Bonnyknox Solar Farm Planning Statement

Prepared by: Arthian Ltd.

For: Renewable Energy Systems Ltd.

Application Site: Bonnyknox Solar Farm

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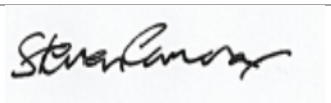
SC	Steven Cameron	Principal Planning Lead	

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1. Introduction

1.1 Planning Application

Renewable Energy Systems Ltd. (herein the Applicant) is applying to Angus Council for full planning permission for the construction and operation of Bonnyknox Solar Farm and its associated infrastructure (herein the Proposed Development). The Proposed Development would comprise the construction and operation of a maximum export capacity 49.9MW solar array and its associated infrastructure on a site of 95.45 hectares, on land located 2km west of Arbirlot, Angus, approximately centred on grid reference E356977, N741022.

The description of the Proposed Development is as follows:

"Construction and operation of a solar farm with all associated works, equipment and necessary infrastructure."

1.2 Planning Application Submission

In addition to the completed application forms and certificates, the planning application is supported by technical and environmental assessment reports, including the following:

- Design and Access Statement (this report);
- Planning Statement;
- Pre-Application Consultation (PAC) Report;
- Landscape and Visual Appraisal (LVA);
- LVA Photomontages;
- Illustrative Landscape Masterplan (ILMP);
- Preliminary Ecological Assessment;
- Protected Species Survey Report;
- Otter Monitoring Memorandum Report;
- Reptile Precautionary Method of Works (PMoW) Memorandum Report;
- Flood Risk Assessment and Drainage Strategy;
- Cultural Heritage Assessment;
- Transport Statement and Framework Construction Traffic Management Plan (CTMP);
- Glint and Glare Assessment;
- Noise Assessment;
- Land Capability Classification for Agriculture (LCCA) Report; and
- Arboricultural Implications Assessment and Arboricultural Method Statement.

As stated above, the Application Site is 95.45 hectares. Therefore, the fee for this planning application has been calculated as £28,809.00 using the online ePlanning fee calculator.

The planning application is supported by the following technical drawings:

- Figure 1: Site Location Plan (Drawing Number: 05114-RES-LAY-DR-PT-001) (Rev 3)

- Figure 2: Site Location Map (Drawing Number: 05114-RES-LAY-DR-PT-002) (Rev 3)
- Figure 3: Field Numbers (Rev 2)
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- Figure 13: Client/DNO Substation Plan and Elevations (Drawing Number: 05114-RES-SUB-DR-PT-002) (Rev 1)

1.3 The Applicant

Renewable Energy Systems Ltd. (RES) is the world's largest independent renewable energy company which has delivered more than 27GW of renewable energy projects across the globe. RES is active in 14 countries working across onshore and offshore wind, solar, energy storage and transmission and distribution.

RES has developed a rigorous site selection process in order to ensure that only the best projects are developed, and such projects are able to be sensitively integrated into the wider landscape, encouraging the protection and enhancement of the environment.

1.4 Scope of Planning Statement

This Planning Statement has been prepared by Arthian Ltd. (Arthian) on behalf of the Applicant to assess the extent to which the Proposed Development complies with relevant national and local planning policies and any other material considerations. The remainder of this Planning Statement is structured as follows:

- Section 2.0: Application Site & Surrounding Area;
- Section 3.0: Proposed Development;
- Section 4.0: The Development Plan;
- Section 5.0: Other Material Considerations;
- Section 6.0: Planning Policy Assessment;
- Section 7.0: Need for the Proposed Development; and
- Section 8.0: Summary and Conclusion.

2. Application Site and Surrounding Area

2.1 Introduction

This section details the location of the Application Site and the surrounding area. It also provides a description of the Application Site and how this is proposed to be accessed from the local road network. This section of the Planning Statement also discusses the planning history of the Application Site and details any solar PV developments within 5km of the Proposed Development. Furthermore, this section details the site selection process for the Application Site by the Applicant.

2.2 Application Site Description

For the purposes of this Planning Statement, the term 'Application Site' refers to the red line illustrated on the Location Plan, submitted with the planning application.

The Application Site comprises *95.45* hectares (Ha) of agricultural land. The land within the Application Site is divided into *7* fields, which are largely screened from view by hedgerows, woodland and established trees. Field numbers are illustrated on Figure 3: Field Numbers. There is existing infrastructure within the Application Site associated with the power distribution network, including several pylons and high-voltage overhead wires. Lower voltage overhead wires and telecommunication lies also cross the Site. Away from the Application Site, the existing solar development near 'Mains of Guynd' lies to the north at a distance of approx. 1.1km beyond the plantation woodland, and to the south at a distance of approx. 1.4km is a telecommunications tower at Balbinnie.

A Land Capability Classification for Agriculture (LCCA) Report is submitted in support of this planning application. The report determined that 50% of the Application Site is Class 3.1 land and 48.9% is Class 2 land both of which are considered to be prime agricultural land. The remainder of the Application Site is 1.1% of non-agricultural land (i.e. tracks).

It is noted that the soil division between Class 2 and Class 3.1 can be affected by cropping practices. Fields that are in potato production, such as in the case of the Proposed Development, undertake a cultivation pass which is called de-stoning that involves removing stones from the ridged area and placing them in an adjoining furrow. Removing the impediment of stone gives an incorrect topsoil depth which is one of the criteria for land classification. In these areas, two thirds of the field would have artificially deep topsoil. As discussed in the LCCA report, soil borings carried out between sample points 103 and 122 could lead to interpretation issues as topsoil depth can be increased without the barrier of stones. This can then lead to an overestimate of land capability particularly from Grade 3.1 to Grade 2. The growing of potatoes subjects the soil to an intensive mechanical cultivation often taking several seasons to regain its structure and diversity. The use of the land for solar capture will mean that the soils will have 40 years to develop good structure and diverse fauna. On the return to arable farming, they will have improved resilience and productive potential.

The Application Site comprises arable grassland with areas of woodland and trees present. The topographical survey data shows that the site slopes from 123 metres Above Ordnance Datum (m AOD) in the northwest corner to 92m AOD in the east to the site. Critically, the development will not alter the topography of the site.

2.3 Surrounding Area

The Application Site is located on land approximately 2.2km west of the village of Arbirlot. The surrounding area is characterised by a combination of agricultural, woodland and industrial uses at the Hunter's Path residential dwelling adjacent to the north of the Proposed Development. The hamlet of Greystone lies approximately 2.8km northwest at its closest, the hamlet of Redford lies approximately 2.8km north at its closest and the town of Arbroath lies approximately 5km east at its closest.

The Guynd Gardens and Designed Landscape lies adjacent to the Proposed Development to the north separated by woodland. The Application Site is also situated adjacent to the Kelly Moor woodland to the east alongside numerous other woodland areas within 1km of the Application Site.

The A92 is situated approximately 2km to the south of the Application Site. An unnamed C-classed road runs adjacent to the Application Site's southern boundary where access to the site is proposed to be taken from.

2.4 Accessibility

The proposed point of vehicular access to the Application Site is to be taken the A92, Bonnyton Road and a short length of an Unclassified Road between the junction with Bonnyton Road. The access will take the form of a priority junction with Bonnyton Road.

Details of this can be found within Figure 6 of the Transport Statement submitted alongside the planning application.

Furthermore, a water crossing across the Rottenraw Burn to the north of Shelterfield in the form of a bridge is proposed for vehicles during all project phases, construction, operation and decommissioning phases. This alternative access route is to ensure that vehicles can access the project for its lifetime on land that the applicant has full control over.

2.5 Planning History of Application Site

A search was undertaken in May 2025 of any existing and/or approved developments located within the boundary of the Application Site using the Angus Council planning search facility. No planning history was found at the Application Site. A search was also undertaken of any solar PV development within a 5km vicinity

using the Angus Council planning search facilities. Table 2.1 provides information in relation to solar PV development within 5km of the Application Site.

Table 2.1: Solar PV Development within 5km of the Application Site

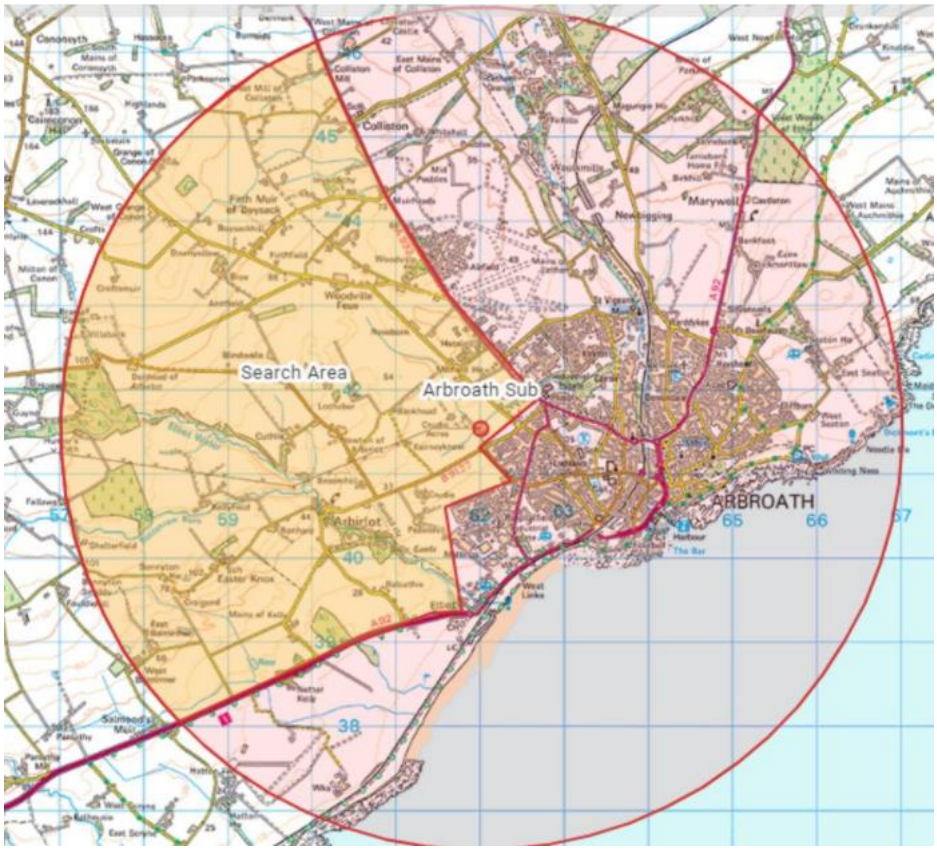
Reference	Location	Decision
24/00589/FULL	Proposed new solar farm installation including battery storage facility | Land 200m west of Denfield, Arbroath (re-submission of planning application: 23/00706/FULL). Located approximately 4km NE of the Proposed Development	Approved Subject to Conditions
23/00706/FULL	Proposed new Solar Farm Installation including Battery Storage Facility | Land 200m west of Denfield, Arbroath. Located approximately 4km NE of Proposed Development.	Application Withdrawn
22/00337/FULL	Proposed Alterations & Extension and Change of Use from Stable Block to Dwellinghouse and erection of Ground Solar Panels | Smallburn, Greystone, Carmyllie, Arbroath, DD11 2RF. Located approximately 4.5km NW of Proposed Development.	Approved Subject to Conditions
15/00873/FULL	Installation of a Solar Farm up to 5MW and Associated Development | Field 275m South of Drummygar, Drummygar, Carmyllie. Located approximately 3km NW of Proposed Development.	Approved Subject to Conditions
15/00253/FULL	200kW Roof Mounted Solar PV Array to be site on the roofs of the Cuthlie Farm Cold Stores. Comprising 800x250W Solar Panels fixed on a Multi Rail System to the existing Roof Sheet | Cuthlie Farm, Cuthlie, Arbroath. Located approximately 2km E of Proposed Development.	Approved Subject to Conditions
14/00526/FULL	Proposed Ground Mounted Solar Energy Park with Sub-Station and Associated Works | Field 325m North of New Mains of Guynd Farm, Guynd, Arbroath. Located approximately 1.5km NW of Proposed Development.	Approved Subject to Conditions
13/00940/FULL	Ground and Roof Mounted Solar Photovoltaic PV Panels | East Hills Farm, East Hills, Carmyllie. Located approximately 4.5km NW of Proposed Development.	Approved Subject to Conditions

2.6 Site Selection

At an early stage, RES worked with a consultant that completed analysis in Scotland for opportunities on the local grid DNO network. RES identified capacity to connect at Arbroath substation, a 33/132kV substation. A meeting was later held with the Distribution Network Operator (DNO), which confirmed this available capacity. RES determined that a 49.9MW solar development connecting at the 33kV bay at Arbroath substation was viable with a maximum distance of approx. 5km from the substation.

Image 2.4 below shows the defined search area (yellow), with the other areas not searched due to the grid route having to navigate the heart of the town. Note that the north of Arbroath is a RM Condor training area. This parcel was not included in the search as the military base is still active. The land to the south of the A92 has been removed for landscape and ALC reasons.

Image 2.4: Bonnyknox Solar Farm Defined Search Area



In 2023. RES started extensive research of 250 acres of land within the yellow area. For this, approximately 30 landowners were contacted based on details in ScotLIS/LandApp. Following discussions with potential landowners, it was concluded that the landowner at the Application Site has one of the most suitable parcels for a 33kV direct connection to Arbroath substation. In the meantime, RES secured a viable grid connection with the DNO.

Following initial site visits, the land use for the Proposed Development was minimised in order to be suitable for a 49.9MW solar project whilst considering the best use of the topography and existing screening.

Consideration to other environmental constraints such as protected species and setback from the Guynd to the immediate north have resulted in further buffers to the Application Site to ensure the siting of the Proposed Development results in no significant environmental impacts. Details of this can be found in Section 4.1 below.

3. Proposed Development

3.1 Introduction

The Proposed Development comprises the construction and operation of a ground-mounted solar farm of a maximum export capacity of 49.9MW with supporting energy infrastructure, associated site works and fencing and security measures.

The Proposed Development would be temporary, with an operational phase of up to 40-years, after which the Application Site would be returned to its current condition.

The layout of the Proposed Development is illustrated in the Figure 4: Infrastructure Layout (Drawing Number: 05114-RES-LAY-DR-PT-003) which has been submitted alongside the planning application.

3.2 Proposed Development

The key elements of the Proposed Development are detailed within Table 3.1 below. As part of the planning application package, typical drawings and plans have been submitted.

Table 3.1: Key Elements of the Proposed Development

Element	Description
Solar PV Arrays	The Proposed Development comprises the installation of state-of-the-art solar photovoltaic (PV) modules. The modules ensure optimal use of solar irradiation and perform very efficiently at different angles to the sun. The PV modules will generate electricity with no air emissions, no waste production and no water use. The PV modules are fixed to a mounting structure (frame) in a fixed orientation to form arrays across the Application Site. These frames are strong, robust and not easily damaged, allowing them to withstand environmental pressures. The metal racks would be driven directly into the ground and therefore would not require concrete foundations. This construction method limits the footprint associated with the Proposed Development and allows for the remaining land beneath and between the arrays to remain accessible so it can be utilised for livestock purposes, such as sheep grazing. Typically, this construction method only covers less than 5% of the land for a solar farm.

	The PV modules would be supported on galvanized steel or aluminium support structure that is supported on embedded piles. The modules would be orientated to face the south at a range of panel tilts between 10° and 30°, subject to detailed design. The lowest point of the modules is approximately 0.8m above ground and is designed to allow sheep to graze underneath the arrays. The maximum total structure height will be approximately 3.5m. There will be a minimum clearance spacing between the rows of arrays of approximately 2m to avoid shading by adjacent arrays. Details of this are shown in Figure 8: Typical PV Module and Rack Detail (Drawing Number: 05114-RES-SOL-DR-PT-001).
Inverter Units	Inverter units are required to control the voltage of the electricity generated by the Proposed Development, prior to reaching the substation. There would be 14 inverter units located on the Application Site. Details of this are shown in Figure 12: Typical Inverter Substation (Drawing Number: 05114-RES-SOL-DR-PT-002).
DNO Substation	A Distribution Network Operator (DNO) substation is required for the solar farm. The DNO substation contains the electrical switchgear, which comprises of disconnect switches used to control and protect the electrical equipment, as well as isolate the circuit if a fault occurs in the solar farm or on the local electricity distribution network. Details of this are shown in Figure 13: Client/DNO Substation Plan & Elevations (Drawing Number: 05114-RES-SUB-DR-PR-002).
Onsite Cabling	Cabling would connect the electrical infrastructure across the site. The cabling would be buried in trenches.
Fencing & Security Measures	Deer fencing would be constructed around the Application Site for health and safety and security reasons at a height of approximately 2.4m. The fencing is anticipated to be high tensile steel wire with hinge joints, with mammal gates included. Details of this are shown in Figure 11: Typical Deer Fence (Drawing Number: 05114-RES-SEC-DR-PT-002).

	Security fencing would be constructed around the proposed Client/DNO Substation. This fencing is anticipated to be palisade or weld mesh and measure 3.0m in height, comprising a standard wire mesh fence on post foundation dependent on ground conditions. Subject to detailed design. Details of this are shown in Figure 9: Typical Security Fence Detail (Drawing Number: 05114-RES-SEC-DR-PT-001). Inward facing CCTV security cameras will be located at the Application Site situated at a maximum height of 3.5m constructed on concrete foundations are anticipated to be installed on the security and deer fencing. Details of the CCTV are shown in Figure 15: Typical Security CCTV Detail (Drawing Number: 05114-RES-SEC-DR-PT-003). There will be no artificial lighting around the site as CCTV is inward facing infra-red. However, floodlights are to be used for infrequent maintenance and operational activities only. Lighting will be manually controlled rather than PIR, in order to prevent unnecessary activation.
Maintenance Tracks, Passing Places & Site Access Gate	Maintenance tracks will be constructed within the fenced boundary of the Application Site to provide access to the infrastructure by construction vehicles. The tracks will be designed to have sufficient radii for turning of the construction vehicles. Site access will be taken via the A92, Bonnyton Road and a short length of an Unclassified Road between the junction with Bonnyton Road. A double leaf vehicle gate for access alongside a pedestrian gate, where required, will be installed in order for construction and maintenance vehicles to enter and exit the site appropriately. The gate will also adhere to safety and security measures required on site. Details of the proposed site access can be found in the Transport Statement submitted alongside the planning application. As detailed in the Transport Statement, the width of Bonnyton Road and the Unclassified Road that links Bonnyton Road to the site access point does not allow for two HGVs to pass each other. Therefore, it is considered that mitigation is required to facilitate two-way working on the access route from the A92. The proposal for mitigation takes the form of providing additional passing places along the route. An indicative scheme of passing places has been drawn up and forms part of the development proposals. In total, it is proposed to provide 6. No. passing places with 5 no.

	provided on Bonnyton Road and 1 no. on the Unclassified Road between Bonnyton Road and the site access point. Details of this can be found in the Transport Statement A passing place has also been included at the private road between the Hunter's Path and Kelly Moor residential dwellings following discussions with the Applicant and this being raised as a key issue. The access tracks leading into the site would be approximately 4m wide with 0.25m shoulders at either side. Details of this are shown in Figure 6: Typical Access Track Detail (Drawing Number: 05114-RES-ERW-DR-PT-001). Additionally, a water crossing across the Rottenraw Burn to the north of Shelterfield in the form of a bridge is proposed for vehicles during all project phases, construction, operation and decommissioning phases. The water crossing is likely to consist of a reinforced concrete culvert with a top dressing of stone (subject to detail design).

3.3 Construction Phase

The construction phase of the Proposed Development is anticipated to take place over a period of approximately 12-months. The construction activities that will be required include:

- Erection of deer fencing;
- Construction of access tracks, temporary construction compounds and hardstanding;
- Delivery of components and materials;
- Installation of racks and panels;
- Cable works;
- Removal of temporary construction compounds;
- Reinstatement works and demobilisation from site; and
- Landscape planting and habitat enhancement measures.

2no construction compounds will be located within the Application Site in order to facilitate the construction of the Proposed Development. The compound would allow for the laydown of materials and vehicle parking throughout the duration of the construction phase.

3.4 Operational Phase

Consent is being sought for a period of 40 years. During the operational phase, the Proposed Development will be largely autonomous and will not require resident staff. There will be a small number of trips to site per year, comprising of deliveries, regular maintenance visits and associated parts deliveries. Therefore, activity on site during the operational phase would be limited to vegetation and habitat management, equipment maintenance, servicing of components and any emergency servicing requirements.

Any non-routine maintenance and repair operations would be undertaken as and when they arise. Therefore, activity on site associated with the Proposed Development would be limited to equipment maintenance and the servicing of components, such as periodic panel cleaning throughout the year and any emergency servicing.

During operation, small livestock can graze the site beneath and between arrays, thereby retaining agricultural activity while the solar farm introduces new economic activity to the area.

3.5 Decommissioning Phase

Following the cessation of electricity generation at the end of the operational phase, the Proposed Development would be decommissioned, and the components removed from the Application Site. The new site access would remain post-decommissioning for utilisation by the landowner. The land would then be reinstated as close as practicable to its original condition. The following activities may be associated with the decommissioning of the Proposed Development:

- The components of the solar farm would be dismantled and removed from the site utilising the proposed access;
- As much material will be recycled or re-used on-site where possible, and
- The land will be restored by infilling holes, backfilling cable trenches and landscaping/re-seeding.

Should the opportunity arise for re-powering of the Proposed Development, then a new consenting process would be required.

4. The Development Plan

4.1 Introduction

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended)[1] require planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. The effect of these legislative provisions is that where a Proposed Development accords with the Development Plan, it must be permitted unless there are material considerations of such significance to warrant refusal.

This section of the Planning Statement identifies the National Planning Framework 4 and Angus Local Development Plan (2016), together with policies within these documents, as comprising the current Development Plan.

4.2 National Planning Framework 4

The National Planning Framework 4 (NPF4) was adopted in February 2023[2], replacing the previous National Planning Framework 3 (NPF3) and forming part of the Development Plan. The Scottish Planning Policy (SPP) (2014) was amalgamated with NPF4 in the adoption of the new framework.

In relation to energy, NPF4 intends 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 of the NPF4 is Energy focused and outlines the following:

- *"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.*
- *Development proposals that impact on international or national designations will be assessed in relation to Policy 4.*
- *In addition, project design and mitigation will demonstrate how the following impacts are addressed:*
    - *Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*

[1] UK Government (1997): The Town and Country Planning (Scotland) Act 1997. Available online: Town and Country Planning (Scotland) Act 1997 (legislation.gov.uk)

[2] Scottish Government (2023) National Planning Framework 4. Available online: National Planning Framework 4 (www.gov.scot)

- *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;*
- *Public access, including impact on long distance walking and cycling routes and scenic routes;*
- *Impacts on aviation and defence interests including seismological recording;*
- *Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- *Impacts on road traffic and on adjacent trunk roads, including during construction;*
- *Impacts on historic environment;*
- *Effects on hydrology, the water environment and flood risk;*
- *Biodiversity including impacts on birds;*
- *Impacts on trees, woods and forests;*
- *Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
- *The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
- *Cumulative impacts."*

Part 2 of NPF4 sets out National Planning Policy. A number of NPF4's policies are relevant to the Proposed Development. Key policies considered to be relevant have been detailed within Table 4.1 below.

Table 4.1: Applicable NPF4 Policies

Policy Reference	Description
Policy 1 (Tackling the Climate and Nature Crises)	This policy intends to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.
Policy 2 (Climate Mitigation and Adaptation)	This policy intends to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
Policy 3 (Biodiversity)	This policy intends to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. It includes a series of requirements for proposals for major development.

Policy 4 (Natural Places)	This policy intends to protect, restore and enhance natural assets, making best use of nature-based solutions.
Policy 5 (Soils)	This policy intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.
Policy 6 (Forestry, Woodland and Trees)	This policy intends to protect and expand forests, woodland and trees.
Policy 7 (Historic assets and places)	This policy intends to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
Policy 11 (Energy)	This policy intends to encourage, promote and facilitate all forms of renewable energy development onshore and offshore.
Policy 18 (Infrastructure First)	This policy intends to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.
Policy 20 (Blue and green infrastructure)	This policy intends to protect and enhance blue and green infrastructure and their networks.
Policy 22 (Flood risk and water management)	This policy intends to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy 29 (Rural Development)	This policy aims to encourage rural economic activity innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

4.3 Angus Local Development Plan

Angus Local Development Plan (ALDP) was adopted in September 2016[3] and sets out Angus Council's views on how the area should be developed over the period 2016-2026.

Angus Council are in the process of preparing the next Local Development Plan (AngusPlan) which will replace the current adopted ALDP. The Council's Development Plan Scheme & Participation Statement December 2024 shows that preparation of the new Local Development Plan is still at the evidence gathering stage.[4] Where there is conflict between NPF4 and adopted Angus LDP Policy, the policies within NPF4 will have greater currency. Angus Council recognises that the weight to be applied to ALDP (2016) policies will be made on a case-by-case basis by the planning officer assessing the planning application.

The adopted Local Development Plan policies considered to be relevant to the Proposed Development have been identified in Table 4.2 below.

Table 4.2: Local Development Plan Policies

Policy Reference	Description
Policy DS1	Development Boundaries and Priorities
Policy DS3	Design Quality and Placemaking
Policy DS4	Amenity
Policy PV1	Green Networks and Green Infrastructure
Policy PV3	Access and Informal Recreation
Policy PV4	Sites Designated for Natural Heritage and Biodiversity Value

[3] Angus Council: Local Development Plan (2016). Available online: Angus local development plan adopted September 2016 | Angus Council

[4] Angus Council Agenda Item No. 12 – Report No 392/24 Angus Local Development Plan and Participation Statement 2024 -App 1. Available online: Agenda Item No 12 - Report No 392/24 - Angus Local Development Plan and Participation Statement 2024 - App 1 | Angus Council

Policy PV5	Protected Species
Policy PV6	Development in the Landscape
Policy PV7	Woodland, Trees and Hedges
Policy PV8	Built and Cultural Heritage
Policy PV9	Renewable and Low Carbon Energy Development
Policy PV12	Managing Flood Risk
Policy PV13	Resilience and Adaptation
Policy PV14	Water Quality
Policy PV15	Drainage Infrastructure
Policy PV20	Soils and Geodiversity
Policy PV21	Pipeline Consultation Zones

4.4 Statutory Supplementary Guidance

As part of ALDP, Statutory Supplementary Guidance (SSG) has been published in order to provide further information. The relevant SPG for the Proposed Development are as follows:

- Renewable and Low Carbon Energy Development Supplementary Guidance (2017)[5].
- Design Quality and Placemaking Supplementary Guidance (2018)[6].

[5] Angus Council: Renewable Energy and Low Carbon Energy Development Supplementary Guidance (2017). Available Online: Renewable and Low Carbon Energy Development Supplementary Guidance | Angus Council

[6] Angus Council: Design Quality and Placemaking Supplementary Guidance (2018). Available online: Design Quality and Placemaking Supplementary Guidance | Angus Council

5. Other Material Considerations

5.1 National Climate & Energy Policy

5.1.1 Overarching National Policy Statement for Energy (EN-1) (2024)

The Secretary of State will have no functions under the Planning Act 2008 in relation to consenting energy infrastructure projects in Scotland. Nonetheless, energy policy in a general matter reserved to UK Ministers therefore the National Policy Statement (NPS) can be considered relevant for planning decisions in Scotland.

The current Overarching National Policy Statement for Energy (EN-1) (NPS)[7] was published by the Department of Energy Security and Net Zero (DESNZ) (which replaced the former Department of Energy and Climate Change (DECC)) in November 2023 (last updated January 2024), replacing the previous NPS EN-1 published in 2011. The NPS sets out the national policy for energy infrastructure. Although the primary purpose of the NPS is for the determination of Nationally Significant Infrastructure Projects (NSIP), it is set out within the NPS that it is still relevant as a material consideration for the determination of applications that fall under the Town and Country Planning Act 1990 (as amended).

The NPS emphasises the need to increase energy generation from renewable sources. Section 3.3.20 of the NPS states that *"wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominately of wind and solar."*

5.1.2 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)

The NPS for Renewable Energy infrastructure (EN-3)[8] was also adopted in November 2023 (last updated January 2024), replacing the previous NPS EN-3 published in 2011. Similarly, with NPS EN-1, NPS EN-3 is primarily focussed on NSIP developments. However, it is still relevant as a material consideration for the determination of applications that fall under the Town and Country Planning Act 1990 (as amended). Similarly to the NPS discussed above, this document can be considered relevant for planning decisions in Scotland despite the Secretary of State having no functions under the Planning Act 2008 in relation to consenting energy infrastructure projects in Scotland.

[7] DECC (2023) Overarching National Policy Statement for Energy (EN-1). Available Online: EN-1 Overarching National Policy Statement for Energy (publishing.service.gov.uk)
[8] Department for Energy Security and Net Zero (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Available online: NPS EN-3 - Renewable energy infrastructure (publishing.service.gov.uk)

In relation to solar farm developments, Section 3.10.1 of the EN-3 states that *"the Government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. As such solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector."*

The EN-3 also details within Section 3.10.4 that *"solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation. Solar farms can be built quickly and coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large-scale solar is now viable in some cases to deploy subsidy-free."*

5.2 Other Material Considerations

The following sections detail other material considerations that are considered to be relevant to the Proposed Development as a renewable energy proposal.

5.2.1 The United Nations Framework Convention on Climate Change

International energy policy is based on the demand to battle climate change and reduce carbon dioxide (CO_2) emissions and, therefore, is relevant to renewable energy development. The United Nations Framework Convention on Climate Change (UNFCCC) implemented by the United Nations in May 1992, determined a long-term objective to stabilise greenhouse gas concentrations in the atmosphere, with the purpose of preventing anthropogenic interference with the climatic system. Subsequently, the Kyoto Protocol[9] was implemented in 1997. National governments who signed up to the Kyoto Protocol are committed to reducing their greenhouse gas emissions.

5.2.2 The Climate Change Act (2008) (2050 Target Amendment) Order 2019

The Climate Change Act (2008) is the basis for the UK's approach to tackling and responding to climate change. This act legally committed the UK to reducing greenhouse gas emissions by at least 80% in 2050, when compared to the 1990 levels.

In May 2019, the Committee on Climate Change published their 'Net Zero Technical Report'[10], setting out a new emissions target for the UK of net zero greenhouse bases by 2050. In response to this, the Climate

[9] United Nations: Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997) Available online: kpeng.pdf (unfccc.int)

[10] Climate Change Committee (2019) Net Zero Technical Report. Available online: Net Zero - Technical Report - Climate Change Committee (theccc.org.uk)

Change Act 2008 (2050 Target Amendment) Order 2019 came into force on 27 June 2019 and amended the previous legally binding target to reduce greenhouse gas emissions from 80% to 100%.

In order to track progress, the 2008 Act introduced a system of carbon budgets setting five-year caps on greenhouse gas emissions. The carbon budgets restrict the amount of greenhouse gas the UK can legally emit in a five-year period. The UK is currently in the third carbon budget period, which runs from 2018 – 2022. The Climate Change Committee states:

"UK emissions were 44% below 1990 levels in 2018. The first carbon budget (2008 to 2012) was met, as was the second (2013 to 2017) and the UK is on track to outperform the third (2018 to 2022). However, it is not on track to meet the fourth (2023 to 2027). To meet future carbon budgets and the 100% target for 2050 it will require the government to apply more challenging measures."

The Act also requires the UK Government:

- To assess regularly the risks to the UK of the current and predicted impact of climate change;
- To set out its climate change adaptation objectives; and
- To set out its proposals and policies for meeting these objectives.

Reports have shown that in order to achieve net zero by 2050 the UK will need to quadruple its low carbon electricity generation. Solar energy has an important part to play in helping reach these targets, as well as providing a balanced energy mix, and it is estimated that 40GW[11] of solar will be needed by 2030 to stay on track with net zero ambitions, with 63% (or 25GW[12]) of this coming from large scale ground mounted solar farms.

5.2.3 The Paris Agreement

The Paris Agreement's central objective is to boost global response to climate change, keep global temperature rise low and strengthen efforts to support this. The European Union signed the UK and Northern Ireland up to the Agreement on 22nd April 2016 and it came into force on the 18th December 2016. In line with Article 4 of the Paris Agreement, a Nationally Determined Contribution (NDC)[13] was drawn up which commits the UK to reduce economy-wide greenhouse gas emissions by at least 68% by 2030, compared to 1990 levels.

[11] The Committee on Climate Change (2019): Accelerated Electrification and the GB Electricity System. Available online: Accelerated electrification and the GB electricity system (theccc.org.uk)
[12] Solar Energy UK: Lighting the Way: Making Net Zero a Reality with Solar Energy. Available online: Lighting the way: Making net zero a reality with solar energy • Solar Energy UK
[13] United Kingdom of Great Britain and Northern Ireland's Nationally Determined Contribution (2022). Available online: United Kingdom of Great Britain and Northern Ireland's Nationally Determined Contribution (publishing.service.gov.uk)

European and national energy policy has been established from the Kyoto Protocol and Paris Agreement requirements and will continue to be framed by emerging guidance and scientific information.

5.2.4 The Clean Growth Strategy

The Clean Growth Strategy Policy Paper[14] sets out the *"ambitious blueprint"* for the UK's low carbon future. The Strategy sets out ambitions for the delivery of clean, smart and flexible power, including the need for a diverse electricity system that supplies homes and businesses with secure, affordable and cheap energy. The Strategy identifies that this requires the development of low carbon sources of electricity.

5.2.5 The Ten Point Plan for a Green Industrial Revolution

In November 2020, former Prime Minister Boris Johnson announced his Ten Point Plan[15] for the UK to lead the world into a new Green Industrial Revolution. This innovative programme sets out ambitious policies and significant new public investment to support green job creation, accelerate our path to reaching net zero by 2050 and lay the foundations for building back greener. Spanning clean energy, buildings, transport, nature and innovative technologies, the Ten Point Plan will mobilise £12 billion of government investment to unlock 3 times as much private sector investment by 2030; level up regions across the UK; and support up to 250,000 highly skilled green jobs.

5.2.6 National Infrastructure Strategy (2020)

The National Infrastructure Strategy (NIS)[16] was published in November 2020, setting out the Government's plans to deliver a radical improvement in the quality of the UK's infrastructure. Chapter 3: Power of the NIS emphasises the importance of renewable energy deployment as part of the plan, whilst balancing between reducing power sector emissions, maintaining energy security and providing affordable electricity for households and businesses.

To achieve net zero by 2050, the NIS states *"the power system will need to be virtually carbon free and significantly larger to cope with the additional demand from electrification in transport, heating and some industrial processes…"*. It is acknowledged that the greatest proportion of this generation will be provided by low-cost renewable technologies. Therefore, the share of generation from renewable energy needs to

[14] HM Government (2017): The Clean Growth Strategy. Available Online: Clean Growth Strategy - GOV.UK (www.gov.uk)
[15] HM Government (2020): The Ten Point Plan for a Green Industrial Revolution. Available online: The Ten Point Plan for a Green Industrial Revolution (publishing.service.gov.uk)
[16] HM Treasury (2020) National Infrastructure Strategy. Available Online: CP 329 – National Infrastructure Strategy – Fairer, faster, greener – November 2020 (publishing.service.gov.uk)

"dramatically increase" with capacity provided by a range of technologies, including solar, onshore wind and offshore wind.

5.2.7 Climate Change Committee: The Sixth Carbon Budget: The UK's Path to Net Zero

The Climate Change Committee advised the UK Government to set its Sixth Carbon Budget to require a reduction in emissions of 78% by 2035, relative to 1990 levels, a 63% reduction from 2019[17]. The accompanying document 'The Sixth Carbon Budget: Electricity Generation'[18] contains a summary of content for the electricity generation sector. The Report identifies the *"need to continue to reduce emissions from electricity generation, while meeting new demands from the electrification of heat and transport"*. In order to meet this need, the UK will require a portfolio of renewable energy generation technologies, including variable renewables, such as solar PV.

The Report states that *"variable renewables (i.e. wind and solar) have a key role to play in the decarbonisation of electricity generation, as they can provide zero-carbon electricity generation at low cost"*.

The Report also highlights that the UK has the potential to deploy capacity to generate 145 – 615 GW of solar capacity.

5.2.8 Energy White Paper: Powering our Net Zero Future (2020)

The Energy White Paper: Powering our Net Zero Future[19] was published in December 2020. The White Paper states that the UK energy system is still largely dominated by the use of fossil fuels, which will need to change dramatically by 2050 if the net zero target is to be achieved. Decarbonising the energy system over the next thirty years means replacing – as far as it is possible to do so – fossil fuels with clean energy technologies such as renewables. The UK Government is not planning for any specific technology solution; however, the future generation mix will comprise a low-cost, net zero consistent system, likely to be composed predominately of wind and solar, alongside complementary technologies such as battery storage. The White Paper states *"we will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios."*

[17] Climate Change Committee (2020) Sixth Carbon Budget. Available Online: Sixth Carbon Budget - Climate Change Committee (theccc.org.uk)
[18] Climate Change Committee (2020) The Sixth Carbon Budget: Electricity Generation. Available Online: Sector-summary-Electricity-generation.pdf (theccc.org.uk)
[19] UK Government (2020). Powering our Net Zero Future. Available Online: Energy White Paper (publishing.service.gov.uk)

5.2.9 BEIS Outcome Delivery Plan: 2021-2022

The Department for Business, Energy and Industrial Strategy (BEIS) sets out their priority outcomes for the period to 2022 in the Delivery Plan[20]. Of relevance to the Proposed Development is Priority Outcome 2: Tackle Climate Change. The aim of this Outcome is to reduce the UK greenhouse gas emissions to Net Zero by 2050.

Outcome 2 provides background on the carbon emissions reduction journey, stating *"since 1990, the UK has reduced emissions by 44% whilst increasing GDP by 78%, the fastest decarbonisation rate in the G7. In June 2019, the UK became the first major economy to set a legally binding target to reach net zero greenhouse gas emissions by 2050, in recognition of the transformative change needed to tackle global climate change."*

In order to achieve net zero by 2050, the Plan identifies a number of steps, including the targeting of the deployment of low carbon renewable energy technologies.

5.2.10 Net Zero Strategy: Build Back Greener (2021)

The Net Zero Strategy [21] was published in October 2021, setting out the policies and proposal for decarbonising all sectors of the UK economy in order to meet the net zero target by 2050. The Net Zero Strategy identifies key policies in relation to the energy sector, those considered relevant to the Proposed Development include:

- *"By 2035, the UK will be powered entirely by clean electricity, subject to security of supply.*
- *40GW of offshore wind by 2030, with more onshore, solar, and other renewables.*
- *Deployment of new flexibility measures including storage to help smooth out future price spikes."*

Paragraph 47 of the Net Zero Strategy highlights the importance of community energy, outlining that communities can come together to reach local and national net zero targets. Community Energy England estimates that the community energy sector could *"contribute up to 5,270 MW, power 2.2 million homes, support 8,700 jobs and add £1.8 billion to the economy each year"*.

[20] BEIS (2021) Outcome Delivery Plan 2021-2022. Available Online: BEIS Outcome Delivery Plan: 2021 to 2022 - GOV.UK (www.gov.uk)
[21] HM Government (2021) Net Zero Strategy: Build Back Greener. Available Online: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033990/net-zero-strategy-beis.pdf

5.2.11 British Energy Security Strategy (2022)

The British Energy Security Strategy (BESS)[22] was published in April 2022 to address energy security across the UK, highlighting our vulnerability to international oil and gas prices and identifying the need to reduce dependence on imported oil and gas. As set out within the BESS, increasing the proportion of electricity generated from renewable sources reduces the exposure of the UK to volatile fuel markets. The BESS identifies the need to be bolder in the *"removing of red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."*

In relation to solar, the BESS identifies that there is currently circa 14GW of solar capacity in the UK, split across various scales of development, ranging from large scale to smaller scale roof-mounted solar. It is expected that solar development will increase five-fold by 2035, which would result in the need for an additional 70GW of solar generation to be built across the UK to help us get to Net Zero.

In order to increase the deployment of solar across the UK, the BESS seeks to consult on *"amending planning rules to strengthen policy in favour of development on non-protected land, while ensuring communities continue to have a say and environmental protections remain in place. We will continue supporting the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites."*

5.2.12 Draft Energy Strategy and Just Transition Plan

In January 2023, the Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland'. The Ministerial Foreword in this plan states the following:

"The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supply safe and secure energy for all, generate economic opportunities, and build a just transition...

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises.

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas, and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities.

[22] HM Government (2022) British Energy Security Strategy. Available Online: British Energy Security Strategy (publishing.service.gov.uk)

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

A fundamental point within the strategy is the need to expand the energy generation sector. Page 8 of the strategy discusses that Scotland's renewable resources mean that:

"We can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.

We are setting an ambition of more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind....

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030....."

Regarding solar, the strategy details 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 will support the sector to minimise barriers to deployment wherever possible and continue to provide support through our renewable support schemes."*

5.2.13 Powering Up Britain

The Powering Up Britain report[23] (April 2023) emphasises energy security as one of the Government's greatest priorities and sets out how the Government aim to enhance our country's energy security, seize the economic opportunities of this transition and deliver on the UK's net zero commitments. Regarding solar, the report states that:

"Solar has huge potential to help us decarbonise the power sector. We have ambitions for a fivefold increase in solar by 2035, up to 70GW, enough to power around 20 million homes. We need to maximise deployment of both ground and rooftop solar to achieve our overall target. Ground-mount solar is one of the cheapest forms of electricity generation and is readily deployable at scale. Government seeks large-scale solar deployment across the UK, looking for development mainly on brownfield, industrial and low/medium grade agricultural land."

[23] HM Government: Powering Up Britain. Available online: Powering Up Britain - Joint Overview (publishing.service.gov.uk)

5.2.14 Climate Change Committee: Progress in Reducing Emissions, 2024 Report to Parliament

The 2024 Report to Parliament[24] identified that in Scotland, greenhouse gas emissions in 2022 were 40.6 $MtCO_2e$, approximately the same as in 2021 and 50% below 1990 levels. It was reported that the largest reduction in emissions was in the residential buildings sector alongside small reductions in agriculture, non-residential buildings and industry emissions. Nonetheless, these reductions were offset by increases in other sectors, notably aviation, where emissions increased as the sector recovered from the COVID-19 pandemic.

The report notes that whilst there have been some notable steps forward in the past year, overall policy progression is clearly insufficient and leaves the UK Government's emissions reductions goals at high risk

The report states: "*Renewable electricity capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five.*"

Urgent action is required in relation to electricity decarbonisation in order to deliver the objective of decarbonising the sector by 2035. The report states:

"To meet its goals for decarbonising electricity generation, the UK must continue to invest in additional renewable energy capacity."

It is clear in the report that renewable energy generation capacity increased in 2023, but this was below the rate required to meet Government targets. With regards to solar deployment, despite an increase of 9% in 2023, solar PV capacity remains significantly off track with the total operational capacity for solar sitting at 16 GW in 2023. Therefore, achieving the Government's ambition of 70 GW by 2035 will require on average more than 4 GW to be installed each year which is more than five times the average amount added over the past three years. Nonetheless, this figure is not much higher (around 10% higher) than the highest annual installations seen to date, which occurred in 2015.

5.2.15 COP 29

COP 29 is the United Nations Climate Change Conference which took place in Baku, Azerbaijan from 11th-22nd November 2024. The UK set new ambitious climate targets of 81% emission reduction by 2035.

[24] The Committee on Climate Change (2024) 2024 Progress Report to Parliament. Available online: Progress in reducing emissions 2024 Report to Parliament - Climate Change Committee (theccc.org.uk)

5.2.16 Clean Power 2030 Action Plan

The Clean Power 2030 Action Plan: A new era of clean electricity, was published by the Secretary of State for Energy Security and Net Zero on 16 December 2024[25]. Driven by the need to provide national energy resilience, the Action Plan seeks to decarbonise the electricity grid by 2030. With particular regard to solar power, the Plan sets out an ambition of achieving 45-47 GW (by 2030).

The purpose of the Clean Power 2030 Action Plan is to provide a path to tackling the three key challenges the UK currently faces:

1. The need for a secure and affordable energy supply;
2. The creation of essential new energy industries, supported by skilled workers in their thousands; and
3. The need to reduce greenhouse gas emissions

As presented, the Government considers planning and consenting in its current form as a deterrent to renewable energy development. A key objective of The Clean Power 2030 Action Plan is prioritising planning and consenting, ensuing the planning system can prioritise 2030- critical projects. Measures in relation to this include:

- Updating the national policy statements for energy every five years and Planning Policy Guidance in 2025.
- Undertaking an ambitious programme of legislative reform, including through the planning and infrastructure bill. Legislative changes will be made to the NSIP planning system in the Planning Act 2008 in England and Wales for all infrastructure projects.
- Ensuring that communities directly benefit from the clean energy infrastructure they host by building upon existing approaches and encouraging consistency in community benefits across technologies.

The Clean Power 2030 Action Plan is a clear demonstration of the Government's priority to develop renewable energy, at pace and scale throughout the UK. This Proposed Development will play its part in achieving this ambition.

5.3 Local Climate & Energy Policy

The Committee on Climate Change (CCC) states that LPAs have a crucial role in contributing to the reduction in emissions and helping the UK to meet its carbon reduction targets. LPAs are well placed to influence

[25] HM Government: Clean Power 2030 Action Plan: A new era of clean electricity. Available online: Clean Power 2030 Action Plan: A new era of clean electricity

reductions in emissions across their wider areas through the services they deliver, their role as trusted community leaders and major employers, as well as their regulatory and strategic functions.

5.3.1 Angus Council

Angus Council declared a climate emergency in September 2019 and signed Scotland's Climate Change Declaration in February 2007, recognising and emphasising that climate change mitigation and adaptation has long been a part of Angus Council. Angus Council published the Angus Council Transition to Net Zero Action Plan: 2022-2030[26] in September 2022 which states that *"Angus Council should still strive to use electricity as efficiently as possible and continue to install renewable energy where feasible"*.

In addition to this, Angus Council have published The Sustainable Energy and Climate Action Plan (SECAP)[27] (adopted in November 2021) which details the following:

"There are a number of innovative projects in the pipeline to grow renewable energy generation in the region, positioning Angus as a leader in renewable technologies, creating new employment opportunities, fostering innovation and supporting long term sustainable growth in the region. These investments align with several of the SECAP key principles including enabling opportunities to contribute to the local economy, supporting skills development and embracing innovation."

[26] Angus Council: Transition to Net Zero Action Plan: 2022-2030. Available online: Angus Council 8 September - Report No 309 - Angus Council Transition To Net Zero Action Plan 2022-2030 - App 1

[27] Angus Sustainable Energy and Climate Action Plan. Available online: Angus Sustainable Energy and Climate Action Plan (PDF) | Angus Council

6. Planning Policy Assessment

6.1 Introduction

While the Development Plan always has to be read as a whole, it follows that the greatest weight should be attributed to both site-specific policies relating to the Application Site and bespoke policies that are designed to address a specific development type or policy area. In this case, the predominant policies are Policy PV9: Renewable and Low Carbon Energy Development and NPF4 Policy 11: Energy. As noted in Section 4, above, where there is any potential conflict between NPF4 and LDP policies, the weight to be applied to ALDP (2016) policies will be made on a case-by-case basis by the planning officer assessing the planning application.

Having regard to the Development Plan as a whole, it is possible to identify a number of policies that the planning application should be assessed against. The following section of this Planning Statement considers each of these policies in turn, assessing the Proposed Development against the terms of the Development Plan. Table 6.1 sets out these policy topics and cross refers the relevant Local Development Plan policies and applicable material considerations.

Table 6.1: Planning Policy Topics and Policies

Topic	Development Plan	Supplementary Guidance
Energy	• Policy PV9: Renewable and Low Carbon Energy Development • NPF4 Policy 11: Energy	• Renewable and Low Carbon Energy Development Supplementary Guidance.
Landscape	• Policy PV6: Development in the Landscape	
Climate Change and Sustainability	• Policy DS4: Amenity • NPF4 Policy 1: Tackling the Climate and Nature Crises • NPF4 Policy 2: Climate Mitigation and Adaptation	
Location of Proposed Development	• Policy DS1: Development Boundaries and Priorities • Policy PV21: Pipeline Consultation Zones • NPF4 Policy 29: Rural Development	
Design and Infrastructure	• Policy DS3: Design Quality and Placemaking • NPF4 Policy 18: Infrastructure First	• Design Quality and Placemaking Supplementary Guidance.

Flood Risk and Water Management	• Policy PV12: Managing Flood Risk • Policy PV13: Resilience and Adaptation • Policy PV14: Water Quality • Policy PV15: Drainage Infrastructure • NPF4 Policy 22: Flood Risk and Water Management	
Biodiversity	• Policy PV1: Green Networks and Green Infrastructure • Policy PV4: Sites Designated for Natural Heritage and Biodiversity Value • Policy PV5: Protected Species • NPF4 Policy 3: Biodiversity • NPF4 Policy 4: Natural Places • NPF4 Policy 20: Blue and Green Infrastructure	
Soils and Prime Agricultural Land	• Policy PV20: Soils and Geodiversity • NPF4 Policy 5: Soils	
Trees, Woodland and Hedgerow	• Policy PV7: Woodland, Trees and Hedges • NPF4 Policy 6: Forestry, Woodland and Trees	
Historic Environment	• Policy PV8: Built and Cultural Heritage • NPF4 Policy 7: Historic Assets and Places	
Access	• Policy PV3: Access and Informal Recreation	

6.2 Energy

Policy PV9: Renewable and Low Carbon Energy Development states that proposals for renewable and low carbon energy development will be supported provided that the proposal accords with the following assessment criteria detailed in Table 6.2 below.

Angus Council have also published Supplementary Guidance on Renewable and Low Carbon Energy Development which highlights the following:

"The scale and location of the proposal (individually and cumulatively) will influence likely effects including:

- *Landscape and visual impacts;*
- *Soil quality and farm viability;*
- *Biodiversity including disturbance, displacement, habitat loss and/or habitat fragmentation;*
- *Cumulative effects;*
- *Public access;*

- *Disturbance, displacement, habitat loss and/or habitat fragmentation; and*
- *Reinstatement."*

The assessment criteria for NPF4 Policy 11: Energy and the above Renewable and Low Carbon Energy Development Supplementary Guidance largely consists of the same criteria listed in Table 6.2 below. Therefore, Policy PV9, NPF4 Policy 11 and the Renewable and Low Carbon Energy Development Supplementary Guidance can be assessed collectively below for the avoidance of repetition.

Table 6.2: Policy PV9 Assessment Criteria

Criteria	Assessment of the Proposed Development
"The location, siting and appearance of apparatus, and any associated works and infrastructure have been chosen and/or designed to minimise impact on amenity, landscape and environment, while respecting operational efficiency;	The Proposed Development has been subject to a number of rigorous technical and environment assessments in order to iterate the design and identify the most appropriate scale and layout so as the Proposed Development is set sensitively into the surrounding environment. Details of this can be found in the accompanying Design and Access Statement.
Access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable change to the environment and landscape;	As concluded from the Transport Statement submitted alongside the planning application, with the inclusion of the 6no passing places proposed along with the support of the Construction Traffic Management Plan (CTMP), it is considered that the impacts associated with the construction of the proposed development can be managed appropriately without significant impacts on local residents and other users of the road network. A water crossing across the Rottenraw Burn to the north of Shelterfield in the form of a bridge is proposed for vehicles during all project phases, construction, operation and decommissioning phases. This alternative access route is to ensure that vehicles can access the project for its lifetime on land that the applicant has full control over. As concluded from the LVA, the proposed structure to enable the water crossing at Rottenraw Burn will itself not be visible due to its low lying position within the undulating topography of the landscape to the south, with waterside vegetation further limiting views where the proposed

	access trackway runs north up onto the rising ground. Therefore, no adverse impacts on the landscape are anticipated from the water crossing.
The site has been designed to make links to the national grid and/or other users of renewable energy and heat generated on site;	The Proposed Development would comprise the construction and operation of a maximum export capacity 49.9MW solar array and its associated infrastructure, linked to the national grid through the DNO.
There will be no unacceptable impact on existing or proposed aviation, defence, seismological or telecommunications facilities;	As concluded in the Glint & Glare Report submitted alongside the planning application, there would be no significant hazards introduced towards nearby sensitive receptors from the Proposed Development and as such, no mitigation measures are recommended. Additionally, given the nature of the Proposed Development, there would be no impact on defence, seismological or telecommunications facilities.
There will be no unacceptable adverse impact individually or cumulatively with other existing or proposed development on: *Landscape character, setting within the immediate and wider landscape (including cross boundary or regional features and landscapes), sensitive viewpoints and public access routes;* *Sites designated for natural heritage (including birds), scientific, historic, cultural or archaeological reasons;* *Any populations of protected species; and* *The amenity of communities or individual dwellings including visual impact, noise, shadow flicker;*	As concluded in the Landscape and Visual Appraisal (LVA) submitted with the planning application, the effects on landscape character would reduce over time as the Proposed Development becomes integrated into the landscape and landscaping mitigation measures mature. Therefore, by Year 10, the site level effects are considered to be reduced to a minor-moderate level of adverse landscape effects on landscape character. Furthermore, the effects on the character of the host landscape are limited. By Year 10, effects will have reduced to negligible-minor in close proximity to the site, noting the very long-term benefits achieved through landscaping, particularly post decommissioning. These long-term benefits include reinstating a historic field boundary with hedgerow to screen views from Kelly Moor. A Preliminary Ecological Appraisal was undertaken at the Application Site which determined that the Proposed

	Development would not have a detrimental impact on any designated or non-designated sites. Regarding protected species, due to evidence of recent activity found at the site and suitability of the Elliot Waters and wider habitats to support otter, a targeted camera trap otter survey was carried out. No otters were noted from this survey and therefore it can be assumed that this is not a breeding otter holt and a 30m buffer is sufficient to be placed around this targeted area which is outside of the Application Site boundary. In addition to this, evidence of a protected species was found on site. A further protected species survey was carried out at the site, and a standard 30m buffer was implemented at setts in order to avoid disturbance which is likely to be minimal. Again, this buffer is out with the Application Site boundary Regarding Heritage & Archaeology, it was concluded from the Cultural Heritage Assessment that the Proposed Development would not result in significant impact to the setting of any designated heritage assets within 2km of the Application Site. It is assessed, however, that there is high potential of agricultural remains of post-medieval date to survive across the Application Site. These agricultural remains are considered to be of low importance. Nonetheless, it is assumed this will be dealt with in a suitable condition from Angus Council. Regarding amenity, the Acoustic Impact Assessment undertake concluded that the impact resulting from the operation of the site is not considered to be significant and will not have a detrimental impact to the amenity of communities or individual dwellings. Additionally, given the nature of the Proposed Development, there would be no impact from shadow flicker.

During construction, operation and decommissioning of the energy plant there will be no unacceptable impacts on: *Groundwater;* *Surface water resources; or* *Carbon rich soils, deep peat and priority peatland habitat or geodiversity."*	As concluded from the Flood Risk Assessment & Drainage Strategy, there are no records of groundwater flooding at or near to the site. The SEPA product Data sought for the Proposed Development stated that the site is not identified as an area where groundwater contributes to flooding. Therefore, it can be concluded that the risk of groundwater flooding from the Proposed Development is low. Furthermore, the SEPA 'Flood Risk from Surface Water' map indicates that the site is mainly at Very Low Likelihood of surface water flooding, meaning it has a <0.1% annual probability of flooding. There is a small area of ponding in the east of the site that has Low to medium likelihood of surface water flooding. Nonetheless, it can be concluded that the Application Site is at a low risk of surface water flooding given the following reasoning: During a Medium and Low Likelihood scenario, the flood depths are below 0.3m. Flood depths below 0.3m is considered passible by vehicle and people. Access and egress is provided a road that runs through the east of the site and exits in the south, which is considered achievable. Additionally, the proposed development will be raised above surrounding ground levels and will not be impacted by surface water. Any potential surface water flooding arising at or near to the site would be directed east, away from the site, following the local topography. There is no site-specific information within third party reports relating to surface water flood risk. In addition to the above, the Proposed Development would not have an impact on carbon rich soils, deep peat or priority peatland habitat or geodiversity as it is not located within an area of this valued land.

Therefore, it is concluded that the Proposed Development successfully accords with Policy N3: Renewable and Low Carbon Energy Developments, the Renewable and Low Carbon Energy Development Supplementary Guidance and NPF4 Policy 11: Energy.

In addition to local and national planning policy and guidance, there have been numerous publications in relation to national energy generation, net zero and energy security that can be considered material considerations of the Proposed Development, including:

- Overarching National Policy Statement for Energy (EN-1) (2024);
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (2024);
- The United Nations Framework Convention on Climate Change (1997);
- The Climate Change Act (2008) (2050 Target Amendment) Order 2019;
- The Paris Agreement (2016);
- The Clean Growth Strategy (2017);
- The Ten Point Plan for a Green Industrial Revolution (2020);
- National Infrastructure Strategy (2020);
- Climate Change Committee: The Sixth Carbon Budget: The UK's Path to Net Zero (2020);
- Energy White Paper: Powering our Net Zero Future (2020);
- BEIS Outcome Delivery Plan: 2021-2022;
- Net Zero Strategy: Build Back Greener (2021);
- British Energy Security Strategy (2022);
- Powering up Britain (2023); and
- Clean Power 2030 Action Plan (2024).

The Energy White Paper states that the UK energy system is still largely dominated by the use of fossil fuels, which will need to change dramatically by 2050 if the net zero target is to be achieved. Decarbonising the energy system over the next thirty years means replacing – as far as possible– fossil fuels with clean energy technologies such as renewables. Many recent publications emphasise the importance of decarbonising the electricity system, with the deployment of low-cost renewable energy technologies being key, including solar developments.

The BESS specifically addresses solar generation across the UK, stating that there is currently circa 14GW of solar capacity in the UK, split across various scales of development, ranging from large scale to smaller scale roof-mounted solar. It is expected that solar development will increase five-fold by 2035, which would result in the need for an additional 70GW of solar generation to be built across the UK to help us get to Net Zero. In order to increase the deployment of solar across the UK, the BESS seeks to consult on:

"Amending planning rules to strengthen policy in favour of development on non-protected land, while ensuring communities continue to have a say and environmental protections remain in place. We will continue supporting the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites."

As noted throughout this Planning Statement, the land within the Application Site comprises majority prime agricultural land. However, the Proposed Development is designed to enable sheep grazing beneath and between the solar arrays.

Additionally, given the nature of the Proposed Development, agricultural use can resume following the decommissioning phase and improvements to biodiversity would also remain once the Proposed Development is decommissioned. The agricultural land quality at the Application Site can also be enhanced by resting the land from more traditional intensive farming methods. The use of the land for solar capture will mean that the soils will have 40 years to develop good structure and diverse fauna. Therefore, on the return to arable farming, they will have improved resilience and productive potential helping to ensure the continued availability of good quality agricultural land for future generations. The Proposed Development would therefore not result in the loss of agricultural land.

In addition to this, the Climate Change Committee Report further highlights the deployment capacity of solar PV, stating that the UK has the potential to install 145 – 516GW of solar capacity.

Therefore, it can be determined from the above assessment of material considerations that the Proposed Development greatly assists in the efforts and move towards net zero.

6.3 Landscape

Policy PV6: Development in the Landscape states that Angus Council seek to protect and enhance the landscape in Angus alongside its diversity, its distinctive local characteristics and important views and landmarks.

The policy also states the following:

"Development which has an adverse effect on landscape will only be permitted where:

- *The site selected is capable of accommodating the proposed development;*
- *The siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;*
- *Potential cumulative effects with any other relevant proposal are considered to be acceptable; and*
- *Mitigation measures and/or reinstatement are proposed where appropriate."*

As discussed in the Landscape and Visual Appraisal (LVA) submitted as part of the planning application, the scale and characteristics of the 'host' landscape is considered suitable for the type of development proposed. To minimise adverse effects, the Proposed Development has been carefully sited and utilised existing boundary vegetation to incorporate the development into the landscape. The development layout has further been designed to replicate and preserve the prevalent landform and existing levels, where possible, to minimise ground disturbance. In addition, low impact construction methods are proposed. The elevations of the proposed built form have also been limited, where possible, with care taken to set proposed built development away from key landscape features near the boundaries of the Site such as established tree cover and hedgerows. These features are the most highly valued landscape characteristics locally.

Following construction works, it is considered that the Proposed Development could be successfully integrated into its immediate landscape surroundings. At all times the characteristic landform within the Site and surrounding has been respected and preserved by the low-lying nature of the solar array. The effects on landscape character would reduce over time as the Proposed Development becomes integrated into the landscape and landscaping mitigation measures mature. Therefore, by Year 10, the site level effects are considered to be reduced to a minor-moderate level of adverse landscape effects on landscape character.

Furthermore, the effects on the character of the host landscape are limited. By Year 10, effects will have reduced to negligible-minor in close proximity to the site, noting the very long-term benefits achieved through landscaping, particularly post decommissioning.

Regarding cumulative effects, a single solar development is located approximately 1.15km to the north of the Application Site on land near 'Mains of Guynd' Farm. This solar development is separated from the Application Site by the expansive woodland to Guynd Den that lies immediately adjacent to the northern boundary. The Application Site has limited intervisibility with the wider landscape to the north, including the area where the Mains of Guynd solar development is located, and as a result, no cumulative impacts are identified due to no locations where both solar developments will be visible from at the same time.

As portrayed in the Illustrative Landscape Masterplan (ILMP) submitted alongside the planning application, the embedded landscape mitigation and enhancement measures proposed as part of the Proposed Development includes the following:

- New hedgerow planting along the site boundaries that will grow up to 2.5m in height of approximately 673m and new hedgerow planting that will grow up to 3.5m in height of approximately 1325m. These mitigation measures would be planted in order to:
    - Create an improved landscape setting for the Proposed Development;
    - Visually integrate the Proposed Development into the established local landscape framework; and
    - Encourage landscape connectivity.
- Adopting enhanced hedgerow management techniques to allow hedgerows to grow up to a height of 3.5m;
- Specification of a locally appropriate mixed native plant species list to increase biodiversity value;
- Specification of a locally appropriate wildflower/meadow grassland seed mix around the solar arrays and in suitable ecological buffer zone locations that can further benefit wildlife;
- Promotion of suitable materials where new surfaces are to be constructed; and
- Specifying or applying recessive colour treatments to ancillary features to minimise their visibility in the landscape, where possible.

No additional mitigation is considered required over and above those proposed and assessed.

To conclude, the findings of this assessment evidence that unacceptably adverse landscape and visual effects have been avoided, and green infrastructure is also enhanced at a Site level by ensuring historic field boundaries are both improved and restored where absent, enhancing landscape connectivity across this large open landscape area, between existing landscape features.

In addition to this, the landscape, and visual changes attributable to the Proposed Development are thought to be relatively limited and localised. As a result, it is our professional opinion that the Site has the capacity to accommodate the Proposed Development in landscape and visual terms, without unacceptable effects

Following this assessment criteria, it can be concluded that the Proposed Development accords with Policy PV6: Development in the Landscape.

6.3.1 Climate Change & Sustainability

Policy DS4: Amenity states that *"all proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties."*

Policy DS4 also notes the assessment criteria that Angus Council will consider the impact of development on. These criteria are listed in Table 6.3 below.

Table 6.3: Policy DS4 Assessment Criteria

Criteria	Assessment of the Proposed Development
• *"Air quality;*	Due to the nature of the Proposed Development, there will be no impact on air quality.
• *Noise and vibration levels and times when such disturbances are likely to occur;*	As concluded from the Acoustic Impact Assessment undertake, the impact resulting from the operation of the site is not considered to be significant.
• *Levels of light pollution;*	There will be no artificial lighting around the site as CCTV is inward facing infra-red. However, floodlights are to be used for infrequent maintenance and operational activities only. Lighting will be manually controlled rather than PIR, in order to prevent unnecessary activation. Therefore, no significant levels of light pollution are anticipated for the Proposed Development.
• *Levels of odours, fumes and dust;*	Due to the nature of the Proposed Development, there will be no impact from odours, fumes and dust.
• *Suitable provision for refuse collection/storage and recycling;*	During the construction phase, waste would be generated from packaging waste associated with panels and

	infrastructure. The waste generated from packaging would be managed at the appropriate waste management facility. Waste would not be generated during the operational phase of the Proposed Development due to the Proposed Development being un-manned and monitored remotely.
• *The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and*	As concluded from the Transport Statement submitted alongside the planning application, there are approximately 2,900 vehicle trips to the site anticipated throughout the construction period. These trips will be relatively well spaced and are not likely to occur during peak periods. Therefore, the impact of these trips is not considered to be significant in terms of capacity of the road network. Furthermore, once operational, only maintenance visits will be required to the Application Site. Therefore, it can be concluded that the Proposed Development can be accommodated without detriment to the local road network at both the construction and operational stages.
• *Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing."*	The Proposed Development has been sensitively and appropriately sited in order to avoid amenity issues relating to overlooking and loss of privacy.

Sustainable development is at the core of the Proposed Development as a renewable energy source, ultimately contributing towards the transition to a low carbon economy. Therefore, the Proposed Development accords with NPF4 Policy 1: Tackling the Climate and Nature Crises which states that *"when considering all development proposals, significant weight will be given to the global climate and nature crises."*

In addition to this, NPF4 Policy 2: Climate Mitigation and Adaptation states the following criteria:

a) *"Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*
b) *Development proposals will be sited and designed to adapt to current and future risks from climate change.*
c) *Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported."*

The very nature of the Proposed Development as a solar PV development is to reduce our reliance on fossil fuels by producing a source of renewable energy, in turn reducing our greenhouse gas emissions. Furthermore, the Proposed Development has been sited out with areas of flood risk that could have a detrimental impact on the environment and result in future risk from climate change.

Therefore, the Proposed Development successfully accords with Policy DS4: Amenity, NPF4 Policy 1: Tackling the Climate and Nature Crises and NPF4 Policy 2: Climate Mitigation and Adaptation.

6.4 Location of Proposed Development

Policy DS1: Development Boundaries and Priorities states that *"out with development boundaries, proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP."*

As previously discussed, the Proposed Development has been subject to a number of rigorous technical and environment assessments in order to iterate the design and identify the most appropriate scale and layout so as the Proposed Development is set sensitively into the surrounding environment. As highlighted in this Planning Statement, the Proposed Development accords with all relevant policies of the ALDP.

In addition to this, Policy DS1 also notes that *"development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development."*

As per the Scottish Government's online database of vacant and derelict land within Angus Council[28], the overall hectarage of this land is 165.91 Ha split over 52 separate locations with the largest of these areas being 21.07 Ha at Orchardbank, Business Park, Forfar.

Therefore, brownfield land is not appropriate for the Proposed Development as largest area of land is 21.07 Ha which would not be suitable for 49.9MW of solar development. Furthermore, the site at Orchardbank, Business Park, Forfar is approximately 20km from the Arbroath Substation of which there is a confirmed grid connection for the Proposed Development, again making the use of brownfield for this development unfeasible.

The site selection process for the Proposed Development is detailed in Section 2.6 of the Planning Statement.

NPF4 Policy 29: Rural Development states that:

"Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:

i. Farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
ii. Diversification of existing businesses;
iii. Production and processing facilities for local produce and materials, for example sawmills, or local food production;
iv. Essential community services;

[28] The Scottish Government: Maps of Vacant and Derelict Land in Angus. Available online: Maps of vacant and derelict land in Angus - gov.scot

v. *Essential infrastructure;*
vi. *Reuse of a redundant or unused building;*
vii. *Appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;*
viii. *Reuse of brownfield land where a return to a natural state has not or will not happen without intervention;*
ix. *Small scale developments that support new ways of working such as remote working, homeworking and community hubs; or*
x. *Improvement or restoration of the natural environment."*

It is noted that renewable energy developments are not listed in the above criteria for NPF4 Policy 29. Nonetheless, the Proposed Development would contribute to the diversification of the current function of the farms at the Application Site, increasing their profitability as farming businesses, enabling dual use through solar and sheep grazing and ultimately providing more economic security to the landowners than the existing agricultural activities.

In addition to this, NPF4 Policy 29 highlights that *"development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location."*

As concluded in the LVA, the effects on landscape character would reduce over time as the Proposed Development becomes integrated into the landscape and landscaping mitigation measures mature. Therefore, by Year 10, the site level effects are considered to be reduced to a minor-moderate level of adverse landscape effects on landscape character.

Furthermore, the effects on the character of the host landscape are limited. By Year 10, effects will have reduced to negligible-minor in close proximity to the site, noting the very long-term benefits achieved through landscaping, particularly post decommissioning.

Regarding transport, the Transport Statement concluded that with the inclusion of the 6no passing places proposed along with the support of the CTMP, it is considered that the impacts associated with the construction of the proposed development can be managed appropriately without significant impacts on local residents and other users of the road network in the rural location.

6.4.1 Pipeline Consultation Zones

Furthermore, Policy PV21: Pipeline Consultation Zones states that *"decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive."*

The Proposed Development has been carefully sited and designed to avoid any detrimental impact from intrusion with underground pipelines.

As can be concluded from the above assessment, the Proposed Development successfully accords with Policy DS1: Development Boundaries and Priorities, Policy PV21: Pipeline Consultation Zones and NPF4 Policy 29: Rural Development

6.5 Design & Infrastructure

The key policy that addresses design and the Proposed Development is Policy DS3: Design Quality and Placemaking. Consideration of the Design Quality and Placemaking Supplementary Guidance has also been included within the following assessment. Criteria have been set out within Policy DS3 that all developments are expected to meet in order to contribute positively to the character and sense of place of the area in which they are to be located. These criteria are set out in Table 6.4 below.

Table 6.4: Policy DS3 Assessment Criteria

Criteria	Assessment of the Proposed Development
Distinct in Character and Identity: Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.	The Application Site is appropriately screened by surrounding woodland and hedgerows which enables the Proposed Development to respect the character of the nearby settlements and countryside and help ensure that it is an appropriate distance from potentially sensitive residential or environmental receptors. The additional landscape measures detailed in the illustrative landscape masterplan (ILMP) further enhances screening at the Application Site with the inclusion of the following measures: • A 5m wide buffer planting to provide mitigation for views from dwelling at Hunter's Path; • Existing hedgerows within the main site to be managed to maintain growth; • Existing hedgerow along the western boundary to be managed to an increased height of approximately 3.5m with gaps within the hedgerow to be infilled with new planting; • New native hedgerow to be implemented along the western boundary and managed to a height of approximately 3.5m to provide mitigation for potential views from the west; • New native hedgerow to be implemented along southern boundary and managed to height of approximately 3.5m to provide mitigation for potential views from the south; • New native hedgerow to be implemented crossing open field on alignment of historic field boundary

	to provide mitigation for potential views from Kelly Moor, managed to a height of 3.5m • New native hedgerows flanking the access track corridor to Hunter's Path to be managed to a height of approximately 2.5m and • New native hedgerow to be implemented along eastern boundary and managed to a height of approximately 3.5m to provide mitigation for potential views to the east. Modern technology in solar PV panels would be adapted within the Proposed Development to help ensure high quality and longevity.
Safe and Pleasant: Where all buildings, public spaces and routes are designed to be accessible safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.	Deer fencing would be constructed around the Application Site for health and safety and security reasons alongside inward facing CCTV security cameras which are to be installed on the security and deer fencing.
Well Connected: Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.	This criterion is not applicable to the Proposed Development.
Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.	The Proposed Development would be operational for a period of up to 40 years following which the solar array and its associated infrastructure would be decommissioned and its components removed from the site. This would ensure that the site has built in flexibility to adapt to changes of potential land use in the future. Furthermore, the Proposed Development supports the ability for multi-use with both solar and sheep grazing.
Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.	As discussed in Section 6.10, the Proposed Development would not have a detrimental impact to the natural or historic environment. The Proposed Development has been carefully sited and positioned for maximum solar gain in an area of open rough grassland free from shade.

NPF4 Policy 18: Infrastructure First states that *"development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported."* As highlighted in the table above, the Proposed Development successfully accords with the design and infrastructure policy noted in the LDP.

As can be concluded from the above assessment, the Proposed Development complies with the provisions of Policy DS3: Design Quality and Placemaking, the Design Quality and Placemaking Supplementary Guidance and NPF4 Policy 18: Infrastructure First.

6.6 Flood Risk & Water Management

6.6.1 Flood Risk

Policy PV12: Managing Flood Risk states that *"to reduce potential risk from flooding there will be a general presumption against built development proposals:*

- *On the functional floodplain;*
- *Which involve land raising resulting in the loss of the functional flood plain; or*
- *Which would materially increase the probability of flooding to existing or planned development."*

In addition to this, NPF4 Policy 22: Flood Risk and Water Management states that "*development proposals at risk of flooding or in a flood risk area will only be supported if they are for:*

I. Essential infrastructure where the location is required for operational reasons;
II. Water compatible uses;
III. Redevelopment of an existing building or site for an equal or less vulnerable use; or
IV. Redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice."

As highlighted in the Flood Risk Assessment & Drainage Strategy (FRA&DS) submitted alongside the planning application, the risk of flooding from all sources at the Application Site boundary have been assessed and it can be concluded that all sources have a negligible to low risk.

Furthermore, Policy PV13: Resilience and Adaptation highlights that *"to increase resilience to the effects of climate change such as flood and drought, extreme weather events and rising sea levels Angus Council may require development proposals to incorporate adaptation measures including:*

- *Use of flood resistant materials and construction techniques;*
- *Removal of culverts and other engineering works where opportunity arises and avoidance of development over or requiring new culverts or other unnecessary engineering works unless there is no practical alternative;*

- *Minimising the area of impermeable surfaces by using permeable surfaces where possible for car parking and hard landscaping and where appropriate, green roofs and green infrastructure; and*
- *Natural flood management measures which reduce water flow and enhance biodiversity and the quality of the water environment. Such schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process."*

Furthermore, Policy PV14: Water Quality states that *"development proposals which do not maintain or enhance the water environment will not be supported. Mitigation measures must be agreed with SEPA and Angus Council."*

The solar panels will be mounted on raised frames and therefore raised above surrounding ground level allowing flood water to flow freely underneath. Therefore, there will be no loss of floodplain volume as a result of the proposed development. The proposed development is free draining through perimeter gaps around all panels, allowing for infiltration as existing within the grassland/vegetation surrounding and beneath the panels. There will be minimal increase in impermeable area meaning the proposals will not increase surface water flood risk elsewhere. Any surface water exceeding the infiltration capacity of the surrounding strata will naturally drain to the unnamed land drains in line with the existing scenario.

Furthermore, the heavily managed agricultural land will be replaced with grassland. This will help to reduce run off rates by increasing the roughness of the ground, help to increase infiltration by reducing compaction, and improve water quality by reducing erosion and mobilisation of pollutants. As a result, runoff rates may be reduced following development when compared to the existing greenfield scenario.

In addition to the above, a new water crossing over the Rottenrow Burn forms part of the Proposed Development. In order to ensure that the new crossing will not exacerbate flood risk to the site or the surrounding areas, a culvert capacity assessment was undertaken. Full details of this can be found in the FRA&DS.

The top of the access road on the culvert, based on the topographic survey, is around 89.3m AOD. The minimum sizing of the proposed culvert is 1.8m (w) x 1.8m (d) x 12m (l). The reinforced box culvert is proposed to have 150mm concrete headwall, 75mm concrete blinding and includes around 600mm of stone cover to the finished road level (subject to detailed design). The maximum flow of water that the box culvert can pass is 8.073m^3 /s, the peak flow during a 1 in 200-year return period is 5.24m^3 /s and even when it is partially full the peak flow will increase to 11.947m^3 /s temporarily due to a higher velocity caused by a decrease in the wetted perimeter. Overall, the proposed sizing for the culvert would therefore be adequate.

6.6.2 Drainage

NPF4 Policy 22: Flood Risk and Water Management states that *"development proposals will:*

I. Not increase the risk of surface water flooding to others, or itself be at risk;
II. Manage all rain and surface water through sustainable urban drainage systems (SuDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and

III. Seek to minimise the area of impermeable surface."

In addition to this, Policy PV15: Drainage Infrastructure highlights that *"all new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long-term maintenance must be agreed with the local authority."*

The Scheme will be free draining through perimeter gaps around all panels, there will be minimal increase in impermeable area meaning the proposals will not increase surface water risk elsewhere.

As a result of the construction of the solar panels, some rainfall will be intercepted by the surface of the solar panels before reaching ground level. Intercepted rainfall will either run down the face of the panels, due to the angle at which they are positioned, and drip onto the ground below or will be lost due to evaporation from the face of the panels. Where rainwater drips onto the ground below, the energy of the flow from the surface of the panels is likely to be greater than that of the rainfall (especially where rainwater collects at the bottom edge of the solar array before dripping onto the ground below) which could result in the erosion of ground without appropriate mitigation. The erosion of the ground could then result in the formation of rivulets which could increase the speed of runoff throughout the site.

In order to mitigate against potential erosion, the existing intensively managed agricultural land will be replaced by planted wildflower and grassland below the solar panels. The planted surface will act as a level spread / energy dissipater to promote low erosivity sheet flow during the operation of the solar farm. The vegetation will be managed organically and will either be mowed or used for light grazing.

The panels forming the solar array will not be tightly compacted and will not form one continuous surface. Small gaps will exist between each panel, which will allow water to drip onto the ground below from several locations rather than as concentrated runoff from the bottom edge. This spread of water dripping will reduce the potential for erosion to occur.

The access track will be designed to be permeable, thereby allowing surface water runoff to percolate into the ground below.

Electrical infrastructure associated with the panels will be sited on concrete pads. The concrete bases will be surrounded by gravel filled filter trenches, constructed to limit the lateral flow of water away from the equipment and replace the loss of natural infiltration caused by the concrete bases themselves. Surface water would be stored within the gravel sub- base prior to infiltrating into the ground as per the existing situation.

Based on the above, the proposed development is likely to provide betterment over the existing surface water runoff regime.

During construction of the proposed development, temporary construction lay-down areas will be provided. It is recommended that temporary drainage measures are implemented within the lay-down areas to ensure there is no increase in surface water runoff as a result of the construction compound.

In addition, construction of the proposed development has the potential to result in the compaction of soils thereby reducing the soil's ability to accept surface water runoff. It is recommended that the movement of large vehicles is limited where possible to proposed access tracks in order to reduce the potential for soil compaction to occur. Vehicles should be fitted with low pressure tyres to further reduce the impact on the underlying soil.

The aforementioned techniques will discourage soil erosion within the site, whilst maintaining the existing overland flow paths.

Therefore, the Proposed Development successfully accords with Policy PV12: Managing Flood Risk, Policy PV13: Resilience and Adaptation, Policy PV14: Water Quality, Policy PV15: Drainage Infrastructure and NPF4 Policy 22: Flood Risk and Water Management.

6.7 Biodiversity

Policy PV4: Sites Designated for Natural Heritage and Biodiversity Value states that *"Angus Council will work with partner agencies and developers to protect and enhance habitats of natural heritage value. Development proposals which are likely to affect protected sites will be assessed to ensure compatibility with the appropriate regulatory regime."*

Furthermore, Policy PV5: Protected Species highlights that *"Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime."*

NPF4 Policy 4: Natural Places also emphasises that *"development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported."*

An initial Preliminary Ecological Appraisal (PEA) was undertaken for the Proposed Development to identify baseline conditions at the application site. The PEA has been submitted alongside the planning application.

There are a limited number of statutory ecological designations located within 5km of the Application Site boundary, with the closest being Dilty Moss Site of Specific Scientific Interest (SSSI) located approximately 4km to the northwest. Given the large intervening distance between proposed works and any statutory designated sites alongside the lack of connectivity, the Proposed Development is considered unlikely to cause any adverse effects.

The Proposed Development has a minimal potential to disturb existing habitats during the construction phase. This potential disturbance would be nothing greater than can occur without permission on an operational farm. The solar arrays would be pile driven into the ground, with no requirement for foundations. However, the removal of grassland would be required to allow for the construction of the internal access tracks and foundations to support the associated infrastructure.

The ditches and scrub on the site do not have a diverse assemblage of plants species present; therefore, are of low ecological value to foraging mammals. They do, however, have some ecological value as commuting corridors for small mammals and reptiles commuting through the site to more suitable habitats outside of the site such as the broadleaved woodlands habitats and the Elliot Waters. It is understood that some of this habitat will be affected by the Proposed Development via habitat loss and degradation during the construction phase. Best practice mitigations noted in the PEA should be adhered to during the construction phase to avoid any adverse effects to wildlife present.

All areas of woodland found near the site are potentially of value for a range of wildlife, including nesting birds, bats, mammals and invertebrates. The Guynd Den is associated with the woodland located directly adjacent to the northern site boundary. No tree felling or woodland clearing is required for the works in this area, and thus woodland will not be impacted by the Proposed Development.

The areas of standing and running water at site provide suitable foraging, commuting and resting habitat for a range of wildlife. Best practice mitigation should also be adhered to at these locations during the construction phase.

Woodland bird species are considered likely to nest within the areas of woodland, scrub and hedgerow margins found throughout the site; minimal vegetation removal should be implemented in order to avoid adverse impacts on breeding birds and their young.

It is recommended that any vegetation works within these areas are scheduled outside of breeding bird season (March – August inclusive) to prevent disturbance to nesting birds. If this is not possible, all vegetation to be removed should be checked for nesting birds by an ECoW ahead of any vegetation clearance works. Where appropriate, exclusion zones, as determined by the ECoW, shall be implemented if nests are found.

Evidence of a protected species was found on site. A further protected species survey was carried out at the site, and it was found that the sett was located beyond the standard 30m disturbance buffer required by NatureScot from the Application Site boundary and therefore it is considered unlikely that this sett will be impacted by the works.

The Elliot waters at site provides suitable holt, resting and foraging habitat for otters and has connectivity to optimal terrestrial habitats. The proposed work has the potential to impact otter through disturbance during the construction phase.

Due to the evidence of recent activity at the site and suitability of the Elliot waters and wider habitats to support otter, a targeted otter survey was carried out. No otters were noted from this camera trap survey, and it can therefore be assumed that this is not a breeding otter holt and a 30m buffer is sufficient to be placed around the targeted area. This 30m buffer is also located beyond the Application Site boundary so would not be adversely impacted by the Proposed Development.

The hedgerow, scrub and woodland at site provides suitable habitat for reptiles. The habitats encompassing site provide suitable foraging and resting habitats for reptiles and may commute through site.

Should the works include the removal of these features or vegetation removal within the habitats mentioned above, they should be carried out under a reptile mitigation strategy which should include a precautionary method of working to avoid killing or injuring reptiles during the construction phase of the works.

The habitats encompassing the Site provide optimal foraging and resting habitat for red squirrel and small mammals and may use the site to commute to more suitable habitats. Although these habitats are out with the Site boundary, there is potential to cause disturbance to commuting red squirrel and small mammals during the construction phase.

General mitigation best practices should be adhered to prevent disturbance to small mammal species during the construction works.

NPF4 Policy 3: Biodiversity states that *"development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them"*.

As discussed above, all areas of woodland found on site are potentially of value for a range of wildlife, including nesting birds, bats, mammals and invertebrates and it is recommended that all areas of woodland are retained and enhanced where possible.

The additional landscape and ecological measures detailed in the ILMP further enhances screening and biodiversity potential at the Application Site with the inclusion of the following measures:

- A 5m wide buffer planting to provide mitigation for views from dwelling at Hunter's Path;
- Existing hedgerows within the main site to be managed to maintain growth;
- Existing hedgerow along the western boundary to be managed to an increased height of approximately 3.5m with gaps within the hedgerow to be infilled with new planting;
- New native hedgerow to be implemented along the western boundary and managed to a height of approximately 3.5m to provide mitigation for potential views from the west;
- New native hedgerow to be implemented along southern boundary and managed to height of approximately 3.5m to provide mitigation for potential views from the south;
- New native hedgerow to be implemented crossing open field on alignment of historic field boundary to provide mitigation for potential views from Kelly Moor, managed to a height of 3.5m
- New native hedgerows flanking the access track corridor to Hunter's Path to be managed to a height of approximately 2.5m and
- New native hedgerow to be implemented along eastern boundary and managed to a height of approximately 3.5m to provide mitigation for potential views to the east.

6.7.1 Green Infrastructure

Policy PV1: Green Networks and Green Infrastructure highlights that *"Green infrastructure (including open space) will require to be provided as part of new development. Proposals should identify the location and nature of the green network in the area and seek to enhance linkages wherever possible."*

In addition to this, NPF4 Policy 20: Blue and Green Infrastructure states that *"development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances."*

As discussed in Section 6.7 above, the landscape and ecological measures proposed for the development will enhance the blue and green infrastructure at the Application Site and have been carefully and considerately designed to respond to local circumstances and requirements at the site.

The Proposed Development therefore accords with the provisions of Policy PV1: Green Networks and Green Infrastructure, Policy PV4: Sites Designated for Natural Heritage and Biodiversity Value, Policy PV5: Protected Species, NPF4 Policy 3: Biodiversity, NPF4 Policy 4: Natural Places and NPF4 Policy 20: Blue and Green Infrastructure.

6.8 Soils and Prime Agricultural Land

As discussed in Section 2.3, the majority of the Application Site is located on prime agricultural land.

Policy PV20: Soils and Geodiversity states that *"development proposals on prime agricultural land will only be supported where they:*

- *Support delivery of the development strategy and policies in this local plan;*
- *Are small scale and directly related to a rural business or mineral extraction; or*
- *Constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements."*

Policy PV20 also emphasises that *"design and layout should minimise land required for development proposals on agricultural land and should not render any farm unit unviable."*

In addition to this, the Renewable and Low Carbon Energy Development Supplementary Guidance from Angus Council states that *"solar farms may be located on good quality agricultural land and where possible grazing options should be considered."*

The LCCA report determined that 50% of the Application Site is Class 3.1 land and 48.9% is Class 2 land both of which are considered to be prime agricultural land. The remainder of the Application Site is non-agricultural land (i.e. tracks) at 1.1%. It is noted that the soil division between Class 2 and Class 3.1 can be affected by cropping practices. Fields that are in potato production, such as in the case of the Proposed Development, undertake a cultivation pass which is called de-stoning that involves removing stones from the ridged area and placing them in an adjoining furrow. Removing the impediment of stone gives an incorrect topsoil depth which is one of the criteria for land classification. In these areas, two thirds of the field would have artificially deep topsoil. As discussed in the LCCA report, soil borings carried out between sample points 103 and 122 could lead to interpretation issues as topsoil depth can be increased without the barrier of stones. This can then lead to an overestimate of land capability particularly from Grade 3.1 to Grade 2. The growing of potatoes subjects the soil to an intensive mechanical cultivation often taking several seasons to regain its structure and diversity. The use of the land for solar capture will mean that the soils will have 40 years to develop good structure and diverse fauna. On the return to arable farming, they will have improved resilience and productive potential.

At the recent Angus Council Development Standards Committee Meeting on the 11th February 2025, Agenda Item 6: 24/00589/FULL for a proposed new solar farm installation including battery storage facility on land 200 metres (m) west of Denfield, Arbroath was approved subject to conditions. During this committee discussion, one of the Councillor Leaders noted that Angus Council is currently using less than 2% of prime agricultural land for solar and battery developments, highlighting that we have very clear guidance to look at in relation to NPF4 and its favourable view towards renewable energy.

NPF4 Policy 5 seeks to minimise the disturbance of soils from development and (amongst other things) only allows the development of prime quality land in limited circumstances including where the development relates to the generation of energy from renewable sources. Similarly, ALDP Policy PV20 indicates that

development proposals on prime quality agricultural land will only be supported in limited circumstances, including where they constitute renewable energy development.

Nonetheless, given that the Proposed Development is for a renewable energy development, it can be considered that this is acceptable under Policy PV20. As noted in the application Committee Report for the above-mentioned application, *"development plan policy including NPF4 which sets out national planning policy and which was published in 2023, is clear that the loss of prime land will be supported where amongst other things, proposals constitute renewable energy development and there is secure provision for site restoration."*

It should be noted that the proposed development would allow agricultural activity to continue throughout the operational phase, with sheep able to graze the land between and beneath the solar arrays. In addition, the proposed development is reversible, with the land within the application site boundary capable of being restored as close as practicable to its original, or to a better condition following decommissioning.

As a result of the Proposed Development, the application site would be enhanced throughout the operational phase through the creation of new habitats and the implementation of an illustrative landscape masterplan (ILMP). The additional landscape and ecological measures detailed in the ILMP further enhances screening and biodiversity potential at the Application Site with the inclusion of the following measures:

- A 5m wide buffer planting to provide mitigation for views from dwelling at Hunter's Path;
- Existing hedgerows within the main site to be managed to maintain growth;
- Existing hedgerow along the western boundary to be managed to an increased height of approximately 3.5m with gaps within the hedgerow to be infilled with new planting;
- New native hedgerow to be implemented along the western boundary and managed to a height of approximately 3.5m to provide mitigation for potential views from the west;
- New native hedgerow to be implemented along southern boundary and managed to height of approximately 3.5m to provide mitigation for potential views from the south;
- New native hedgerow to be implemented crossing open field on alignment of historic field boundary to provide mitigation for potential views from Kelly Moor, managed to a height of 3.5m
- New native hedgerows flanking the access track corridor to Hunter's Path to be managed to a height of approximately 2.5m and
- New native hedgerow to be implemented along eastern boundary and managed to a height of approximately 3.5m to provide mitigation for potential views to the east.

In relation to soil quality, Policy PV20 highlights that *"all development proposals will incorporate measures to manage, protect and reinstate valuable soils, groundwater and soil biodiversity during construction."*

NPF4 Policy 5: Soils also states that *"development proposals will only be supported if they are designed and constructed:*

I. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and

II. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing."

Careful management of soil would be implemented during any excavation works. This would allow for the re-use of soil resources onsite, reducing any need to remove soil from the application site. The applicant would prepare a Construction Environmental Management Plan (CEMP) prior to the commencement of the construction phase. The CEMP would include site specific measures to reduce environmental effects onsite, based upon the findings of the environmental assessment process. In addition, best practice guidance would be included within the CEMP and adopted during the construction phase to avoid, minimise or mitigate effects on the environment.

Furthermore, the use of the land for solar capture will mean that the soils will have 40 years to develop good structure and diverse fauna. On the return to arable farming, they will have improved resilience and productive potential helping to ensure the continued availability of good quality agricultural land for future generations.

Therefore, this proposal accords with Policy PV20: Soils and Geodiversity and NPF4 Policy 5: Soils.

6.9 Trees, Woodland and Hedgerow

Policy PV7: Woodland, Trees and Hedges states that *"woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:*

- *Protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;*
- *Be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;*
- *Ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;*
- *Ensure new woodland is established in advance of major developments;*
- *Undertake a Tree Survey where appropriate; and*
- *Identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting."*

Similarly, NPF4 Policy 6: Forestry, Woodland and Trees states that *"development proposals will not be supported where they will result in:*

i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry."

As previously discussed, the Application Site is largely screened from view by existing hedgerows, woodland and established trees. The Proposed Development will result in the removal of 2no lower quality trees in order to form a new farm track alignment leading into the Application Site. Its location is restricted by a new crossing at the Rottenrow Burn, resulting in the removal of 2no trees. The trees in question are small in both height and canopy spread, having been planted along the existing track within the last ten years. Their removal will have little to no impact on the wider landscape due to their size.

As concluded from the Arboricultural Implications Assessment submitted alongside the planning application, the design of the Proposed Development has little to no impact on existing tree stock or further pressure to prune for shading.

The proposed planting at the Application Site would enhance biodiversity and landscape value through integration with existing planting on-site and contribute to improving connectivity with existing and proposed green infrastructure. Appropriate species for the Application Site have also been detailed in the ILMP.

Therefore, this proposal accords with Policy PV7: Woodland, Trees and Hedges and NPF4 Policy 6: Forestry, Woodland and Trees.

6.10 Historic Environment

Policy PV8: Built and Cultural Heritage states that *"development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:*

- *The proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;*
- *Any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and*
- *Appropriate measures are provided to mitigate any identified adverse impacts."*

NPF4 Policy 7: Historic Assets and Places highlights that *"development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place."*

A Cultural Heritage Assessment was undertaken for the Proposed Development. Although no prehistoric remains or artefacts have been identified on the Application Site itself, a range of non-designated assets are recorded within 500m including three funerary cists and a possible promontory fort to the northeast of the

Application Site. Given the size of the Application Site and the presence of a range of prehistoric assets within 500m, the potential for further prehistoric evidence to be present on the Site is considered to be Low to Medium.

Taking into consideration the archaeological and historical evidence, overall, it is judged a Low potential for archaeological remains dating from the Roman, early medieval, medieval and modern periods to survive within the Application Site, though it is acknowledged that the limited evidence for the earlier periods may be due to the lack of past archaeological interventions within the area. The Historic Environment Records (HER) are predominantly represented by post-medieval assets. Historic mapping depicts the Site and its associated landscape within agricultural use since at least the 18th century. The HER documents the former site of a now lost farmstead Lynn in the western past of the Application Site. As such it is assessed that there is a High potential for remains of post-medieval date to survive across the Site although as agricultural assets their significance will in all probability be Low.

The Guynd is situated on the edge of the Kelly Moor, approximately 5 miles (8km) to the west of the town of Arbroath and 9.5 miles (15km) north-east of Dundee. The B9127 forms the northern boundary of the Garden and Designed Landscape (GDL), whilst its southern boundary extends along the northern edge of the Site. However, the tree belt that extends along the Southern edge of the IGDL conceals a marked drop in the topography which means that the core of the IGDL to the north lies at a lower level than the agricultural fields to the south where the solar arrays are proposed. This means that any visibility from the interior of the IGDL is likely at worst to be limited to glimpses and the potential for impacts upon the setting and character of the IGDL will be limited to the appearance of the solar array in front of the tree belt when viewed from the south. However, given the nature of the landscape to the south, this visibility will be most apparent when viewed from within the Application Site boundary from where the IGDL appears as a linear plantation and cannot therefore be read as an enclosed landscape. This means that it is less sensitive to changes to the south than it would be to either internal changes or changes that would be clearly visible from within. For this reason, it is considered that the Magnitude of Impact of the Proposed Development upon the setting of the IGDL is predicted to be Low.

No effects upon the settings of the other designated assets are predicted due to the intervening topography, vegetation and structures.

Given that no setting impacts above a Low adverse level have been predicted, no mitigation for setting is considered necessary. It should be noted that an offset to the northern perimeter boundary of the Proposed Development from the southern boundary of the Guynd IGDL by 10-15m has been included within the design.

Therefore, this proposal accords with Policy PV8: Built and Cultural Heritage and NPF4 Policy 7: Historic Assets and Places.

6.11 Access

Policy PV3: Access and Informal Recreation highlights that *"new development should not compromise the integrity or amenity of existing recreational access opportunities including access rights, core paths and rights of way. Existing access routes should be retained, and where this is not possible alternative provision should be made."*

As detailed in the Transport Statement, the width of Bonnyton Road and the Unclassified Road that links Bonnyton Road to the site access point does not allow for two HGVs to pass each other. Therefore, it is considered that mitigation is required to facilitate two-way working on the access route from the A92. The proposal for mitigation takes the form of providing additional passing places along the route. An indicative scheme of passing places has been drawn up and forms part of the development proposals. In total, it is proposed to provide 6. No. passing places with 5 no. provided on Bonnyton Road and 1 no. on the Unclassified Road between Bonnyton Road and the site access point. Details of this can be found in the Transport Statement.

Furthermore, as discussed previously, a water crossing across the Rottenraw Burn to the north of Shelterfield in the form of a bridge is proposed for vehicles during all project phases, construction, operation and decommissioning phases. This alternative access route is to ensure that vehicles can access the project for its lifetime on land that the applicant has full control over. The water crossing is likely to consist of a reinforced concrete culvert with a top dressing of stone (subject to detail design).

Following discussions with the Applicant and residents at the Hunter's Path dwelling adjacent to the north of the Application Site boundary, a passing place has also been included at the private road between the Hunter's Path and Kelly Moor residential dwellings following this private road being flagged as an existing issue.

The construction period is expected to last for 12 months. There are approximately 2,900 vehicle trips to the site anticipated throughout the construction period. These trips will be relatively well spaced and are not likely to occur during peak periods. The impact of these trips is not considered to be significant in terms of capacity of the road network.

Once operational, only maintenance visits will be required. The Transport Statement concluded that the development proposals can be accommodated without detriment to the local road network at both the construction and operational stages.

With the physical mitigation proposed implemented along with the support of the CTMP, it is considered that the impacts associated with the construction of the proposed development can be managed appropriately without significant impacts on local residents and other users of the road network.

Therefore, the Proposed Development complies with the provisions of Policy PV3: Access and Informal Recreation.

7. Need for Proposed Development

7.1 Climate Change

As set out in Section 5.2, it is evident that Climate Change is the greatest challenge facing our society. Planning plays a key role in contributing to both mitigation and adaptation to climate change, through decision making on the location, scale and character of development[29]. This is further emphasised within the NPF4, which makes it clear that it is crucial we *"build resilience to the future impacts of climate change including water resources and assets and development on our coasts. Our places will also need to evolve to help us cope with changing temperatures."*

In May 2019, the UK Parliament passed a non-binding motion declaring a climate emergency. The definition of which is *"a situation in which urgent action is required to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it."* [30] Angus Council declared a climate emergency in September 2019. As discussed in Section 5.3.1, Angus Council published the Angus Council Transition to Net Zero Action Plan: 2022-2030, detailing the emission reduction projects and initiatives that have been developed in order to ensure Angus Council meet the 2030 Scottish Government interim emissions reduction targets of a 75% reduction in emission. The Plan states that *"Angus Council should still strive to use electricity as efficiently as possible and continue to install renewable energy where feasible"*.

Furthermore, as previously discussed in Section 5.3.1, Angus Council have also published The Sustainable Energy and Climate Action Plan (SECAP), providing a roadmap which demonstrates how Angus can reduce its carbon emissions and increase the resilience of the region. SECAP also highlights one of its key objectives is to grow renewable energy in the Angus region.

In response to the Climate Change Committee 'Net Zero Technical Report'[31] the Climate Change Act 2008 (2050 Target Amendment) Order came into force in 27th June 2019. This amended the previous legally binding target to reduce UK greenhouse gas emissions from 80% to 100% by 2050, based upon 1990 levels. As a whole, the Proposed Development would make a significant contribution towards these targets. It will have a maximum export capacity of 49.9MW which has the potential to power up to 15,000 UK homes[32] equivalent

[29] Town and Country Planning Association & RTPI (2023): The Climate Crisis – A Guide for Local Authorities on Planning for Climate Change. Available Online: The Climate Crisis (rtpi.org.uk)

[30] Oxford Learner's Dictionaries: Climate Emergency Definition. Available Online: climate-emergency noun - Definition, pictures, pronunciation and usage notes | Oxford Advanced Learner's Dictionary at OxfordLearnersDictionaries.com

[31] Climate Change Committee (2019) Net Zero Technical Report. Available Online: Net Zero - Technical Report - Climate Change Committee (theccc.org.uk)

[32] This is calculated by taking the predicted annual electricity generation of the site (using an average capacity factor of 11.2%) and dividing this by the annual average electricity figures from DESNZ (Department for Energy Security and Net Zero, formerly BEIS) showing that the annual GB average domestic household consumption is 3,239 kWh (January 24).

to 28.23% of households in Angus Council[33] with a carbon offset of approximately 30,000 tonnes/year[34] compared to the equivalent fossil fuel generation.

7.2 Low Carbon Energy Generation

Increasing the amount of energy produced from renewable and low carbon technologies will reduce the dependence on the conventional use of fossil fuels. It will also help to make sure the UK has a secure energy supply and reduce greenhouse gas emissions which will slow down climate change, a key Government priority.

The Energy White Paper: Powering our Net Zero Future[35] was published in December 2020. The White Paper states that the UK energy system is still largely dominated by the use of fossil fuels, which will need to change dramatically by 2050 if the net zero target is to be achieved. Decarbonising the energy system over the next thirty years means replacing - as far as it is possible to do so - fossil fuels with clean energy technologies such as renewables. The UK Government are not planning for any specific technology solution; however, the future generation mix will comprise a low-cost, net zero consistent system, likely to be composed predominantly of wind and solar, alongside complementary technologies such as battery storage. The White Paper states *"we will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios."*

Furthermore, the Powering Britain Report, published in 2023, emphasises the need for more solar developments in the UK in order to address energy security and grasp economic opportunities, stating that *"solar has huge potential to help us decarbonise the power sector. We have ambitions for a fivefold increase in solar by 2035, up to 70GW, enough to power around 20 million homes. We need to maximise deployment of both ground and rooftop solar to achieve our overall target. Ground-mount solar is one of the cheapest forms of electricity generation and is readily deployable at scale. Government seeks large-scale solar deployment across the UK, looking for development mainly on brownfield, industrial and low/medium grade agricultural land."*

7.3 Energy Security

The British Energy Security Strategy[36] was published in April 2022 to address energy security across the UK, highlighting our vulnerability to international oil and gas prices and identifying the need to reduce dependence on imported oil and gas. As set out within the Strategy, increasing the proportion of electricity generated from

[33] Percentage determined from statistic of 53,142 households in Angus Council (All about Angus | Angus Council).
[34] RES uses DESNZ's "all non-renewable fuels" emissions statistic of 437 tonnes of carbon dioxide per GWh of electricity supplied in the Digest of UK Energy Statistics (July 2024) Table 5.14 ("Estimated carbon dioxide emissions from electricity supplied"). Carbon reduction is calculated by multiplying the total amount of electricity generated by the Proposed Development per year by the number of tonnes of carbon which fossil fuels would have produced to generate the same amount of electricity.
[35] HM Government (2020) The Energy White Paper: Powering out Net Zero Future. Available online: Energy White Paper (publishing.service.gov.uk)
[36] HM Government (2022) British Energy Security Strategy. Available online: British Energy Security Strategy (publishing.service.gov.uk)

renewable sources, reduces the exposure of the UK to volatile fuel markets. The strategy identifies the need to be bolder in the *"removing of red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."*

In relation to solar, the strategy identifies that there is currently circa 14GW of solar capacity in the UK, split across various scales of development, ranging from large scale to smaller scale roof-mounted solar. It is expected that solar development will increase five-fold by 2035, which would result in the need for an additional 70GW of solar generation to be built across the UK to help us get to Net Zero.

In order to increase the deployment of solar across the UK, the strategy seeks to consult on *"amending planning rules to strengthen policy in favour of development on non-protected land, while ensuring communities continue to have a say and environmental protections remain in place. We will continue supporting the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites."*

7.5 Legacy

The Proposed Development will provide a stable and diversified source of revenue over a sustained period while improving the ecological value of the site and safeguarding its reuse for agriculture in future.

The Proposed Development retains and enhances existing landscape features, particularly the surrounding woodland areas. Additionally, the Proposed Development will leave a positive legacy in the form of improved biodiversity and landscape value thanks to additional planting and infilling of hedgerows following the construction phase. Additional hedgerow planting is proposed to follow and ultimately restore a historic field boundary to the north of Kelly Moor whilst providing screening for this key viewpoint. These ecological and landscape enhancement measures are a benefit to be afforded further weight in favour of granting planning permission.

Following decommissioning, the site can be returned to agricultural use with the benefit of retaining the enhanced landscape and biodiversity value from the matured mitigation planting.

7.6 Socio Economic

Part 3 – Annexes of the NPF4 states that the NPF4 strategy, policies and national development are aligned with the strategic themes of the Infrastructure Investment Plan (IIP) which includes driving exclusive economic growth. The National Performance Framework of the NPF4 states that its purpose is *"to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth."*

The Scottish Government is committed to ensuring that the planning system does everything it can do to support sustainable economic growth. NPF4 Policy 29: Rural Development encourages development that will contribute to rural economies and communities, noting that development proposals that contribute to the viability, sustainability and diversity of rural businesses are supported.

The Proposed Development would contribute to the diversification of the current function of the farms at the Application Site, increasing their profitability as farming businesses and ultimately providing more economic security to the landowners than the existing agricultural activities.

Furthermore, the Proposed Development would allow the site to remain in agricultural use with enough land beneath and between the arrays to remain accessible for livestock purposes such as sheep grazing. There is also potential to support economic growth from the Proposed Development through the creation of jobs associated with the ongoing maintenance onsite at the solar farm, as well as a number of other indirect jobs associated with the construction and decommissioning of the Proposed Development.

8. Summary and Conclusion

The Application Site lies within the boundary of Angus Council on land on land located 2km west of Arbirlot, Angus.

As can be concluded from the assessment of the Local Development Plan, there is no conflict between the relevant key policies outlined in this plan and the Proposed Development.

As can be determined from the Planning Statement, there is no conflict between the Proposed Development and National Planning Policy and Other Material Considerations discussed in Section 5.

There are a number of key points and advantages in favour of the Proposed Development concluded from the Planning Statement which are required to be considered when reaching a decision on this planning application, including:

- The installation of the Proposed Development is to generate a renewable source of electricity, contributing towards the transition to a low carbon economy.
- The Proposed Development will aid the council in achieving their vision of net zero emissions by 2045 through increasing the utilisation of renewable energy in Angus Council.
- The Proposed Development will have a maximum export capacity of 49.9MW which has the potential to power up to 15,000 UK homes, equivalent to 28.23% of households in Angus Council[37].
- The Proposed Development will contribute to the diversification of the current function of the farms at the Application Site, increasing their profitability as farming businesses and ultimately providing more economic security to the landowners than the existing agricultural activities whilst ensuring viability of the farming businesses for future generations.
- It will allow the site to remain in agricultural use with enough land beneath and between the arrays to remain accessible for livestock purposes such as sheep grazing.
- It has the potential to support economic growth through the creation of jobs associated with the ongoing maintenance onsite at the solar farm, as well as a number of other indirect jobs associated with the construction and decommissioning of the Proposed Development.
- Increased energy security, through the generation of a clean, homegrown, renewable source of electricity.
- Limited likely effects upon the local environment and nearby residential receptors.
- Reversible form of development, allowing the land to be restored to original condition following the operational phase.
- The Renewable and Low Carbon Energy Development Supplementary Guidance from Angus Council states that *"solar farms may be located on good quality agricultural land and where possible grazing options should be considered."* The land at the Application Site comprises 50% Class 3.1 land and 48.9% is Class 2 land both of which are considered to be prime agricultural land. It is noted that the soil division between Class 2 and Class 3.1 can be affected by cropping practices. Fields that are in potato

[37] Percentage determined from statistic of 53,142 households in Angus Council (All about Angus | Angus Council).

production, such as in the case of the Proposed Development, undertake a cultivation pass which is called de-stoning that involves removing stones from the ridged area and placing them in an adjoining furrow. Removing the impediment of stone gives an incorrect topsoil depth which is one of the criteria for land classification. In these areas, two thirds of the field would have artificially deep topsoil. As discussed in the LCCA report, soil borings carried out between sample points 103 and 122 could lead to interpretation issues as topsoil depth can be increased without the barrier of stones. This can then lead to an overestimate of land capability particularly from Grade 3.1 to Grade 2. The growing of potatoes subjects the soil to an intensive mechanical cultivation often taking several seasons to regain its structure and diversity.

- Agricultural land will not be lost as a result of construction or operation as the Proposed Development has a very limited and temporary footprint. The Agricultural land quality at the Application Site can be enhanced by resting the land from more traditional intensive farming methods and it is temporary in nature and very easily reversed, unlike traditional brick and mortar developments which form permanent additions to the countryside. Furthermore, the use of the land for solar capture will mean that the soils will have 40 years to develop good structure and diverse fauna. On the return to arable farming, they will have improved resilience and productive potential.
- The LCCA report determined that 50% of the Application Site is Class 3.1 land and 48.9% is Class 2 land both of which are considered to be prime agricultural land. The remainder of the Application Site is non-agricultural land (i.e. tracks) at 1.1%.
- NPF4 Policy 5 seeks to minimise the disturbance of soils from development and (amongst other things) only allows the development of prime quality land in limited circumstances including where the development relates to the generation of energy from renewable sources. Similarly, ALDP Policy PV20 indicates that development proposals on prime quality agricultural land will only be supported in limited circumstances, including where they constitute renewable energy development.
- Landscape enhancement measures proposed include:
    - A 5m wide buffer planting to provide mitigation for views from dwelling at Hunter's Path;
    - Existing hedgerows within the main site to be managed to maintain growth;
    - Existing hedgerow along the western boundary to be managed to an increased height of approximately 3.5m with gaps within the hedgerow to be infilled with new planting;
    - New native hedgerow to be implemented along the western boundary and managed to a height of approximately 3.5m to provide mitigation for potential views from the west;
    - New native hedgerow to be implemented along southern boundary and managed to height of approximately 3.5m to provide mitigation for potential views from the south;
    - New native hedgerow to be implemented crossing open field on alignment of historic field boundary to provide mitigation for potential views from Kelly Moor, managed to a height of 3.5m
    - New native hedgerows flanking the access track corridor to Hunter's Path to be managed to a height of approximately 2.5m and
    - New native hedgerow to be implemented along eastern boundary and managed to a height of approximately 3.5m to provide mitigation for potential views to the east.

A number of environmental and technical assessments have been undertaken to support the planning application, none of which have identified any significant adverse effects as a result of the Proposed Development.

As identified throughout this Planning Statement, decisions on planning applications are required to be made in accordance with the provisions of the Local Development Plan, unless material considerations indicate

otherwise. The Proposed Development has been assessed against the relevant policies and guidance contained within the Local Development Plan and NPF4. The Proposed Development has been assessed as being in compliance with the provisions of each of these, and no material considerations have been identified which indicate that the Proposed Development should not proceed.

There is significant support for the principle of renewable energy developments and presumption on favour of sustainable development throughout the NPF4. NPF4 Policy 11: Energy states that the NPF4 intends to encourage, promote and facilitate all forms of renewable energy development. Granting planning permission for the proposed solar farm would comply with these requirements and demonstrate support for such schemes. Ultimately, climate change is the biggest threat we as a society face. The Proposed Development would have a significant contribution towards the Climate Change Committee 'Net Zero Technical Report' and the Climate Change Act 2008 (2050 Target Amendment) Order which amended the previous legally binding target to reduce UK greenhouse gas emissions from 80% to 100% by 2050, based upon 1990 levels. It will have a maximum export capacity of 49.9MW which has the potential to power up to 15,000 UK homes equivalent to 28.23% of households in Angus Council[38].

The NPF4 highlights that the discussions we make today will have implications for future generations. With this, we must embrace and deliver radical change to tackle and adapt to climate change.

The Proposed Development is deemed to have struck an acceptable balance between renewable energy production and all relevant planning and environmental considerations and, on this basis, we contend that planning permission should be granted.

[38] Percentage determined from statistic of 53,142 households in Angus Council (All about Angus | Angus Council).