Torphins Community Council

At a meeting held on 7 December 2023 Torphins Community Council decided unanimously to **Object** to the proposed development of a wind farm on the Hill of Fare, submitted to the ECU by RES in conjunction with landowner Dunecht Estate. ((ECU 00004592)

TCC carefully considered the results of two surveys of public opinion, conducted jointly by the six community councils surrounding the Hill of Fare in 2022 and 2023. Both surveys followed public exhibitions held in Torphins and elsewhere by RES, as part of the consultation process. In all 863 completed questionnaires were received, with the 2022 survey demonstrating 71% of respondents were opposed to the development, with 11% in favour, while the remainder were undecided or neutral. The second survey in June 2023 followed RES' attempts to address the community's concerns but showed opposition had strengthened; overall objection increased to 75%, while the proportion of those supporting the proposal remained almost unchanged. The comments added showed the extent to which the developer had failed to address community concerns. The results from the TCC area in 2023 were 75% opposed, 7% undecided, 5% neutral and 12% in favour.

TCC determined, on the basis of the only available independent evidence of our community's opinion, to submit a formal objection to the proposal.

In coming to its conclusion, TCC also took into account a number of material planning considerations relevant to local and national planning policies, with particular reference to the Scottish Government's NPF4, adopted in February 2023. It is accepted that NPF4 is broadly supportive of onshore wind energy developments, except in particular designated areas including National Parks. There are no specific protections or designations applied to the Hill of Fare. However, Policy 11 of NPF4 does recognise that where any economic or other benefits are outweighed by significant adverse impacts which the developer cannot mitigate, applications should be refused. This is supported by Policy 4 which states that proposals having an unacceptable impact on the natural environment will not be supported.

TCC has concluded that the significant landscape and visual impacts, in particular, cannot be mitigated. As a consequence the application fails to meet the clear policy requirements of NPF4 and should be refused by Scottish Ministers.

In reaching this conclusion TCC has considered the following matters:

1. **Planning Policy and Guidance**

1.1. Prior to the adoption of NPF4, Aberdeenshire Council's planning policy on wind energy developments was based largely on its Strategic Landscape Capacity for Wind Farms Final Report 2014, (SLCW) published with the support of Scottish Natural Heritage. This comprehensive, independent study assessed the capacity of Aberdeenshire's landscapes

to sustain further wind energy developments. The Hill of Fare falls within the Moorland Plateau typography which is assessed in these terms: *These areas would be unsuitable for wind farm development beyond a domestic scale, less than 15m associated with farm buildings or tourist facilities.*

1.2. The study was undertaken by Ironside Farrer on behalf of the local authority, and remains a robust, defensible assessment of the capacity of important landscapes to accept further wind farm developments. Its conclusion is unequivocal and still has relevance, despite being replaced by the Planning Advice noted below in September 2023.

1.3. Based on the SLCW, the 2017 Aberdeenshire Local Development Plan (ALDP) states that within Marr there is "*only room for a small number of small wind turbines*", a position carried into the 2023 ALDP.

1.4. The adoption of NPF4 led to the council publishing its Landscape Sensitivity Assessment, On Shore Wind Energy Development in Aberdeenshire in September 2023, as planning advice to support the 2023 ALDP, designed to make the ALDP fully compatible with NPF4. The Hill of Fare falls into *LCT 28, Outlying Hills and Ridges*. The guidance states that Very Large Turbines (125m-200m) "*could significantly diminish the distinctive character of the landscape which is indivisibly linked to its surrounding areas. Turbines of this height and associated infrastructure could be intrusive and potentially impact on the recreational, community and cultural appreciation of the landscape*." It concludes that this "*is a high quality, high value landscape, sensitive to erosion of character from wind energy development of all scales beyond a domestic height turbine..(*and*).. is highly sensitive to intrusion from turbines, including from adjacent LCTs, which would have a strong visual influence on hill settings*."

1.5. NPF4 aims to encourage and promote all forms of renewable energy development, including onshore wind farms, giving overall support to them except in National Parks and National Scenic Areas. NPF4 expects developers to demonstrate how specific impacts are localised and are mitigated through project design.

1.6. The impacts to be taken into account are defined in Policy 11 and include the impact on communities and individual dwellings, landscape and visual impacts, public access, the effects on hydrology and the socio-economic considerations. TCC has determined these are the key material considerations relevant to this application.

1.7. Policy 4 seeks to safeguard natural assets and states that "*development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported*." TCC contends it would be difficult to find a proposal that would have a more unacceptable impact on the natural environment than the Hill of Fare wind farm.

1.8. Recent public local inquiries held to examine wind farm proposals in Aberdeenshire and beyond, have recommended refusal where such negative impacts cannot be mitigated through design and are therefore not outweighed by any net economic benefits or the contribution they would make to renewable energy generation targets and greenhouse gas emissions reductions targets. These recommendations have been supported by Scottish Ministers.

1.9. Particular reference is made to the application for a wind farm at Kintradwell, 7.7km to the north of Brora, which was refused on 3 November 2023, where the Energy Consents

Unit (ECU) agreed with the Reporters' assessment "*..that despite many factors being in the proposed Development's favour, they would not outweigh its significant adverse landscape and visual effects and consequently it was inconsistent with NPF4 (policies 4 & 11) and inconsistent with the Highland Wide Local Development Plan (Policy 67 – renewable energy).*"

1.10. TCC find it extremely disappointing that RES chose to claim on its website, while outlining reasons why the application should receive public support, that the Hill of Fare lies within "*an area identified by Aberdeenshire Council as having potential for wind farm development*". This is misleading; RES does not promote the explicit qualifications given in the text of the 2017 ALDP and the 2023 ALDP which, when taken with the Landscape Sensitivity Assessment planning advice, make it clear the council would only support *domestic scale* turbines within this area. There is nothing in these documents to suggest the council would support a major wind farm of 16 turbines, between 180m and 200m in height, on the Hill of Fare. RES' credibility is undermined by this assertion on its website. It is for others to judge whether RES deliberately sought to mislead the public on this.

1.11. RES state in its Planning and Sustainable Place Statement: (David Bell Planning, October 2023): *5.4.3: "The policy provisions of the ALDP are based on those of NPF3 and the former SPP. This means, as per the amendments made to the 1997 Act, that where there are any incompatibilities, the provisions of NPF4 will prevail."* The council's Landscape Sensitivity Analysis makes its ALDP 2023 compatible with NPF4[1]; accordingly RES cannot claim this ALDP is superseded by NPF4.

1.12. RES also suggest in this Statement (4.8.8 and 4.8.9): "*Paragraph c) of Policy 11 requires socio-economic benefits to be maximised, rather than just taken into account. Socio-economic effects are set out in Chapter 13 (Socio-Economics) of the EIAR and the various benefits that would arise have been summarised in Chapter 3 above and in the appended appraisal. Socio-economic benefits have been maximised".* However this is completely contradicted in the application documentation where 13.6.31 states: *"Construction is likely to result in a temporary minor beneficial and not significant effect on the economy in Aberdeenshire, and a temporary minor beneficial and not significant effect on the economy in Scotland."* In terms of the operational phase of the development, 13.6.55 adds*: "The effect of operations and maintenance expenditure on the Aberdeenshire and Scottish economies was assessed as negligible and therefore not significant."*

1.13. The Statement asserts (4.16.12): "*A key point within Policy 11 (Energy) is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case*." Scottish Government targets for On Shore Wind seek a minimum of 20GW of capacity by 2030. Figures published by the Scottish Government in March 2023 demonstrate there is currently 21.9GW of capacity in the pipeline. There is consequently no absolute necessity for this application to be consented in order to meet Scottish Government targets, failing as it does to meet important national and local planning policies.

[1] See Appendix 1

1.14. Carbon balance calculations by RES include a very high assumed capacity factor of 36.8%. Most commentators would assume a maximum of 24% for onshore turbines, falling with age.[2]

1.15. Aberdeenshire Council's overall approach to wind farm development is given in its Planning Advice: Assessing Wind Energy Developments: PA 2023-21. *"..while having cognisance of wider climate change and carbon reduction targets, Aberdeenshire Council will endeavour to conserve, enhance and manage landscape change over time to protect against development that might adversely impact on these landscapes, sense of place and quality of life."* There can be no doubt as to the adverse impacts of the Hill of Fare proposal.

1.16. **TCC has concluded that the proposal for the Hill of Fare fails to meet the tests proscribed in NPF4 and in Aberdeenshire Council's ALDP 2023. The development would cause unacceptable impacts to the natural environment which would not be localised, nor can they be properly mitigated through design. Consequently these significant impacts outweigh any minor economic or other benefits, including contribution to Scottish Government onshore wind energy targets, of the development. There is no support for the proposed development in relevant planning policy.**

2. Landscape and Visual Impacts

2.1. NPF4 accepts that significant landscape and visual impacts can be expected for wind farm developments and considers such impacts are acceptable where they are localised and/or appropriate design mitigation has been applied. Whilst RES has attempted to meet the terms of policy 11 in this regard, by a slight reduction in the height and number of turbines originally proposed, by no reasonable interpretation can this be seen as successful design mitigation, nor would the landscape and visual impacts be localised.

2.2. The Hill of Fare is a prominent feature of the Deeside landscape, visible from a wide area and valued by residents. It has been calculated that the development would impact on around 13,000 residents living in proximity to the hill, including in Torphins, Midmar, Crathes and Banchory. It would also impact on communities as far afield as Alford or Westhill.

2.3. In addition, the development would impact adversely on a number of key receptors, including Scoltie Hill, Lochnagar, the Suie hills and the eastern areas of the Cairngorms National Park. There are also concerns over the impact it would have on the setting of Craigievar Castle and other historic assets.

2.4. The Hill of Fare rises around 250m above its surrounding landform of low hills and shallow valleys. Turbines of up to 200m will almost double the perceived height of the hill. RES has attempted in its submission to minimise the effect this will have on a valued landscape; however, the evidence of professionally prepared photomontages

[2] The Performance of Wind Farms in the United Kingdom and Denmark: Hughes: Renewable Energy Foundation

demonstrate the effects will be very significant and cannot be mitigated by project design mitigation, as required by NPF4.

2.5. PA 2023-21 states: *"In general, wind energy developments are not compatible with prominent ridgelines, hills or sensitive skylines, or where they appear to reduce the height of a local hill or range of hills. Therefore, the siting in these locations should be avoided."* It stresses: *"The landscapes of Aberdeenshire are valued and vulnerable resources that help to define the region for residents and visitors. They are therefore sensitive to any development that would have an adverse impact on their character."*

2.6. **TCC has determined that the very significant landscape and visual impacts of the proposal cannot be successfully mitigated and are not localised in their affect. The proposal therefore fails to meet the requirements of Policy 4 and Policy 11, NPF4 and ALDP 2023.**

3. **Impacts on Communities and Individual Dwellings.**

3.1. The Hill of Fare is a prominent landscape feature when viewed from Torphins and its immediate environs. The impacts of the development will be felt by residents of the village, as well as other communities around the hill. Inevitably the development would affect a large population, covering a wide rural area, in a way which contrasts markedly with other projects in Scotland.

3.2. Residents of the individual dwellings closer to the development would be impacted by potential shadow flicker (despite RES' proposed mitigation), noise, uncertainty over water supplies and impacts on residential amenity. This is conceded by RES who state no fewer than 28 dwellings will be impacted directly.

3.3. In a number of recent Public Inquiries resulting in a positive recommendation, it was noted that such impacts would be felt by a small number of individual dwellings. This cannot be said of the Hill of Fare proposal, prominently located in a relatively densely populated rural area. The issues of water supplies are discussed in detail below.

3.4. **TCC has determined that the impacts on communities and individual dwellings would be highly significant, are not localised and cannot be successfully addressed by project design mitigation.**

4. **Public Access.**

4.1. The Hill of Fare is a popular area for recreation, both for those living in close proximity to the hill and for those from further afield, including Aberdeen. The opportunities for walking, bird watching and other rural pursuits are freely accessible and are valued by the community as a whole.

4.2. The proposed development would impact significantly on this access and amenity, by replacing the sense of openness and space currently enjoyed with a landscape cluttered by turbines of up to 200m, together with associated infrastructure including almost 20km of new or upgraded tracks, acres of hard-standing, the battery storage facility and

the pylons that would be required to export the electricity generated to the National Grid.

4.3. The negative impact on public access could be worsened by the risk of ice throw. RES has attempted to minimise the risks of this but the climate of the area means the risk remains a real one.

4.4. **TCC has determined that the negative impacts on public access, during the construction and operational phases, are significant and cannot be mitigated through changes to the design or layout of the project.**

5. Geology and Hydrology

5.1. The geology of the Hill of Fare is acknowledged to be complex. *Long rolling ridges form a backdrop to many views in the area, particularly in the west where they are seen rising up above the river straths, such as the Dee and the Don, or around the basins of softer rock. Often over 500 to 600 metres high, they are underlain by a lithology whose complexity is not always revealed in the simplicity of the landform. The main groups of hills include the Ridge of Foudland stretching east to the Hill of Tillymorgan, the circular range that encloses the Howe of Alford and extends south east to the Hill of Fare...* [3]

5.2. The Hill of Fare Granite Pluton is a relatively small intrusion of granite that is roughly pear-shaped at outcrop and underlies the Hill of Fare massif, around 5 km north of Banchory. The granite is reported to have moderately elevated concentrations of radiogenic elements at outcrop, raising the possibility that it is, or is close to being, a body of High Heat Production granite and therefore has the potential to provide above-background levels of geothermal energy[4]

5.3. The granite has a silica content of between 73% and 79%, and is therefore compositionally highly evolved. Moderately elevated concentrations of the radiogenic elements potassium, uranium and thorium ..are consistent with this highly evolved character. The concentrations of silica and radiogenic elements are likely to decrease with depth, but currently there is no evidence (in the Hill of Fare pluton or other plutons of the Cairngorm Suite) to indicate how rapidly such changes might occur.[5]

5.4. Hill peat is most extensive on the granite outcrops in the south of the district, where tree roots and stumps, particularly of Scots pine, are very common. Blanket peat covers parts of Bennachie and the Hill of Fare[6].

[3] Nature Scot; Landscape Character Assessment: Aberdeenshire – Landscape Evolution and Influences; August 2021

[4] Hill of Fare geothermal energy project: feasibility report: Scottish Government: May 2016

[5] Ibid

[6] Cainzozoic geology and landscape evolution of north East Scotland: Merritt, Auton, Connell, Hall, Peacock: British Geological Survey: 2003

5.5. TCC believes that the geology of the Hill of Fare gives rise to well-founded concerns regarding private water supplies and the potential for the wind farm development to adversely impact on water courses and ultimately the River Dee SAC. These issues have not been adequately addressed by RES in their submission, which leaves residents, not just in the immediate area of the proposed development but also at greater distances, facing uncertainty. There are 120 properties reliant on private water supplies around the Hill of Fare, including farms. There are few, if any, opportunities for such householders to seek redress in the event of their supply being disrupted or polluted, other than through the courts.

5.6. It is noted RES only assessed private water supplies within 2km of the site. Any impacts on supplies arising at a greater distance have not been considered.

5.7. PA 2023-21 explicitly advises: *"The potential hydrological effects of turbines, access tracks and other ancillary development should be considered, as there could be significant effects on or adjacent to the application site. Watercourses, underground streams, and private springs should be avoided, and private water supplies must not be adversely affected."*

5.8. The development will increase the risk of flooding in and around the village. *"...the SEPA flood mapping does show a High risk of fluvial and surface water flooding immediately outwith the Site corresponding to the channel and adjacent floodplains of watercourses draining from the Site."* (10.1.39)

5.9. In view of the increased rate and volume of localised flooding in recent years, TCC is concerned the mitigations (10.1.133, 10.1.134) are not adequate. In particular T5 is exceptionally within the 50m buffer zone of the Blacklinn burn. This burn is exceptional in the SEPA flood mapping of Hill of Fare for its high incidence of surface water flooding throughout its course and for high likelihood of river flooding as it leaves "*well defined, steep sided valleys*" at the base of the Hill of Fare and then joins the eastern end of the Beltie Burn floodplain.

5.10. Recent experience of flooding in and around Torphins clearly demonstrates that flood risk has increased as a result of Climate Change. Incidents of fluvial flooding have become more frequent and intense, impacting on individual homes as well as road access. Without effective mitigation, the proposed development is highly likely to increase flood risk. TCC believes the proposed mitigations are not only inadequate but also asserts there are no design mitigations which can successfully remove the risk of increased flooding arising as a result of the development.

5.11. TCC understands the landowner received public funding through Nature Scot for peatland restoration on the Hill of Fare. It is acknowledged by RES that there will be significant negative impacts on this vitally important habitat, through track construction and other development. Damage to or disruption of blanket peat will lead to emissions of greenhouse gases.

5.12. **TCC has considered these issues as informed laypeople and considers the risk to the many private water supplies relying on the Hill of Fare, the potential for pollution of watercourses, the presence of enhanced levels of uranium, the increased risk of**

flooding and the loss of blanket peat are all matters that cannot be addressed through mitigation.

6. Socio-economic Considerations

6.1 In their submission to the ECU, RES claims the development of the Hill of Fare wind farm *could* create a £150m boost to the local economy. This would represent £14m during the construction phase, £66m linked to the operation and maintenance of the project and £50m in Business Rates spread over the 50 year operational life of the project.

6.2 These figures are estimates. It cannot be demonstrated where the funds would be spent, whether locally, in wider Aberdeenshire or in Scotland. In addition, as noted above, the economic benefits of the project are described by RES as "not significant" or "negligible".

6.3 There are errors and misapplications within the economic case presented by RES. The construction spend in Aberdeenshire and Scotland appear to have been duplicated in 13.6.5: *"It is estimated that around a third of investment into capital expenditure will occur within Scotland as a whole(£42.12 million), with a third of that figure accruing to Aberdeenshire (£14.04 million).* RES have added these two figures together when reaching the overall sum of £117m. This undermines the credibility of RES' claims for economic benefit.

6.4 Chapter 13, Table 11.14 shows a grid connection of £8.12m; however as stated in 13.6.6, this figure is for operations outwith this application and consist of SSEN's costs. This figure is not only an estimate but also is irrelevant to this application.

6.5 RES claims the construction could generate 237 jobs and 25 jobs once operational. There is no indication these would be new jobs or whether those employed would be locally based or, as appears more likely, contractors brought in from outside the area. It is likely local employment would be limited to plant hire, some of the groundworks and some quarrying. There appears to be little in the way of construction jobs, only limited opportunities for the hotel and catering sectors providing services for outside contractors. The operation of the wind farm would lead to very few, if any, local jobs being created.

6.6 RES has stated there is no evidence on whether wind farms have a negative impact on Tourism; the corollary is RES cannot show there would be *no* impact on Tourism or the numbers visiting Deeside in general or Torphins in particular. There is an inherent risk which must be recognised; not least as the Hill of Fare would no longer be the popular destination for recreation it is at present. PA 2023-21 advises "*sites should be selected that minimise visual impact from tourist viewpoints, routes and facilities."*

6.7 RES rely on surveys commissioned by Renewables UK to show that Tourism will not be affected by this development. However, these surveys include, *inter alia*, Whitelee in Ayrshire which bears no resemblance to Deeside in terms of tourism or outdoor activities. Other surveys, by the Mountaineering Council for Scotland for example, reach different conclusions, suggesting that many walkers would avoid

areas with significant wind farm development. Such surveys are dismissed or ignored.

6.8 The new South Harbour in Aberdeen was developed, in part, to attract cruise ships to the North East. The very significant investment put into this project could be undermined by the development of a wind farm so prominently located on Deeside.

6.9 RES are offering a community benefit package that would be worth £5000 per megawatt (or equivalent) of installed capacity per annum, matching the national level dating from 2019. No commitments beyond this figure have been given and there has been no discussion with TCC or the community on a Local Electricity Discount Scheme (LEDS) or the area of benefit. LEDS would form part of the community benefit package described above and would not be additional.

6.10 The Scottish Government expects developers and community groups to consider how they can address longer term community needs, consistent with the Just Transition Outcomes, in line with the Good Practice Principles (GPP) for Community Benefit from Onshore Renewable Energy Developments, published in 2014 and updated in May 2019. This expectation was reinforced by the Scottish Government's Onshore Wind policy statement of December 2022. TCC has not been invited to discuss any of these issues by RES[7].

6.11 RES suggests the community benefit package could be worth £26.4m over the 50 year operational life of the project, resulting in an annual payment of up to £528,000pa. With the high number of residents around the Hill of Fare, it has been calculated this would correspond to around £45 per person, per year, which may or may not include any electricity discount scheme.

6.12 The claimed operational life of the project is misleading, given that the average lifespan of a turbine is between 20-25 years. It follows that every turbine will need to be replaced, leading to all the significant disruption to roads and communities, and disturbance to important habitats, that the current proposal will cause. It is likely that replacement turbines would be on a greater scale than those currently under consideration. TCC suggests the 50 year figure serves only to inflate the economic benefits but is otherwise almost meaningless.

6.13 **TCC has considered the socio-economic benefits claimed by the developer and does not accept they outweigh the serious environmental and other negative impacts of the project. In addition, TCC is disappointed that RES has not discussed its proposed community benefit package with the Torphins community as required by GPP and the Scottish Government's statement published in December 2022.**

7. Conclusions

TCC has been discussing these proposals for the Hill of Fare from the outset. It has reflected the views of the community, based on the evidence, and has raised concerns with RES at public exhibitions and through the EIA Gate Check process. Once the formal application was submitted to the ECU, TCC considered the detail in depth before determining, at its meeting on 7 December, to object to the application.

[7] See Appendix 2

This submission details a number of key areas where TCC has determined the application fails to meet local and national planning policies, in particular NPF4 which is the most significant statement of Scottish Government policy in the Planning hierarchy, over-riding the local authority's Development Plans.

Policy 11 of NPF4 accepts that wind farm developments can be expected to have significant landscape and visual impacts but these should be localised and/or mitigated through appropriate design. TCC is firmly of the view that these significant impacts have not been and cannot be mitigated; nor are they localised, either in a geographical context or in the number of residents, communities and individual dwellings that would be significantly impacted. On this analysis, it is clear the Hill of Fare project fails to meet the requirements of Policy 11.

Policy 4 of NPF4 aims to safeguard natural assets such as the Hill of Fare and states that proposals which have an unacceptable impact on the natural environment will not be supported. It is beyond doubt that this proposal will have unacceptable impacts of the kind Policy 4 seeks to prevent.

This submission has also discussed the vital issues of Access, Geology and Hydrology and the Socio-economic considerations. TCC is aware of serious concerns elsewhere over issues including biodiversity, the historic environment, traffic and roads, all of which are to be considered under Policy 11. These are not areas TCC feels qualified to address and is content in the knowledge that others, with the requisite expertise, will do so.

In light of the significant impacts the Hill of Fare wind farm would have, TCC **Objects** to this application.

Appendix 1

Introduction to <u>Planning Advice: Assessing Wind Energy Developments: PA 2023-21.</u>

This Planning Advice provides guidance to support Policy C2 Renewable Energy (paragraph C2.2) and Policy E2 Landscape of the Aberdeenshire Local Development Plan 2023 (LDP). It is not a statement of Policy and is for advisory purposes only. Whilst Policy C2 supports renewable energy developments which are appropriately sited and designed, the National Planning Framework 4 (NPF4) has added significant weight in addressing the climate emergency and meeting targets on reducing emissions. LDPs are to maximise their area's potential from renewable energy sources (NPF4 Policy 11 Energy), but at the same time NPF4 maintains the importance of protecting natural assets against unacceptable impacts (NPF4, Policy 4 Natural Places).

The main purpose of this Planning Advice is to steer planning applicants towards the most appropriate locations for siting onshore wind energy development in relation to landscape sensitivity. It provides a strategic appraisal of the relative sensitivity of the Aberdeenshire landscape to wind energy development and identifies where the main opportunities and constraints lie. This will help inform a proposal's Landscape and Visual Impact Assessments (LVIA) and/or Environmental Impact Assessments for individual site-specific development proposals. This Planning Advice also sits

alongside other national guidance such as provided by NatureScot, and should be read in conjunction with the LDP 2023 Planning Advice PA2023-21 Assessing Wind Energy Developments.

Aberdeenshire Council: Landscape Sensitivity Assessment, On Shore Wind Energy Development in Aberdeenshire : PA 2023-03: September 2023.

Appendix 2.

1. Community Benefit

1.1 Torphins Community Council has repeatedly invited the developer in writing to participate in developing the Community Benefit, which is an activity required by the recent policy documents regarding renewable developments published by the Scottish Government. The developer has chosen not to engage with the community on this matter and has refused to acknowledge this opportunity, which represents a failure to comply with the policies set out below, and consequently forms justification to refuse this application.

1.2 The Planning & Sustainable Place Statement references The Onshore Wind Sector Deal (Scot.gov Sept 2023) as a key document for supporting the development of wind farms. However, The Onshore Wind Sector Deal also states how developers of wind farms should approach community benefit: *"Onshore wind in Scotland will continue to collaborate with local communities, building on good practices to enhance its existing 'good neighbour' approach through engagement at all stages of the project life cycle, offering impactful community benefits and practical routes to shared ownership… Scottish Government's Onshore Wind Policy Statement 2022 which commits to the principles of a just transition to a net zero economy, ensuring communities across Scotland feel the benefits of the energy transition."*

1.3 Chapter 4 of the Onshore Wind Policy Statement 2022 (Scot.gov) sets out the principles of the Just Transition to a net zero economy: *"Community benefit from, and shared ownership of, renewable energy developments have a key role to play (4.2.1) … We are encouraging developers to offer shared ownership opportunities to communities as standard on all new renewable energy projects (4.2.4) … The Scottish Government expects developers and community groups to consider how they can address longer-term community needs (4.2.9)… We also encourage innovative approaches to ensuring local communities can benefit directly from the affordable electricity being produced on their doorstep, in the form of local community tariffs/discounts (4.2.18)"*

1.4 We are aware that in the past the establishment of a community benefit has not been a material planning consideration. However, the Scottish Government Policies published in the last two years make it clear that stronger support for wind farms should be conditional on better cooperation and a Community Benefit offering as part of the Just Transition. The developer for the Hill of Fare proposal, in relying on the policies introduced with NPF4, should also be held to the sections requiring the early development of Community Benefit.

Unfortunately, as noted above, the developer has failed to undertake any bilateral action regarding the establishment of Community Benefit before this application was submitted.