Balliemeanoch Pumped Storage Hydro

Planning Statement

ILI (Borders PSH) Ltd

July 2024

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Quality information

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Executive Summary

This Planning Statement ("**PS**") has been prepared by AECOM to support an application under Section 36 of the Electricity Act 1989 (the "**1989 Act**"), together with deemed planning permission under the Town and Country Planning Act 1997, to:

> *'Construct and operate the Balliemeanoch Pumped Storage Hydro (PSH) and associated development'* ("the Section 36 Application").

The application is made by ILI (Borders PSH) Limited ("the Applicant").

The Development Site is located approximately 4.4 kilometres (km) to the south of the village of Portsonachan and 9 km northwest of Inveraray, within the Argyll and Bute Council local authority area. Since the development involves an onshore electricity generating station with capacities exceeding 50 megawatts, the application has been submitted to the Scottish Ministers for determination.

Sites possessing suitable technical characteristics for PSH schemes are rare and the Development Site was carefully selected following a Scotland-wide review of possible PSH sites conducted by the Applicant. The Development Site compared favourably to other potential sites, providing the technical characteristics required by a PSH scheme whilst also avoiding environmental constraints or providing opportunities to mitigate impacts on them as far as possible.

The Development has benefitted from pre-application discussions with Argyll and Bute Council, the Energy Consents Unit and statutory consultees. Public engagement with the community, alongside pre-application feedback, has informed the Development and identified mitigation as far as practical.

This Planning Statement sets out the need for PSH, and the policy support that exists at international, UK and Scottish levels. The Intergovernmental Panel on Climate Change (IPCC) (Intergovernmental Panel on Climate Change (IPCC), 2022) considers that PSH technology can contribute to all three goals of the World Energy Council's 2022 Energy Trilemma (World Energy Council, 2022): energy security, energy equity, and environmental sustainability.

PSH schemes are additionally supported at a national level and have been identified as 'National Development' through National Planning Framework 4 ("**NPF4**"), which formally establishes the need for this development type in Scotland and provides in principle support for it. The Draft Scottish Energy Strategy and Just Transition Plan (Scottish Government, 2023) also supports the development of new PSH schemes in Scotland.

This PS assesses the Development against the Development Plan policies and is informed by the assessments within the accompanying Environmental Impact Assessment Report ("EIAR"). It is considered that the Development is in accordance with the relevant Development Plan policies and that relevant material considerations support the Development. This approach has also ensured that regard has been given to the categories set out in part 3 of Schedule 9 to the 1989 Act ('*Preservation of amenity and fisheries: Scotland*').

Within the EIAR a limited number of residual significant effects resulting from the Development have been identified. These effects relate to landscape and visual effects, cultural heritage, water, aquatic ecology, and ornithology. Considering the nature of these effects, along with proposed mitigation, compensation, and enhancement measures, and the Development's alignment with broader policy requirements, it is concluded that the Development does not pose any non-compliance issues regarding planning policy.

Significant weight should be given to the renewable energy and GHG reduction benefits of the scheme, as required by NPF4 Policies 1 and 11:

- NPF4 Policy 1 emphasises that *'significant weight will be given to the global climate and nature crises'.*
- NPF4 Policy 11 establishes in-principal support for renewable energy and states that *'significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets',* when considering the range of potential impacts of a renewable energy development.

The application is also considered to align with the relevant sustainable development principles identified in ABLDP2 Policy 04. Whilst a limited number of significant effects have been identified, these are not considered to be unacceptable as per ABLDP2 Policy 30.

Accordingly, a decision to grant the section 36 application (“Section 36 Consent”) and deemed planning permission for the Development would be in accordance with the Development Plan. Overall, the Development is considered to be acceptable in planning terms.

1. Introduction

Overview

1.1 This Planning Statement ("PS") has been prepared by AECOM on behalf of ILI (Borders PSH) Limited ("the Applicant"), to support an application under Section 36 of the Electricity Act 1989 ("the 1989 Act") for consent, together with deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 ("the Section 36 Application") to:

'*Construct and operate the Balliemeanoch Pumped Storage Hydro (PSH) and associated development'* (the "Development").

1.2 The Development is located at national grid reference ("NGR") NN 03615 17578, approximately 4.4 kilometres (km) to the south of the village of Portsonachan and 9 km northwest of Inveraray (the "Development Site"). The Development Site falls within the Argyll and Bute Council ("ABC") local authority area.

1.3 The Development will contribute towards a flexible and resilient future energy network and power supply, which is a key Scottish Government goal. Upon operation, the Development will have an installed electrical generation capacity in excess of 50 megawatts ("MW").

1.4 PSH is a mature energy storage technology that was first installed towards the end of the 19th century and is now the most developed large-scale energy storage technology currently available. It is considered to have low levels of technological risk compared to other energy storage technologies and can react almost immediately to demands for electricity generation. Although not a renewable energy technology itself, PSH can complement renewables and reduce potential issues with variability caused by a network with reliance on renewables.

Purpose of Planning Statement

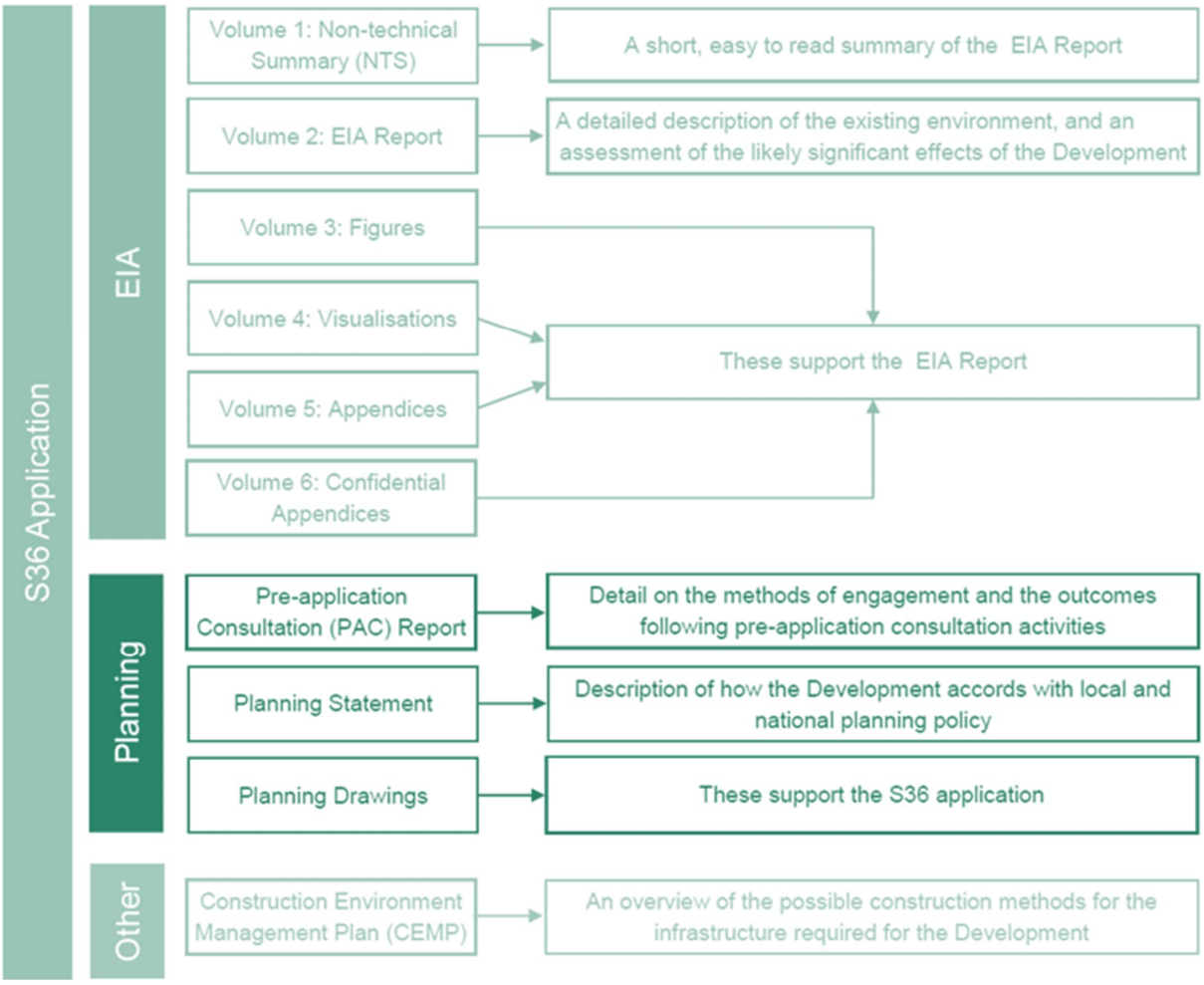
1.5 As per the Scottish Government Energy Consents Unit's ("ECU") Good Practice Guidance (2022) (Scottish Government, 2022), the purpose of this PS is to describe how the Development accords with local and national planning policy.

1.6 This PS is one of the key documents submitted in support of the Section 36 Application, as illustrated in Figure 1. The Environmental Impact Assessment Report ("EIAR") and other relevant accompanying documents will be referenced throughout where they provide more detailed information that is not essential to repeat for the purposes of this PS.

Structure of Report

1.7 The focus of this PS will therefore be on how the Development responds to national and local planning policy (Section 6 and Section 7). Prior to this, however, the route to consent for the Development will be explained (Section 3) and consideration will be given to the overall need for PSH (Section 4), as recognised through international and national legislation and guidance (Section 5).

Figure 1: Key Documents for S36 Application

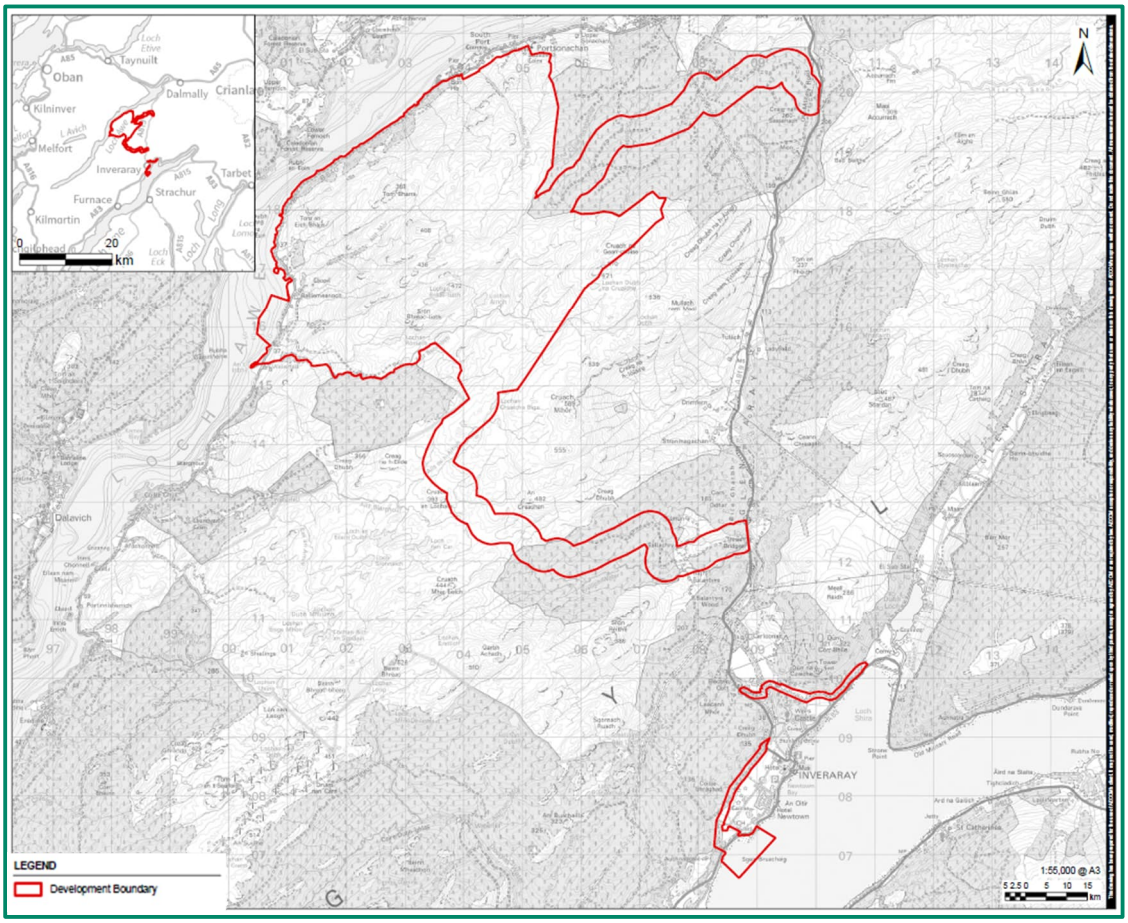


2. Development Description and Site History

Site Context

2.1 The location of the Development Site in the context of the surrounding area is displayed in Figure 2: 'Location Plan'. The Development Site comprises an area of 3,054 hectares (ha) and is generally characterised by upland moorland plateau grazing land. The Headpond location at Lochan Airigh sits at approximately 360 m above ordnance datum (AOD) and 3 km to the east of Balliemeanoch Farm Steading. A new temporary Marine Facility including a jetty to aid construction of the development is located south of Inveraray off the A83.

Figure 2: Location Plan

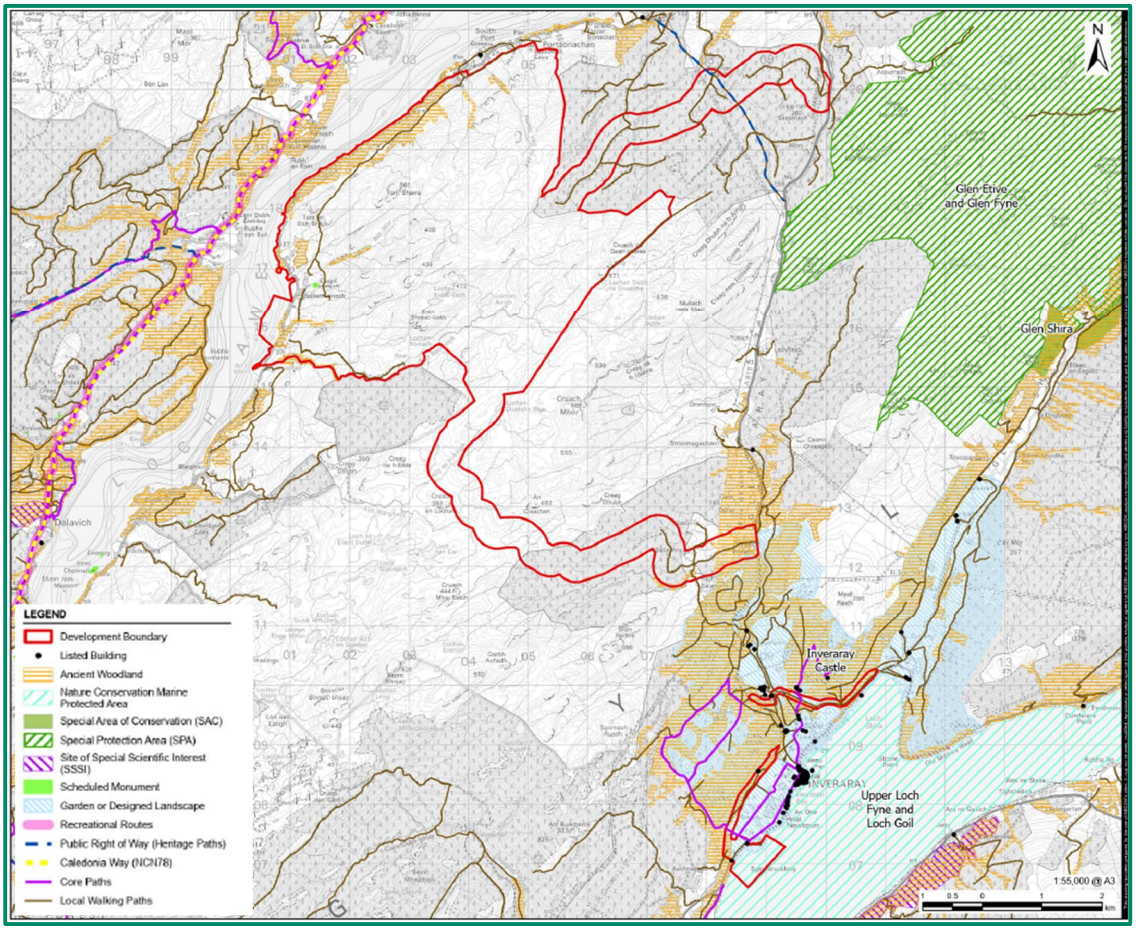


2.2 The Development is predominantly located within the catchment of the Allt Beochlich watercourse. The catchment consists of a number of small streams which ultimately flow into Loch Awe, these originate from smaller lochs (Airigh, Dubh and Romach).

2.3 There is no woodland within the main area of the Development Site, with woodland pockets restricted to those located along proposed Access Tracks. Woodland is present in the vicinity of the Tailpond inlet / outlet on Loch Awe. The majority of the soil in the Development Site is classed as Class 2 and Class 5 peat.

2.4 Figure 3: 'Constraints' shows environmental and recreational constraints within the Development Site and surrounding area. A detailed description of the Development and its surrounding environment is contained in EIAR Volume 2, Chapter 2*: 'Project and Site Description'*.

Figure 33: Constraints



Development Description

2.5 The application is to construct and operate a PSH scheme and associated development. The Development will have a storage capacity of approximately 45,000 gigawatt (GW) hours with approximately 1,500 MW installed electrical generation capacity. As shown in Figure 2.3: '*Above Ground Infrastructure*' and Figure 2.4*: 'Below Ground Infrastructure'* (*EIAR Volume 3 Figures*), the Development comprises the following component parts:

Above ground components:

- Headpond - comprises the upper reservoir and Embankments retaining the water in the Headpond. The Headpond is located within the south of the main Development Site at Lochan Airigh centred on NGR NN 04594 16411. An inlet / outlet structure will predominantly sit within the Embankment where the waterway exits the Headpond and will house mechanical equipment;

- Tailpond - comprises the lower reservoir and in the case of the Development, will be the existing body of Loch Awe. The Tailpond will include two lower gate houses located approximately 90 m southeast of the inlet / outlet structure screens. A water-tight, temporary cofferdam structure will be constructed for the Tailpond works. The area within the cofferdam will be pumped dry to facilitate the construction of the Tailpond inlet / outlet structure;

- 11 temporary Construction Compounds and 11 permanent Construction Compounds will be required at various locations across the Development Site for equipment and material storage, tunnel access, a site office, and welfare facilities;

- Newly formed access to the Development Site from the public transport network;

- Access tracks - both temporary and permanent, for movement around the Development Site. An Outline Access Management Plan is included within EIAR *Volume 5 Appendix 16.1;*

- Temporary realignment of a 1.5 km section of the B840 to allow for construction of the Tailpond inlet / outlet structure;
- Sections of existing informal Walking Routes within the Development Site boundary will be temporarily diverted during construction. These routes will be fully reinstated on completion of construction;
- A Switching Station consisting of two secure electrical compounds in which electrical equipment will be housed. In addition, a number of parking spaces and permanent welfare facilities will be provided;
- A temporary construction Marine Facility with jetty will be constructed within Loch Fyne at circa NGR NN 08510 07158. This will be used for delivery of abnormal indivisible loads ("AILs") of materials and equipment during construction, removed post construction and reassembled during operation for maintenance when required. The support piles for the pier would remain in place following construction, and the deck would be reassembled as needed for maintenance purposes during operation. The pier will be approximately 180 m in length from the shoreline and 10 m wide; and

Below ground components:

- Waterways consisting of a high-pressure tunnel to the Power Cavern Complex and a low-pressure tunnel between the Power Cavern Complex and Tailpond inlet / outlet structure, a spillway for draining excess water from the Headpond, also containing a scour pipe for scouring and draining in an emergency, and surge shafts as in-built safety features;
- Power cavern, incorporating the powerhouse (containing reversible pump turbines), transformer gallery (containing the transformers) and a main inlet valve ("**MIV**") hall; and,
- Tunnels for access, construction and power which will also be used in operation.

2.6 Separate to the Section 36 Application, there will also be a grid connection for the Development, which is likely to be for underground electrical cables. The grid connection does not form part of this Section 36 Application and will be subject to its own separate consents and agreement. The Development will connect into the grid at Creag Dhubh substation via the Switching Station within the Development.

2.7 There will be a required requirement to house construction workers during the development phase. A Workers Housing Strategy is included within EIAR Volume 5, Appendix 16.2: '*Outline Housing Strategy*'. Any workers accommodation requiring Planning Consent permission will be subject to its own studies and assessments as part of separate Town and Country Planning Application(s).

Site Development

2.8 Sites possessing suitable characteristics for PSH schemes are rare and the Development Site was carefully selected following a Scotland-wide review of potential PSH sites conducted by the Applicant. From this early stage of selection, policies relating to environmental protection were considered, with the Development Site comparing favourably to other potential sites by directly avoiding certain sensitive features, such as National Parks and European designated sites.

2.9 Since site selection concluded, the Development has progressed through many stages of design, with feedback from statutory consultees and the community leading to some of the key changes to making the final design acceptable regarding environmental and social impacts, as well as in planning terms. This process is detailed in full through EIAR Volume 2, Chapter 3: '*Evolution of Design and Alternatives*', however, to summarise:

- **Design I: Feasibility** – The Applicant reviewed potential PSH scheme locations throughout Scotland. The Development Site was identified as having the potential to develop a PSH scheme utilising Loch Awe as a natural Tailpond with the creation of a Headpond utilising the natural landform. The Applicant developed a preliminary layout that utilised the natural landform around Lochan Airigh as the Headpond and Loch Awe as the Tailpond.
- **Design II: Scoping** – The design evolved to incorporate two new Embankments to the northeast and southeast 13 m and 10 m above the existing ground respectively, with the aim of increasing the capacity of the Development.
- **Design III: Post Scoping** – On receipt of the Scoping Opinion a number of changes were made to the design to reflect feedback from consultees and discipline specialists following site surveys. Key

changes to the design included the removal of Embankment 3, and the inclusion of the temporary B840 Realignment. The updated scheme was presented for feedback at the public consultation events.

- **Design IV: Post Public Consultation** – Following public consultation, Design IV was prepared based on the comments and feedback received from the local community and the landowner. Key changes included plans to remove the jetty after the construction phase, making it temporary, and a resizing of the jetty to reduce the visual impact of it.

- **Design V: Design Refinement, Section 36 Submission Design** - Design refinement is the iteration of the Development design for which section 36 consent is intended to be sought and upon which the assessments contained in the EIAR have been based. Following on from the public consultation events, two design workshops were held with the landscape & visual and ecology specialists for a holistic review of the Development components. Updates at this stage involved track realignments to reduce landscape and visual effects; refinement of Inveraray jetty positioning and layout due to landscape and visual effects; and realignment of tracks to avoid deep areas of peat as identified during peat probing, in addition to a number of changes made across various components to reduce impacts on ecological receptors.

2.10 Environmental, social, and planning considerations have therefore heavily influenced the design of the Development since project inception. This is apparent through the results of the EIA, which identify a limited number of likely significant environmental effects for a project of this size. An assessment of the remaining significant effects in relation to planning policy is contained in Section 7 of this PS.

Stakeholder Engagement

2.11 A proactive approach was taken to ensure constructive engagement and consultation with meaningful feedback provided by stakeholders. Ongoing consultation was carried out as part of the EIA process within the following consultees providing valuable feedback:

- Argyll and Bute Council
- British Telecommunications plc
- Edinburgh Airport Safeguarding
- Glenochy & Innishail CC
- Glasgow Airport Safeguarding
- Historic Environment Scotland
- Marine Scotland
- Maritime and Coastguard Agency
- Ministry of Defence
- Mowi Fish Farms
- National Air Traffic Services
- NatureScot
- Network Rail
- Northern Lighthouse Board
- Royal Yachting Association
- Scottish Environment Protection Agency
- Scottish Forestry
- Scottish Water
- Transport Scotland
- UK Chamber of Shipping

2.12 Consultation continued throughout the various stages of the EIA and design process, informing the development of the design, and ensuring that all consultees were given the opportunity to comment on the Development.

Planning History

2.13 The planning history of the Development Site over the past five years is shown in Table 1 below. It outlines the applications within this period that have red line boundaries which either overlap with or are within the Development Site.

Table 1. Planning History

LPA Reference	Description	Location	Decision
24/00504/FELLIC	Felling licence.	Keppochan East and Tullich Woodland Cladich Argyll and Bute.	LPA response to notification 20 March 2024.
23/00795/S36	Section 36 Consultation for erection of 13 turbines each up to a maximum of 180 m in height to blade tip.	Land approximately 6 km northwest of Inveraray and 4.5 km east of Dalavich Argyll and Bute.	Awaiting decision.
23/0291/ELCNOT	Proposed new 33 kV overhead line.	Land approximately 757 metres southeast of Oaklea East Lochaweside Dalmally Argyll and Bute.	LPA response to notification - no comment.
22/00094/PP	Erection of 25-metre-high steel lattice tower and associated ancillary works.	Land southeast of Balliemeanoch Farm East Lochaweside Argyll and Bute.	Application approved 20 July 2022.
22/01298/S37	Installation of 275 Kv overhead line connection.	Land south of Dalmally and east of Cladich Argyll and Bute.	Objection – 30 September 2022.
22/01024/Scope	Scoping opinion for proposed Section 36C application to increase tip heigh of 17 existing wind turbines from 136.5 m to 180 m.	Blarghour Wind Farmland 7 km Northwest of Inveraray and 4.5 km Ssouth of Portsonachan Inveraray Argyll and Bute.	Opinion issued 23 May 2023.
21/02348/SCREEN	Screening Opinion for the installation of 132/275 kV substation and associated works.	Creag Dhubh Substation Land West of Keppochan Forest Inveraray Argyll and Bute	Opinion issued 16 March 2022.
21/01534/PNWAY	Formation of forest track.	Three Bridges Forest Inveraray Argyll and Bute.	Prior approval is not required – 25 August 2021.
21/01230/PAN	Proposal of Application Notice for the erection of electricity substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, Access Track(s), laydown area(s) and landscape works.	Land east of Creag Dhubh Cladich Argyll and Bute.	Opinion Issued 10 June 2021.

3. Route to Consent

The Statutory Framework

The Electricity Act 1989

3.1 As a PSH Scheme, the Development is classified as a generating station, which requires consent from the Scottish Ministers to operate under Section 36 of the 1989 Act as it will have a capacity of more than 50 MW.

3.2 The following Schedules of the 1989 Act are applicable:

Schedule 8:

- Sets out the key requirements for an application for consent. This includes that a site map should be provided, illustrating the location of where any generating station is proposed.
- Ensures that the relevant local planning authority (LPA) will be involved in the application for consent. Notice is served to the LPA as part of the application process and opportunity is provided for the LPA to submit their appraisal of the project; and
- Provision is also given to other consultees and members of the public to submit comments on the proposal.

Schedule 9:

- This schedule is concerned with the preservation of amenity and fisheries. It ensures that natural beauty, flora, fauna and geological or physiographical features of special interest, as well as sites, buildings and objects of architectural, historic or archaeological interests, are taken into account when determining a section 36 application for the purpose of conservation and protection. Reasonable mitigation should also be adopted regarding a proposed development with these features. These topics are referred to in Section 7 and in detail throughout the EIAR.

Town and Country Planning (Scotland) Act 1997 (as amended)

3.3 Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (the '**Planning Act**') states that the Scottish Ministers can, on granting consent under section 36 of the 1989 Act, give direction for planning permission to be deemed to be granted (subject to any conditions specified in the direction). This application to Scottish Ministers for the Development therefore requests deemed planning permission as part of the Section 36 Consent.

3.4 Due to the regulatory consenting process for section 36 applications, the Planning Act is not fully engaged beyond section 57(2) and therefore primacy is not given to the Development Plan (as otherwise would be the case under section 25) and Pre-Application Consultation ("**PAC**") is not a statutory requirement (as otherwise would be the case under sections 35A-C). Nevertheless, the Development Plan is a relevant consideration for Scottish Ministers, who are required to take the response from the local planning authority into account when determining section 36 applications.

3.5 In addition, Pre-Application Consultation has taken place for the Development as detailed in the submitted PAC Report.

3.6 It is not a requirement, under the 1989 Act, to produce a Design Statement for a section 36 application. However, as outlined in paragraph 2.9 above, EIAR Volume 2, Chapter 3: '*Evolution of Design and Alternatives*' provides detail on the extensive design process the Development has undergone over several years. Additionally, it is considered good practice to provide comprehensive design information. This is a requirement of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 ("**the 2013 Regulations**") for other categories of development, namely all National and Major Developments, as well as some sensitively sited Local Developments.

3.7 Regulation 13(5) of the 2013 Regulations requires access to be considered within a Design Statement. However, the focus of these requirements is on addressing access to the development for disabled individuals. As the sole purpose of the Development is energy generation and storage, it has not been designed as an accessible destination for visitors. Appropriate provision has been made for staff access

within the Development. General site access is addressed in EIAR Volume 2, Chapter 2: '*Project and Site Description'* and *Chapter 14: 'Access, Traffic, and Transport*'.

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2018

3.8 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('**the EIA Regulations**') apply to section 36 applications, under the provisions of Regulation 1(2)(a).

3.9 The Development requires an EIA to be carried out under Schedule 2(1) of the EIA Regulations, as it will have an installed capacity of more than 50 MW and is considered likely to have potentially significant effects on the environment. It is therefore considered an 'EIA development'.

3.10 Section 3 of the EIA Regulations stipulates that section 36 consent cannot be granted by Scottish Ministers for an EIA development unless an EIA has been conducted for that development and the environmental information is considered by the Scottish Ministers.

3.11 The EIA conducted for the Development has been designed to comply with the EIA Regulations, as is further detailed in the EIAR (see Volume 2, Chapter 4 of the EIAR: '*Approach to EIA*').

Licences and Consents

3.12 The licences and consents detailed below will be required to construct and operate the Development.

Section 36 Consents and Deemed Planning Permission

3.13 As described in Section 2.13 to Section 2.15 of this PS.

Generation Licence

3.14 Section 6(1)(a) of the 1989 Act provides that a Generation Licence is required to generate a supply of electricity from Ofgem (via its governing body, the Gas and Electricity Markets Authority).

3.15 This application is subject to a fee and a decision is granted within 45 working days (Ofgem, 2022). The Applicant is in the process of obtaining this.

Compulsory Acquisition of Water Rights

3.16 Schedule 5 of the 1989 Act states that where a person who holds a Generation Licence as per section 6(1)(a), they may be authorised by order by the Scottish Ministers:

> *"to abstract and divert from any watercourse or loch and to use such water as may be necessary for the purposes of constructing or extending a generation station wholly or mainly driven by water and of operating that generation station after such construction or extension; but he shall do as little damage as possible in the exercise of the powers conferred by the authorisation and shall make compensation for any damage done in the exercise of those powers."*

3.17 The order may contain a number of provisions regarding factors including public health; the characteristics of the watercourse or loch (flow or water level); the use or potential future use of the watercourse or loch (industrial purposes or public undertakings, such as fishing, water supply, agriculture, transport and navigation); and the effect of land drainage, alteration of water flow in watercourse, or level of water in a loch. The rights of riparian owners, landowner or salmon fisheries owners will also be protected as far as practicable.

3.18 Scottish Ministers will also consider the responsibilities of the Scottish Environmental Protection Agency (SEPA) with regard to the protection of the water environment, especially the circumstances in which water may be taken and the quantity of compensation water to be provided. Part 1 of the Water Environment and Water Services (Scotland) Act 2003 is additionally taken into consideration.

3.19 It is intended that an application for the Compulsory Acquisition of Water Rights will be submitted shortly after the Section 36 Application is submitted.

CAR Authorisation

3.20 CAR authorisation is required from SEPA to control the impacts of activities which may have a significant effect on the water environment, such as water abstraction in a PSH Scheme (Scottish Environmental Protection Agency, 2023). An application for a CAR authorisation will be prepared for the Development after the Section 36 Application is submitted.

3.21 Related to this, section 36(5A) of the 1989 Act refers to the Scottish Ministers obtaining and having regard to the advice of SEPA on matters relating to the protection of the water environment prior to granting consent for a generating station with which a controlled activity, as defined by CAR, will be conducted.

Reservoir Registration

3.22 Part 1 of the Reservoirs (Scotland) Act 2011 ('**the Reservoir Act**') requires all reservoirs determined to be controlled reservoirs under sections 1 and 2 of the Reservoir Act (such as one capable of holding 10,000 cubic metres or more) to be registered with SEPA in order for the risk of an uncontrolled release to be assessed. SEPA also have a number of powers through the Reservoir Act, including enforcement.

3.23 The Reservoir Act additionally regulates the construction of reservoirs, with a system of inspections, reports and certificates being overseen by an appropriately qualified engineer from a panel approved by Scottish Ministers. On operation, there will also be supervision and periodic inspection.

4. Need for the Development

Introduction

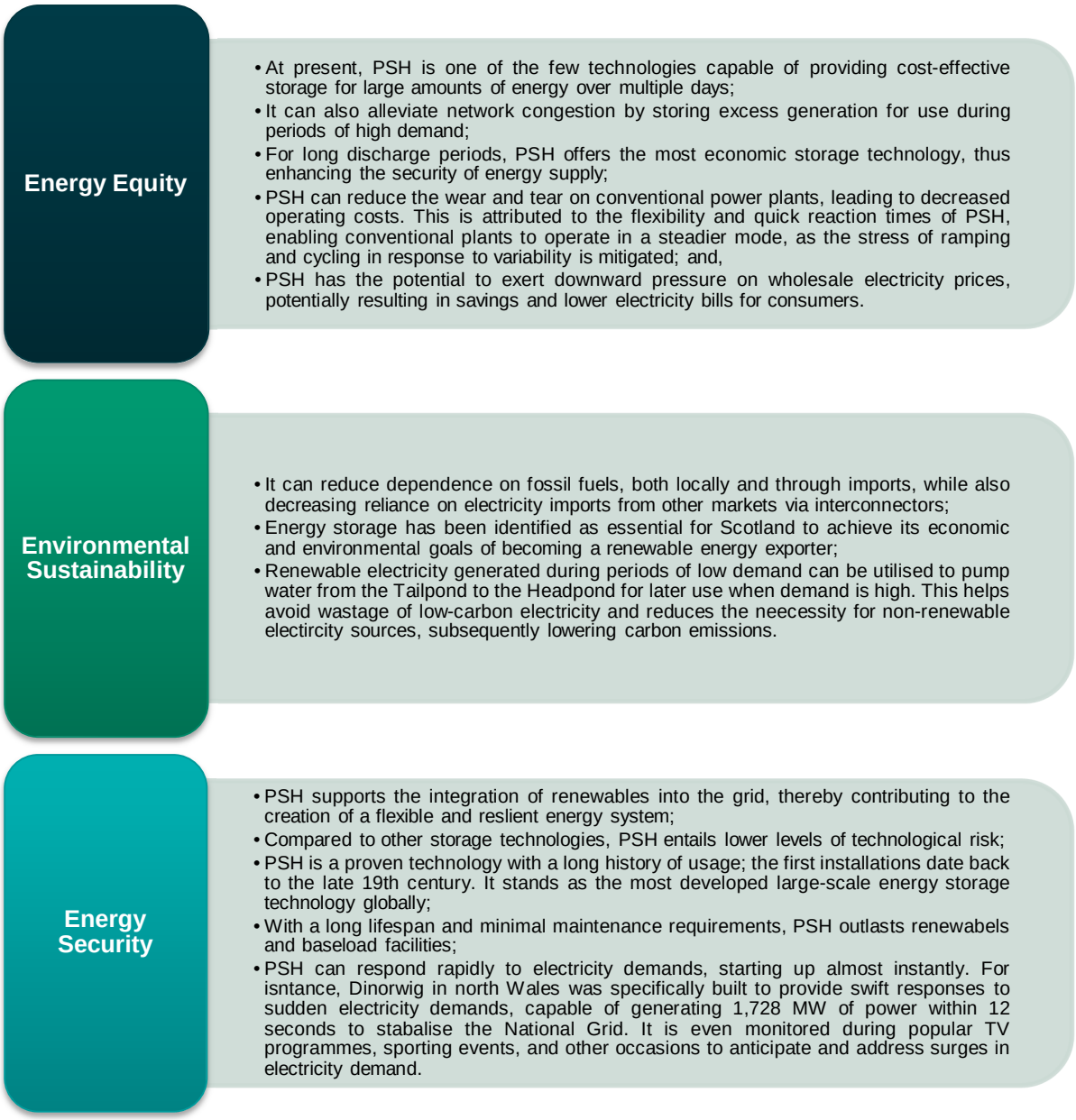
4.1 Through the provision of energy storage, PSH can play a crucial role in creating a flexible electricity system. PSH operates by utilising two water reservoirs: the Tailpond and the Headpond. During periods of low electricity demand, when the cost of electricity is reduced, water is pumped from the Tailpond to the Headpond. Then, when demand is high and electricity is required, water is released from the Headpond back to the Tailpond. This water passes through turbines, generating electricity.

4.2 Although not a renewable energy technology itself, PSH can complement renewables and mitigate potential issues related to variability in renewable energy sources (Scottish Renewables, 2023). As renewables such as wind turbines and solar arrays operate based on environmental conditions (e.g. wind speed or daylight), the timing of their electricity generation may not always align with periods of high network demand. PSH helps address this imbalance, contributing to a more flexible and resilient energy system.

Benefits of Pumped Storage Hydro

4.3 The key challenges of energy sustainability are defined through the World Energy Council's Energy Trilemma: Energy Equality, Environmental Stability, and Energy Security. In response, the key benefits of PSH are that it addresses each challenge of the Trilemma, as further detailed through Figure 4.

Figure 44: Energy Trilemma and Key Benefits of PSH



5. Energy Legislation and Policy Context

Introduction

5.1 Statutory and policy requirements at an international, UK and Scottish level to mitigate climate change and increase renewable energy generation are outlined below. Additionally, relevant Scottish Government Planning Advice Notes ("PANs") are outlined in this section.

International Policy Context

5.2 At an international level, the Intergovernmental Panel on Climate Change ("IPCC") recognises that without complementary flexible generation and operation, maintaining energy system reliability with increasing sources of renewable energy may become more challenging and costly. However, a varied complementary system, which includes energy storage technologies, such as PSH, is a solution to this.

5.3 The IPCC sixth assessment report on climate change (2022) highlights the capacity of PSH to reduce carbon emissions to help meet net zero goals. The report states that established technologies like PSH form one of the many technologies available to reduce emissions over the next decade.

UK Policy Context

5.4 The commitment to the Development of renewable energy is also evident through climate and energy policy in the UK. In May 2019, the UK Government declared a climate emergency, leading to the Climate Change Act 2008 (2050 Target Amendment) Order 2019 the following month amending the central greenhouse gas ("**GHG**") emissions reduction target to net zero emissions by 2050 for the UK.

5.5 Several policy documents establish the UK Government's pledges to reduce carbon emissions by promoting the use of renewable energy sources. These include the UK Renewable Energy Roadmap 2011 (updated 2012 and 2013) (UK Government Department of Energy and Climate Change, 2011), the Carbon Plan (Government, 2011), the UK Government's Ten Point Plan for a Green Industrial Revolution (UK Government Department for Energy Security and Net Zero, 2020), the Energy White Paper (UK Government , 2020), the Net Zero Strategy (UK Government, 2021), the British Energy Security Strategy (UK Government, 2022) and the Energy Security Plan (UK Government, 2023).

Scottish Policy Context

5.6 Prior to the UK declaration, in April 2019 Scotland became one of the first nations in the world to declare a state of climate emergency, placing climate change at the heart of all policy decisions. Following this declaration, the Scottish Government amended the Climate Change (Scotland) Act 2009 with the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, setting a net-zero emissions target for 2045.

5.7 The Scottish Government has acknowledged the potential of Scotland's extensive renewable energy resource, recognising it as an opportunity to make a significant contribution to addressing climate change and advancing expertise in cutting-edge low-carbon technologies on a global scale.

Draft Energy Strategy and Just Transition Plan

5.8 The Draft Energy Strategy and Just Transition Plan (Scottish Government, 2023) ("**the Energy Strategy**") sets out the Scottish Government's policies and commitments in relation to energy production and use. The Energy Strategy sets out how much renewable energy Scotland could generate from different sources, plans for improving home energy efficiency, and how to reduce overall consumption of energy in Scotland.

5.9 The Energy Strategy is combined with a Just Transition Plan for the energy sector which sets out how Ministers will ensure that workers and communities whose livelihoods are bound up with the current energy system will not be left behind as the sector changes.

5.10 Investment in new PSH is seen as important to the security and flexibility of the Scottish network. The Draft Strategy notes that:

> *"…Scotland remains the UK's hydro capital, with over 88% of the total UK hydro capacity. PHS also continues to play a pivotal role in Scotland's energy system providing long-term storage and reserve for the electricity networks." (Page 129)*

5.11 The Draft Energy Strategy and Just Transition Plan therefore reinforces Scottish Government support for the principle of PSH identified in National Planning Framework 4 ("**NPF4**").

Climate Change Plan 2018 – 2032 (2020 update)

5.12 The Scottish Government published an update to the Climate Change Plan 2018-2032 (Scottish Government, 2020) in 2020 to align with the increased ambition of the new targets set in the Climate Emissions Reduction Targets (Scotland) Act 2019 and Scotland's commitment to the Paris Agreement.

5.13 The Climate Change Plan outlines a comprehensive strategy for reducing GHG emissions across all sectors. It acknowledges the need to continue reducing carbon emissions within the energy system while also addressing the significant challenges of ensuring a secure supply and a resilient electricity grid. It underscores the pivotal role of PSH in this effort, as PSH can release stored electricity during periods of high demand when it is most needed. PSH can reduce dependence on fossil fuels, both locally and through imports, and in turn support a reduction in demand for non-renewable, fossil fuel-based sources of energy generation.

Planning Advice Notes

Energy Storage

5.14 The Energy Storage PAN (Scottish Government, 2013) acknowledges PSH as a well-established storage technology and provides a strong endorsement for energy storage:

> *"A clear case has been made that if the energy sector is to maximise environmental, economic and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production, can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100% electricity from renewables target. It is also expected that energy storage will be essential if Scotland is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland."*

Hydro Schemes

5.15 The Hydro Schemes PAN (Scottish Government, 2013) aims to facilitate the growth of PSH as a key component of Scotland's renewable energy strategy, ensuing that projects are developed in a manner that aligns with national sustainability goals and local community interests. The PAN describes hydro power as:

> *"A well-established sector, with proven technologies tapping into one of Scotland's most abundant natural resources, hydro power performs a vital role in renewable electricity production, balancing supply and demand and providing grid back-up."*

Overall

5.16 The Development will support the expansion of the renewable energy sector and contribute to Scotland's transition from a low-carbon to a zero-carbon energy supply. The Development is therefore considered to align with and support International, UK and Scotland energy policies, strategies, and advice notes.

6. Planning Policy Context

Introduction

6.1 Through modifications introduced by the Planning (Scotland) Act 2019, section 24 of the Town and Country Planning (Scotland) Act 1997 stipulates that the Development Plan comprises the National Planning Framework and the Local Development Plan (LDP) for the area. Therefore, the Development Plan for the Development comprises NPF4 and the Argyll and Bute LDP2 2024 ("ABLDP2").

6.2 Although primacy is not given to the Development Plan in determining section 36 applications, it still constitutes a relevant consideration for Scottish Ministers (as set out in paragraph 2.16). The Development has therefore been assessed against the policies of the Development Plan (NPF4 and ABLDP2), informed by the assessments within the accompanying EIAR. This approach ensures that due regard has also been given to the categories set out in paragraph 3 of Schedule 9 to the 1989 Act, '*Preservation of amenity and fisheries: Scotland'*.

National Planning Framework 4

6.3 NPF4 was adopted by the Scottish Ministers in February 2023 and replaces NPF3 and Scottish Planning Policy and forms the upper tier of the statutory development plan. NPF4 sets out how the Scottish Government's approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045.

6.4 NPF4 is centred around two primary themes: addressing the climate emergency and tackling the nature crises. As emphasised in the Ministerial Foreword, prioritising the global climate and nature crises will ensure that the decisions made today align with the long-term interests of Scotland.

6.5 Addressing climate issues and the wellbeing economy at a national scale, NPF4 will support the delivery of 'Sustainable Places', 'Liveable Places' and 'Productive Places' through six overarching spatial principles:

- Just transition;
- Conserving and recycling assets;
- Local living;
- Compact urban growth;
- Rebalanced development; and,
- Rural revitalisation.

6.6 Eighteen national developments are identified within NPF4 to support these principles. Pumped storage hydro, to be delivered on a Scotland-wide basis, is identified as one of six national developments to support the delivery of "Sustainable Places", by extending *"hydro-electricity capacity to support the transition away from fossil fuels, whilst also providing employment opportunities in rural areas".* Annex A of NPF4 further explains that pumped storage hydro (as a national development) is a significant development of national importance, and that its designation means *"that the principle of the development does not need to be agreed in later consenting processes."*

6.7 The clear policy support offered by virtue of NPF4 identifying pumped-storage hydro as a national development means that there is, in effect, a presumption in favour of the Development. The assessment criteria when considering the Section 36 Application should therefore focus on the detail of the proposals. The start point is that the principle of PSH has been established.

6.8 Of further relevance to the Development is National Development 3 '*Strategic Renewable Generation and Transmission infrastructure*' which:

> *"…supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." (*NPF4, Page 7*)*

6.9 Annex B of NPF4 sets out the National Development Statements of Need. For this category of National Development, it states that any on shore electricity generation from renewables exceeding 50 MW capacity

shall be designated as a National Development. The Development therefore may be considered a National Development on this basis as well. Although the identification of PSH as a National Development already grants the Development in principle support, that support is fortified by the nature of this National Development.

6.10 Therefore, prior to the detailed assessment of the proposal against the policies of NPF4, the Development has the benefit of significant policy support which confirms that the principle of a PSH development is established.

6.11 Other relevant NPF4 policies include:

- Policy 1: Tackling the climate and nature crises
- Policy 2: Climate mitigation and adaptation
- Policy 3: Biodiversity
- Policy 4: Natural Places
- Policy 5: Soils
- Policy 6: Forestry, Woodland, and Trees
- Policy 7: Historic Assets and Places
- Policy 10: Coastal Development
- Policy 11: Energy
- Policy 12: Zero Waste
- Policy 14: Design, Quality and Place
- Policy 22: Flood Risk and Water Management
- Policy 23: Health and Safety
- Policy 25: Community Wealth Building

6.12 A brief description of these policies is contained within Appendix A.1 of this PS. An assessment of the Development against these policies in set out in Section 7.

Argyll and Bute Local Development Plan 2 (2024)

6.13 The ABLDP2 was formally adopted on 28 February 2024. This supersedes the Argyll and Bute Local Development Plan 2016 and its associated Supplementary Guidance from March and December 2016.

6.14 ABLDP2 sets out the following vision for the place Argyll and Bute will be by 2030:

> *"Argyll and Bute is an economically diverse and successful area based on sustainable and low carbon development. It has a growing population with high-quality, well-connected places where people are able to meet their full potential without prejudicing the quality of life of future generations. It benefits both economically and socially from its outstanding natural, historic, and built environment whilst protecting those very same special qualities that make Argyll and Bute a place that people choose to be." (*ABLDP2, Page 5*).*

6.15 In terms of renewable energy ABLDP2 states that:

> *"The Council will seek to ensure that the renewable energy industry plays an important role in developing our local economy and will encourage initiatives that promote local procurement, recruitment and training opportunities associated with all proposed new renewable energy projects. The Council in seeking to support the further development of renewables throughout Argyll and Bute also recognises that there is a need to protect and conserve our outstanding environment, including our landscape and protected species, local communities and other sectors of our economy from unacceptable environmental effects that may result from proposed renewable energy developments". (*ABLDP2, Page 55*).*

6.16 Given the above, ABLDP2 can be seen to support renewable energy projects, with the policy thrust being to ensure projects are delivered in an all-round sustainable way, as stated in paragraph 5.28.

6.17 The relevant ABLDP2 policies include:

- Policy 02: Out with Settlement Areas
- Policy 04: Sustainable Development
- Policy 05: Design and Placemaking
- Policy 06: Green Infrastructure
- Policy 08: Sustainable Siting
- Policy 09: Sustainable Design
- Policy 10: Design (All Development)
- Policy 14: Bad Neighbour Development
- Policy 15: Supporting the Protection, Conservation and Enhancement of Our Historic Built Environment
- Policy 16: Listed Buildings
- Policy 17: Conservation Areas
- Policy 19: Scheduled Monuments
- Policy 20: Gardens and Designed Landscapes
- Policy 21: Sites of Archaeological Importance
- Policy 22: Economic Development
- Policy 28: Supporting Sustainable Aquatic and Coastal Development
- Policy 30: The Sustainable Growth of Renewables
- Policy 32: Active Travel
- Policy 35: Design of New and Existing Public Roads and Private Access
- Policy 37: Development Utilising an Existing Private Access or Existing Road
- Policy 38: Construction Standards for Public Roads
- Policy 39: Construction Standards for Private Access
- Policy 40: Vehicle Parking Provision
- Policy 55: Flooding
- Policy 59: Water Quality and the Environment
- Policy 61: Sustainable Drainage Systems (SUDS)
- Policy 62: Drainage Impact Assessments
- Policy 63: Waste Related Development and Waste Management
- Policy 71: Development Impact on Local Landscape Areas (LLA)
- Policy 73: Development Impact on Habitat, Species and Biodiversity
- Policy 77: Forestry, Woodland, and Trees
- Policy 78: Woodland Removal

- Policy 79: Protection of Soil and Peat Resources
- Policy 80: Geodiversity

6.18 A brief description of these policies is contained within Appendix A.2 of this PS. An assessment of the Development against these policies in set out in Section 7.

7. Planning Assessment

Introduction

7.1 This Section provides a detailed assessment of the Development against the NPF4 policies considered most relevant to this proposal. As a general point (and this is repeated for the assessment against the ABLDP2), the Development complies with the terms of NPF4 and derives significant policy support from it. This demonstrates that the Development is acceptable in planning terms.

Principle of Development

7.2 The Development is categorised as one of the eighteen National Developments identified in NPF4, as discussed in Section 7 of this PS. These developments are prioritised due to their role in transitioning away from fossil fuels towards a net zero economy and supporting the strategy and spatial principles of NPF4.

7.3 Annex A of the NPF4 explains how NPF4 should be used and clearly states that "*the principle of development does not need to be agreed in later consenting processes*". This means that the principle of development is established which, in turn, means that the assessment should be focussed on detailed matters. NPF4, as the upper tier of the development plan, therefore, offers strong support for the delivery of PSH throughout Scotland and the delivery of this PSH at the Development Site.

National Planning Framework 4 (2023)

Policy 1: Climate and Nature Crises

7.4 NPF4 Policy 1, is an overarching policy applying to all development, emphasising that *'significant weight will be given to the global climate and nature crises'*. The Policy intent is to *'encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change'.* The Policy Outcomes being *'Emissions from development are minimised'* and *'Our places are more resilient to climate change'.* Given the wording of the policy (that it attaches "significant" weight to proposals that address the climate and nature crises), particular regard should be had to it.

7.5 With an estimated storage capacity of 45,000 GWh, the Development will play a significant role in reducing carbon emissions by optimising electricity generation from renewables through storing and releasing electricity when required. The Green House Gas Assessment (EIAR Volume 2, Chapter 17: '*Climate'*) concludes that the Development supports the Scottish Government's ambition to decarbonise electricity generation, consistent with Scotland's Net Zero Target.

7.6 As explained above, NPF4 Policy 1 gives significant weight to the global climate emergency in all decisions, as outlined in NPF4 Part 1, providing clear guidance to decision-makers. This can be seen in the recent decision on Glendye Wind Farm which states:

> *'The national development status of the proposed development, which clearly identifies that the proposal is capable of providing strategic-scale renewable energy generation, leads us to conclude that its contribution to the achievement of net zero must be given significant weight under the terms of the policy'.*

7.7 And also in the Sanquhar II Wind Farm decision, which concludes:

> *'In overall terms, I find NPF4 provides little room for ambiguity over its strong focus on the need to proactively respond to the global climate emergency, both in terms of reducing greenhouse gas emissions and adapting to climate change.*
>
> *The terms of NPF4, Policy 1 'Tackling the climate and nature crises' leaves me in no doubt that in this case, where the proposal is already recognised as being capable of providing strategic-scale renewable energy generation by virtue of its national development status, its contribution to the net zero aim must be given significant weight without qualification.'*

7.8 Overall, the proposal is considered to be consistent with NPF4 Policy 1 given the climate change benefits that the proposal will deliver. Significant weight is attached to these benefits, which will address the climate crisis, and supports the approval of the Development. It also supports the approach to addressing the nature crises as discussed in the assessment of NPF4 Policy 3 (see below).

Policy 2: Climate Mitigation and Adaptation

7.9 The intent of NPF4 Policy 2 is to *'encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change'*. The policy outcomes are *'Emissions from development are minimised' and 'Our places are more resilient to climate change impacts'.*

7.10 Policy 2 a) states that *'Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible'* and Policy 2 b) states that *'Development proposals will be sited and designed to adapt to current and future risks from climate change'.*

7.11 EIAR Volume 2, Chapter 17: '*Climate'*, outlines that, at the operation stage, the Development is considered to have a significant beneficial impact with potential GHG saving of 203,768,262 tCO2e across the anticipated 100-year operational period compared to a business-as-usual scenario (i.e. one in which the Development does not come forward). Construction stage emissions will total 1,795,023 tCO2e of GHG, however, this level of emission is not considered to be significant, particularly when set against the over two-hundred-million tCO2e saved as a result of this Development.

7.12 Furthermore, the Development will have a significant role in directly supporting the Scottish Government's ambition to decarbonise electricity generation in line with Scotland's 2045 net-zero target. Therefore, it is considered to be consistent with achieving Scotland's overall trajectory to Net Zero.

7.13 Given the above, the Development secures strong support from Policy 2.

Policy 3: Biodiversity

7.14 The Policy Intent of NPF4 Policy 3 is *'to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks'*. The Policy Outcome is that *'Biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions'.*

7.15 Policy 3(a) states that development will contribute to the enhancement of biodiversity, including, where relevant, restoring degraded habitats and building and strengthening nature networks and their connections. Proposals should also integrate nature-based solutions where possible.

7.16 Policy 3(b) states that national development will only be supported where it *'will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'.*

7.17 Policy 3(d) requires *'any potential adverse impacts on biodiversity, nature networks and the natural environment to be minimised through careful planning and design'*. It also states that it *'will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration'.*

7.18 Table 2 addresses the criteria set out in Policy 3 b):

Table 2. NPF4 Policy 3 (b) Criteria

Policy 3 (b) Criteria	Commentary
(b)(i) The proposal is based on an understanding of the existing characteristics of the Site and its local, regional, and national ecological context prior to development, including the presence of any irreplaceable habitats.	The design of the Development is based on a thorough understanding of the Development Site and its ecological context, gathered through desk-based assessments, fieldwork, and consultations. EIAR Volume 2, Chapter 3: '*Evolution of Design and Alternatives'* outlines the key design principles implemented by the Applicant and the alternative designs considered. This chapter demonstrates how extensive surveys have informed the Development while adhering to PSH-specific operational requirements. This approach aligns with the policy requirements of criteria (b)(i).
(b)(ii) Wherever feasible, nature-based solutions have been integrated and made best use of.	The Development has identified areas for improvement, detailed in the outline oLEMP (Appendix 5.4 to the EIAR, Volume 5). The oLEMP outlines objectives that include nature-based solutions such as reinstatement of temporarily lost habitats, peat bog/upland rehabilitation and new native woodland planting.

	The oLEMP also outlines the long-term management principles that would run concurrently with the operational lifetime of the Development. The final plan and execution of these works will be subject to planning conditions.
(b)(iii) An assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.	The design of the Development has followed the mitigation hierarchy (as defined in NPF4, page 153) to avoid features of biodiversity importance wherever possible. Where adverse effects have been identified, mitigation measures have been proposed to reduce residual effects to non-significant in most cases. For any remaining significant residual effects, the Applicant proposes compensatory measures to offset these effects and enhancement measures to provide additional benefits for biodiversity beyond those provided by mitigation or compensation, or it is noted that these effects are temporary.
(b)(iv) Significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate.	There is no standard agreed national metric for considering schemes against NPF4 Policy 3b. The draft planning guidance published by the Scottish Government on 30 November 20233 states that in the absence of a universally adopted Scottish methodology/tool *'a flexible approach will be required'*. The oLEMP (Appendix 5.4 to the EIAR, Volume 5) outlines measures to conserve, restore, and enhance biodiversity, including nature networks. These measures not only mitigate the effects of the Development but also aim to provide biodiversity enhancements. The oLEMP details the approach to biodiversity enhancement for the Development. The final LEMP will be developed in consultation with relevant stakeholders post-consent and prior to the commencement of the development.
(b)(v) Local community benefits of the biodiversity and/or nature networks have been considered.	The Applicant's enhancement measures focus on securing biodiversity and nature conservation benefits through the oLEMP (Appendix 5.4 to the EIAR, Volume 5), tree planting and peatland restoration. A Draft Access Management Plan (Appendix 16.1 to the EAR, Volume 5) has been prepared to support the application, outlining a strategy for maintaining public access routes during the construction and operational phases, and enhancing public outdoor access in the long term. This will provide opportunities for the community to experience biodiversity and nature networks directly.

7.19 In response to policies 3(a), 3(b) and 3(d), it is noted that the Terrestrial, Aquatic and Ornithology Assessments that were carried out as part of the EIAR identified a limited number of significant effects which reflects the consideration that been given to avoiding ecological constraints and minimising impacts on biodiversity, nature networks and the natural environment in the design development process. No significant effects were identified in the Marine Assessment, post mitigation.

7.20 Where significant effects remain post mitigation it is noted that:

- A precautionary approach has been adopted in relation to Golden Eagle habitats and these effects may reduce, and associated displacement effects are temporary.
- Measures are proposed to manage water levels in Loch Awe to mitigate effects on migratory fish species.

7.21 In relation to terrestrial ecology, it is acknowledged that effects on 1.65 km² of blanket bog during construction will not reduce until Year 20. However, this accounts for the time needed for mitigation measures to become established.

7.22 Additionally, ecological mitigation and compensation measures, together with enhancement measures, are proposed and will be fully detailed in a Landscape and Ecological Management Plan. These measures,

which include nature-based solutions, have been embedded into the scheme and will collectively *'protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks'.*

7.23 The Development therefore complies with NPF4 Policy 3.

Policy 5: Soils

7.24 The Policy Intent of NPF4 Policy 5 is 'to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development'. The policy outcomes include 'Valued soils are protected and restored'.

7.25 NPF4 Policy 5 criterion (a) states that proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land.

7.26 NPF4 Policy 5 criterion (c) states that development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:

> *'ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets.'*

7.27 NPF4 Policy 5 criterion (d) states that where development is proposed on peatland, carbon-rich soils or priority peatland habitat, a detailed site-specific assessment and peat management plan will be required.

7.28 EIAR Volume 2, Chapter 10: '*Geology and Ground Conditions*', details that approximately 20,110,000 m³ of bulked material will be excavated in order to construct the Headpond Embankments. The Assessment concludes that there will be no significant effects on peat deposits post-mitigation.

7.29 The Development aligns with NPF4 Policy 5 through efforts at the design development stage to minimise impacts on peatland. Any impacts are justified by the project's contribution to Scotland's GHG reduction targets as a PSH scheme. Additionally, a detailed Peat Management Plan will be developed, in accordance with NPF4 Policy 5, which will include measures to prevent unnecessary disturbance, degradation, or erosion of peatland.

Policy 6: Woodland

7.30 The Policy Intent of NPF4 Policy 6 is *'to protect and expand forests, woodland and trees'.* The Policy Outcomes are that *'existing woodlands and trees are protected, and cover is expanded'* and *'woodland and trees on development sites are sustainably managed'.*

7.31 Policy 6(a) outlines support for proposals that enhance, expand and improve woodland and tree cover.

7.32 Policy 6(c) outlines that woodland removal will only be supported where the proposal will achieve significant and clearly defined additional public benefits. It also notes that compensatory planting will most likely be required.

7.33 Policy 6(d) requires woodland enhancements and improvements to be integrated into the design of developments. In compliance with this policy, a detailed LEMP is proposed which will set out the integration of both the proposed compensation and enhancements measures.

7.34 EIAR Volume 2, Chapter 6: '*Terrestrial Ecology*' outlines that, in a worst-case scenario, the EIAR anticipates the loss of 0.0042 km2 of Ancient Semi Natural Woodland ("ASNW"), which would represent a loss of 0.06% of the ASNW resource around Loch Awe. However, these areas are currently described as degraded in the Terrestrial Ecology Assessment and woodland reinstatement measures have been incorporated into the Development as a result of the loss. These measures include:

- total woodland reinstatement of 40 ha, resulting in the area of stocked woodland in the Forest Study Area (Volume 2: Main Report, Appendix 5.5 Forestry, Figure 5.5.1 Forestry Study Area) increasing by 24.99 ha; and
- translocation of deep turves of flora and soil.

7.35 The Development will also deliver significant public benefits in terms of energy sustainability and socio-economic benefits, including enhanced outdoor access at the local level. This is considered to justify the

losses in terms of NPF4 Policy 6(c). Given the woodland enhancement, expansion, and improvement measures outlined above, the Development is considered to comply with Policy 6, part (a), (b) and (d).

7.36 NPF4 Policy 6(b)(i) states that development proposals will not be supported where they result in: *'Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition".*

7.37 While the proposal does not fully accord with Policy 6(b) as the Development will result in the unavoidable loss of a small area of ancient woodland (0.42 hectares), it should be recognised that 40 ha of forestry is proposed. Attempts to further minimise the loss will be made at the detailed design stage, and included in the LEMP, where these are practicable.

7.38 Consideration has also been given to the Scottish Government's Control of Woodland Removal Policy, particularly Annex C, which includes criteria for determining the acceptability of woodland removal. The Policy document is referenced in ABLDP2 Policy 78 and discussed under that policy.

7.39 On balance, the development is considered to comply with Policy 6.

Policy 7: Historic Assets and Places

7.40 The Policy Intent of NPF4 Policy 7 is *'to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places'*. The Policy Outcomes include *'the historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change'.*

7.41 NPF Policy 7 criterion (a) states that *'Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment'.*

7.42 NPF4 Policy 7 criterion (i) states that *'Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting'.*

7.43 NPF4 Policy 7 criterion (o) states that *'non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible'.* It further states that *'where there is a potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts'.*

7.44 EIAR Volume 2, Chapter 13: '*Cultural Heritage*' identified one potentially significant effect on a possible pre-historic standing stone (AECOM 001). This represents a worst-case scenario based on the assumption that the asset is a pre-historic standing stone, though detailed investigations may reveal otherwise. Proposed mitigation measures include archaeological surveys, excavation, and publication of results if investigations confirm the stone's pre-historic nature.

7.45 The effect of temporary construction works within Inveraray Garden and Design Landscape (9GDL00223) are not considered to be significant. However, it is proposed that no construction work occur within the Gardens until the full extent of the works has been agreed upon with Historic Environment Scotland. A condition to this effect is anticipated.

7.46 All other construction and operation stage effects on designated and non-designated historic assets are not expected to be significant (if they occur at all). However, where they do arise, mitigation measures will be implemented to further reduce or manage these effects.

7.47 Given the findings of EIAR Volume 2, Chapter 13 and the proposed mitigation, the Development is considered to align with NP7 Policy 7.

Policy 10: Coastal Development

7.48 The Policy Intent of Policy 10 is *to 'protect coastal communities and assets and support resilience to the impacts of climate change'.* The Policy Outcomes is that *'Coastal areas develop sustainably and adapt to climate change'.*

7.49 Policy 10 sets out where development in developed and undeveloped coastal areas will be supported. In developed and undeveloped areas the development should not result in the need for further coastal

protection measures, with part b) i, I noting that development proposals will be supported in undeveloped coastal areas where they support net zero emissions.

7.50 EIAR Volume 2, Chapter 18: '*Marine Physical Environment and Coastal Processes'* identified potential effects from the construction of the Marine Facility on intertidal and subtidal habitats and water quality. However, these effects were not assessed to be significant.

7.51 At the operation stage effects from the development, including to hydronamic conditions (currents and water levels), sedimentary regime (sediment transport), costal morphology (sediment unrelated to natural processes) and coastal outfalls were also assessed to be not significant. As a precautionary measure post-construction monitoring of outfalls to check for sediment accretion and of the Marine Facility for localised erosion or accretion is recommended.

7.52 Given the findings of Chapter 18, the proposed mitigation and contribution to net zero targets, the Development is considered to align with NP7 Policy 10.

Policy 11: Energy

7.53 NPF4 Policy 11 is one of the key national policies relevant to the assessment of a PSH scheme. The Policy intent is to *'encourage, promote and facilitate all forms of renewable energy development…'* with the *'expansion of renewable, low-carbon and zero emissions technologies'* being the policy outcome.

7.54 Policy 11 a) states that *'Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported'.* This includes energy storage, such as PSH.

7.55 Policy 11 c) states that *'Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities'.*

7.56 In line with the Policy 11 a) it is considered that the development, as a PSH, should be supported, and it is noted that the Development will aligns with the Scottish Government's policy of transitioning to a net zero economy, as outlined in EIAR Volume 2, Chapter 17: '*Climate'*.

7.57 In terms of Policy 11 c) the Development will enhance the electricity supply from renewables by storing and releasing electricity as needed. This will bolster the wider renewable energy sector and provide energy security to the Argyll and Bute, wider Scottish and UK economy.

7.58 The Development will create socio-economic opportunities and deliver socio-economic beneftis, including construction jobs and supply chain opportunities for the rest of the Argyll and Bute region and Scotland as a whole, given its scale and rural location. The influx of construction workers will also create local spending opportunities which will support local businesses and services. It should also be noted that the Applicant is committed to delivering local and community benefits. These will be developed following engagement with local stakeholders and at the appropriate project stage.

7.59 EIAR Volume 2, Chapter 16: '*Socioeconomics and Tourism*' explains that there will be a beneficial impact for the local community from the Development, especially during construction where this benefit would be significant. This is on account of job creation and local expenditure by the developer and contractors within the local study area throughout the construction period.

7.60 The Development will deliver socio-economic benefits beyond the local community and will extend to the Argyll and Bute and wider Scotland. These benefits are in addition to the energy equity, environmental sustainability, and energy security benefits outlined in Figure 4.

7.61 Given the significant socio-economic and community benefits resulting from or associated with the Development these have been set out below:

- **Diversification of the Economy** -The Development with cumulative projects will support the diversification of the Argyll and Bute Economy creating more economic opportunities and supporting the resilience of the area.

- **Job Creation** - The Development will require up to 1000 jobs over the seven-year construction programme, with an estimated 600 to 800 workers on-site during the peak construction years. This will create direct job opportunities for the local community, the wider Argyll and Bute region, and the rest of Scotland, particularly the Glasgow area, given the number of jobs and range of skills required. The

Applicant will undertake local recruitment initiatives to maximise the number of employees from the local area and within Argyll and Bute.

- **Workers Housing** - The Development is located in a rural area distant from large population centres. Non-home-based workers will be required to support the construction works. A preliminary strategy has been prepared that outlines options for housing these workers, with a recommendation to prepare a detailed strategy. The preliminary strategy identifies various options that would also deliver socio-economic benefits. These options include:
  - Brining a vacant hotel or appropriate commercial building back into active use.
  - Using low peak and available high peak visitor accommodation capacity. This will benefit visitor accommodation providers and support year-round employment for visitor accommodation staff.
  - Locating workers in the above two options and/or in a temporary compound in proximity to the Development would create local spending opportunities for businesses, as workers would use local shops, cafes, and services.
  - Some options may be located further from the Development; however, the Strategy recommends that engagement should occur with ABC, local communities, the visitor accommodation sector, and other relevant stakeholder to identify opportunities to maximise local and community socio-economic benefits from workers housing.
- **Permanent Housing** – The preliminary Workers Housing Strategy outlines that the Applicant has engaged with Argyll Estate on their masterplan and is committed to providing 12 new houses. The houses would initially be used to house senior workers. Post-construction, the Applicant would retain three houses for operation stage workers, with the remaining nine retained by Argyll Estate with a view to these being made available for rent to local workers in industries such as care, catering, tourism, etc.
- **Supply Chain Benefits** - The Development will create opportunities for local businesses, as well as businesses within the wider Argyll and Bute region and the rest of Scotland, through the procurement process. The Applicant will undertake local supply chain initiatives to maximise the potential opportunities for local businesses. Examples include meet-the-developer events targeted at local businesses and early engagement with local businesses and stakeholders to ensure they are aware of the opportunities and specific requirements.
- **Training and Development** – The Applicant will implement a workers training programme to upskill the workforce, benefiting local workers by making their skills and knowledge applicable to future projects. Additionally, the Applicant will engage with local schools to share knowledge about pumped hydro schemes and the energy sector, and to identify opportunities for work experience.
- **Outdoor Access** – New access paths, including paths adjacent to the Headpond, are proposed as part of the Development. Seating, along with directional and information signage, will also be installed. The paths will be open to the public, subject to safety considerations, providing recreational opportunities for local walkers and serving as an additional attraction for visitors to the area.
- **Community Benefits** – The Applicant is committed to delivering wider community benefits over the life of the project and will:
  - Continue to liaise and engage with the local community council and other local groups to identify community projects and local proposals that the Development can support..
  - Liaise with ABC in relation to their Community Benefits Wishlist.
  - Provide updates on the socio-economic and community initiatives and projects associated with the Development on the Project Website and offer opportunities for the community to provide feedback on these initiatives.

7.62 NPF4 Policy 11e) outlines impact criteria to be considered in evaluating renewable energy proposals but notes that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets. The Development's assessment against these criteria is set out in Table 3 below.

Table 3. NPF4 Policy 11 (e) Assessment Criteria

Policy 11 (e) Criteria	Commentary
e)(i) Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker.	No significant noise effects were identified in Chapter 15: '*Noise and Vibration*' for the construction or operational stages on noise-sensitive receptors. To achieve this at the construction stage, mitigation measures have been identified in Chapter 15: '*Noise and Vibration*. These noise and vibration measures will be incorporated into the Construction Environmental Management Plan and implemented by the contractor. Chapter 16: 'Socioeconomics and Tourism' also identifies beneficial impacts on the community, such as job creation and local expenditure by contractors during the construction stage. No significant adverse effects were identified, and with the proposed mitigation, constructed-related effects are rated as negligible. Additionally, a Community Liaison Group (CLG) is proposed, which will enable the Applicant to consult with the community on construction works and address any emerging residential amenity or wider issues. Visual impacts are discussed under criterion (e) (ii).
(e)(ii) Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable.	It is recognised that the Development will result in significant landscape and visual effects during the construction and operation stages. However: • Appropriate design mitigation is proposed to manage and/or reduce the scale of temporary construction stage landscape and visual effects and will be detailed in the Construction Environmental Management Plan (CEMP). An Outline CEMP has been included as an appendix to the EIAR (see *Appendix 3.1*, Volume 5 Appendices)) • Appropriate design mitigation has been embedded into the Development's design, which will reduce the operational stage effects so that by Year 15, there will be only one significant visual effect from Dalavich Jetty. Given the above, the proposal should be considered generally acceptable in terms of 11 (e) (ii).
(e)(iii) Public access, including impact on long distance walking and cycling routes and scenic routes.	No significant effects were identified regarding local access around construction areas in Inveraray or to recreational routes. An Access Management Plan is proposed to mitigate any potential effects. An Outline Access Management Plan is included as Appendix 16.1 to the EIAR (Volume 5). New access paths with benches and information boards are proposed. These additions will provide socio-economic and wellbeing benefits by offering recreational opportunities for local walkers and serving as an additional attraction for visitors to the area. Final details will be included in the Access Management Plan.
(e)(iv) Impacts on aviation and defence interests including seismological recording.	The Applicant has engaged with the Ministry of Defence (MoD) in relation to avoiding work at Loch Fyne, which would generate noise in the water during MoD trial activities. Piling works will cease on trial days for circa 12 days per year to avoid impacts. The dates will be agreed post consent between the Applicant's contractor and the MoD. National Air Traffic Services and Edinburgh Airport Safeguarding were consulted at the pre-application and no aviation impacts were identified.
(e)(v) Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.	N/A
(e)(vi) Impacts on road traffic and on adjacent trunk roads, including during construction.	No significant construction traffic effects were identified in Chapter 14: 'Access, Traffic and Transport'. The Access, Traffic and Transport assessment considered a range of effects, including community severance, non-motorised user amenity, fear and intimidation, and safety, and no significant adverse effects were identified. To achieve this, mitigation will be implemented, including a Construction Traffic Management Plan, ensuring haul routes avoid Inveraray and co-ordination with third party projects. Operational phase effects were scoped out of the assessment due to the limited traffic generated at the operational stage.
(e)(vii) Impacts on historic environment.	Chapter 13: 'Cultural Heritage' identified one potentially significant effect on a possible pre-historic standing stone (AECOM 001). This represents a worst-case scenario based on the assumption that the asset is a pre-historic standing stone, though detailed investigations may reveal otherwise. Other effects on heritage assets were not considered to be significant, including temporary construction works within Inveraray Garden and Design Landscape (9GDL00223). However, it is proposed that no

Policy 11 (e) Criteria	Commentary
	construction work occur within the Gardens until the full extent of the works has been agreed upon with Historic Environment Scotland. Additional mitigation measures for heritage effects are detailed in Chapter 13 'Cultural Heritage'.
(e)(viii) Effects on hydrology, the water environment and flood risk.	Chapter 11: 'Water Environment' identifies one significant effect on Loch Awe due to potential changes in water quality from thermal stratification. However, this may not result in a deterioration of water quality, as reduced thermal stratification might decrease the potential for poorer water in the bottom waters of Loch Awe, thereby reducing the risk of algae blooms. Ongoing monitoring is proposed as mitigation to optimise the operation of the development so to minimise effects. Chapter 12: 'Water Resources and Flood Risk' concludes that no significant residual effects are anticipated in relation to water resources and flood risk. Chapter 18: Marine Physical Environment & Coastal Processes' finds that the Development would have a negligible effect on the physical marine environment. Mitigation measures, as appropriate, are detailed in the respective chapters.
(e)(ix) Biodiversity including impacts on birds.	Chapter 6: 'Terrestrial Ecology' identifies no significant effects on terrestrial ecology post-mitigation, although the significance of the Blanket Bog loss only reduces to Not Significant at Year 20 once the mitigation becomes established. The mitigation includes the restoration of localised blanket bog exhibiting bare peat exposure and the infilling of drainage grips where they are locally present. Chapter 7: 'Aquatic Ecology' identifies one operational stage significant aquatic ecology effect post-mitigation on migratory fish species in Loch Awe and River Awe. The affected species include Atlantic salmon, brown/sea trout, European eel, and lamprey species. The potential significant effects relate to the changes in water levels in Loch Awe. These effects will be managed by maintaining maximum and minimum flood levels to ensure the continued operation of the Loch Awe barrage and fish lift. Chapter 8: 'Marine Ecology' identifies no significant effects on marine ecological receptors. Chapter 9: 'Ornithology' identifies a construction stage, post-mitigation significant effect from the loss of habitat and displacement of Golden Eagles. Mitigation measures in the form of habitat enhancement is proposed, but due to the time needed for the mitigation to be realised and the lack of absolute certainty, a precautionary approach has been adopted. As such, the effect rating remains significant post-mitigation. Golden Eagle displacement cannot be managed through an outline Landscape and Ecological management Plan (Appendix 5.4 to the EIAR, Volume 5), and as such, no mitigation is proposed; however, it is noted that this effect is temporary. All remaining construction and operational stage ecological effects are not significant. Mitigation, compensation and enhancement measures are set out in the respective chapters, and where relevant, the oLEMP (EIAR Volume 5 Appendix 5.4).
(e)(x) Impacts on trees, woods, and forests.	Chapter 6 of the EIAR: 'Terrestrial Ecology' identifies that in a worst-case scenario, there would be a minor loss of 0.42 ha of ASNW to facilitate the construction of the Tailpond inlet / outlet structure. Post mitigation, this is not considered to be a significant adverse effect. Mitigation and compensation to partially address this small loss of ASNW to the Tailpond includes the translocation of entire turves of woodland flora and soil, and the sympathetic planting of native trees. An area of 40 ha of woodland reinstatement is proposed which is mainly proposed on lower ground near Loch Awe.
(e)(xi) Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.	At present, there is no intention for the Development to be decommissioned and therefore site restoration does not form part of this proposal. However, a condition managing the future decommissioning and restoration of the Development Site is anticipated.
(e)(xii) The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans.	At present, there is no intention for the Development to be decommissioned and therefore site restoration does not form part of this proposal. However, a condition managing the future decommissioning and restoration of the Development Site is anticipated.

Policy 11 (e) Criteria	Commentary
(e)(xiii) Cumulative impacts.	Cumulative impacts associated with the Development are considered in each chapter of the EIAR. No significant cumulative effects have been identified. As noted under (e) (vi), coordination with third-party schemes is identified as transport mitigation to reduce the potential for cumulative transport effects. Chapter 16: 'Socioeconomics and Tourism' identified the potential for the proposed cumulative energy-related developments in the region to support economic diversification and enhance local workforce skills.

7.63 Overall, it is recognised that PSH schemes have in-principal support subject to taking account of other relevant policies. It is considered that the Development is consistent with the requirements of NPF4 Policy 11 and the relevant NPF4 policy requirements, as assessed in this PS. Furthermore, significant weight should be given to the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Policy 12: Zero Waste

7.64 NPF4 Policy 12 aims to *'encourage, promote and facilitate development that is consistent with the waste hierarchy'.*

7.65 EIAR Volume 2, Chapter 17: '*Climate'* considers waste disposal as a potential source of GHG emissions and identifies mitigation measures to be embedded within the Development to reduce GHG impact. This includes:

- Increasing recyclability by segregating construction waste to be re-used and recycled where reasonably practicable;
- Designing, constructing and implementing the Development in such a way to minimise the creation of waste; and
- Where practicable, maximise the use of alternative materials with lower embodied carbon, such as locally sourced products and materials with a higher recycled content.

7.66 There are no significant effects associated with the generation of waste during the construction of the Development. A Site Waste Management Plan ("**SWMP**") will be prepared to support of the development proposals. Therefore, the Development is considered to accord with NPF4 Policy 12.

Policy 22: Flood Risk and Water Management

7.67 The Policy Intent of NPF4 Policy 22 is *'to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding'.* The Policy Outcomes include *'Places are resilient to current and future flood risk' and 'Water resources are used efficiently and sustainably'.*

7.68 NPF4 Policy 22 criterion (c) states that development proposals will:

'i) 'not increase the risk of surface water flooding to others, or itself be at risk;'

7.69 EIAR Volume 2, Chapter 12: '*Water Resources and Flood Risk*', assesses the potential effects associated with the Development in terms of flood risk and impacts on water resources. It outlines that the Headpond, which will impound a substantial amount of water, will be designed to a high standard with ongoing management and maintenance required under the Reservoir (Scotland) Act 2011 and provided by any responsible operator, and as such is deemed to be very low risk.

7.70 In terms of flood risk, no significant adverse effects are identified post-mitigation at e ither the construction or operation stages. Mitigation includes an Environmental Response and Flood Risk Management Plan, a Surface Water Management Strategy, a hands-off level for generation and abstraction limits based on a minimum water level in Loch Awe and the ongoing monitoring of water levels.

7.71 Given the findings of EIAR Volume 2, Chapter 12 and the proposed mitigation, the Development is considered to accord with NP7 Policy 11.

Policy 23: Health and Safety

7.72 The Policy Intent of NPF4 Policy 23 is to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing. The policy outcomes include the creation of *'Safe places that protect human health and the environment'.*

7.73 NPF4 Policy 23 criterion (a) states that *'proposals that have positive effects on health will be supported'.* The Development includes new Access Tracks, offering recreational opportunities for walkers, which aligns with this policy.

7.74 Policy 23 criterion (d) states that *'proposals that are likely to have significant adverse effects on air quality will not be supported'.*

7.75 No significant air quality effects are expected since emissions to the air will be limited to construction plant and construction dust, both of which will be mitigated through good practice measures. It is anticipated that the preparation of dust management plans will be a requirement within the CEMP. Additionally, it's noted that air quality was scoped out of the EIA due to the limited potential for significant effects.

7.76 Policy 23 Criterion (e) states that *'proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development'.*

7.77 EIAR Volume 2, Chapter 15: '*Noise and Vibration'* identifies no significant residual effects following the application of the mitigation. Mitigation measures will be detailed in a CEMP will include site specific measures where necessary.

7.78 At the operational stage, no significant effects have been identified. This is due to the distance between the Development and noise sensitive receptors (approximately 2.5km from the powerhouse cavern) and embedded mitigation measures.

7.79 The formation of a Community Liaison Group ("**CLG**") is also proposed. The CLG will enable the Applicant to consult with the community on the construction works and address any noise, and other construction related issues, as far as practicable, that emerge.

7.80 Given the findings of EIAR Volume 2, Chapter 15, the mitigation measure to manage noise and other construction effects, the CLG and the benefits of additional recreational routes, Development is considered to accord with NPF4 Policy 23.

Policy 25: Community Wealth Building

7.81 The Policy Intent of NPF4 Policy 25 is *'to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels'.*

7.82 The policy outcome most relevant to the proposal, is that: *'local economic development that focuses on community and place benefits as a central and primary consideration – to support local employment and supply chains'*, and *'support community ownership and management of buildings and land'.*

7.83 Policy 25 criterion (a) states that: *'proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. …'.*

7.84 Criterion (b) states that: *'development proposals linked to community ownership and management of land will be supported'.*

7.85 The Development will deliver significant community benefits in terms of energy sustainability and socio-economic benefits, including local employment and supply chain opportunities, and increased local spend from construction workers. These are discussed in Section 4 and under NPF4 Policy 11,

7.86 The Applicant aims to support community benefits throughout the life of the project and has requested suggestions from the local community. Specific schemes, beyond the engagement with Argyll Estate on their masterplan and the provision of 12 new houses provision, have not been detailed at this stage but may involve initiatives that support community ownership and management of buildings and land.

7.87 Given the energy sustainability and significant socioeconomic benefits for the local and regional economy and that the Development supports community wealth-building strategies, it is considered that the Development accords with NPF4 Policy 25.

Argyll and Bute Local Development Plan 2 (2024)

Introduction

7.88 This Section provides a detailed assessment of the Development against the ABLDP2 policies considered most relevant to this proposal. As a general point, the Development is in accordance with the ABLDP2 and derives significant policy support from it.

Policy 01: Settlement Areas

7.89 The limited extent of works located within the Inveraray 'Settlement' area include Access Tracks and Marine Facility. These works have been informed by engagement with the local community, and with the exception of piles, the Marine Facility will be temporary and only reinstated if required for future maintenance deliveries. The Marine Facility and Access Tracks are considered to be in keeping with surrounding uses and an appropriate fit for the area.

7.90 Given the above the Development is therefore considered to accord with Policy 01.

Policy 02: Outwith Settlement Areas

7.91 The Development will be situated predominantly within a 'remote countryside area'. ABLDP2 Policy 02 outlines that only specific categories of development on appropriate sites will generally be supported, this includes renewable energy related development. Features, such as Access Tracks will be located in 'countryside'.

7.92 Under Policy 02 the Development benefits from support as a renewable energy related development. The Development is not considered to give rise to unacceptable adverse effects on natural heritage resources, built and/or cultural heritage resources, and landscape and visual amenity, as demonstrated by the EIAR.

7.93 Given the above the Development is therefore considered to accord with Policy 02.

Policy 04: Sustainable Development

7.94 ABLDP2 Policy 04 lists sustainable development principles states that developers should seek to demonstrate and will also inform the Planning Authority's decision on planning applications. The supporting text to the policy states that *'The LDP2 seeks to enable the delivery of long-term sustainable development in order to support… the transition to a low carbon economy…'* (Paragraph 3.46).

7.95 The Development is considered to be a sustainable development given the energy sustainability benefits that result from PSH, and the careful consideration that has been given to avoiding environmental constraints as part of the site selection and design development processes resulting in a limited number of significant adverse effects.

7.96 Comprehensive mitigation, with additional compensation and enhancement measures where appropriate, is proposed to manage adverse effects. Compensation and enhancements measures include woodland reinstatement and Golden Eagle habitat enhancement. Furthermore, the applicant is committed to working with the community to maximise local community benefits, and the Development will deliver a range of socio-economic benefits, including local jobs, supply chain benefits and local expenditure. New Access Tracks will also be provided.

7.97 Given the above, and the information provided in connection with Policies 1 and 11 of NPF4 in particular, the Development is therefore considered to accord with Policy 02.

Policy 05: Design and Placemaking, Policy 09: Sustainable Design and Policy 10 Design (All Development)

7.98 ABLDP2 Policies 05, 09 and 10 fall within the ABLDP2 chapter on High Quality Places, and each policy sets out placemaking and design criteria and expectations for development.

7.99 Given the design process outlined in **EIAR Chapter 03: '*Evolution of Design and Alternatives*'**, the embedded landscape and woodland measures, the steps to integrate the Headpond and Tailpond inlet / outlet structure into the existing natural landform, and recognising that PSH has specific operational requirements, it is considered that the Development responds appropriately to Policies 05, 09 and 10.

7.100 Furthermore, the Development, as an enabler of renewable energy, will support sustainable and low carbon development within Argyll and Bute. This aligns with the supporting text to Policy 05 which states that *'Good quality places are successful and sustainable, low carbon, natural and resilient…'*

7.101 Given the above, the Development is considered to accord with Policies 05, 09 and 10.

Policy 06: Green Infrastructure

7.102 Policy 06 states that green and blue infrastructure should be integrated into the design of a proposal from the outset.

7.103 It is considered that the proposed Access Tracks, alongside sustainable drainage systems, which will be further developed as part of a detailed Water Management Plan, respond positively to the policy.

7.104 Given the above, the Development is considered to accord with Policy 06.

Policy 08: Sustainable Siting / Policy 71: Development Impact on Local Landscape Areas

7.105 ABLDP2 Policy 08 states development should integrate into the landscape to minimise detrimental effects on the environment, with any significant adverse landscape and visual effects are clearly outweighed by social, environmental or economic benefits and sufficiently mitigated.

7.106 ABLDP2 Policy 71 states that the Council will resist development affecting, a Local Landscape Area where its scale, location or design will have a significant adverse impact on the character of the landscape, with any significant adverse effects on landscape quality clearly outweighed by social, environmental or economic benefits and sufficiently mitigated.

7.107 As outlined in EIAR Volume 2, Chapter 03: '*Evolution of Design and Alternatives*', the Development location was selected following a Scotland wide location review, with steps taken to minimise landscape impacts including integrating the Headpond and Tailpond inlet / outlet structure into the existing natural landform. Despite these steps, it is recognised that the Development will result in significant landscape and visual effects during the construction and operation stages.

7.108 As set out in the response to NPF4 Policy 11, appropriate mitigation is proposed to manage the temporary construction stage effects on the landscape. These include moderate significant effects on the landscape character of North Argyll and West Loch Fyne Local Landscape Areas. At the operational stage, the significant adverse effects reduce as mitigation becomes established and by Year 15 the effects are limited to visual effects from one location (Dalavich Jetty).

7.109 Whilst adverse landscape and visual effects have been identified it is considered that the significant sustainable energy and socio-economic benefits, as set out above in the assessment of the Development against Policies 1 and 11 of NPF4, outweigh the significant landscape effects.

7.110 Given the above, the Development is considered to accord with Policies 08 and 71.

Policy 14: Bad Neighbour Development

7.111 The Development is predominantly located in a 'remote countryside area', and no significant amenity type effects have been identified with mitigation proposed to manage construction related impacts. The Development will therefore not have an unacceptable impact on neighbouring land and is not considered to be a 'Bad Neighbour Development', as per ABLDP2 Policy 14.

Policy 15: Supporting the Protection, Conservation and Enhancement of our Historic Built Environment, Policy 16: Listed Buildings, Policy 17: Conservation Areas, Policy 19: Scheduled Monuments, Policy 20: Gardens and Designed Landscapes and Policy 21: Sites of Archaeological Importance

7.112 ABLDP2 Policy 15 is the overarching historic built environment policy which sets out that development will not be acceptable where they fail to protect, preserve, conserve or enhance the special characteristics and/or cultural significance of the historic built environment and avoid cumulative effects.

7.113 ABLDP2 Policies 16, 17, 19, 20 and 21 relate to listed buildings, conservation areas, scheduled monuments, gardens and designed landscapes, and sites of archaeological importance. The policies seek to protect, preserve or enhance the respective heritage assets.

7.114 Given that only one potential significant effect has been identified (as discussed in relation to NPF4 Policy 7), the proposed mitigation for the significant and non-significant effects on heritage assets and as agreement will be sought from Historic Environment Scotland, prior to carrying out temporary construction works in Inveraray Garden and Design Landscape, then the Development is considered to accord with policies 15, 16, 17, 19, 20 and 21.

Policy 22: Economic Development

7.115 The supporting text to ABLDP2 Policy 22 outlines that ABLDP2 supports the Council's Economic Strategy's Key Priorities and sets out how these will be achieved. This includes focusing on Priority Sectors, including renewables (see paragraphs 5.4 and 5.5).

7.116 The supporting text also sets out that a sequential approach will be taken to industrial and business development with preference given to identified preferred locations, other locations within identified settlements and then other locations within the countryside.

7.117 The development will be located in the 'remote countryside area', as set out in **Chapter 3** of the EIAR. This followed an extensive location review process. In addition, there are clear operational and environmental requirements which led to the selection of the Development's proposed site. Furthermore, it is noted that ABLDP2 Policy 02 outlines that only specific categories of development on appropriate sites will generally be supported, this includes renewable energy related development.

7.118 Given the above, the Development is considered to accord with Policy 22.

Policy 28: Supporting Sustainable Aquatic and Coastal Development

7.119 ABLDP2 Policy 28 supports marine and coastal development where it can be demonstrated that there will be no significant adverse effects on the landscape and coastal character, heritage, designated conservation sites, the ecological status and biological carrying capacity of water bodies, commercial and recreational activities, amenity, and public access.

7.120 Policy 28 also states that proposals will be assessed against other factors, including the net economic impact of the development and proposed operations measures that can mitigate the level of risk of potential impacts.

7.121 As set out in the assessment against NPF4 Policy 10 no significant adverse effects from the development have been identified, with post-construction monitoring of outfalls to check for sediment accretion and of the Marine Facility for localised erosion or accretion proposed as a precautionary measure.

7.122 Given the above, the Development is considered to accord with Policy 28.

Policy 30: The Sustainable Growth of Renewables

7.123 ABLDP2 Policy 30 states that the Council *'will support renewable energy developments where these are consistent with the principles of sustainable development, and it can be adequately demonstrated that there would be no unacceptable environmental effects'.*

7.124 Policy 30 aligns with the intent of NPF4 Policy 11, and as assessed against NPF4 Policy 11, it is considered that the Development will not result in unacceptable environmental effects and is consistent with the principles of sustainable development through its contribution to renewable energy generation targets and greenhouse gas emissions reduction targets.

7.125 The development will also result in socio-economic and community benefits (see the above assessment against Policies 11 and 25 of NPF4), and as such aligns with the supporting text to ABLDP2 Policy 30 which states the Council's expectation *'to ensure that the renewable energy industry plays an important role in developing our local economy and will encourage initiatives that promote local procurement, recruitment and training opportunities associated with all proposed new renewable energy projects'.*

7.126 Given the above, the Development is considered to accord with and support Policy 22.

Policy 32: Active Travel

7.127 ABLDP2 Policy 32 requires active travel and recreation to be integrated into developments from the start of the wider design process. The policy also requires the submission of an access plan and alternative access provisions where public access is significantly affected.

7.128 It is considered that the Development will result in positive effects through providing new Access Tracks. A detailed Access Management Plan will be prepared to appropriately address public access impacts during the construction stage.

7.129 Given the above, the Development is considered to accord with Policy 32.

Policy 35: Design of New and Existing Public Roads and Private Access, Policy 37: Development Utilising an Existing Private Access or Existing Road, Policy 38: Construction Standards for Public Roads, Policy 39: Construction Standards for Private Access and Policy 40: Vehicle Parking Provision

7.130 ABLDP2 Policies 35, 37, 38, 39 and 40 are located within the ABLDP2 Chapter on Connected Places, and each policy sets out the design and other requirements, including safety, for accesses and connections to and use of public roads.

7.131 No significant adverse effects were identified post mitigation in **Chapter 14 of the EIAR: '*Access, Traffic and Transport*'**. The mitigation includes:

- A Construction Traffic Management Plan (CTMP) which will include:
  - Site access and the entry/exit arrangements from public roads.
  - Traffic routeing plans
  - Measures to protect the public highway
  - Details of traffic management requirements
  - Additional measures outlined in the draft CTMP
- Construction Traffic Haul Routes located to ensure that there will be no construction traffic required to route through Inveraray.
- Co-ordination with third party schemes to reduce cumulative transport effects.

7.132 Final design details are anticipated to be conditioned and will require the submission of parking and access arrangements to ABC.

7.133 Given the above and subject to the detailed design, the Development is considered to accord with Policies 35, 37, 38, 39 and 40.

Policy 55: Flooding

7.134 ABLDP2 Policy 55 requires flood risk to be assessed. A flood risk assessment has been undertaken and no significant adverse flood effects have been identified post mitigation. With the proposed mitigation in place, it is considered that the Development accord with Policy 55.

Policy 59: Water Quality and the Environment

7.135 ABLDP2 Policy 59 states that *'developments that may have a significant detrimental impact on the water environment will not be permitted unless it can be demonstrated that the impacts can be fully mitigated so as to ensure non-deterioration of waterbody status…'.*

7.136 As set out in **Chapter 11 of the EIAR: '*Water Environment*'**, there is potential for one potential significant effect associated with thermal stratification changes occurring in Loch Awe. However, this may not result in a deterioration of water quality, as it may decrease the potential for poorer water in the bottom waters of Loch Awe, thereby reducing the risk of algae blooms. Ongoing monitoring is proposed as mitigation to optimise the operation of the Development so to minimise this effect from occurring on Loch Awe. All other construction and operational stage effects will not be significant post-mitigation.

7.137 Given the above, and as there will be no significant adverse effects on aquatic and marine ecology, geo-morphic processes, and on recreational facilities in relation to water bodies, and that there will be significant positive socio-economic effects from the development as a whole, the Development is considered to accord with Policy 59.

Policy 61: Sustainable Drainage Systems and Policy 62: Drainage Impact Assessments

7.138 ABLDP2 Policy 61 states that developer, where appropriate, should incorporate existing ponds, watercourses or wetlands as positive environmental features and that all SUDS features should be in accordance with the Principles of The SUDS Manual (C753). ABLDP2 Policy 62 states that developers should demonstrate that all development proposals incorporate proposals for Sustainable Urban Drainage Systems (SUDS) measures in accordance with technical guidance.

7.139 As stated in EIAR Volume 2, Chapter 12: '*Water Resources and Flood Risk*' any SUDs for surface water storage will be designed appropriately with the correct locations, type, size in line with the CIRCIA SUDS Manual C753. Final design details will also be submitted to Council alongside a Surface Water Management Strategy.

7.140 Given the above and subject to the detailed design and strategy, the Development is considered to accord with Policies 61 and 62.

Policy 63: Waste Related Development and Waste Management

7.141 ABLDP2 Policy 63 states that development should conform with the National Zero Waste Plan for Scotland.

7.142 As outlined in the assessment against NPF4 Policy 12 no significant effects associated with the generation of waste during the construction are anticipated. A Site Waste Management Plan (SWMP) will be prepared to support of the development.

7.143 Given the above, the Development is considered to accord with Policy 63.

Policy 73: Development Impact on Habitat, Species and Biodiversity, Policy 74: Development Impact on Sites of International Importance

7.144 ABLDP2 Policy 73 sets out that the Council will consider nature conservation legislation, the Argyll and Bute Biodiversity Strategy and Action Plan and the Scottish Biodiversity Strategy when assessing developments.

7.145 ABLDP2 Policy 74 outlines that proposals that are likely to have a significantly adverse effect shall require appropriate assessment. It states that permission will only be granted where mitigation of significant effects is possible, or the circumstances where permission will be granted if mitigation is not possible.

7.146 Effects on protected species and habitats have been considered and assessed within the *Terrestrial, Aquatic, Marine Ecology* and *Ornithology* Chapters of the EIAR. As detailed in the assessment against NPF4 Policy 3, a limited number of significant effects have been identified. Mitigation, and where appropriate compensation and enhancement measures, have been proposed.

7.147 The significant effects on the displacement of Golden Eagles, while unavoidable due to the site requirements of the Development, are temporary during the construction stage. Golden Eagle habitat enhancement measures are proposed, and the scheme is considered to be in the public interest given the renewable energy and socio-economic benefits of the development.

7.148 Given the above, the Development is considered to accord with Policies 73 and 74.

Policy 77: Forestry, Woodland, and Trees and Policy 78: Woodland Removal

7.149 ABLDP2 Policy 77 has a strong presumption in favour of protecting woodland resources, with particular care taken to safeguard, conserve and, where possible, enhance ASNW. The policy states that the *'removal of woodland resources will only be permitted where it would achieve significant and clearly defined additional public benefits'.*

7.150 ABLDP2 Policy 78 states that proposals that the removal of woodland resources will be assessed against the criteria for determining the acceptability of woodland removal, as explained in Annex C of the Scottish Government's Control of Woodland Removal Policy.

7.151 The Control of Woodland Removal Policy states that woodland removal, with compensatory planting, is most likely to be appropriate where it would contribute significantly to helping Scotland mitigate and adapt to climate change. Annex C goes on to state that a potential indicator of acceptability is where a change in land use from woodland along with compensatory planting would facilitate appropriate development of renewable energy projects.

7.152 The scale of compensatory planting is set out in the response to NPF4 Policy 6, the significant public benefits in terms of energy sustainability and socio-economic benefits, including enhanced outdoor access at the local level have been set out in **Chapters 4 and 5 of the EIAR**.

7.153 Given the above, the Development is considered to accord with both Policies 77 and 78.

Policy 80: Geodiversity and Policy 79: Protection of Soil and Peat Resources

7.154 Policy 79 states that Council will only support development where appropriate measures are taken to maintain soil resources and functions relevant and proportionate to the scale of development. Policy 80 states that Council will consider impact on geodiversity when assessing development proposals.

7.155 EIAR Volume 2, Chapter 10: '*Geology and Soils*' notes that potential effects on geological and soil receptors are extremely limited. One residual effect was identified on peat; however, post-mitigation this is not considered to be significant. Proposed mitigation includes the submission of a detailed Peat Management Plan and further minimising impacts on peat where practical.

7.156 Given the above, the Development is considered to accord with Policy 79.

8. Conclusion

8.1 This Planning Statement demonstrates that national and local planning policy support the Development. It has assessed the Development against the policies of the Development Plan (NPF4 and ABLDP2), informed by the assessments within the accompanying Environmental Impact Assessment Report (EIAR). This approach ensures that due regard has also been given to the categories set out in paragraph 3 of Schedule 9 to the 1989 Act, *'Preservation of amenity and fisheries: Scotland*'.

8.2 Section 2 of the PS sets out the statutory context of the Section 36 Application and provides an overview of the design evolution of the Development. It sets out how environmental, social and planning considerations have influenced the design resulting in a limited number of significant effects being identified for a project of this scale.

8.3 Section 4 sets out the renewable energy benefits of the Development, including how PSH will support energy equity, environmental sustainability and energy security.

8.4 Section 5 provides an overview of the international, UK and Scottish energy policy context. It concludes that the Development will support the expansion of the renewable energy sector and contribute to Scotland's transition to a zero-carbon energy supply and as such supports the relevant energy policies.

8.5 Section 7 of the PS has assessed the Development against the Development Plan and it is concluded that the Development is supported by and in accordance with the relevant policies of NPF4 and ABLDP2.

8.6 Section 7 has set out a limited number of significant effects resulting from the Development, which remain after the application of the mitigation hierarchy. These effects relate to landscape and visual effects, cultural heritage, water, aquatic and ornithology. However, given the nature of these effects, and the applicable proposed mitigation, compensation and enhancement measures, as well as the fact that the Development meets the wider policy requirements, the Development is not considered to give rise to any policy non-compliance issues.

8.7 In the Scottish Ministers consideration of these effects, when determining the application, it should first be recognised that pumped storage hydro is a National Development. On that basis, the Development has secured in principle support from NPF4 – there is, in essence, a presumption in favour of development. Significant weight should also be given to the renewable energy and GHG reduction benefits of the scheme, as required by NPF4 Policies 1 and 11:

- NPF4 Policy 1 emphasises that '*significant weight will be given to the global climate and nature crises*'.
- NPF4 Policy 11 establishes in-principle support for renewable energy and states that 'significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets', when considering the range of potential impacts of a renewable energy development.

8.8 Furthermore, the Section 36 Application is considered to align with the relevant sustainable development principles identified ABLDP2 Policy 04. Whilst a limited number of significant effects have been identified, these are not considered to be unacceptable as per Policy 30.

8.9 Accordingly, a decision to grant Section 36 Consent and deemed planning permission for the Development would be in accordance with the development plan. Overall, the Development receives strong support from the development plan and relevant considerations and is therefore considered to be acceptable in planning terms.

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Appendix A Development Plan Policies

A.1 Relevant NPF4 Policies

Policy	Policy Description
Policy 1: Tackling the climate and nature crises	This policy aims to encourage, promote, and facilitate development that addresses the global climate emergency and nature crises. The wording of this policy puts significant weight towards approval of developments which will contribute to the fundamental aims of NPF4: to enable Scotland to achieve Net Zero by 2045 and to ensure the protection and enhancement of biodiversity.
Policy 2: Climate mitigation and adaptation	Policy 2 encourages, promotes, and facilitates development that minimises emissions and adapts to the current and future impacts of climate change.
Policy 3: Biodiversity	Policy 3 is intended to ensure that development will secure positive effects for biodiversity. This policy requires proposals to be based on an understanding of the existing characteristics of the site and its local, regional, and national ecological context prior to development to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
Policy 4: Natural Places	Policy 4 aims to protect and enhance natural assets through nature-based solutions. It sets out that development which has an unacceptable impact on the natural environment will not be supported. This policy aims to protect European, national, and local environmental designations; protected species; and the integrity of nature conservation areas as well as local landscapes.
Policy 5: Soils	This policy aims to protect carbon-rich soils and Prime Agricultural Land, restore peatland, and minimise disturbance to soils.
Policy 6: Forestry, Woodland, and Trees	The objective of this policy is to safeguard and enhance forests, woodlands, and trees. Development proposals involving woodland removal will only be acceptable where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. In cases where woodland is removed, it is highly likely that compensatory planting will be required.
Policy 7: Historic Assets and Places	Policy 7 seeks to protect and enhance historic environment assets and places.
Policy 10: Coastal Development	Policy 10 ensures sustainable coastal development by preventing new protection needs, avoiding increased flooding or erosion risks, and considering long-term climate impacts. Coastal defences must use nature-based solutions and align with marine plans.
Policy 11: Energy	Policy 11 endorses renewable energy projects, provided they operate efficiently and address environmental and cumulative impacts adequately. This policy states that the planning system should support all forms of renewable energy development (including energy storage), and this should be balanced against potential impacts but weighed up against the contribution of the proposal to renewable energy generation targets. Criterion a) supports development proposals for all forms of renewable, low-carbon and zero emissions technologies. Criterion b) relates to wind farm developments. Criterion c) supports renewable energy development when it maximises net economic benefits, including local socio-economic advantages such as employment and supply chain opportunities. Criterion d) states that development proposals impacting on international or national designations will be assessed in relation to Policy 4. Criterion e) states that design and mitigation strategies will be required to address various impacts, including those on communities, landscape, public access, aviation, telecommunications, road traffic, the historic environment, hydrology, biodiversity, trees, decommissioning, site restoration, and cumulative impacts. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
Policy 12: Zero Waste	Policy 12 encourages sustainable waste management, focusing on reducing environmental impact, promoting recycling and reuse, and supporting waste infrastructure that aligns with circular economy and climate goals.
Policy 14: Design, Quality and Place	This policy aims to encourage, promote, and facilitate well designed development that makes successful places by taking a design-led approach. Development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

Policy 22: Flood Risk and Water Management	Policy 22 aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Development proposals at risk of flooding will only be supported if they are for essential infrastructure, where the location is required for operational reasons.
Policy 23: Health and Safety	This policy aims to safeguard people, places, and the environment; promote safe development; and enhance health and well-being. It prohibits development with significant negative impacts on air quality or noise levels. Development should also consider suicide risk.
Policy 25: Community Wealth Building	Policy 25 encourages and promotes development proposals which contribute to local or regional community wealth building.

A.2 Relevant ABLDP2 Policies

Policy	Policy Description
Policy 02: Out with Settlement Areas	This policy stipulates that development outside designated settlement areas is only permissible if it aligns with specified plan allocations and complies with ABLDP2 policies, particularly emphasising adherence to Policies 70 to 76 for landscape and the natural environment. Development proposals must demonstrate no unacceptable adverse effects on heritage, landscape, or visual amenity, with major developments potentially requiring specific assessments. In Remote Countryside Areas, support is generally given to renewable energy related developments.
Policy 04: Sustainable Development	This policy encourages developers to incorporate sustainable development principles into their proposals. These principles serve as criteria for the planning authority when deciding whether to grant planning permission. The intent is to prioritise and promote sustainable practice in new development projects, ensuring alignment with environmental, social, and economic considerations during the planning and decision-making processes.
Policy 05: Design and Placemaking	This policy sets out criteria for achieving good quality places. The design of developments should be sustainable in terms of materials and construction and should consider future adaptability, and climate change mitigation measures.
Policy 06: Green Infrastructure	This policy requires new non-householder developments to demonstrate integration of green and blue infrastructure in their design. This includes contributing to existing green networks, promoting active travel, providing open green space, enhancing biodiversity, implementing sustainable urban drainage systems, addressing climate change, avoiding negative impacts on existing infrastructure, and outlining future management plans and funding arrangements for the proposed green and blue infrastructure.
Policy 08: Sustainable Siting	The aim of this policy is to ensure development proposals integrate into the landscape, are sensitive to topography on sloping sites, consider the settlement pattern and avoid significant environmental effects.
Policy 09: Sustainable Design	Development proposals should demonstrate consideration of renewable sources of energy and focus on sustainable design and construction methods.
Policy 10: Design (All Development)	This policy aims to ensure that the design of any development reflects a thoughtful and contextually sensitive approach. It emphasises understanding and responding to the site and wider context, respecting the scale and character of nearby buildings and considering factors such as embodied energy, durability, flood resistance, and resilience in construction methods.
Policy 14: Bad Neighbour Development	This policy states that the Council will oppose any development proposals that could negatively affect the amenity of neighbouring land uses, considering factors such as noise, odour, emissions, and light pollution.
Policy 15: Supporting the Protection, Conservation and Enhancing of Our Historic Built Environment	This policy aims to ensure that development proposals align with the protection, preservation, and enhancement of the special characteristics and cultural significance of the historic built environment.
Policy 16: Listed Buildings	The objective of this policy is to ensure that any development affecting a Listed Building, its curtilage, or wider setting respects its architectural and historic character. Development proposals must respect the building's original structure in terms of setting, scale, design, materials, and use, or be essential for its appropriate use without undermining its significance. Proposals must comply with national policies and guidelines, demonstrating protective measures through detailed assessments.
Policy 17: Conservation Areas	This policy aims to protect and enhance the character and appearance of existing or proposed conservation areas and their settings. It presumes against developments that fail to preserve or enhance these areas.

Policy 19: Scheduled Monuments	This policy establishes a presumption against development that does not retain, protect, conserve, or enhance Scheduled Monuments and their setting. It prohibits development with adverse impacts on Scheduled Monuments unless exceptional circumstances apply, emphasising adherence to national policies and guidance. Developers must demonstrate a thorough assessment of the proposed development's effect on the monument and its setting, outlining measures for protection, conservation, and enhancement through appropriate analysis and plans.
Policy 20: Gardens and Designed Landscapes	This policy aims to protect, preserve, and enhance the cultural significance, character, and integrity of nationally important Gardens and Designed Landscapes. Development proposals must not significantly impact important views to, from, and within these sites or their settings. Regionally or locally important Gardens and Designed Landscapes should be protected and preserved in situ wherever feasible.
Policy 21: Sites of Archaeological Importance	This policy establishes a presumption in favour of preserving and enhancing the archaeological heritage in Argyll and Bute. Developers must consult with the planning authority and the West of Scotland Archaeology Services (WOSAS) early in the project conception, provide an assessment of the site's importance, and adhere to relevant policies and guidance. When development affects an archaeological site, developers are expected to protect and preserve deposits in situ, or if deemed otherwise, make appropriate provisions for excavation, recording, analysis, and publication. If archaeological remains are discovered during ongoing development, work must stop immediately, and provisions for excavation and documentation must be made.
Policy 22: Economic Development	This policy states that in the open countryside industrial and business development will be resisted except where the applicant can demonstrate a clear operational need for a specific location to the satisfaction of the planning authority.
Policy 28: Supporting Sustainable Aquatic and Coastal Development	This policy supports proposals for marine and freshwater aquaculture, as well as marine and coastal developments, provided they demonstrate no significant adverse effects on various aspects, including landscape, natural habitats, designated sites, ecological status, commercial and recreational activities, amenity and public access.
Policy 30: The Sustainable Growth of Renewables	The Council will support renewable energy developments where consistent with the principles of sustainable development and it can be demonstrated that there would be no unacceptable environmental effects, including on ecological features. Assessment criteria include net economic impact, sustainable site management, compliance with relevant policies and plans, and consideration of potential impacts on the intertidal zone.
Policy 32: Active Travel	This policy emphasises safeguarding existing active travel networks, delivering internal active travel routes, and integrating them with adjoining areas, such as the Core Path network, green and blue infrastructure, and public transport facilities. Developments significantly affecting public access or active travel routes must submit an Access Plan. If adverse effects on existing routes occur, the developer is required to provide alternative access, ensuring it remains attractive, safe, and convenient for public use.
Policy 35: Design of New and Existing, Public Roads and Private Access	This policy states that developments are expected to be served by public roads unless a case has been made for private access.
Policy 37: Development Utilising an Existing Private Access or Existing Road	This policy specifies conditions under which further development utilising existing private access or roads will be accepted. Acceptance is contingent on the access's capacity for improvements deemed appropriate by the Roads Authority, considering the scale and nature of the proposed development.
Policy 38: Construction Standards for Public Roads	This policy outlines the construction standards for public roads, requiring adherence to the Council's Roads Development Guide.
Policy 39: Construction Standards for Private Access	This policy outlines construction standards for private accesses, emphasising adherence to minimum safety and functionality standards from the Council's Road Development Guide, in particular in relation to adequate visibility splays, access gradients, geometry, passing places, boundary definition and turning capacities.
Policy 40: Vehicle Parking Provision	This policy establishes car parking standard for development.
Policy 55: Flooding	This policy outlines the approach to development in flood-prone areas. Generally discouraging development in functional floodplains, it allows specific categories of development in areas with a higher probability of flooding (1:200 or greater), including redevelopment with flood prevention measures, certain essential infrastructure, and water-compatible recreational uses. The policy requires comprehensive assessments for all development proposals at risk of flooding, ensuring understanding, mitigation, and adaptation to flood risks, use of flood-resistant materials, and consideration of future climate change effects.

Policy 59: Water Quality and the Environment	This policy aims to assess and manage the potential impacts of development on the water environment. It outlines specific criteria for evaluation, including water quality, ecological status, riparian habitats, geomorphic processes, recreational facilities, and economic activity. The policy also encourages opportunities for improvement, such as de-culverting and naturalisation, provided they are carefully considered in the development's layout and design.
Policy 61: Sustainable Drainage Systems (SUDS)	This policy aims to integrate existing ponds, watercourses, and wetlands as positive environmental features in development projects. Development proposals must manage rain and surface water through Sustainable Urban Drainage Systems (SUDS), which should be integrated with blue-green infrastructure. All SUDS features must adhere to the principles outlined in the SUDS Manual (C753), providing benefits such as flood avoidance, improved water quality, habitat creation, and enhanced amenity.
Policy 62: Drainage Impact Assessments	This policy aims to ensure that all development proposals integrate SUDS according to technical guidelines. Developers must submit a Drainage Impact Assessment for specified developments. This policy emphasises sustainable drainage options to manage waste and surface water, aiming to enhance environmental resilience and minimise flood risks across developments.
Policy 63: Waste Related Development and Waste Management	This policy aims to ensure the minimisation of waste generated during construction by the production of Site Waste Management Plans (SWMPs) in support of development proposals.
Policy 71: Development Impact on Local Landscape Areas (LLA)	Argyll and Bute will not approve development within or affecting a Local Landscape Area if it would significantly harm the area's character. All proposals in these areas must demonstrate that any adverse effects on landscape quality are outweighed by substantial social, economic, or environmental community benefits. They must include a landscape and visual impact assessment and consider relevant Landscape Capacity Assessments from Argyll and Bute. Additionally, developments must adhere to high standards in location, scale, design, materials, and landscaping to preserve or enhance the special qualities of the Local Landscape Area.
Policy 73: Development Impact on Habitats, Species and Biodiversity	The Council will consider nature conservation legislation, the Argyll and Bute Biodiversity Strategy and Action Plan and the Scottish Biodiversity Strategy when assessing developments. Where a development is likely to have effects on important habitats or species, the Council will require the developer to undertake appropriate surveys and, if necessary, to prepare a mitigation plan. Development proposals likely to have an adverse effect on protected species and habitats will only be permitted where it can be justified in accordance with the relevant protected species legislation.
Policy 77: Forestry, Woodland and Trees	There is a strong presumption in favour of protecting these resources, particularly ancient semi-natural woodland, native or long-established woods, hedgerows and trees with high nature conservation value. Developments affecting these must demonstrate clear public benefits and provide adequate compensation.
Policy 78: Woodland Removal	Woodland removal and compensation will be assessed using Scottish Government's Control of Woodland Removal Policy and Argyll and Bute Woodland and Forestry Strategy. Compensatory planting is preferred on-site, secondarily off-site in Argyll and Bute and least preferably elsewhere in Scotland.
Policy 79: Protection of Soil and Peat Resources	This policy stipulates that the Council will only support development if appropriate measures are taken to preserve soil resources. Development with potential significant adverse effects on soil or peat structure will not be supported unless the adverse effects are outweighed by wider benefits, and a soil or peatland management plan is submitted to avoid disturbance, degradation, or erosion, including evidence of best practices in soil management.
Policy 80: Geodiversity	Development with a significant adverse effect on non-designated Geological Conservation Review Sites or Local Geodiversity Sites will not be supported unless the adverse effects are outweighed by wider benefits, and the Council is satisfied with the incorporation of mitigation measures to minimise negative impacts on the site's interests.