrating compliance with this policy.</p> <p>Biodiversity is discussed in further detail under Policy 3 below.</p>
<p>Policy 11(e)(x) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>x. impacts on trees, woods and forests;</i></p>	<p>The woodland stands within the Site have been avoided by design. There are no predicted significant effects on trees, woods and forests arising from the construction and operation of the proposed development, demonstrating compliance with this policy.</p> <p>Trees, woods and forests are discussed in further detail under Policy 6 below.</p>
<p>Policy 11(e)(xi) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;</i></p>	<p>The proposed development would expect to have an operational life of up to 40 years, subject to planning consent.</p> <p>At the end of its operational life, the proposed development would be decommissioned, and the land restored to its previous condition, or a subsequent planning application would be submitted to repower and extend the life of the development.</p> <p>If decommissioned, the proposed development components including array modules, mounting structures, cabling, inverters and transformers would be removed from the Site and recycled or disposed of in accordance with good practice and market conditions at that time.</p> <p>Decommissioning would be expected to take approximately 3 months. The effects of decommissioning are similar to, or often of a lesser magnitude than construction effects and have been considered where possible in the relevant technical assessments. No significant effects are identified demonstrating compliance with this policy.</p>



Relevant Policy Text (summarised where necessary)	Analysis
	<p>Notice would be provided to SBC in advance of commencement of decommissioning works, with all necessary licenses or permits being acquired. EWE would develop a Decommissioning Plan, and the works would be undertaken in accordance with a statement of operations, covering safety and environmental issues typical of decommissioning (for solar sites). It is expected that a planning condition would be applied to any planning consent in this regard.</p>
<p>Policy 11(e)(xii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans;</i></p>	<p>Site restoration at the end of the operational life of the proposed development has been discussed in relation to Policy 11(e)(xi). It is expected that a Decommission and Restoration Plan would be prepared in liaison with SBC and regulatory authorities at the time of decommissioning and that a financial provision for decommissioning would be provided. It is expected that a planning condition would be applied to any planning consent in this regard.</p>
<p>Policy 11(e)(xiii) <i>In addition, project design and mitigation will demonstrate how the following impacts are addressed:</i></p> <p><i>xiii. cumulative impacts.</i></p>	<p>Given the scale and nature of the proposed development, it is not considered that there will be cumulative impacts as a result of the proposed development, demonstrating compliance with this policy.</p>



5.2.1.5 Policy 3: Biodiversity

Policy 3 plays an important role in ensuring that development will secure positive effects on biodiversity. It seeks to rebalance the planning system in favour of conserving, restoring and enhancing biodiversity and promotes investment in nature-based solutions, benefiting people and nature.

Policy 3 states that “*Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.*”

It should be noted that at the time of writing, no prescriptive guidance is available on how biodiversity enhancement measures are to be measured and assessed in Scotland. In the Chief Planner letter dated February 2023, it states that “*currently there is no single accepted methodology for calculating and / or measuring biodiversity ‘enhancement’ – we have commissioned research to explore options for developing a biodiversity metric or other tool, specifically for use in Scotland.*” It is understood that the Scottish Government has commissioned development of this methodology but timescales for the release of this methodology are unclear.

In line with the mitigation hierarchy, the proposed development has been subject to a design iteration process in response to the constraints identified as part of studies undertaken on the site. This has included ensuring that the location of infrastructure avoids watercourses and the removal of tree and hedgerow vegetation that may provide suitable habitats for ecological receptors. The Landscape and Biodiversity Strategy (**Appendix 06**) has been developed in accordance with biodiversity enhancement measures and includes for rewetting areas, additional planting and promotion of continued grazing meadow areas within and surrounding solar panel array area, providing overall positive net impacts within the Site.

It should also be noted that as a renewable energy development, the proposed development would principally make a contribution to reducing climate change by facilitating the move away from fossil-fuel based energy generation. By its very nature, the proposed development would therefore make a contribution to net zero emissions which would in turn benefit biodiversity, the focus of this policy. Together with the enhancement measures proposed it is considered that the intent of this policy is met.

5.2.1.6 Policy 4: Natural Places

This policy provides the basis for assessing developments against the natural environment, including European designations, national designations such as national parks and local designations.

The Site itself does not contain any statutory designated sites of nature conservation interest, national parks or local designations. Drone Moss SSSI, located to the east of the Site, lacks connectivity to the main site, separated by dense scrub habitat. As such, these are confirmed not to be adversely affected by the proposed development in **Appendix 04: Ecological Impact Assessment**.

5.2.1.7 Policy 5: Soils

The intent of Policy 5 is to “*protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.*”

Soils and subsoils underlying Bell Hill and its slopes across the centre of the Site are described as intermediate to shallow with depths of between 0.5m and 1.0m and predominantly comprise sandstone and mudstone drifts (sandy clay and silt). Soils to the



north, west and southern extents are derived from glacial till (gravelly, sandy clay) are described as deep and can easily be dug to depths of more than 1m. Soils under the entirety of the Site are classified under the Etrick Soil Association.

PV panels would involve relatively minimal ground intrusive works and following their operational lifetime, restoration of the land to its former use can be implemented. In addition, it is proposed to utilise existing access tracks associated with the operational wind farm which also minimise potential effects on soil disturbance.

A pocket of Class 1 peatland exists at Drone Hill, adjacent to the north east corner of the application Site. Given that primary infrastructure (arrays and electrical) would be located in the western field of the Site, no loss or disturbance of peatland is anticipated.

A Land Capability Classification for Agriculture (LCCA) was carried out on the site (**Appendix 01**), the results of which identified that the area of the site on which infrastructure is proposed is not considered prime agricultural land. Nevertheless, Policy 5(b) introduces a list of developments which will be supported on land of lesser quality that is culturally important for primary use as identified by the LDP of which renewable energy generation sources are included. It is therefore considered that the principle of the proposed development with regard to this policy is supported.

5.2.1.8 Policy 6: Forestry, Woodland and Trees

The intent of Policy 6 is to “*protect and expand forests, woodland and trees.*”

There are no areas of ancient woodland, ancient or veteran trees within the proposed development site.

There are no native woodlands, hedgerows and individual trees of high biodiversity value within the proposed development site.

The proposed development would be focused on land currently used as intensive arable and pasture, avoiding areas of woodland. Loss of mature trees and hedgerow would be avoided, with a restriction of works within 15m of trees and 5m of hedgerow (except for fencing). The proposed development would require minimal vegetation removal, ground breaking, or invasive work. Areas of broadleaved and conifer stands in the centre of the Site would be retained and the proposed development infrastructure has been designed around them to ensure that they can remain.

Constructed wind farm access tracks would be utilised, from which access to the solar array would be easily achieved along a minimal network of crushed aggregate access tracks as shown on **Figure 2**. Landscaping and enhancement measures are further detailed within the Landscape and Biodiversity Strategy (**Appendix 06**) and Ecological Impact Assessment (**Appendix 04**) including additional planting to enhance woodland shelter belts and provide screening of the solar farm.

Given that the proposed development will have no negative impact on forestry, woodland and trees, and aims to enhance the woodland in this area through the Landscape and Biodiversity Strategy (**Appendix 06**), it is considered that compliance with this policy is achieved.

5.2.1.9 Policy 7: Historic Assets and Places

The intent of Policy 7 is “*to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.*”

No Scheduled Monuments are identified within the Site boundary, the closest comprising the remains of an enclosed settlement at Atton (SM12504) which is visible as a cropmark



located approximately 570m west of the Site, demonstrating a wider domestic use of the area. No Listed Buildings are identified within the Site. Howpark Farmhouse, a 19th Century Grade C Listed Building with an associated garden wall (LB46642) is located approximately 700m to the west.

The heritage DBA also considered the potential for the proposed development to cause any significant adverse change to the setting of any designated and/or regionally significant heritage assets. The DBA has demonstrated that no such effects would result from the proposed development, including in relation to Atton, settlement 570m N of (SM12504), Grade C Listed Howpark Farmhouse Including Garden Walls (LB46642), Renton House including Pavilions, Sundial, Quadrant Walls and Boundary Walls (LB4105), Winding Cairn (SM12469), Warlawbank, Fort 140m NW of (SM5428), and Drone Hill, Chain Home Radar Station (1059600).

The closest Gardens and Designed Landscapes (GDL) are located outwith the 5km landscape study area and include Ayton Castle GDL00033 - mid-19th C Baronial castle located at Eyemouth (approximately 9.7km east) and Netherbyres Walled Garden and estate GDL00294, also in Eyemouth (10km east). Conservation Areas along the coastal fringe and outwith the 5km landscape study area, include St Abbs Priory and grounds, Eyemouth 5.9km south east), and Cockburnspath approximately 6.7km north west. It is not considered that the proposed development will have an impact on the setting or views to, from and within the aforementioned GDLs or Conservation Areas.

Based on the results of the DBA and a Site walkover survey undertaken on 2 August 2022, a high potential for unknown modern heritage assets to be present within the Site has been identified, due to the Site's connection to RAF Dronehill, Chain Home Radar Station (105960) to the immediate east. Whilst it is unlikely that there are any unknown buried remains of structures associated with this period, due to the Site being well documented through accounts, contemporary aerial photographs, and later mapping, there is still the potential for remains associated with training. In cognisance of this, a geophysical survey was undertaken between 28 March and 6 April 2023 to provide a definitive record of modern finds associated with RAF Dronehill (105960) and inform any required mitigation buffers prior to construction of the proposed development.

It should be noted that the overall potential for below ground effects on unknown cultural heritage and archaeological assets is considered unlikely due to limited ground breaking or intrusive groundworks associated with installing solar PV developments. Nevertheless, the geophysical survey has located, recorded and characterised surviving sub-surface remains within the Site and provided a number of targets for further investigation should this be required.

There are no predicted effects on cultural heritage assets arising from the construction and operation of the proposed development and as a result, it is considered that the compliance with Policy 7 has been met.

5.2.1.10 Policy 22: Flood Risk and Water Management

The intent of Policy 22 is *"to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding"*.

A hydrology walkover and Flood Risk Assessment of the proposed Site was undertaken in July 2022 to inform the desk-based study (**Appendix 08**).

The Site is not considered to be at risk from flooding. There is not predicted to be any change to the flood risk and associated impact to other developments. The proposed development would not significantly increase the impermeable area, with access and egress utilising existing tracks. The design of the proposed development has ensured that any



existing drainage ditches are avoided through design with appropriate buffers and the configuration of the solar panels will ensure that modules are raised off of the ground without the need for any mitigation in terms of flood risk.

There are no private water supplies (PWS) within the Site. Based on information gathered through the Howpark Wind Farm Environmental Statement which supported the planning application and subsequent consent, the nearest PWS would be over 300m from the proposed development; therefore, no impacts are predicted. However, appropriate pollution mitigation measures to protect groundwater will be implemented throughout construction and included within the CEMP which will be secured via planning condition.

There are no predicted effects on flooding or the water environment arising from the construction and operation of the proposed development and as a result, it is considered that the compliance with Policy 22 has been met.

5.2.1.11 Policy 23: Health and Safety

The policy intent of Policy 23 is 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.*” It sits within the ‘Liveable Places’ section of NPF4.

The considerations of this policy which are considered relevant to the proposed development relate to air quality, noise and glint and glare.

The Site is not within an Air Quality Management Area and the operation of the proposed solar farm will not make any emissions to air during the lifetime of its operation.

As discussed in **Table 5-1** in relation to Policy 11(e)(i), solar PV development emits only low levels of noise (from the tracking machinery, inverters and transformers) when operational which can often be equal to or below typical day and night time background sound levels even in relatively rural areas. As a result, the potential for effects on noise sensitive receptors from the proposed development, is considered to be limited.

Given the topography of the Site and surrounds, and the level of screening from intervening vegetation, the potential for glint and glare effects is considered to be limited and was scoped out of any further assessment at the EIA screening stage in agreement with SBC. The A1 runs north west to south east at approximately 1.5km adjacent to the Site at its closest point and is screened by established vegetation and mature trees along its entirety from Cockburnspath to Houndswood in the south, with only the potential for short fleeting glimpses of the Site.

Similarly, the southern extent of Howpark Road is steep, curved places and heavily vegetated by established mature trees along the roadside, so the potential for glint and glare to affect this extent is limited. As Howpark Road extends over the field boundary adjacent to the Site, there may be a fleeting glimpse of the proposed development from approximately 1km west. There are no views of the Site from the open, unvegetated extent of Howpark Road extending north past the wind farm primarily due to the intervening slope and topography.

Assessment of satellite aerial mapping and ZTV findings concludes a limited potential for residential nuisance glare – in consideration of Site orientation, contours and intervening vegetation. No significant effects upon residential receptors are predicted.

The proposed development is considered in compliance with Policy 23 insofar as it is relevant.



5.2.1.12 Annexe B: Air Quality Specific Policies

The closest Air Quality Management Areas (AQMA)¹⁰ were declared for Nitrogen dioxide (NO₂) in the Edinburgh City Centre area, approximately 55km north west of the Site (Edinburgh No1 City Centre AQMA); and for Particulate Matter (PM₁₀) approximately 56km north west of the Site (Salamander Street, Leith AQMA). There is no potential for effects on air quality. The Site is not within an Air Quality Management Area and it is considered in the context of the existing operations that there would not be significant additional impact on air quality.

In line with Annexe B¹¹ of NPF4, the proposed development satisfies Policy Ref.13 pertaining to Scottish Borders Council – that air quality will not be adversely impacted by the construction or operation of the proposed development, nor will the proposed development harm human health and well-being or the integrity of the natural environment.

5.2.2 Local Development Plan

The Local Development Plan which is applicable to the Site is the Scottish Borders Local Development Plan (LDP) 2016 which was adopted on 12 May 2016. A Proposed LDP is currently in the process of preparation and a Report of Examination was published on 7 July 2023 by the Scottish Government's Planning and Environmental Appeals Division (DPEA) proposing a number of amendments. A report was presented to Council on 28 September 2023 which presented modifications arising from the Examination Report. Council agreement is being sought for the proposed modifications and, therefore, to take the Plan as amended forward to formal adoption. At time of writing the new LDP was not adopted and, therefore, the LDP 2016 is considered to be most relevant. Reference to policies where changes are intended to be made from the LDP 2016 are noted on the SBC website¹². Where known comments on these are included below.

The policies from the adopted LDP relevant to the consideration of the proposed development include:

- PMD1 Sustainability (policy substantially retained in proposed LDP);
- PMD2 Quality Standards (policy retained in proposed LDP with additional reference to SBC's Supplementary Guidance on Renewable Energy and Sustainable Development Committee);
- ED9 Renewable Energy Development (policy substantially retained in proposed LDP);
- ED10 Protection of Prime Quality Agricultural land & Carbon Rich Soil (policy substantially retained in proposed LDP);
- HD3 Protection of Residential Amenity (policy retained in proposed LDP with introductory text updated to confirm that this policy is relevant to the consideration of applications for renewable energy developments. Cross reference added to Policy ED9 Renewable Energy Development);
- EP3 Local Biodiversity (policy retained in proposed LDP but now includes reference to Local Biodiversity Sites (LBS) and Local Geodiversity Sites (LGS) which are

¹⁰ Air Quality in Scotland, Air Quality Management Areas (AQMA) – Local Authority Boundary Maps, [Air Quality Management Areas \(scottishairquality.scot\)](https://www.scottishairquality.scot)

¹¹ Annexe B: Air Quality Specific Policies-National Planning Framework (NPF4) [National Planning Framework 4 - improving air quality outcomes: research - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/national-planning-framework-4-improving-air-quality-outcomes-research-gov-scot/pages/12.aspx)

¹² Policy Changes Table https://www.scotborders.gov.uk/downloads/file/7704/policy_changes_table



identified within the Plan as non-statutory designations. Collectively these are referred to as Local Nature Conservation Sites. Details of these sites are set out within Technical Notes. Reference is made within the policy to the updated LBAP as Supplementary Guidance. Policy now makes reference to reflect good practice for Net Gain for biodiversity);

- EP5 Special Landscape Areas (policy substantially retained in proposed LDP);
- EP7 Listed Buildings (policy retained in proposed LDP with increased emphasis on the use of design statements and reference made to enabling development);
- EP8 Archaeology (policy substantially retained in proposed LDP with policy title and introductory text amended to reflect the wider aspects of the historic environment);
- EP9 Conservation Areas (policy substantially retained in proposed LDP with increased emphasis on the requirement for Design Statements);
- EP13 Trees, Woodlands & Hedgerows (policy substantially retained in proposed LDP including reference to the Regional Strategic Woodland Creation Project);
- EP15 Development Affecting the Water Environment (policy substantially retained in proposed LDP); and
- IS5 Protection of Access Routes (policy substantially retained in proposed LDP).

Policy PMD1 ‘Sustainability’ states:

“In determining planning applications and preparing development briefs, the Council will apply the following sustainability principles which underpin all the Plan’s policies and which developers will be expected to incorporate into their developments:

- a) the long term sustainable use and management of land*
- b) the preservation of air and water quality*
- c) the protection of natural resources, landscapes, habitats, and species*
- d) the protection of built and cultural resources*
- e) the efficient use of energy and resources, particularly non-renewable resources*
- f) the minimisation of waste, including waste water and encouragement to its sustainable management*
- g) the encouragement of walking, cycling, and public transport in preference to the private car*
- h) the minimisation of light pollution*
- i) the protection of public health and safety*
- j) the support to community services and facilities*
- k) the provision of new jobs and support to the local economy*
- l) the involvement of the local community in the design, management and improvement of their environment.”*

Notwithstanding the clear green energy benefit that the proposed development affords, it complies with the above policy since it would benefit the landowner by allowing for maximum utilisation of agricultural land, whereby the height of solar infrastructure (ground mounted panels) would not restrict grazing sheep, and grazing land use will continue under the proposed development. It can also be considered that the management of land under solar PV panels could improve soil health and structure through being ‘fallow’ over the operational



life of the proposed development. This would qualify as long-term sustainable use and management of land.

Given that only one of the four fields is currently utilised for crop cultivation at present (and the three remaining are utilised for pastoral grazing) this would be the equivalent of a very small area which would temporarily be taken out of agricultural use within the SBC area.

The proposed development is both temporary and reversible, and the area of land requiring a hardstanding or concrete base is only a very small fraction of the entire Site area (less than 0.1% of the Site area relating only to the footprint of the transformers and inverters). The solar PV panels would involve relatively minimal ground intrusive works, preserving air and water quality, with minimum waste and emissions produced during construction and operational phases.

The extent of cultural resources in the form of assets identified within neighbouring fields, outwith the development Site have been recorded by means of desk-study (**Appendix 02**) and consolidated by geophysical survey (**Appendix 03**) to ensure the extent of these features are mapped and protected by a suitable buffer protection area (in liaison with the SBC archaeologist).

EWE is committed to provide £500 per MW (export capacity) per year to a community benefit fund which could amount to £300,000 over the lifetime of the development.

Policy PMD2 ‘Quality Standards’ states:

“All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are:

a) in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with Supplementary Planning Guidance. Proposals must demonstrate that the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low or zero carbon technology;

b) it provides digital connectivity and associated infrastructure;

c) it provides for Sustainable Urban Drainage Systems in the context of overall provision of green infrastructure where appropriate and their after-care, accessibility, maintenance and adoption;

d) it encourages minimal water usage for new developments;

e) it provides for appropriate internal and external provision for waste storage and presentation with, in all instances, separate provision for waste and recycling and, depending on the location, separate provision for composting facilities;

f) it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/ open space maintenance;

g) it considers, where appropriate, the long term adaptability of buildings and spaces”.

The proposed development addresses policies *PMD2 (a), (d), (e), (f) and (g)* which are considered the policies relevant to the proposed development.



The Site was selected to maximise not only increased solar irradiation typical of the east coast of Scotland, but also the existing infrastructure of the constructed Howpark Wind Farm. The capacity of the existing grid connection will be maximised; constructed wind farm access tracks will be utilised; and the existing wind farm substation and cabling route will also be utilised as part of the solar development – minimising the need for significant construction, resources and building materials.

Solar developments are shown to be temporary and reversible, whilst also providing agricultural function (continued grazing) throughout the operational life of the development.

The proposed development would not require water usage, other than for infrequent cleaning/maintenance of the panel modules.

Waste provision and soil reinstatement/re-use, specifically for construction and decommissioning would be set out within a Construction Environmental Management Plan (CEMP) prior to the commencement of construction; and in a Decommissioning Plan at the end of the development's operational life.

A Landscape and Biodiversity Strategy accompanies the application (in **Appendix 06**) which sets out planting and landscaping measures (hard and soft), in conjunction with biodiversity enhancement.

Considerable efforts were made to produce a Site layout which achieves the most satisfactory relationship with the landscape of the Site whilst respecting other environmental and technical considerations. The team identified the optimal locations for each type of infrastructure component, i.e. electrical transformers, cabling, ground-mounted panel arrays, access points etc. whilst also making full use of natural screening provided by established tree stands, mature hedgerow, and local topography which essentially restricts local views of the development from the majority of residential receptors.

The proposed development considers the long-term adaptability of the space it occupies, and full agricultural functionality will be reinstated at the end of its operational life, with no significant or long-term impacts predicted for the Site itself demonstrating compliance with this policy.

Policy ED9 'Renewable Energy Development' states:

"The Council will support proposals for both large scale and community scale renewable energy development including commercial wind farms, single or limited scale wind turbines, biomass, hydropower, biofuel technology, and solar power where they can be accommodated without unacceptable significant adverse impacts or effects, giving due regard to relevant environmental, community and cumulative impact considerations. The assessment of applications for renewable energy developments will be based on the principles set out in Scottish Planning Policy (2014), in particular, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Renewable energy developments, including wind energy proposals, will be approved provided that there are no relevant unacceptable significant adverse impacts or effects that cannot be satisfactorily mitigated. If there are judged to be relevant significant adverse impacts or effects that cannot be satisfactorily mitigated, the development will only be approved if the Council is satisfied that the wider economic, environmental and other benefits of the proposal outweigh the potential damage arising from it."

An EIA Screening Response was received from SBC on 14 March 2023 confirming the proposed development would be unlikely to generate unacceptable significant adverse impacts or effects on the proposed Site or surrounding area – and subsequently deemed non-EIA development by the Local Planning Authority. The standalone technical assessments and reporting subsequently conclude and reflect SBC's initial determination,



confirming no significant environmental effects (environmental, community or cumulative) are anticipated as a result of the proposed development. The proposed development therefore meets the environmental, community and cumulative impact considerations as set out within Policy ED9.

Policy ED10 ‘Protection of Prime Quality Agricultural land & Carbon Rich Soil’ states:

“Development, except proposals for renewable energy development, which results in the permanent loss of prime quality agricultural land or significant carbon rich soil reserves, particularly peat, will not be permitted unless:

- a) the Site is otherwise allocated within this local plan*
- b) the development meets an established need and no other Site is available*
- c) the development is small scale and related to a rural business.*

Proposals for renewable energy development, including proposals for wind energy development, will be permitted if they accord with the objectives and requirements of Policy ED9 on renewable energy development.”

The southern extent of the Site is classified as Grade 4.1 with lesser extents of Class 5.1 soils in the north and a small area of Class 3.1 in the north west. In line with Policy ED10 and Policy 5 (b) of NPF4, the development would not utilise or degrade prime agricultural land (Class 3.1 or below). The small extent of Class 3.1 soils lie outwith the anticipated developable array area, the proposed development therefore satisfies Policy ED10.

A pocket of Class 1 peatland exists at Drone Hill, adjacent to the north east corner of the application Site. Given that primary infrastructure (arrays and electrical) would be located in the western field of the Site, no loss or disturbance of peatland is anticipated, demonstrating compliance with the policy.

Policy HD3 ‘Protection of Residential Amenity’ states:

“Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against: a) the principle of the development, including where relevant, any open space that would be lost; and b) the details of the development itself particularly in terms of: (i) the scale, form and type of development in terms of its fit within a residential area, (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or ‘backland’ development, (iii) the generation of traffic or noise, (iv) the level of visual impact.”

A screened ZTV (Figure L-03) was undertaken based on finished heights of the proposed development (<4.5m maximum panel/infrastructure height¹³). As shown on Figure L-03 very few receptors would potentially have visibility of the scheme and most would be within the low visibility range (**Appendix 05**). Given that solar panels will be ground-mounted, less than 4.5m in height, and other infrastructure is minimal, the proposed development would be already largely be screened by mature vegetation and topography in the local area. In addition the planting proposed as part of the Landscape and Biodiversity Strategy (**Appendix 06**) would provide further screening.

The potential for glint and glare effects is also considered to be limited for the same reasons. The A1 runs north west to south east at approximately 1.5km adjacent to the Site at its closest point and is screened by established vegetation and mature trees along its entirety

¹³ 4.5m at its most vertical, during minimal parts of the day



from Cockburnspath to Houndswood in the south, with only the potential for short fleeting glimpses of the Site. Howpark Road is also well-vegetated and views towards the Site are restricted.

It is considered that the proposed development would not have a significant adverse impact on the amenity of existing or proposed residential areas and therefore demonstrates compliance with this policy.

Policy EP1 – International Nature Conservation Sites and Protected Species

With regard to European protected species (EPS), policy *EP1* states:

“If there is evidence to suggest that an EPS is present on Site or may be affected by a proposed development, their presence must be established and any likely impact on the species fully considered prior to the determination of the planning application.”

European Protected Species have been considered as part of the assessment and no significant effects are predicted.

EP2 – National Nature Conservation and Protected Species

This policy discusses nationally important nature conservation Sites and protected species. It references the Supplementary Planning Guidance on Biodiversity¹⁴, which highlights that nationally important species will be given full consideration in the assessment of development proposals which may affect them. In addition, the Council would not normally grant consent for any development which would have a significant adverse effect upon habitats supporting such species. Protected species and biodiversity enhancement have been duly considered as part of the assessment (**Appendix 04**), and no significant effects on supporting habitats have been identified, demonstrating compliance with this policy.

EP3 – Local Biodiversity

Policy EP3 encourages developers to consider biodiversity at the outset of a proposal, undertaken as part of the assessment in accordance with The Scottish Borders Supplementary Planning Guidance on Biodiversity. Biodiversity enhancement has been considered throughout the design of the proposed development and is reported within the Ecological Impact Assessment (**Appendix 04**) in addition to being an integral part of the Landscape and Biodiversity Strategy (**Appendix 06**) which will enhance biodiversity on the Site providing overall positive net impacts which also balance landscape, landowner and maintenance requirements, demonstrating compliance with this policy.

EP5 – Special Landscape Area

The nearest Landscape Designation is the Scottish Borders Berwickshire Coast Special Landscape Area (SLA) 18, approximately 6km east. Views of the proposed development would be improbable from the designated Berwickshire Special Landscape Area (SLA), St Abbs and Fast Castle and other coastal heritage assets along this route and for a considerable c.5.4km distance inland and no significant effects are identified, demonstrating

¹⁴ Supplementary planning guidance on Biodiversity is available online at: https://www.scotborders.gov.uk/downloads/file/1679/biodiversity_planning_guidance The principle of protection of Scottish Borders Biodiversity is to ensure no net loss in biodiversity. This principle recognises that whilst new development and change are desirable and inevitable, this change should be sustainable.



compliance with the policy.

EP7 – Listed Buildings

No Listed Buildings are identified within the Site. Howpark Farmhouse, a 19th Century Grade C Listed Building with an associated garden wall (LB46642) is located approximately 700m to the west. The DBA has demonstrated that no significant effects would result from the proposed development including Grade C Listed Howpark Farmhouse, Garden Walls (LB46642), Renton House including Pavilions, Sundial, Quadrant Walls and Boundary Walls (LB4105), Winding Cairn (SM12469), Warlawbank, fort 140m NW of (SM5428), and Drone Hill, Chain Home Radar Station (1059600), demonstrating compliance with this policy.

EP8 – Archaeology

No Scheduled Monuments are identified within the Site boundary, the closest comprising the remains of an enclosed settlement at Atton (SM12504) which is visible as a cropmark located approximately 570m west of the Site. The DBA has demonstrated that no significant effects would result from the proposed development, including Atton, settlement 570m N of (SM12504, Winding Cairn (SM12469), Warlawbank, fort 140m NW of (SM5428), and Drone Hill, Chain Home Radar Station (1059600).

The overall potential for below ground effects on unknown cultural heritage and archaeological assets is considered unlikely due to limited ground breaking or intrusive groundworks associated with installing solar PV developments. The results of the geophysical survey have informed the Site layout and will provide direction to the extent of sensitive areas to be avoided during construction within the Site, to ensure compliance with this policy.

EP9 – Conservation Areas

Conservation Areas along the distant coastal fringe and outwith the 5km landscape study area, include St Abbs Priory and grounds, Eyemouth 5.9km south east), and Cockburnspath approximately 6.7km north west. Given the distance and intervening topography, significant effects on Conservation Areas are not predicted, demonstrating compliance with the policy.

EP13 – Trees, Woodland and Hedgerow

The proposed development would be focused on land currently used as intensive arable and pasture, avoiding field margins, drain banks, and woodland edges. Loss of mature trees and hedgerow would be avoided, with a restriction of works within 15m of trees and 5m of hedgerow (except for fencing). Constructed wind farm access tracks would be utilised, from which access to the solar field would be easily achieved via a network of crushed aggregate access tracks as shown on **Figure 2**. Landscaping and enhancement measures are further detailed within the Landscape and Biodiversity Strategy (**Appendix 06**) and Ecological Assessment (**Appendix 04**) including additional planting to enhance woodland shelter belts and provide screening of the solar farm.

EP15 – Development Affecting the Water Environment

Impacts upon waterbodies, watercourses and their immediately surrounding habitats (including banks plus 10m buffer) would be avoided throughout construction and operation.



This includes the field drain which extends north west to south east in the eastern field. There are no primary watercourses within or in close proximity to the proposed Site. Infrastructure in the eastern field is limited to a smaller extent of arrays. Electrical infrastructure such as transformers are located outwith watercourse protection buffers.

It is not considered that the use of PV arrays increases the rates of runoff from the Site and therefore the development would have negligible impact on flood risk locally. Minimal impermeable development is proposed. Instead, vegetative planting would be improved beneath and between the PV arrays increasing interception storage from the existing arable/grassland regime. Construction activity would be avoided as far as possible on modified bog.

The proposed development would not cause significant effects on the water environment, demonstrating compliance with this policy.

Policy IS5 – Protection of Access Routes

The closest Core Path to the Site is approximately 2.5km to the west at South Penmanshiel Woods. Core Paths to the immediate west of Quixwood Moor are completely screened by existing woodland stands, terrain (and/or buildings) and views would be non-existent to minimal for the entirety of this core path until Blackburn, where views would become more open/expansive from this extreme north west location.

Other distant recreational routes are the Berwickshire Coastal Path (including Core Path No. 2), the Southern Upland Way (including the Sir Walter Scott Way, Scottish Hill Track No. 31: Cockburnspath to Duns and Core Path No. 189), are not anticipated to be affected by views of the proposed development. No significant effects on core paths and recreational success routes are anticipated, demonstrating compliance with this policy.

5.2.3 Supplementary Guidance

Supplementary Guidance forms part of the Local Development Plan. The relevant Supplementary Guidance pertaining to the proposed development is the ‘Renewable Energy’ Supplementary Guidance (July 2018) (SG)¹⁵ which gives further advice and guidance relating to LDP Policy ED9 – ‘Renewable Energy Developments’. It covers a wide range of renewable energy types and references Scottish Government advice setting out the need to accommodate renewable energy proposals where appropriate, whilst also taking cognisance of economic and other benefits a proposal may offer. Regarding siting and development of field scale solar photovoltaics in the Scottish Borders, each consideration of the supplementary guidance has been addressed as follows:

- *“consideration to be given to inherent characteristics of landscape to absorb panels. Solar PV development should be located on flat landforms or on lower slopes/within folds in gently undulating lowland landscapes rather than on prominent upland landforms, highly visible slopes, or coastal headlands”:*
 - the proposed development is not located on a prominent upland landforms, highly visible slopes, or coastal headlands and visibility would be relatively contained;
- *“consideration to be given to impacts on sensitive receptors e.g. residencies, public roads, tourist routes, long distance footpaths and other Rights of Ways”:*

¹⁵ ‘Renewable Energy’ Supplementary Guidance (July 2018) (SG), Renewable Energy Supplementary Guidance | Scottish Borders Council (scotborders.gov.uk)



- no significant effects are predicted on any sensitive receptors;
- *“landscape management plans to be submitted and agreed by Planning Authority”:*
 - a Landscape and Biodiversity Strategy is provided in **Appendix 06**;
- *“a glint / glare assessment to be submitted with an application”:*
 - the EIA Screening Report confirmed that no significant effects were likely from glint and glare and therefore this topic was scoped out of further assessment in agreement with SBC;
- *“a more cautious approach to be taken within designated landscapes”:*
 - no designated landscapes are located within the Site. The nearest landscape designation is the Scottish Borders Berwickshire Coast Special Landscape Area (SLA), approximately 6km east. The closest Gardens and Designed Landscapes (GDL) are located outwith the 5km landscape study area, and include Ayton Castle GDL00033 - mid-19th C Baronial castle located at Eyemouth (approximately 9.7km east) and Netherbyres Walled Garden and estate GDL00294, also in Eyemouth (10km east). Conservation Areas along the coastal fringe and outwith the 5km landscape study area, include St Abbs Priory and grounds, Eyemouth 5.9km south east), and Cockburnspath approximately 6.7km north west.
- *“developments should preferably be in landscapes where screening is already provided by woodland, hedgebanks or high hedges. Screen planting may be necessary to ensure the solar panels and associated infrastructure are screened from view. This has to be at sufficient distance to avoid casting shade over the peripheral panels”:*
 - the proposed development is located in a landscape which already has screening provided by woodland and the Landscape and Biodiversity Strategy plan (**Appendix 06**) shows the additional planting proposed to enhance this feature of the landscape;
- *“avoid siting PV developments across multiple fields in areas with a small scale irregular field pattern that is important to landscape character”*
 - the proposed solar array would be located in two fields and is not considered to be out of character with the existing field pattern;
- *“suitable materials (such as cladding of buildings) and finish colours should be used that integrate any new buildings with their surroundings”:*
 - no new buildings are proposed as part of the development;
- *“avoid adversely affecting areas of semi-natural habitat, and designated historic and archaeological sites directly or indirectly”:*
 - no adverse effects are anticipated on areas of semi-natural habitat, and designated historic and archaeological sites. A geophysical survey of the Site (**Appendix 03**) has been undertaken in consultation with SBC to inform the design and ensure that the proposed development does not adversely affect the historic environment;
- *“proposals should not affect the character or setting of the built heritage”:*
 - **Appendix 02** has considered the potential effects on the built heritage and no adverse effects are predicted.



- *“ensure that any PV developments do not detract from prominent landmarks. Avoid locating solar PV developments where they could be directly overlooked at close quarters from important or sensitive viewpoints”:*
 - the proposed development is not located in proximity to any prominent landmarks and therefore no adverse effects are predicted on important or sensitive viewpoints;
- *“consideration to be given to any potential impacts regarding the detailed design of any required deer/securing fencing”:*
 - Fencing is proposed around the perimeter of the proposed development as shown on **Figure 2** and **Figure 9**.

5.3 Climate Change and Renewable Energy Policy Considerations

The UK and Scottish Governments have made multiple international and domestic commitments in respect of reducing emissions of greenhouse gas to combat climate change and commitments to renewable energy generation.

The framework of international agreements, obligations, legally binding targets, and climate change advisory reports is the foundation upon which national energy policy is based. This sets out the need case for renewable energy which provides strong support for solar development in principle. In addition, NPF4 (discussed in **Section 5.2.1** of this Statement) sets out in policy that decision makers must give significant weight to the global climate emergency and nature crises.

5.3.1 Scottish Energy Strategy 2017 (SES)

The SES was published in December 2017, in the context of lower greenhouse gas emissions targets set initially under the Climate Change (Scotland) Act 2009. The SES sets out the Scottish Government vision for the future energy system in Scotland for the period through to 2050. The SES identifies that Scotland’s long-term climate change targets will require the near complete decarbonisation of our energy system by 2050, with renewable energy meeting a significant share of Scotland’s needs.

The SES set a target for the equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources by 2030. This 50% target roughly equates to of 17GW of installed capacity in 2030. In addition to setting energy targets, the SES also sets out six strategic priorities which include:

- *“System security and flexibility – we should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of Scotland’s homes and businesses as our energy transition takes place; and*
- *Renewable and low carbon solutions – we will continue to champion and explore the potential of Scotland’s huge renewable energy resource, and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets.*

The SES notes that *“Solar PV can make an increasing contribution to Scotland’s energy needs. There is enough capacity in Scotland to power the equivalent of over 50,000 homes, and potential for the sector to provide low cost energy, system stability (e.g. through storage) and create jobs. Solar will play an important role in a low carbon energy system, helping meet Scotland’s renewable generation ambitions. Combining storage with wind and solar*



assets presents a valuable solution for the energy system as a whole, offering the potential for demand to be managed locally.”

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

In May 2019 the Scottish Government formally declared a climate emergency. This resulted in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009 and commits the Scottish Ministers to a new target of net zero emissions of all greenhouse gases by 2045, with interim targets for reductions of at least 56% by 2020, 75% by 2030 and 90% by 2040. These amended greenhouse emissions targets, and the series of annual targets towards them, represent a substantial increase over the targets set in the previous Act.

To help ensure delivery of the long-term targets, the framework includes statutory annual targets for every year to net zero. Up to 2020 the annual percentage reduction required is 1%, but this immediately leaps for each year between 2020 to 2030. It increases to 1.9% for each year between 2020 and 2030, a near doubling of the response.

Part 4 of the 2009 Act places climate change duties on Scottish public bodies. It states that a *"public body must, in exercising its functions, act: in the way best calculated to contribute to the delivery of (Scotland's climate change) targets; in the way best calculated to help deliver any (Scottish adaptation programme); and in a way that it considers most sustainable"*. This means that all public sector organisations, including Scottish Ministers and local authorities, are obliged in exercising their functions to do so in a manner which is consistent with meeting the net zero climate change target.

5.3.3 Draft Energy Strategy and Just Transition Plan 2023

On 10 January 2023, the Scottish Government published the Draft version of its ‘Energy Strategy and Just Transition Plan - delivering a fair and secure zero carbon energy system for Scotland’¹⁶. This plan outlines the key ambitions for Scotland’s energy future, with an even greater focus on renewable energy. It is predicted that these policies would result in a net jobs gain across the energy production sector and will increase renewable energy exports whilst also reducing exposure to future global energy market fluctuations.

The plan outlines several general commitments that the Government has proposed, including:

- *“to increase the contributions of solar, hydropower and marine energy within Scotland’s energy mix;*
- *to generate surplus electricity – allowing for the export of electricity and renewable hydrogen to support decarbonisation across Europe; and*
- *to create energy security – through the development of Scotland’s resources and additional energy storage.”*

The commitments bolster renewable energy ambitions of attaining more than 20GW of additional low-cost renewable energy generation capacity by 2030, with solar deployment to play a key role. The commercial viability of ground-mounted solar has enabled great success in Scotland, which the Plan states will be maximised by breaking down barriers to

¹⁶ ‘Energy Strategy and Just Transition Plan - delivering a fair and secure zero carbon energy system for Scotland’ (2023) Draft Energy Strategy and Just Transition Plan (www.gov.scot)



deployment. The Solar Task Force (established in the UK 2023 as proposed in Powering Up Britain¹⁷) has since evolved targeted sub-groups to address barriers such as:

- electricity networks - to unlock regulatory and other challenges preventing effective grid connections, working alongside Department for Energy Security & Net Zero, Ofgem, National Grid ESO and network companies;
- skills - to develop and deliver the skills and training needed for the future solar workforce in both the short- and long-term. Key aims are to maintain and improve the quality of installations as the sector scales up, in addition to employment and training opportunities in solar energy.
- supply chain and innovation - to facilitate resilient, sustainable and innovative supply chains for deploying rooftop and ground-mount solar. This means mapping the existing domestic supply chain, exploring the potential for international collaboration to strengthen the UK industry, increasing the attractiveness of the UK market for investment and identifying export opportunities.

Sub-groups of the taskforce comprise senior civil servants from relevant government departments, alongside a range of external expert advisors, to participate in discussions and decisions¹⁸.

The Scottish Government aims to deploy a diverse renewable energy mix i.e. maximising onshore wind (infrastructure) with supporting technologies such as hydro and solar, which provides clear support for the proposed development in conjunction with the as built Howpark Wind Farm, creating a hybrid energy park. The Strategy confirms solar plays an important role in decarbonising our energy systems, particularly when combined with other renewables¹⁹.

In January 2023 (latest available figures), it was reported that Scotland had 522MW of operational solar capacity, with a further 1,141MW of estimated pipeline capacity²⁰. This pipeline of projects, which increases the current capacity by over 200%, shows the significant appetite for greater solar deployment in Scotland.

Although responsibility for energy security and resilience is primarily reserved to the UK Government, Scotland has responsibility to respond to and manage contingencies for potential and actual losses of energy supply at large scales and Scotland plays a key role providing energy resilience with our growing net zero energy system. Further research as part of Scottish Energy Strategy includes studies on proposed whole system interactions and impacts of high-volume deployment of domestic and commercial solar PV on the electricity distribution system – emphasising the key role of solar PV in transitioning to net zero in Scotland.

5.3.4 Powering Up Britain - Energy Security Plan and Net Zero Growth Plan 2023

On 30 March 2023, the UK Government published plans to enhance and protect the country's energy security, seize economic opportunities of net zero transition and deliver on net zero commitments. Solar Energy UK was encouraged by the importance placed on solar deployment in decarbonising the power sector and delivering net zero within the Powering Up Britain Plans – specifically via the introduction of a new 'solar taskforce' and road map (to

¹⁷ [Powering Up Britain: Energy Security Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/powering-up-britain-energy-security-plan)

¹⁸ Solar Energy UK - Solar Taskforce drives forward on grid access, supply chain, skills and the rooftop market (6 July 2023)

¹⁹ [Draft Energy Strategy and Just Transition Plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/draft-energy-strategy-and-just-transition-plan/pages/100)

²⁰ [Draft Energy Strategy and Just Transition Plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/draft-energy-strategy-and-just-transition-plan/pages/100)



be published in 2024) which will reaffirm and grow the Government’s commitment and progress to 70GW by 2035. This equates to five times the current installed capacity for solar. Support for ground-mounted solar in the new Energy Security Plan is more explicit now than in previous government documentation;

“Ground mounted solar is one of the cheapest forms of electricity generation and is readily deployable at scale. The government seeks large scale ground-mounted solar deployment across the UK, looking for development on brownfield, industrial and low and medium grade agricultural land. Solar and farming can be complimentary, supporting each other financially, environmentally, and through shared use of land.

The government considers that there is strong need for increased solar deployment, as reflected in the latest draft of the Energy National Policy Statements. We recognise that as with any new development, solar projects may impact on communities and the environment. The planning system allows all views to be taken into account when decision makers balance local impacts with national need.”

In a similar vein to the Scottish Energy Strategy, the UK government highlights the need to enhance strengths in wind, solar and nuclear generation amongst others to increase supply of low-carbon energy, and removing barriers to deployment is key. The Solar Task Force and deployment trajectory set out within the 2024 Roadmap will be a key tooling achieving this.

5.3.5 Progress Towards Targets

Tables 5-2 and 5-3 and Graphs 5-1 and 5-2 set out how Scotland has made progress towards the renewable energy and greenhouse gas targets set by the Scottish Government. Since renewable energy targets are not yet being met it is considered that the proposed development would make a valuable contribution to trying to achieve these ambitious targets.

Table 5-2: Progress Against Renewable Energy Targets

Year	Target	Achieved/Progress
2020	Equivalent of 100% of all electricity used in Scotland to come from renewable sources. ²¹	No - equivalent of 98.6% of all electricity used in Scotland came from renewable sources. ²¹
2021	Equivalent of 100% of all electricity used in Scotland to come from renewable sources. (continuation of 2020 target as target was not met).	No - equivalent of 85.2% of all electricity used in Scotland came from renewable sources (Graph 5-1).
2030	To generate 50% of Scotland’s overall energy consumption from renewable sources. ²²	Final figures for 2020 indicate that the equivalent of 26.7% of total Scottish energy consumption came from renewable sources; the highest level to date. It increased from 24.0% in 2019 (Graph 5-2).
2050	To have decarbonised the energy system almost completely. ²²	Future target and difficult to gauge progress against.

²¹ Scottish Government (2011) *2020 Renewable Routemap for Renewable Energy in Scotland Update 2011*

²² Scottish Government (2017). *The future of energy in Scotland: Scottish energy strategy* 20 December 2017



Table 5-3: Progress Against Greenhouse Gas Emissions Targets

Year	Current Target ²³ (% Reduction of Emissions relative to 1990)	Recommended Revised Target ²⁴ (% Reduction of Emissions relative to 1990)	Achieved/Progress
2020	56%	n/a	Achieved – GHG account reduced by 59% between the baseline period and 2020. ⁹ As detailed in the Scottish Emissions Targets – First Five-Yearly Review (December 2022): <i>“The fall in emissions in 2020 was largely due to the travel restrictions during the COVID-19 pandemic and it is unlikely the target would have been achieved without the impacts of the pandemic.”</i>
2021	57.9%	51.1%	Not achieved – GHG account reduced by 49.9% ²⁵ between baseline period and 2021.
2022	59.8%	53.8%	Most recent data available is 2021 figure.
2023	61.7%	56.4%	Most recent data available is 2021 figure.
2024	63.6%	59.1%	Most recent data available is 2021 figure.
2025	65.5%	61.7%	Most recent data available is 2021 figure.
2026	67.4%	64.4%	Most recent data available is 2021 figure.
2027	69.3%	67.0%	Most recent data available is 2021 figure.
2028	71.2%	69.7%	Most recent data available is 2021 figure.
2029	73.1%	72.3%	Most recent data available is 2021 figure.
2030	75%	75%	Most recent data available is 2020 figure.
2040	90%	90%	Most recent data available is 2020 figure.
2045	100%	100%	Most recent data available is 2020 figure.

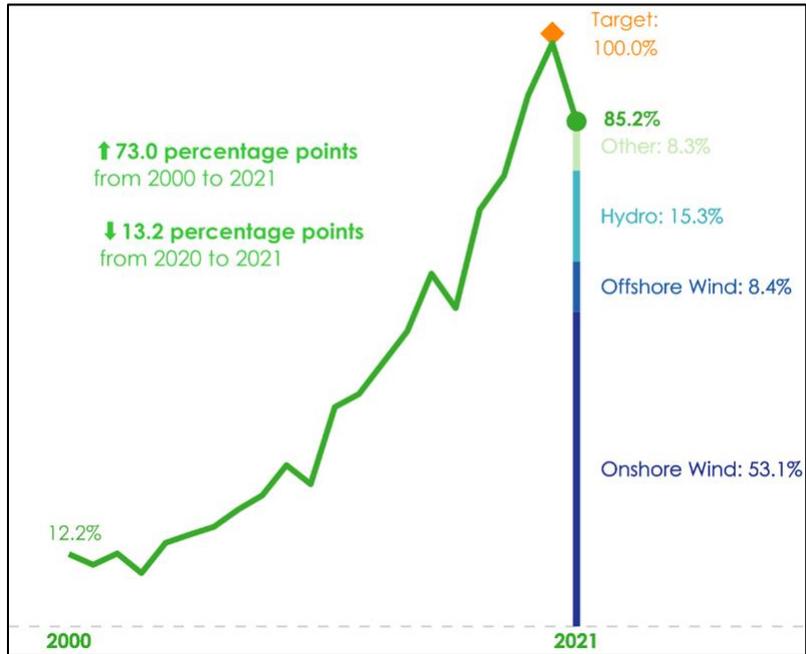
²³ Scottish Government (2019). Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

²⁴ Independent Climate Change Committee (2022). Scottish Emissions Targets – First Five-Yearly Review

²⁵ Scottish Government (2021). Scottish Greenhouse Gas Statistics 2021

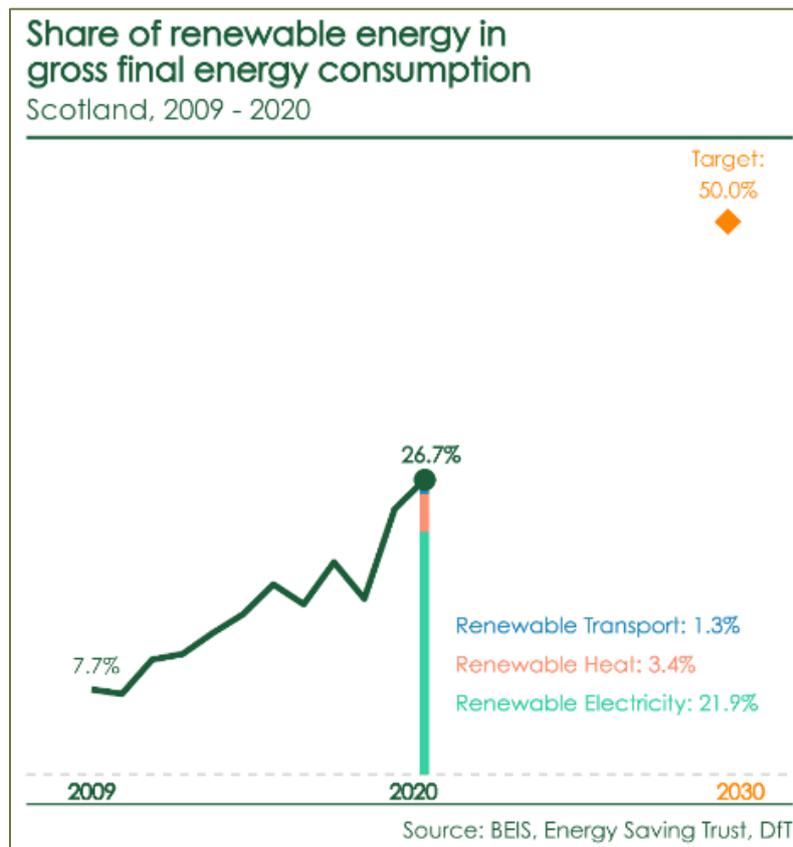


Graph 5-1: Renewable Electricity Generation in Scotland



Source: Energy Statistics for Scotland Q3 2022

Graph 5-2: Progress Against Renewable Energy Targets



(Scottish Energy Statistics Hub, 2022)



6.0 Summary and Conclusion

The broad policy context is strongly supportive of the urgent need for additional renewable energy generation capacity. The highly supportive policy and planning framework has resulted in ambitious renewable energy and climate change targets, however it is clear, as set out in Section 5.3.5 of this Statement, that Scotland is not on course to meet these targets.

Overall, given the urgency of the renewable energy and climate change targets set by the Scottish Government (and UK Government) and the associated vital role that renewable energy developments, such as the proposed development, can play in meeting these targets, the targets should be afforded substantial weight in the planning balance during determination of this application.

With regard to planning policy, NPF4 represents a fundamental shift in response to climate change. This has significantly strengthened the planning policy support for renewable energy developments by virtue of a weight of significance that must now be applied to the climate and nature crises when considering development proposals.

Policies 1 and 11 of NPF4 provide a supportive and unambiguous basis for decision makers assessing this planning application. This means that significant weight must be attached to the contribution of the proposed development to meeting renewable energy generation and greenhouse gas emissions reductions targets.

Policy 11 of NPF4 also clearly sets out support for solar development and the proposed development is considered to accord with this Policy Outcome which is the “*expansion of renewable, low-carbon and zero emissions technologies.*” The proposed Site is well placed on Scotland’s east coast to maximise solar radiation potential and output, adding value to the built Howpark Wind Farm creating a hybrid energy park, sharing an existing grid and electrical infrastructure connection, as well as an established Site access route.

The Landscape and Biodiversity Strategy (**Appendix 06**) has carefully considered the potential effects of the proposed development and how best to screen the minimal local views of the solar array whilst also promoting biodiversity enhancement opportunities within the Site, resulting in an overall positive net impact. It is considered that the proposals would both compensate for the loss of habitat that would occur as a result of the proposed development as well as providing for a sufficient level of additional biodiversity enhancement to satisfy the requirements of NPF4 Policy 3. Overall, it is therefore considered that the proposed development would bring about biodiversity enhancement and net positive effects through the strategy that would leave the environment in a demonstrably better state than without intervention in accordance with NPF4 Policy 3.

It is considered that the proposed development can draw strong policy support from NPF4 for the role it can play in tackling the twin crises of climate emergency and nature crises while also providing additional local community benefit for the local economy by providing £500 per MW of installed capacity per year to a community benefit fund which could amount to £300,000 over the lifetime of the development.

The historic environment, ecological and landscape aspects have formed a key consideration for the design and layout of the proposed development. The solar farm design has sought to avoid important features in the local landscape with mitigation and enhancement measures proposed to minimise intrusive views of the Site, and to provide opportunity for biodiversity enhancement and an overall positive net impact on the Site.

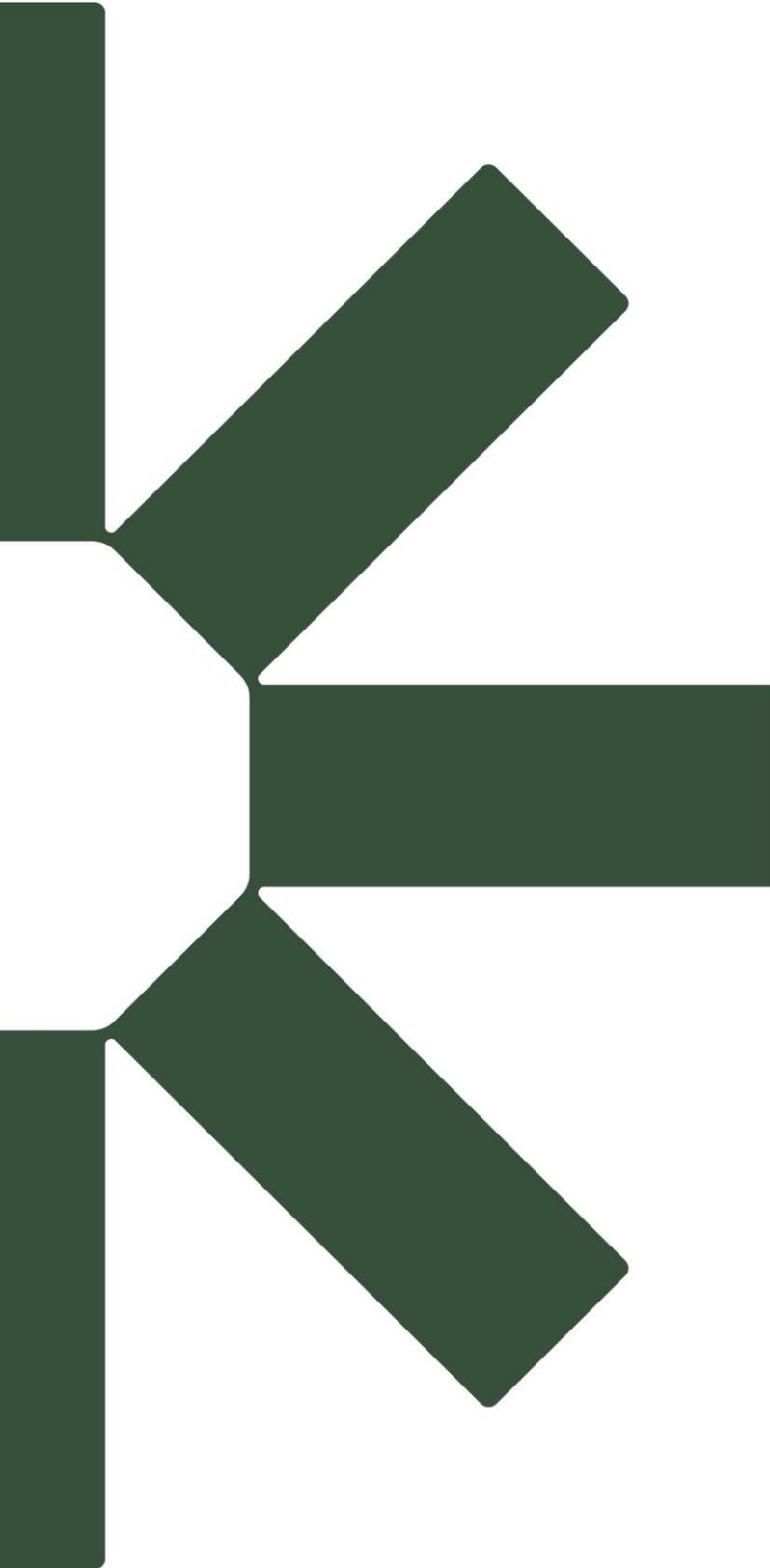
There are no identified significant environmental effects arising from the proposed development. Although some localised adverse landscape and visual effects are identified these are not considered to be significant.



Given all other material factors related to the application and the localised nature of effects, particularly with regard to Policy 11(e)(ii) of NPF4, these potential adverse effects can be considered acceptable.

The proposed development accords with the provisions of the development plan, made up of NPF4 and the LDP (as well as Supplementary Guidance). There are no material considerations which would outweigh the proposed development's compliance with the development plan and, in fact, there are material considerations that provide significant weight in favour of the proposed development. Planning permission should, therefore, be granted for the proposed development.





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