Clune Wind Farm

Planning and Energy Policy Statement Addendum

October 2026

PREPARED FOR

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1. Purpose of the Addendum

1.1 Background

1.1.1 In March 2025, Renewable Energy Systems Ltd (RES) (hereafter, 'the Applicant') submitted an application for Section 36 consent and deemed planning permission for Clune Wind Farm ('the Proposed Development'). The Proposed Development, located in Highland, comprises up to 26 turbines with maximum tip heights of up to 200 metres(m) and associated infrastructure including access tracks, watercourse crossings, borrow pit, sub-station compound area, buried cables and temporary construction compounds and storage areas.

1.1.2 Following the submission of the Environmental Impact Assessment (EIA) Report for the Proposed Development, the Energy Consents Unit (ECU) consulted relevant statutory, non-statutory organisations in addition to the general public. Following consideration of consultee comments the Applicant has prepared Additional Information (AI) to respond to matters raised in the consultation responses of various consultees. The AI Report addresses these matters in Appendices A – H. Particular attention is drawn to the following two Appendices: -

- Appendix A – which is an update to the findings of the landscape and visual impact assessment (LVIA) for the Proposed Development, which includes an update to the cumulative landscape and visual impact assessment and an update to the assessment of the landscape and visual effects on the Cairngorms National Park (CNP); and
- Appendix B – which provides an updated assessment of potential impacts and associated effects on ornithological features, specifically Golden Eagles and White-Tailed eagle, including revised collision risk modelling (CRM) for both species.

1.1.3 The accompanying AI Report also provides an assessment of the potential for significant environmental effects associated with a potential grid connection to the Proposed Development and a replacement rail bridge over the A9. These elements of the wider 'project' were not subject to EIA as part of the original application, but have been subject to assessment following the Court of Session decision in February 2026 in relation to Raeshaw Farms versus Scottish Ministers and Energiekontor in respect of the proposed Wull Muir Wind Farm

1.1.4 In brief, the Court of Session quashed the planning permission for Wull Muir Wind Farm, granted on appeal on 14th January 2025, and returned the decision to the Planning and Environmental Appeals Division of the Scottish Government for a fresh decision.

1.1.5 The ECU issued a request to the Applicant on the 30th March 2026 asking for comments regarding implications for the above Court of Session decision as relevant to the Proposed Development. The Applicant responded on 15th May 2026, advising that the implications of the decision had been considered and concluded that, for EIA purposes, the proposed Clune Wind Farm and its grid connection should be treated as separate projects due to the absence of any confirmed grid connection details.

1.1.6 The Applicant's response highlighted the limitations in assessing the grid connection at that stage due to the absence of a confirmed grid connection route and associated design details. Notwithstanding those earlier comments, further information has now been provided to assist Scottish Ministers in considering the potential for significant environmental effects associated with the wider project.

1.1.7 The enclosed AI Report has therefore been prepared and submitted to directly address the consultation comments received to the Section 36 application for the Proposed Development and also to enable Scottish Ministers to reach a reasoned conclusion on the significant effects of the

project (taking account of the potential grid connection and the replacement rail bridge) based on what can be predicted within a reasonable level of certainty at this stage.

1.1.8 This Planning Statement Addendum has been prepared to review the findings of the AI Report, with particular reference to the aforementioned Appendices A, B, I and J, to demonstrate that the Proposed Development continues to accord with the relevant planning and environmental policy framework, and to set out the Applicant's view on the relevance of the Court of Session judgment for the decision maker for the Proposed Development.

1.1.9 The AI Report does not propose any changes to the Proposed Development, which remains as described in the Section 36 application submitted in March 2025.

1.1.10 The Section 36 Application remains under consideration, and therefore, the submitted AI Report should be read in conjunction with the EIA Report and other documents submitted in support of the Section 36 Application in March 2025.

1.1.11 For clarity, the Applicant is not seeking consent for the proposed grid connection or replacement rail bridge through the AI submission. Those works would be subject to separate future consent applications in due course.

1.2 Landscape and Visual Assessment Addendum

1.2.1 The updated assessment of landscape and visual effects of the Proposed Development on the CNP (presented in Appendix A of the AI Report) is provided in response to comments raised within the consultation response provided by both NatureScot (dated 27th June 2025) and the Cairngorms National Park Authority (CNPA) (dated 1st September 2025).

1.2.2 In addition, the Applicant has updated the LVIA to reflect changes to the cumulative baseline following the submission of additional wind farm proposals within the surrounding area since the submission of the Section 36 Application.

1.2.3 The findings of the LVIA addendum are considered further in Section 3 of this document.

1.3 Ornithology Addendum

1.3.1 The addendum to the assessment of ornithological effects of the Proposed Development presented in Appendix B of the AI Report is provided in response to comments raised within the consultation response submitted by NatureScot (dated 27th June 2025), particularly in relation to the assessment of golden eagle (*Aquila chrysaetos*) and white-tailed eagle (*Haliaeetus albicilla*), survey coverage, collision risk assessment and cumulative effects.

1.3.2 The ornithology assessment has been updated following the provision of additional information, including a Kernel Density Analysis of satellite tracking data, revised CRM, and updated population and cumulative impact assessments.

1.3.3 The findings of the ornithology assessment addendum are considered further in Section 4.

1.4 The Proposed Grid Connection

1.4.1 At the time of the Applicant's initial discussions with the ECU, the route of the Proposed Grid Connection had not been identified, and it was therefore considered *'premature and speculative*' to undertake an assessment of its potential environmental effects. Since these discussions, the Applicant has engaged further with Scottish and Southern Energy Networks (SSEN) in relation to a potential grid connection route. As a result of these discussions and the identification of an indicative corridor within which a grid connection may be routed, a grid connection application to Scottish and

Southern Energy Networks (SSEN) was submitted and the Applicant received a Gate 1 offer under the National Energy System Operators (NESO's) Clean Power 2030 (CP30) initiative. A formal connection agreement is now in place between the Applicant and SSEN connecting the Proposed Development substation to the Tomatin substation, most likely through sections of both underground cables and overhead line (OHL).

1.4.2 Whilst a formal connection agreement is in place, the final grid connection route remains subject to network requirements at the time of construction.

1.4.3 As such, the Applicant has assessed the potential environmental effects of the grid connection based upon its best understanding of a potentially suitable route corridor based upon discussions with SSEN. Appendix I of the AI Report sets out that the Proposed Development would most likely be connected to the Tomatin substation with a Potential Grid Connection Corridor shown on the plan submitted with Appendix I.

1.5 The Proposed Raigbeg Rail Bridge Replacement

1.5.1 As detailed in Appendix J of the AI Report, access for Abnormal Indivisible Loads (AILs) to the Site may require the replacement or major modification of the Raigbeg Rail Bridge. The targeted crossing carries the Highland Main Line railway over local access routes (such as the B1954/U2829) and minor watercourses adjacent to the main A9 corridor south-east of Inverness, near Tomatin.

1.5.2 The Raigbeg Rail Bridge is currently in a poor state of repair and may therefore require replacement or major modification irrespective of the requirements associated with accommodating AIL access to the Site.

1.5.3 A key technical challenge in assessing likely environmental effects of the Raigbeg Rail Bridge Replacement is that the final, detailed engineering approach remains subject to Network Rail operational constraints, contractor logistical requirements, and potential changes necessitated by severe weather conditions.

1.5.4 Accordingly, an assessment of potential environmental effects has been made based upon the best current understanding of a pre-cast offline build and Self-Propelled Modular Transporter (SPMT) installation methodology.

2. Planning and Energy Policy

2.1 The 2025 Policy Context

2.1.1 The Planning and Energy Policy Statement submitted in support of the Section 36 Application for Clune Wind Farm considered the Proposed Development in the context of prevailing local and national planning and energy policy and guidance, drawing upon the findings of the EIA Report to reach conclusions on policy matters. In particular, the following documents were discussed in the Planning and Energy Policy Statement:-

- National Planning Framework 4 (NPF4) (2023)[1];
- Highland-wide Local Development Plan (HwLDP) (2012)[2];
- Onshore Wind Policy Statement (OWPS) (2022)[3]; and
- Draft Energy Strategy and Just Transition Plan (2023)[4].

2.1.2 In addition to the above, consideration was also given to the United Kingdom (UK) and Scottish Government energy publications such as Climate Change Committee (CCC) reports on reducing greenhouse gas emissions, the Scottish Government's Programme for Government 2024-2025 and progress towards attainment of annual greenhouse gas reduction targets.

2.2 The 2026 Policy Context

2.2.1 Following the submission of the Section 36 Application, the Strathdearn Local Place Plan 2026-2031 was published in June 2026, setting out community aspirations for the Strathdearn area within which the Proposed Development is located.

2.2.2 Whilst the Strathdearn Local Place Plan is capable of being a material consideration, it does not form part of the statutory Development Plan. The Plan represents a significant community-led exercise undertaken by Strathdearn Community Council to identify local priorities and opportunities for the area, including views relating to renewable energy development and community benefit. Local Place Plans sit outside the formal statutory development plan framework; however, once registered by the planning authority they must be taken into account by the Highland Council in the preparation of the emerging Highland Local Development Plan. As such, the Strathdearn Local Place Plan provides a valuable expression of community aspirations and has been considered as part of the planning assessment; however, it does not contain any development proposals, land allocations or policy provisions that materially alter the planning policy assessment or conclusions set out in the Planning Energy and Policy Statement.

2.2.3 NPF4 and HwLDP continue to provide the respective national and local elements of the Development Plan. The Highland Council has commenced preparatory work on their next Local Development Plan (hereafter known as the 'Highland Local Development Plan'), but it has yet to reach the Proposed Plan stage. As such, there is currently no material associated with the Proposed Highland Local Development Plan that requires consideration in this Addendum.

[1] https://www.gov.scot/publications/national-planning-framework-4/documents/
[2] https://www.highland.gov.uk/downloads/file/2231/highland-wide-local-development-plan
[3] https://www.gov.scot/publications/onshore-wind-policy-statement-2022/documents/
[4] https://www.gov.scot/publications/draft-energy-strategy-transition-plan/

2.2.4 The status of the OWPS, the Draft Energy Strategy and Just Transition Plan remain as noted above, all of which were discussed in the Planning and Energy Policy Statement.

2.2.5 There are two developments on energy policy/targets specific to Scotland since February 2025 that merit brief discussion in this Addendum.

Programme for Government 2026-2031 – Ambitious for Scotland

2.2.6 The latest Programme for Government (PfG) was published on 1st September 2026 and therefore represents a very recent statement of the Scottish Government's priorities on a range of issues. While the PfG is not an energy policy specific publication, it does set out important statements about how the Scottish Government intends to address various matters, including the climate emergency and nature crisis.

2.2.7 Outlining what Ministers want to achieve before the next Scottish Parliament election in 2031, the PfG states that the Scottish Government will focus on four key priorities, with one being tackling the climate emergency. In this respect, Section 3 advises that *'Scotland has a huge contribution to make in the global battle against climate change'* and, *'tackling the climate emergency is a critical moral obligation'*.

2.2.8 Against this backdrop, Section 3 further states that:-

'Across this Parliament, we will work to ensure a ***credible pathway to net zero by 2045*** *through ongoing delivery of our Climate Change Plan which will create jobs, lower costs, and restore nature as part of a just transition.'* (no emphasis added)

Progress in Reducing Emissions in Scotland – 2025 Report to Parliament

2.2.9 Published in February 2026, the Executive Summary to the above report notes that greenhouse gas emissions in Scotland are now less than half the levels seen in 1990; with that progress attributable largely to *'a rapid scale-up of wind and solar electricity generation'* and the phasing out of coal generation.

2.2.10 The report notes that the deployment of *'variable renewable electricity generation is continuing to increase in Scotland'* (page 20) but notes that the further reduction in greenhouse gas emissions *'relies on the continued roll-out of wind and solar generation and of network capacity to accommodate it'.* Continued growth in renewable electricity generation and network capacity is also essential to delivering the emissions reductions required under future carbon budgets, which provide the statutory pathway towards achieving net zero.

Policy Changes – Summary

2.2.11 Given there have been only minor changes in relevant planning and energy publications between 2025 and 2026, the policy context set out in the 2025 Planning and Energy Policy Statement remains valid with the above noted additions. The Section 36 Application for the Proposed Development continues to be supported by key policies of the Development Plan, and it will deliver significant biodiversity enhancements, that go beyond measures needed to mitigate the effects of the Proposed Development. Comments and objections from some consultees are noted and the Applicant has responded to each of these issues separately in the AI Report. The previously identified benefits of the Proposed Development remain material factors in support of granting Section 36 consent and deemed planning permission.

2.2.12 It is necessary to consider whether the Court of Session decision on Raeshaw Farms introduces the need to consider any other factors in the wider planning balance to be applied by the decision maker when determining the Section 36 Application for the Proposed Development. The Applicant set out

its position on this issue in its response to the Energy Consents Unit (ECU) Request for Further Clarification in May 2026, noting that: -

'The Applicant submits that the Raeshaw Farms judgement does not preclude the ability of the Scottish Ministers to have regard to the benefits of the wind farm, notwithstanding that there is, as yet, no consent for a grid connection. The assessment of the benefits of the wind farm can take account of the fact that they will only arise if the wind farm is built and connected'.

2.2.13 These matters are discussed again in Section 5 of this Addendum, but first Section 3 and Section 4 provide an overview of the findings of the enclosed AI Report and their relevance to a decision on the Section 36 Application.

3. Landscape and Visual Assessment Addendum

3.1.1 Appendix A of the submitted AI Report presents an update to the LVIA contained within the EIA Report and should be read alongside EIA Report Chapter 5 (Landscape and Visual). The additional assessment was prepared in response to consultation comments from NatureScot and the CNPA regarding cumulative effects and potential effects on the Special Landscape Qualities (SLQs) of the Cairngorms National Park (CNP). It comprises an update to the cumulative landscape and visual assessment, together with a further assessment of effects on the SLQs of the CNP.

3.1.2 The cumulative assessment has been undertaken to consider changes to the cumulative baseline following the preparation of the Section 36 Application for the Proposed Development and the progression and submission of nearby wind farm proposals, including Kyllachy, Highland, Balnespick and Lynemore Wind Farms, together with changes to the status of other cumulative developments.

3.1.3 The scope of the cumulative update is informed by the preliminary assessments undertaken in the EIA Report, which identified the landscape and visual receptors most likely to be subject to significant effects. Appendix A identifies refinements to the cumulative assessment arising from changes to the cumulative baseline. In respect of the Rolling Uplands – Cairngorms LCT, the updated assessment identifies significant cumulative effects in the application-stage cumulative scenario, whereas the EIA Report identified significant cumulative effects on this LCT in the scoping cumulative scenario only. The cumulative effects of the Proposed Development in the application-stage cumulative scenario would be significant only across limited areas in the north of the LCT, with no change to the cumulative assessment across the vast majority of the LCT. Thus, whilst the updated cumulative baseline has resulted in a refinement to the nature of the cumulative effects identified, this does not result in any change to the overall assessment ratings set out in EIA Report Chapter 5.

3.1.4 The additional assessment of the Cairngorms National Park SLQs confirms that the Proposed Development would not compromise the integrity of the National Park or materially diminish the qualities for which it is designated. Following consultation with NatureScot and the CNPA, detailed additional assessment was undertaken for SLQs 6, 10, 28, 30, and 32 (further details of the SLQs can be found in AI Appendix A). The assessment confirms that effects on SLQs 6 and 10 remain not significant during both day and night. As set out in the LVIA submitted as part of the EIA Report, significant perceptual effects remain restricted to SLQ 29, SLQ 30, and SLQ 32, alongside localised, borderline significant night-time effects on SLQ 28 on elevated north-western ridges. These effects are localised to the CNP's outer north-western fringes and elevated northern summits, with vast swathes of the National Park remaining unaffected. Accordingly, the overall conclusions of the EIA Report regarding the CNP remain unchanged.

3.1.5 The updated LVIA in Appendix A of the AI Report does not alter the overall conclusions of the EIA Report LVIA. Accordingly, the policy assessment and conclusions set out in the Planning and Energy Policy Statement submitted as part of the Section 36 Application in relation to landscape and visual matters remain valid and are unchanged.

3.1.6 Scottish Ministers therefore have before them a comprehensive and up-to-date assessment of the landscape and visual effects of the Proposed Development, including cumulative effects and effects on the Cairngorms National Park SLQs, which enables a reasoned conclusion to be reached on these matters as part of the determination of the Section 36 Application.

4. Ornithology Addendum

4.1.1 Appendix B of the submitted AI Report presents an update to the ornithological assessment contained within Chapter 8 (Ornithology) of the EIA Report. The additional assessment was prepared in response to consultation comments from NatureScot (dated 27th June 2025) concerning the adequacy of information available to assess potential effects on protected and priority bird species, with particular focus on White-tailed eagle and Annex 1 birds in the wider countryside. The update has been informed by additional satellite tagging data, a Kernel Density Analysis and revised Collision Risk Modelling (CRM) undertaken in accordance with current NatureScot guidance.

4.1.2 AI Report Appendix B concludes that, taking account of the mitigation measures embedded within the Proposed Development, no significant residual ornithological effects would arise, and the Proposed Development would not have an adverse effect on ornithological receptors within or surrounding the Site.

4.1.3 The updated ornithological assessment does not identify any additional environmental effects over and above those already identified in the EIA Report. In fact, the updated CRM shows lower predicted collision rates for the species considered in Appendix B. Drawing upon this updated assessment, the policy analysis and conclusions set out in the Planning and Energy Policy Statement submitted as part of the Section 36 Application with regards to ornithology remain applicable.

5. The Proposed Grid Connection – Findings of the Additional Information Report

5.1.1 While the Applicant previously stated to the ECU that it would be '*premature and speculative'* to undertake an assessment of the Potential Grid Connection, the Applicant has since held early discussions with SSEN on potential connection routes between the Clune and Tomatin substations. These discussions have allowed the Applicant to adopt a Potential Grid Connection Corridor between the Clune and Tomatin substations as the area within which a potential grid connection might pass. This route is indicative and may be subject to change, but it allows the Applicant to undertake a proportionate assessment of this element of the project.

5.1.2 Appendix I of the submitted AI Report presents a proportionate assessment of the potential for significant environmental effects associated with the Proposed Grid Connection. As noted in Section 1 of this Addendum, AI Chapter authors have considered potential impacts during the construction and operational phases of the grid connection on identified receptors, as appropriate.

5.1.3 Not all environmental and technical matters that were considered in the EIA Report submitted with the Section 36 Application have been considered in detail again in Appendix I of the AI Report in assessing the Potential Grid Connection. Certain topics were 'scoped out' of further detailed assessment in the AI Report (i.e. aviation, shadow flicker), on the basis that there was no likelihood of additional significant environmental effects arising that had not already been identified in the EIA Report.

5.1.4 For the subject areas assessed in greater detail, each subsection of Appendix I considers the potential for significant environmental effects arising during the construction and operational phases of the Proposed Grid Connection.

5.1.5 The assessment set out in the enclosed AI Report concludes that, based upon currently available information, there are no potentially significant environmental effects associated with the Proposed Grid Connection.

5.1.6 In determining the Section 36 Application, Scottish Ministers therefore have available environmental assessments in relation to both the Proposed Development and the Proposed Grid Connection which will enable them to reach a reasoned conclusion on the potential for significant environmental effects of the project (the Proposed Raigbeg Rail Bridge Replacement is discussed in Section 6 below).

5.1.7 It is relevant to reiterate that a future consent application for the final grid connection alignment will be required.

6. The Proposed Raigbeg Rail Bridge Replacement – Findings of the Additional Information Report

6.1.1 Appendix J of the submitted AI Report presents a proportionate assessment of the potential for any significant environmental effects associated with the Proposed Raigbeg Rail Bridge Replacement which is required to transport AILs to the Site.

6.1.2 Not all environmental and technical matters that were considered in the EIA Report submitted with the Section 36 Application have been considered in detail again in Appendix J of the AI Report. Certain topics were 'scoped out' of further detailed assessment in the AI Report (i.e. aviation, shadow flicker), on the basis that there was no likelihood of additional significant environmental effects arising that had not already been identified in the EIA Report.

6.1.3 AI Chapter authors have considered potential impacts during the construction and operational phases of the Proposed Raigbeg Rail Bridge Replacement on identified receptors, as appropriate.

6.1.4 The assessment set out in Appendix J of the enclosed AI Report concludes that based upon currently available information and using early design concepts, there are no potentially significant environmental effects associated with the Proposed Raigbeg Rail Bridge Replacement.

6.1.5 In determining the Section 36 Application, Scottish Ministers therefore have available environmental assessments in relation to both the Proposed Development, the Proposed Grid Connection and the Proposed Raigbeg Rail Bridge Replacement which will enable them to reach a reasoned conclusion on the significant effects of the project (the Proposed Development, the Proposed Grid Connection, and the Proposed Raigbeg Rail Bridge Replacement).

6.1.6 It is relevant to reiterate that a future consent application for the Proposed Raigbeg Rail Bridge Replacement will be required.

7. Raeshaw Farms – Consideration of the 2025 Planning and Energy Policy Statement

7.1.1 The Planning and Energy Policy Statement submitted with the Section 36 Application for the Proposed Development concluded that the 'planning balance' favoured granting consent, with identified environmental impacts considered to be 'acceptable' when considered alongside the benefits of the Proposed Development, including renewable energy generation, biodiversity enhancements, and socio-economic benefits.

7.1.2 The Court of Session judgement in Raeshaw Farms considered, *inter alia,* that it was irrational of the decision maker to address only the potential benefits of the Wull Muir Wind Farm without considering disbenefits, especially given that the potential benefits would only materialise should the wind farm be connected to the electricity grid. At the time the Wull Muir Wind Farm planning appeal was allowed, an application for the grid connection had yet to be submitted.

7.1.3 Applying this point to Clune Wind Farm, the enclosed AI Report identifies the nature and scale of environmental effects associated with the Proposed Grid Connection and the Proposed Raigbeg Rail Bridge Replacement based upon information currently available and limitations and uncertainties permitted under the EIA Regulations.

7.1.4 It is recognised that the benefits of the Proposed Development (renewable energy generation, greenhouse gas reductions, biodiversity enhancements, etc) can only be realised if it is connected to the electricity grid. While it is true that there is as yet no formal application for the Proposed Grid Connection or the Proposed Raigbeg Rail Bridge Replacement, various factors all support the view that Scottish Ministers can, and should, give significant weight to the benefits of the Proposed Development (as required by NPF4 Policies 1 'Tackling the Climate and Nature Crises' and 11 'Energy'), as follows:-

- the Applicant received a Gate 1 offer under the NESO's CP30 initiative. A formal connection agreement is now in place between the Applicant and SSEN, albeit a Gate 2 offer is not yet in place;
- Without prejudice to consideration of a future application for the Proposed Grid Connection and Proposed Raigbeg Rail Bridge Replacement, there is nothing at this stage to suggest there are any significant environmental impediments to the granting of consent for future applications, based on the findings of the enclosed AI Report, which concludes that both of these elements of the project could be delivered without resulting in significant adverse effects, based upon currently available details and acknowledging limitations with the scope of the AI assessment. The provision of these details at this stage ensures that Scottish Ministers can properly have regard to all of the benefits and disbenefits of the project when considering the Section 36 application addressing key points of the Raeshaw judgement; and

7.1.5 In the normal sequencing of matters associated with the planning and consenting of major energy infrastructure, the application for the Proposed Grid Connection will only be submitted once the application for the generating station has been approved, thus providing certainty on the planning status of that development before the Proposed Grid Connection is taken forward to the detailed design and environmental assessment stage. The absence of a consent for the Potential Grid Connection and the Proposed Raigbeg Rail Bridge Replacement prior to determination of the Section 36 Application is not therefore unusual. Whilst a relevant consideration, it is not in itself a reason to delay determination of the Section 36 Application as the Applicant has already stated.

7.1.6 The absence of a consent for the Potential Grid Connection and the Proposed Raigbeg Rail Bridge Replacement should also not be used to afford the potential benefits of the Section 36 Application any less weight in the planning balance than has been set out in the previous Planning and Energy Policy Statement. Those benefits, whilst prospective at present, remain substantial. The Section 36 Application remains a 'National Development' in terms of NPF4 and there remains a requirement for the decisionmaker to give 'significant weight' to the contribution the Proposed Development will make to renewable energy generation targets and on greenhouse gas emissions reduction targets, when considering environmental effects.

7.1.7 The 2025 Planning and Energy Policy Statement concluded that the Section 36 Application should be granted, noting the supportive policy position through NPF4 in particular and considering also the biodiversity and socio-economic benefits. Having regard to the findings of the AI Report, it is considered that the previous conclusion (that the Section 36 Application should be granted) remains valid, with there being no significant environmental effects that Scottish Ministers need to consider in addition to those identified in the EIA Report submitted with the Section 36 Application.

8. Conclusion

8.1.1 In response to the consultation responses received on the Section 36 Application, and having regard to the Court of Session judgement in *Raeshaw Farms v Scottish Ministers and Energiekontor UK Ltd*, the Applicant has prepared and submitted an AI Report in respect of the Proposed Development. The AI Report considers a number of matters including responding to consultee comments, providing an updated Ornithology Assessment, an updated LVIA and an assessment of both the Proposed Grid Connection and the Proposed Raigbeg Rail Bridge Replacement (based upon information currently available).

8.1.2 The updated LVIA presented in Appendix A of the AI Report provides an updated assessment of the landscape and visual effects of the Proposed Development, including cumulative effects and effects on the Special Landscape Qualities of the Cairngorms National Park. The assessment concludes that the principal conclusions of the LVIA submitted with the EIA Report are unchanged.

8.1.3 The updated Ornithology Assessment set out in Appendix B of the AI Report provides further assessment of potential effects on key ornithological receptors, in response to comments raised by NatureScot. The revised modelling identifies lower predicted collision rates for Golden eagle, White-tailed eagle and Red kite, and the assessment concludes that no significant residual ornithological effects would arise.

8.1.4 Appendices I and J of the AI Report provide a proportionate assessment of the potential environmental effects of the Proposed Grid Connection and Proposed Raigbeg Rail Bridge Replacement based on the best information currently available. The assessments are based on the Applicant's best current understanding of a potential grid connection route corridor from Clune Wind Farm to the existing Tomatin substation and a likely methodology for the replacement of the Raigbeg Rail Bridge.

8.1.5 For clarity, the Applicant is not seeking permission for the Proposed Grid Connection nor the Proposed Raigbeg Rail Bridge Replacement. Formal application for both developments will be submitted in due course.

8.1.6 The information presented in the submitted AI Report allows Scottish Ministers to consider the potential benefits and adverse environmental effects of the project (the Proposed Development, the Proposed Grid Connection, and the Proposed Raigbeg Rail Bridge Replacement) when determining the Section 36 Application. The Section 36 Application continues to benefit from strong policy support set out in NPF4 and the OWPS in particular. More recent statements on energy policy matters since March 2025 add weight to this policy support.

8.1.7 By virtue of the factual background set out in the AI Report, and findings in respect of the Proposed Grid Connection and Proposed Raigbeg Rail Bridge Replacement, Scottish Ministers can properly have regard to all of the benefits and disbenefits of that project when considering the Section 36 application.

8.1.8 Considering the findings of no significant effects associated with the Proposed Grid Connection and Raigbeg Rail Bridge Replacement as set out in the AI Report, together with the findings of the updated LVIA and the ornithological assessment, which did not identify any conclusions that differed materially from those set out in the EIA Report, it is considered that the planning balance remains firmly in favour of granting Section 36 consent and deemed planning permission for the Proposed Development.

Contact

Simon Herriot
Director

0141 222 4138
07964 915 808
sherriot@savills.com

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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